

**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.

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

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.

Clerk

January 10, 2022

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 17, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 17, 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 17, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Lindsay moved to accept the minutes of the Special Meeting January 9, 2023 and the minutes of the regular meeting of January 10, 2023. 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 Herrington Minor Subdivision, 2nd Amended, A Moderate Subdivision, submitted by **Edward Tevault**, on property located at 21555 Road F, Cortez, CO, consisting of 4.50 acres, more or less, and **Robert Field**, on property located at 21424 Road F, Cortez, CO, consisting of 14.74 acres, more or less, both located south of Road F and east of Road 21, situated in Section 18, 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. Tevault 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 Lindsay moved to accept the

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.

Clerk

January 17, 2022

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 27th, 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.

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 24th 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.

Clerk

January 31, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 7, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 7, 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

CHAIRMAN, CANDELARIA opened the meeting of February 7, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated Tuesday, January 31, 2023 as amended. Motion was seconded by Commissioner Candelaria and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a 5 Lot Moderate Subdivision and Rezoning, 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.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures a 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.

PUBLIC COMMENT: No public comments 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 month of February, 2023 and gave an overview of the type of work scheduled. Topics discussed within the schedule included, snow removal, general equipment maintenance, tree trimming, yard work, fuel capacity, crushing and chip seal.

A discussion was held regarding a change to the turn around and snow plow route on Road 41. The new turn around will now be at the Wallace property, with the No Winter Maintenance and No Parking signs placed in the proper areas. The Commissioners were in agreement to make the snow plow route change.

Superintendent Englehart presented the **USDA Forest Service Beaver Pit Rim Contract #MM-0213-BR-2023** for approval. Commissioner Lindsay moved to adopt Contract #MM-0213-BR-2023 a contract for the sale of mineral materials with the United States Department of Agriculture, aka the Forest Service. Second by Commissioner Candelaria and carried.

Superintendent Englehart reported that currently the Dolores and Mancos Road Districts had been temporarily consolidated. He made a request to permanently consolidate the Districts. The Commissioner were in agreement at this time, to make the consolidation permanent. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2023 Landfill budget spread sheet. Topics discussed with the report included; the mattress income received, a future presentation of the End of Year Totals Report, the building of a compost pad, the design and development of Cell #5, recyclables, cardboard, office paper and plastics sold, maintenance, equipment purchased, spent capital funds, the Ironwood chips, erosion control on slopes, equipment repairs and a future bailing wire purchase. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers. Year to date numbers included; 925 in attendance, Revenues at \$17,173.00 and Expenditures at \$14,722.06. A discussion was held regarding past and future events scheduled at the Fairgrounds. Manager, McGuire made a request to expand the **Winter Practice** sessions to include the weekends. The Commissioners were in agreement to have winter practices on the weekends. Other topics discussed included: general maintenance painting projects, the outdoor restrooms remodel project, the Race Track Contract, the scheduled **Ag Expo, Home & Garden Show** and **Gun Show** events and an update on the Suppression System Project. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report. **RESOLUTION #5-2023**, a resolution to approve the proposed amended, **Montezuma County Weed Management Plan** was presented for approval. Commissioner Lindsay moved to adopt Resolution #5-2023, the Montezuma County Weed Plan as amended. Second by Commissioner Koppenhafer and carried. Other topics discussed included: upcoming meetings / events and an update on Grant statuses. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held with **Road Superintendent Englehart** regarding proposed **Chicken Creek Parking Areas**, on Road W, Road 40, Road 42 and Road 44. The Road 40 parking area decision was postponed. It was decided that a loop through could be done on Roads 44, Road 42 and Road W. (See attached)

DISCUSSION: A discussion was held regarding the Sheriff's request for **Roll-Over Funds, Pre-trial Services** and the **Ute Mountain Casino Contract** budgets. Chairman Candelaria reported that all Roll-over funds are returned to the General Fund. The Pre-trial Services budget included a transfer of 2 line items from Pre-trial to the Detention budget. The Ute Mountain Casino Contract will be updated and presented in the future. (See attached)

DISCUSSION: A discussion was held regarding the **Noxious Weed Department** increase in fees. Topics discussed included: an increase in fees for the excavator cost and the backpack sprayer program. Commissioner Lindsay moved to approve the Noxious Weed Department fees for 2023. Second by Commissioner Koppenhafer and carried. (See attached)

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

NEW BUSINESS:

DISCUSSION: A discussion was held regarding the **Montezuma County Public Health, Department of Health Care Policy and Financing**, contract #21160389A3. The **Contract Amendment #3 Options for Long Term Care**, was presented for approval. Commissioner Lindsay moved to approve Contract Amendment #3 with the Department of Health Care, for Long Term Health Care in Montezuma County, the original contract number was 21-160389, the amended contract number is 21-160389A3. Second by Commissioner Koppenhafer and carried. (See attached)

LODGERS TAX COMMITTEE: Committee Chairman, Lee Cloy along with **Committee Secretary, Brian Bartlett** met with the Commissioners to discuss the Lodgers Tax applications and committee appointments. Chairman Cloy reported that Mr. Bartlett's previous appointment needed to be corrected from a two year term to a three year term. Commissioner Lindsay moved to appoint Brian Bartlett for the rest of his three year term. Second by Commissioner Candelaria and carried. Two letters of interest from **Lana Kelly** and **Kathy Zubrzycki** were presented for consideration. Chairman Cloy also offered to stay on the Committee for a one year term to help with the transition to the new Committee. Commissioner Lindsay moved to appoint Lana Kelly for a three year term, Kathy Zubrzycki for a three year term and Lee Cloy for an additional one year term, to the Lodgers Tax Committee. 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) and to include Commissioners Candelaria and Lindsay, Administrator Anderson, Attorney MacLaren,

Clerk Percell and Commissioner Koppenhafer by phone. Seconded by Commissioner Candelaria and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding litigations pertaining to the Road 41 case. Commissioner Lindsay moved to come out of executive session, seconded by Commissioner Candelaria and carried. (See attached)

ECONOMIC DEVELOPMENT: Economic Development Coordinator, Jessica Thurman met with the Commissioner to give a monthly report. Topics discussed included; the submission of the letter of intent for the **Opportunity Now Grant** for **Work Force Development**, marketing and the development of a community perspective, requests for letters of support sent, attended listening sessions put on by the **Montelores Early Childhood Council**, community conversations regarding childcare resources, a childcare Facebook survey, a presentation with **Region 9** to the **Ute Mountain Ute Tribal Council** regarding the **Community Engagement Plan** and the **Implementation Project** and fostering relationships for a property cleanup project.

COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported on the conversation held with **Economic Development Coordinator, Jessica Thurman** and **Landfill Manager, Mel Jarmon** regarding funds set aside for property cleanup and the development of a proposed Property Cleanup Voucher Program. Other topics discussed included; administrator conversations regarding roll-over funds and a review of the Detox (IGA) Intergovernmental Agreement.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent meetings and phone calls, the scheduled Cortez City Council meeting and the Monday Work Session. **Commissioner Koppenhafer** no report given. **Commissioner Candelaria** reported on the (STAC) State Transportation Advisory Committee meeting, the NACO check in and the scheduled Conference in Washington, proposed legislation to help with funding for Noxious Weed State mandates and Monday's work session.

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

CORRESPONDENCE: The following correspondence was read and noted: Email from **Ingrid Ward** and a letter from the **San Juan Sledders Snowmobile Club**.

MEETING ADJOURNED: 10:55 a.m.

Clerk

February 7, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 21, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 21, 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 February 21, 2023 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, February 7, 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 High Impact/Special Use Permit Application and Commercial Planned Unit Development Application, submitted by **Circle C RV Park & Campground, Inc.**; agents: **Lana Kelly & John Godbout**, on property located at 28000 Road T, Dolores, CO, consisting of 14 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agents, Lana Kelly and John Godbout were present. **Planning Director, Don Haley** along 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 **Susan Lisak**. Hearing no further public comment that portion of the hearing was closed. After

hearing all the evidence presented Commissioner Lindsay moved to approve the permit for the Commercial Planned Unit Development, submitted by Circle C RV Park & Campground, Inc.; agents: Lana Kelly & John Godbout, on property located at 28000 Road T, 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 an Amendment to High Impact Permit #HIP-08-2021/Special Use Permit #SUP-12-2021 and Commercial Planned Unit Development submitted by **Bright Star; Agent: Troy Jaskowski**, on property located at 30261 Road H, Cortez, CO, consisting of 11.7 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. and Mrs. Jaskowski were present. **Planning Director, Don Haley** along 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 comments were made by **Susan Lisak, Tricia Hale, Carlin Frable, Brittney Martin, Billy Acres, Doug Jennings** and **Melissa Matthews**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the amendment to High Impact Permit #HIP-08-2021/Special Use Permit #SUP-12-2021 and Commercial Planned Unit Development submitted by Bright Star; Agent: Troy Jaskowski, on property located at 30261 Road H, Cortez, contingent upon recommendations from the P&Z and as stated by the owners themselves, on a 70 people limit and also contingent upon septic approvals and all of the amendments to the Land Use Plan. Seconded 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 for a 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.

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

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 3 Lot Minor Subdivision and AR10-34 Rezoning Application submitted by **Ted Clark; agent: Ernie Maness**, on property located at 26059 Road 38.5, Dolores, CO, consisting of 32.6 acres, more or less, located north of Hwy 145, east of Road 38, situated in Section 36, T.39N, R.14W, N.M.P.M.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 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, CO, consisting of 4.50 acres, more or less, and Robert Field, on property located at 21424 Road F, Cortez, CO, consisting of 14.74 acres, more or less, both located south of Road F and east of Road 21, situated in Section 18, T.35N, R.16W, N.M.P.M

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 **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.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a Variance correction 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.

PUBLIC COMMENT: Mike Lynch made public comment.

COUNTY SHERIFF: Sheriff, Steven Nowlin met with the Commissioners to present his monthly reports. Topics discussed included; the daily inmate total as of 2-22-23 was 85, the monthly written Sheriff reports, deputy coverage for security events held on County facility properties and a proposed County Attorney / Sheriff's Attorney discussion regarding the new county vehicle policy. The written reports 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 **Operational Expense Report** and the **Monies Paid to the General Fund Report**. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the **January 2023** monthly case numbers and the **Year to Date Totals** report. Topics discussed included; coroner cases, hospice deaths, motor vehicle accident deaths, suicides, overdose deaths and autopsies. Coroner Deavers presented the following 2022 Coroner Case reports for review: the **Cases by Month**, **Cases by Day** and the **Cases by Time of Day Report**. Also presented for discussion was the 2015–2022 **Montezuma County Overdose Deaths** report. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: The **Montezuma County Emergency Management, dba Community Intervention Program (CIP)**, **Secure Transportation Vehicle Permit and Service License**, application was presented for approval. Commissioner Koppenhafer moved to certify that the Montezuma County Emergency Management dba Community Intervention Program and the State of Colorado, have a Type B secure transportation vehicle permit, having paid Montezuma County Public Health the appropriate fees, and the secure transportation service license. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion regarding County vehicles owned by Montezuma County being used out of county was postponed.

DISCUSSION: Chairman Candelaria reported that the current Sheriff Office's **Black & Gray Marijuana Grant** budget had an error that would be corrected and carried over to the 2023 budget. (See attached)

DISCUSSION: The discussion regarding the **Strategic Planning Services** was postponed.

DISCUSSION: IT Director, Jim McClain presented the **Webcheck Penetration Test Proposal** for approval. Commissioner Koppenhafer moved to approve the penetration test proposal through Webcheck Security, to the IT systems for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

LODGERS TAX COMMITTEE: During the Monday workshop **Committee Chairman, Lee Cloy** recommended to the Commissioners to appoint **Jason Armstrong** as the Mancos representative to the Lodgers Tax Committee. Commissioner Lindsay moved to appoint Jason Armstrong from Mancos, as representative for them to the Lodger Tax Committee. Second by Commissioner Koppenhafer and carried.

NEW BUSINESS:

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 retail liquor license and fermented malt beverage license for the The Gettin' Place, Steel Investments Inc., located at 26060 Hwy., 491 Pleasant View. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: County Attorney Ian MacLaren presented for approval the **Deed of Easement and Right of Way for Road 14**. Commissioner Koppenhafer moved to approve the Deed of Easement for Right of Way, for Road 14, between **Gayel Alexander** and Montezuma County, as exhibit A for the extension of Road 14 to the public lands. Second by Commissioner Lindsay and carried. (See attached)

COUNTY GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to give a monthly report. Topics discussed included; an **Economic Development Organization Action Grant**, the **EIAF Solar Grant**, development of a **Transportation Alternatives Program Plan**, the **Community Wildfire Defense Grant**, an **IIJA Local Match Grant**, Zoom training on **Congressionally Directed Spending**, the **Lewis Arriola Community Center's (GOCO) Great Outdoors Colorado Grant**, proposed policy development for administrative management costs for pass through grants, **ITC Direct Tax Credit Payments** and proposed county wide bridge projects.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the closure of the County Road 41 case and a discussion with **Virginia Howie** regarding perceptions within Montezuma County and a completed a Child Protection Services interview.

COUNTY ADMINISTRATOR REPORT: County Administrator, Travis Anderson gave a weekly report. Topics discussed included; event ideas for the Fairgrounds, the proposed Landfill Voucher program, an attended CCI Zoom presentation and an update on the **ClearGov** program.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended **Cattlemen's** meeting and the attended **Southwest Water Conservation District** zoom meeting. **Commissioner Lindsay** mentioned constituent discussions, phone calls and the attended **Cortez City Council** meeting. **Commissioner Candelaria** reported on the attended **NACO** Conference, staffing issues, budget discussions and an overview of the Monday work session.

MOTION TO ADJOURN: Commissioner Koppenhafer moved to adjourn, seconded by Commissioner Lindsay and carried.

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

MEETING ADJOURNED: 11:15 a.m.

Clerk

February 21, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 28, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 28, 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 February 28, 2023 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, February 21, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Boundary Line Adjustment Application submitted by **Anthony & Gina Denten**, on properties located at 16045 Road R.75, Cortez, CO, consisting of 39.84 acres, more or less & TBD Road R.75, Cortez, CO, consisting of 29.93 acres, more or less, both located north of Road P, west of Road 17, situated in Section 29, Township 37N, Range 17W, N.M.P.M. Mrs. Denten was present. Commissioner Lindsay moved to approve the boundary line adjustment application submitted by Anthony & Gina Denten, on properties located at 16045 Road R.75, Cortez. Second by Commissioner Koppenhafer and carried. (See Attached)

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

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a Commercial Planned Unit Development Amendment 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.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a High Impact Amendment 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.

PUBLIC COMMENT: No public comment was 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. (See attached)

PUBLIC HEALTH: Public Health Director, Bobbie Lock, Assistant Director, Laurel Schafer along with the **Katy Maxwell** and **Holly Hyde** met with the Commissioner for a monthly report. Director Lock reported on the Lor Foundation Grant award, the availability of car seat / booster seats, delivery and distribution of the Naloxone shipment and the **Fentanyl Test Strip Program**. Ms. Maxwell and Ms. Hyde presented the **Suicide Prevention in Montezuma County (CNC) Colorado National Collaborative Annual Report**. A discussion was held regarding COVID statistical data reports. Assistant Director Schaefer discussed data collection within Montezuma County. (See attached)

VETERANS SERVICE: Veteran Service Officer, Frank LoBue was not available to give a monthly report.

SENIOR SERVICES: Lori Thompson was not available to give a monthly report.

CSU EXTENSION OFFICE: Extension Director, Emily Lockard met with the Commissioners for a monthly report. Director Lockard reported that the new program assistant had completed the on-boarding process and they are now fully staffed. A discussion was held regarding the scheduled Advisory Board meeting and the received letters of interest, for the **2023 Proposed Extension Advisory Committee Terms**. Commissioner Koppenhafer moved to appoint the 2023 Proposed Extension Advisory Committee Terms as presented, a one year term for **Don Baine** to expire in 2024, a one year term for **Taylor Oliver** to expire in 2024, a two year term to expire in 2025 for **Abdel Berrada**, a two year term to expire in 2025 for **David Temple**, and a three year term to expire in 2026 for **Gayel Alexander**. Second by Commissioner Lindsay and carried. Other topics discussed included; an **Open House** scheduled for March 6, 2023 from

3:30 to 6:30, the January **Grazing Workshop**, the January “**Women’s Risk Management in Agriculture**” course called **Annie’s Project**, the scheduled **Livestock and Forage Grower Update Webinar**, the postponement of the **Pruning Workshop** to March 17, 2023, the **CSU Rural Engagement Initiative**, a scheduled **Mental Health Listening Session**, proposed county based suicide data relating to drought severity, scheduled **Comet Training**, the **Highly Pathogenic Avian Influenza (HPAI)**, the **CSU Producer Custom Rate Survey**, the **Drought Advisor Program** and the development of drought plans, warm season cover crops, the **Colorado Ag. Water Alliance** grant funding, soil probe installs through the **Star Plus Soil Health Program**, and the development of a **Colorado Master Irrigation Class**. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a monthly update. Manager Spratlen presented the **Monthly Situational Report** for discussion and review. Topics discussed included; the Drought Disaster Declaration, water capacity, snow pack, COVID updates, statistical data, communications, the **FEMA Integrated Public Alert & Warning System (IPAWS)**, the **Emergency Management Performance Grant (EMPG)**, the Debris Management Plan, the attended Public Information Officer / Emergency Manager Conference, the spring runoff, a reunification drill, School Base Incident Training, the Access Functional Needs Workshop, a scheduled Pipeline Class, scheduled Public Information Officer Training, Regional ICS Training, the Incident Management Team Class, the Emergency Operations Center Manager Certification, the Incident Commander and Logistics Section Type 3 re-certification, an updated weather report, proposed emergency management legislation and a proposed Wildfire Resiliency Code Board. (See attached)

*Manager Spratlen encouraged all Montezuma County residents to sign up to receive **Nixel Alerts**. (Text your zip code to 888777)*

UNFINISHED BUSINESS:

DISCUSSION: The **Community Intervention Program (CIP)** contract, between the Montezuma County Administration and **Southwest Colorado Mental Health Center Inc., D.B.A Axis Mental Health Services**, along with the Community Intervention Program (CIP) contract, between the Montezuma County Administration and **Cortez Fire Protection District** were presented for discussion and approval. Commissioner Koppenhafer moved to approve the Contract for Community Intervention program between the Montezuma County Administration Colorado and Southwest Colorado Mental Health Center D.B.A Axis Health System and the contract between Community Intervention Program between the Montezuma County Administration Colorado and the Cortez Fire Protection District. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a Special Event liquor license application for the **Kiwanis of Mesa Verde**. The event is scheduled for May 6, 2023, from 5:00 p.m. to 11:00 p.m., and will be held at the Montezuma County Fairgrounds. Commissioner Koppenhafer moved to approve the application for a special events permit, for the Kiwanis of Mesa Verde, at the Montezuma County Fairgrounds on May 6, 2023. Second by Commissioner Lindsay and carried. (See attached)

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

ADDITIONAL UNFINISHED BUSINESS:

DISCUSSION: The **Landfill's Compost Pad Proposal** was postponed to a later date.

DISCUSSION: Baler wire cost estimates for the Landfill, were presented for discussion and approval. The lowest bid received was from **Baling Wire Direct** in the amount of \$25,728.00. Commissioner Koppenhafer moved to approve the bid from Baling Wire Direct, for the Landfill wire, in the amount of \$25,728.00, for 15 stems of 11 gauge galvanized Hi-Ten stem wire. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held regarding the **Strategic Planning Services** provided by the **Department of Local Affairs (DOLA)** at no cost. The Commissioners were in agreement to move forward with the Strategic Planning Services offered by the Department of Local Affairs (DOLA). The previously received, strategic planning services bids included; **ZILO** in the amount of \$40,000.00, **Better City** in the amount of \$30,000.00, **Berry Dunn** in the amount of \$54,900-\$70,000.00, **Same Page Solutions** in the amount of \$10,980-\$12,255.00 and **TPMA** in the amount of \$66,892-\$79,542.00. (See attached)

DISCUSSION: A discussion regarding County vehicles owned by Montezuma County being used out of county was postponed to the March 23, 2023 meeting.

DISCUSSION: A discussion was held, regarding the Montezuma County Sheriff's **Marijuana Black & Gray Enforcement Grant #2022-2023 GBMJ-23-259**, in the amount of \$11,945.91. Commissioner Koppenhafer moved to approve the Marijuana Black & Gray Enforcement Grant #2022-2023 GBMJ-23-259 in the amount of \$11,945.91. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held, regarding Montezuma County Sheriff's **Gaming Impact Grant #22-014 Project Grant Award for 2022-2023**, in the amount of \$118,000.00 for the 2023 Award and a total amount of \$198,349.07. Commissioner Lindsay moved to sign the Gaming Impact Grant, #22-014 Project Grant Award for 2022-2023, is \$118,000.00, with a rollover making it a total of \$198,349.07. Second by Commissioner Koppenhafer and carried. (See attached)

GIS MAPPING: GIS Manager, **Doug Roth** met with the Commissioner to present for approval, **Resolution #06-2023**, a **Resolution Revising and Establishing the Three Commissioners Districts**. Commissioner Koppenhafer moved to approve Resolution #06-2023, a resolution revising and establishing the three Commissioners Districts, for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **MOCO Public Transportation, State of Colorado SUBAWARD Agreement #23-HTR-ZL-00071/491003112** in the amount of \$272,540.00, was presented for approval. Commissioner Koppenhafer moved to approve the State of Colorado SUBAWARD agreement between Montezuma County Department of Transportation #23-HTR-ZL-00071/491003112, in the amount of \$272,540.00. 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 reported that the Colorado Supreme Court had issued a written ruling in the Colorado Property Tax Administrator VS CO2 Committee case. Attorney MacLaren also discussed correspondence received from the Public Health Department regarding properties that had installed septic systems, but had not completed the permitting process. A hearing schedule will be developed for non-compliance properties.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson gave a weekly report. Topics discussed included; gathering salary and FTE information for the Sheriff's office, the scheduled Leadership Training, the Fairground's Solar Project, the CCI legislation meeting, the scheduled CSU Advisory Board meeting, development of Vision / Mission Statements and the scheduled Representative/ Noxious Weed meeting.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed constituent phone calls. **Commissioner Lindsay** mentioned gratitude for the County Road crews during the past snow storms and the scheduled Cortez City Council and CSU Advisory Board meetings. **Commissioner Candelaria** reported that the Housing Authority meeting had been cancelled, reported on the CCI legislation discussions and the attended Town of Dolores Board meeting.

Chairman Candelaria announced the meeting would reconvene at 1:30 p.m. for the Alkali Creek Bridge Project Bid Opening.

ALKALI CREEK BRIDGE PROJECT BID OPENING: Road and Bridge Supervisor, Rob Englehart met with the Commissioners for the bid openings of the **Alkali Creek Bridge Project**. Bids received included: **Ralph L Wadsworth Construction Company, LLC**, in the amount of \$2,960,275.85 and **D&L Construction** in the amount of \$2,682,491.00. The Bids will be reviewed for a future award. (See attached)

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 1:32 p.m.

Clerk

February 28, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 7, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 7, 2023 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

VICE CHAIRMAN, LINDSAY opened the meeting of March 7, 2023 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, February 28, 2023 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 a 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..

PUBLIC COMMENT: Public comment was made by **Farmers Telecommunications, General Manager, Bill Blackford**.

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 2023, and gave an overview of the type of work scheduled. Other topics discussed included; gravel crushing, the 2/28/2023 McElmo wells chart update and an overview of the equipment. Superintendent Englehart presented the following for the record: the (CDOT) **Colorado Department of Transportation's** driveway snow removal recommendations, the CDOT **Depositing Snow on State or US Roadways Prohibited** document, **Montezuma County Resolution #1-2008**, a list of **Private Snow Removal** companies and a County mailing for all property owners regarding snow removal deposits on a public roadway. A discussion was held regarding a possible delineator issue on Road L. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report. Manager Loving gave an overview of the attended **Meeting of the Minds** discussion. Other topics discussed included; preparation for the 2023 weed season, the yearly gigantic weed contest, grants and funding, an update on current projects and participation in the annual **Home & Garden Show**. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire met with the Commissioner to give a monthly report. Manager McGuire reported that the proposed, **Cooper Fire Protection Services, Submittal No. 1A, Automatic Fire Sprinkler System** was at the State for approval, for the Fairgrounds arena. The Fairground monthly report included, the year to date numbers of 2600 in attendance, revenues at \$24,578.00 and expenditures at \$35,596.32. A discussion was held regarding past and future events, the **Winter Practice** schedule, painting projects, the outdoor restroom remodel project, removal of the indoor arena for scheduled events and proposed seasonal Flea Market events. (See attached)

ECONOMIC DEVELOPMENT: Economic Development Coordinator, Jessica Thurman met with the Commissioner to give a monthly report. Topics discussed included; the **Cortez Housing Steering Committee Assessment** meeting, the weekly **Region 9** meeting, participation in the Montezuma Cortez High School "**Futures Fair**", an attended **United Way Food Security Action Team** meeting, the **Colorado Opportunity Now Grant**, the **Economic Development Organization Action Grant** application, funds from DOLA for the **Road Maps** project and presentations to the Town Councils for the implementation of the **Montezuma Community Collective**.

UNFINISHED BUSINESS:

DISCUSSION: Emergency Manager, Jim Spratlen presented for approval the **Montezuma County, Debris Management Plan**. Commissioner Koppenhafer moved to approve the master copy of the Montezuma County Debris Management Plan as presented. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Emergency Manager, Jim Spratlen presented for approval the **Memorandum of Understanding between Fairgrounds and RE-1 School District**. Commissioner Koppenhafer moved to approve the updated Memorandum of Understanding between Montezuma Cortez School District Re1 and Montezuma County Board of County Commissioners as presented. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **Heritage Museum Lease** discussion was postponed to a later date.

NEW BUSINESS:

DISCUSSION: Administrator, Travis Anderson presented for approval, a letter of support addressed to Colorado Senators **Bennet** and **Hickenlooper**, regarding the **Town of Dolores Phase II Water System Improvements**. Commissioner Koppenhafer moved to sign the letter of support for the Town of Dolores, to apply for the Phase II water system improvements, to secure funding through the Senators discretionary funding. Second by Commissioner Lindsay and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioner to give a monthly report. Topics discussed included the (DWARF) **Dolores Watershed and Resilient Forrest Coordination Committee** meeting, funding opportunities, the **Community Wildfire Defense Grant**, the (RCPP) **Regional Conservation Partnership Program**, the **Forest Restoration Wildfire Risk Mitigation Grant**, the AIM Grant through (COCO) **Coalitions and Collaborative Inc.**, the (CWBC) **Colorado Water Conservation Board's Water Shed Restoration Grant**, the (CFLRP) **Collaborative Forest Landscape Restoration Program**, the **Big Game Corridors** and **Gunnison Sage Grouse** comments, the **OREC Recreation Strategies**, a proposed infrared camera system purchase, the **IHOP Affordable Housing Strategy**, an update on the **Paths to Mesa Verde Project**, the **Mancos Source Water Protection Plan**, the **Wolf Reintroduction Comments** and a letter received from the BLM regarding an amendment to the plan for renewable projects, asking Montezuma County to become a cooperating agency. Director Dietrich presented for approval the **Montezuma County Paths to Mesa Verde PH3 Segment A, State SLAWRK Project: MTF C320-007 (25346)** contract. Commissioner Koppenhafer moved to approve project MTF C320-007 (25346) between Montezuma County and the State of Colorado. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed a proposed extension to the **Ironwood** property chip removal schedule, a proposed air incinerator and gave an update on the **Fractural Interest Orders / Colorado Property Tax Administrator VS CO2** Committee case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson gave a weekly report. Topics discussed included; a submitted letter of support for HB 23-1139, regarding the reclassification from 3D to 3A for Montezuma County, a notification of retirement from Social Service Director, Gina Montoya, a completed County by County review and the attended discussion with **Colorado State Senator Simpson** regarding Noxious Weed funding.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Triple A meeting, the Southwest Water Conservation District legislative discussion, constituent phone calls and air incinerators. **Commissioner Lindsay** discussed the attended Housing Solutions meeting, the Monday Workshop, the attended CSU Extension open house and constituent phone calls. **Commissioner Candelaria** was not available to report.

MOTION TO ADJOURN: Commissioner Koppenhafer moved to adjourn, seconded by Commissioner Lindsay and carried.

CORRESPONDENCE: The following correspondence was read and noted: Emails received from **Mindy Nelsen** and **Laurel Schaffer**.

MEETING ADJOURNED: 10:33 a.m.

Clerk

March 7, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 14, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 14, 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 March 14, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, March 14, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

DISCUSSION: Planning & Zoning Chairman, Zac Fahrion presented recommendation for **After-The-Fact** applications. Topics included compliance with Land Use Code for non-compliant properties, one year grace period, exemptions and subdivision.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Commercial Planned Unit Development Amendment and High Impact/Special Use Permit, submitted by **Circle C RV Park & Campground, Inc.**; agents: **Lana Kelly & John Godbout**, on property located at 28000 Road T, Dolores, CO, consisting of 14 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19, Township 37N, Range 15W, N.M.P.M.

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

PUBLIC COMMENT: No public comment made.

DISCUSSION: 12 Hours of Mesa Verde – Capp Allen, Dani Gregory, Jay Balfour and Kirk Underwood presented for use of the Fairground and permission to serve beer at the event. Commissioner Lindsey moved to approve the use of the Fairgrounds for the 12 hours of Mesa Verde. Motion was seconded by Commissioner Koppenhafer and carried.

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2023 Landfill budget spread sheet. Topics discussed with the report included bids for revised liner bids, grants, and proposed sales of compost and January 2023 budget. Commissioner Lindsey moved to accept the Simbeck bid for the amount of \$33145.00. Motion was seconded 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 surplus vehicles, new vehicles and swapping consoles. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler reported on the grounds and buildings. Topics included the leak in the Clerk's office, moving election equipment, pushing snow and cleaning up the fallen tree in front of the Administration Building.

GIS MAPPING: Mapping Specialist, Nolan Notah met with the Commissioners to give his monthly report. Topics discussed included the recent update of the Conservation and Recreation maps and Emergency Manager's use of the Field map for Search and Rescue and Emergency Services. (See attached)

PUBLIC LANDS:

Forrest Service District Ranger, Derek Padilla met with the Commissioners to give updates on various projects including filling the Field Manager position.

Canyon of the Ancients National Monument Manager, Ray O'Neal reported to the Commissioners regarding floor project, new road and restrooms and proposal to allow KCW pass holders entry into the museum and how the pass fees are dispersed.

Us Forest Service: Acting Ranger Shauna Jensen gave updates to the Commissioners of the following topics; NEPA updates, Dolores Rec Access and Infrastructure Improvement Project, Chicken Creek CE adjustment to trails, Load Tech Process Base Registration and Fire Shop

UNFINISHED BUSINESS:

DISCUSSION: SWORD Opiate Settlement Memorandum of Understanding. Commissioner Lindsey moved to sign the Intergovernmental Agreement Colorado Local

Government Opioid Participation Forms. Seconded by Commissioner Candelaria and the motion was carried.

DISCUSSION: A brief discussion was held related to CSU Extension employee's use of county vehicles.

DISCUSSION: Administrator, Travis Anderson presented for approval the **JAG Grant**. Commissioner Lindsey moved to sign the Jag Grant Federal Award # 2019-MU-BX-0080 in the amount of \$29,380.00. Second by Commissioner Candelaria and carried.

NEW BUSINESS:

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a liquor license application for **Globally Kitchen Inspired Kitchens LLC** located at 41900 US Highway 160 W, Mancos Co. Commissioner Lindsey moved to approve the Colorado Liquor Retail License Application for Globally Inspired Kitchen LLC located at 41900 US HWY 160 W, Mancos Co. Second by Commissioner Candelaria and carried. (See attached)

LIQUOR LICENSE RENEWAL: 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 Lindsey moved to approve the Colorado Beer and Wine License Renewal Application for Ancient Echos at Kelly Place, doing business at 14537 Road G, Cortez. Second by Commissioner Candelaria and carried. (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 Lindsey moved to approve the retail liquor or fermented malt beverage license renewal application for Echo Basin LLC., DBA Echo Basin Ranch at 43747 Road M, Mancos, Co. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Ironwood Mill pile situation and an extension for the deadline due to current weather and use of air curtain incinerator.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson gave a weekly report. Topics discussed included; meeting with DOLA, update on Social Services Director Montoya retirement and meeting with Department of Military and Veteran Affairs.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the January, 2023 Accounts Payable Expenditure Reports in the amount of \$5,561,021.52. Commissioner Lindsay moved to approve the expenditures of January 1st, 2023 thru January 31st, 2023 of Montezuma County in the amount of \$5,561,021.52. Second by Commissioner Candelaria and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsey** discussed attending the city council meeting and property taxes. **Commissioner Candelaria** gave updates on meeting with Naomi Dobbs, Bonnie Loving and Senator Simpson regarding a potential bill, workshop, and Dolores town meeting. **Commissioner Koppenhafer** was unable to report.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:51 a.m.

Clerk

March 14, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 21, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 21, 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 March 21, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, March 14, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: Mike Lynch and Troy Gattis

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 **July Operational Expense Report** and the **Monies Paid to the General Fund Report**. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the **February 2023** monthly case numbers and the **Year Totals to Date** report. Topics discussed included; **Coroner Cases, Hospice Deaths, Motor Vehicle Accident Deaths, Suicides, Overdose Deaths, Homicides, Autopsies** and the **Total Income from autopsies**. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioners and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report** and **Declaration of Local Flood Disaster Emergency**. (See attached)

District Attorney's Office: Clarissa Feully met with the Commissioners to discuss the appointment of a **District Attorney**.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held regarding the **Heritage Museum Lease**.

DISCUSSION: A discussion was held regarding the renewal of the **Cost Allocation Plan**. Commissioner Lindsey moved to enter into the **Master Engagement Agreement By and Between MGT of America Consulting, LLC and Montezuma County Board of Commissioners**. Second by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held regarding the **LMN Properties, LLC, Lease Agreement for the Mining and Development of Road Aggregates**. Commissioner Koppenhafer moved to sign the Lease Agreement for the Mining and Development of Road Aggregates between LMN Properties LLC hereinafter referred to as the Owner and the Montezuma County Board of County Commissioners for Montezuma County.

DISCUSSION: A discussion was held regarding the **NTIA Grant for Middle Mile Fiber Infrastructure**.

NEW BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a Special Event liquor license application for **Community Connections Inc**. The event is scheduled to be held at the County Fairgrounds on May 5, 2023 from 6:00 p.m. to 10:30 p.m. (See attached)

COUNTY GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to give a monthly report. Topics discussed included; Economic Development Grant, two Congressionally Spending Requests, Road Maps Grant, and EIF Solar Grant.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed GIA, meetings and conduction research.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson gave a weekly report. Topics discussed included; Montezuma Water Membership Fees, Veteran Service Center, 2024 Budget Guidelines, and spending Saturday out looking at potential issues within the county.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed Wolf Reintroduction meeting with the U.S. Department of Fish and Wildlife and Representative Boebert, NEPA project and Water Conversation Projects. **Commissioner Lindsey** reported attending the City Council meeting Presentation from Empire Electric, and meeting with the municipalities and the Ute Mountain Ute Tribe in Towaoc. **Commissioner Candelaria** discussed spending 2 days in Denver at CCI and topics discussed at CCI, Montezuma County tour, preparedness and workshop,

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:41 a.m.

Clerk

March 21, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 28, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 28, 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 March 28, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, March 21, 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 presented for review and determination of a proposed Subdivision Amendment Application to the Boren Single Lot Development, submitted by Joshua & Gina Boren, on property located at 15865 Hwy 145, Dolores, CO, consisting of 5.02 acres, more or less, situated in Section 30, Township 37N, Range 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 along with Assistant S Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. **Josh** and **Gina Boren** were present. 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 Boren Single Lot Development, submitted by Joshua & Gina Boren, on property located at 15865 Hwy 145, Dolores, Co. 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 Amendment Application to High Impact Permit #562, submitted by Josh & Gina Boren, on property located at 15865 Hwy 145, Dolores, CO, consisting of 5.02 acres, more or less, situated in Section 30, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Josh and Gina Boren were present. **Planning Director, Don Haley** along with **ASSISTANT S Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. **Josh and Gina Boren** were present. 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 an Amendment Application to High Impact Permit #562, submitted by Josh & Gina Boren, on property located at 15865 Hwy 145, Dolores, CO, consisting of 5.02 acres, more or less, situated in Section 30, Township 37N, Range 15W, N.M.P.M. Second by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval a Boundary Line Adjustment Application submitted by **Janice Lyons & Elbert & Donna Colcord**, on properties located at 5732 Road 25, Cortez, CO, consisting of 9.98 acres, more or less & 5754 Road 25, Cortez, CO, consisting of 2.32 acres, more or less, both located south of Road F, east of Road 25, situated in Section 14, Township 35N, Range 16W, N.M.P.M.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for an After-The-Fact High Impact/Special Use Permit and Commercial Planned Unit Development, 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.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for an Amendment to High Impact Permit #HIP-08-2021/Special Use Permit #SUP-12-2021 and Commercial Planned Unit Development submitted by Bright Star; agent: **Troy Jaskowski**, on property located at 30261 Road H, Cortez, CO, consisting of 11.7 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.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of an Amendment Application to High Impact Permit #562, submitted by Josh & Gina Boren, on property located at 15865 Hwy 145, Dolores, CO, consisting of 5.02 acres, more or less, situated in Section 30, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Josh and Gina Boren were present. **Planning Director, Don Haley** along with **ASSISTANT S Jane Duncan** presented the details of the application and the findings of the Planning and

Zoning Commission. **Josh and Gina Boren** were present. 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 an Amendment Application to High Impact Permit #562, submitted by Josh & Gina Boren, on property located at 15865 Hwy 145, Dolores, CO. Second by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval a Boundary Line Adjustment Application submitted by **Janice Lyons & Elbert & Donna Colcord**, on properties located at 5732 Road 25, Cortez, CO, consisting of 9.98 acres, more or less & 5754 Road 25, Cortez, CO, consisting of 2.32 acres, more or less, both located south of Road F, east of Road 25, situated in Section 14, Township 35N, Range 16W, N.M.P.M. Commissioner Lindsay moved to approve the Boundary Line Adjustment Application submitted by Janice Lyons & Elbert & Donna Colcord, on properties located at 5732 Road 25, Cortez, CO. Motion 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 Application, submitted by **Travis & Kacia White**, on property located at 38645 Hwy 160, Mancos, CO, consisting of 9.94 acres, more or less, located north of Hwy 160, situated in Section 36, Township 36N, Range 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. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsey moved to approve the proposed. 2 Lot Moderate Subdivision Application, submitted by **Travis & Kacia White**, on property located at 38645 Hwy 160, Mancos, CO. Motion seconded by Commissioner Koppenhafer and carried.

PUBLIC COMMENT: No comment was heard.

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. Commissioner Lindsey moved to approve the minutes of the regular session of the Board of County Commissioners acting as Board of Social Services on Tuesday Feb 24, 2023. Motion seconded by Commissioner Koppenhafer and carried. Commissioner Lindsay moved to accept the financials from the Department of Social Services in the amount of \$2,118,425.15. Motion seconded 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**, February 2023 was presented for the record. Other topics discussed included; the February 2023

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: number of rides in February 2023, Admin and Operating Grant, staff, wrapping busses and Public Outreach.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held regarding the **Heritage Museum Lease**.

DISCUSSION: A discussion was held regarding the renewal of the **Cost Allocation Plan**. Commissioner Lindsey moved to enter into the **Master Engagement Agreement By and Between MGT of America Consulting, LLC and Montezuma County Board of Commissioners**. Second by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held regarding the **DCJ Opiate Investigation and Distribution Grant 2023-FD-23-33**. Commissioner Lindsay moved to sign the agreement DCJ Opiate Investigation and Distribution Grant of 2023-FD-23-33 in the amount of \$178,588.00. Motion seconded by Commissioner Koppenhafer and carried

DISCUSSION: A discussion was held regarding the **Peace Officer Counseling Support Grant #23-536**. Commissioner Koppenhafer move to sign the Montezuma County Sheriff Peace Officer Counseling Support Grant #23-536 in the amount of \$25,000.00 for the years 2023 thru 2024. Motion was seconded by Commissioner Lindsay and carried.

DISCUSSION: A discussion was held relating to the **Energy Impact Grant**. Commissioner Lindsay moved to sign the application for the Energy Impact Grant for Fiscal Year 2023 Cycle 23-07 EIAF Tier I/Tier II Funding Application. It's in the amount of \$302,788 for the main building \$115,033 for the shop. Total amount is \$417,811.00. Motion seconded by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held regarding the **Heritage Museum Lease**. Commissioner Koppenhafer moved to sign the Lease between Montezuma County and the Historical Society at 35 S Chestnut St. Commissioner Lindsay seconded and the motion was carried.

DISCUSSION: **Heritage Museum Director, Jeff Brown** met with the Commissioners to request a **Letter of Support**. Commissioner Lindsay moved to sign a Letter of Support for the Museum Heritage Center directed to Region 9 Board of Directors State of Colorado Office of Economic Development. Motion was seconded by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held relating to the Race Track Lease. Commissioner Koppenhafer moved to sign the lease between Montezuma and Julian Garcia as a tenant of the Montezuma County Racetrack at the Fairgrounds. Second by Commissioner Lindsay and carried.

DISCUSSION: A discussion was held regarding the CDPHE Certification of Carver Field. Commissioner Lindsay moved to sign the Certification between CDPHE Covenant number RSNOT12 for the Carver Landfill. Motion seconded by Commissioner Koppenhafer and carried.

NEW BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, **Jerri Frizzell** presented for approval a Special Event liquor license application for **National Rifle Association**. The event is scheduled to be held at the County Fairgrounds on April 2, 2023 from 5:00 p.m. to 11:00 p.m. Commissioner Lindsay moved to approve the application for a Special Events permit to be held at 30100 Hwy 160 Cortez Co. Motion was 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 for **Community Connections**. The event is scheduled to be held at the County Fairgrounds on May 5, 2023 from 5:30 p.m. to 10:30 p.m. Commissioner Koppenhafer moved to approve the application for a Special Events permit for malt liquor at Montezuma County Fairgrounds for Community Connections 30100 Hwy 160 Cortez Co. Seconded by Commissioner Lindsay and carried. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, **Jim Spratlen** presented to the Commissioners for review and approval a **Letter of Support** pertaining to the E.R. Lamb building. Commissioner Lindsay moved to sign the Letter of Support for the Cortez Cultural Center to prepare an architectural drawing for the E.R. Lamb building. Motion was seconded by Commissioner Koppenhafer and carried.

EMERGENCY MANAGEMENT: Emergency Manager, **Jim Spratlen** met with the Commissioner and gave a monthly update. Topics included; **CWPP meeting, Carbon Stock, Emergency Evacuation Route, Slash at the Landfill, Transportation Alternative Grant.**

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** did not have anything to report.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** gave a weekly report. Topics discussed included; meeting with Laura Struther, Colorado Department of Human Recourses regarding fill the Director of Social Services position., Veteran Service Center, 2024 Budget Guidelines, spending Saturday out looking at potential issues within the county and a proposed flea market on Sundays at the fairgrounds.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed Wolf Reintroduction meeting with the U.S. Department of Fish and Wildlife and Representative Bobert, NEPA project and Water Conversation Projects and phone calls concerning road damage. **Commissioner Lindsey** reported checking roads and attending the City Council meeting, Presentation from Empire Electric, and meeting with the municipalities and the Ute Mountain Ute Tribe in Towaoc.

Commissioner Candelaria discussed Montezuma Water Supply, Montezuma County Housing Authority meeting, Calkins Commons and East Montezuma Housing Project, District Court update, proposal with Southwest Health Systems, Inter Government Agreement and Dolores meeting, Dolores Community Center.

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

MEETING ADJOURNED: 10:44 a.m.

Clerk

March 28, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 4, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 4, 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 April 4, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, March 28, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: No comment was heard.

ROAD & BRIDGE DEPARTMENT: Road Superintendent, **Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart gave an overview of the type of work scheduled. Other topics discussed included; **Roads and Culverts, Bids for Pipe, Special Road Budget and Notice of Award for Alkali Bridge.** (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, **Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included **Drafted State**

Legislative Bill, Phreatophyte Project, Community Project Funding, CDPHE, NFWF Five Star and America The Beautiful Grants, Contractors, Seminars and County Roadside Sprayer. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2023 Landfill budget spread sheet. Topics discussed with the report included; **Closing due to wind, Testing Bio Solids and the Carver Field.**

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers. Year to date numbers included; **3,785 in attendance, Revenues at \$36,913.00 and Expenditures at \$55,131.94.** A discussion was held regarding past and future events scheduled at the Fairgrounds. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held regarding the Alkali Creek Bridge **Notice of Award.**

DISCUSSION: A discussion was held regarding a **Letter of Support for The Mancos Conservation District.** Commissioner Koppenhafer moved to sign the Letter of Support for the Mancos Conservation District Application to the Action, Implementation and Mitigation Grant Program to hire additional capacity to oversee forestry projects on private lands in Montezuma County it's not just specific to Mancos Valley . Second by Commissioner Lindsey and carried.

DISCUSSION: Administrator Anderson presented for approval the **Montezuma County Budget and Financial Policy.** Commissioner Lindsay moved to adopt the Budget and Financial Management Policy for Montezuma County. Second by Commissioner Koppenhafer and carried.

DISCUSSION: Director for Region 9, Shak Powers met with the commissioners to request a **Letter of Support.** Commissioner Lindsay moved to sign letter to the Middle Mile-GRN-000881 waiver request for Region 9. Second by Commissioner Koppenhafer and carried.

DISCUSSION: A Discussion was held regarding the **Zoning Board of Adjustment.** It was decided to table any action.

NEW BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a Special Event liquor license application for **Ute Mountain Round Up Rodeo.** The event is scheduled to be held at the County Fairgrounds from June 8, 2023 – June 10, 2023. Commissioner Lindsay moved to sign the application for a Special Events Permit by the Ute Mountain Round Up Rodeo to be located at 30100 Hwy 160 Cortez Co. Motion was seconded 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). Second by Commissioner Koppenhafer. In attendance were Commissioner James Candelaria;

Commissioner Kent Lindsay; Commissioner Gerald Koppenhafer; Attorney Ian MacLaren attorney, Administrator Travis Anderson; Mapping Director Doug Roth and Chief Deputy Clerk Malinda Fuller. Commissioner Koppenhafer moved to come out of Executive Session back in to the Regular Session. Second by Commissioner Lindsay and carried.

DISCUSSION: Jessica Thurman met with the Commissioners to give a report. Topics discussed included; **the Food Drive, Flea Market, Grants and the Montezuma Community Collective.**

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren reported a busy week. Topics included MOU's, Zoning Board of Adjustment, Contract with Montezuma Water and ROW issue.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson gave a weekly report. Topics discussed included; meeting with Lauri Thompson and Sue with AAA, Senior Center, CDOT meeting, G Road, Home and Garden Show and the need for seamless gutters and the Payables for February 2023. Commissioner Koppenhafer moved to accept the payables for February 2023 for Montezuma County in the total of \$4,064,749.48. Second by Commissioner Koppenhafer and carried.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the regular meeting of the City Council. **Commissioner Koppenhafer** reported Southwest Conservation meeting in Ignacio. **Commissioner Candelaria** discussed CDOT Planning Team Meeting, Property Tax Revenue Discussion, County Housing Authority Meeting, workshop, CTSI 5 year loss analysis.

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

MEETING ADJOURNED: 10:56 a.m.

Clerk

April 4, 2023

Chairman

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

BOARD OF COUNTY HEALTH: It being the time set aside, the Board of County Health was conducted. **Public Health Director Bobbie Lock** along with **Assistant Director, Laurel Schafer** were in attendance.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 11, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 18, 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 April 11, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, April 4, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley presented for review and determination of a proposed High Impact/Special Use Permit Application and Commercial Planned Unit Development Amendment & COMZ Rezoning Application, submitted by **Daren & Kathy Stone** for the existing WestView RV Park, on property located at 12092 Hwy 145, Dolores, CO, consisting of 25.44 acres, more or less, located north of Road M, east of Hwy 145, situated in Section 7, Township 36N, Range 15W, N.M.P.M. Commissioner Koppenhafer move to approve the High Impact/Special Use Permit Application and Commercial Planned Unit Development Amendment & Commercial Rezoning Application, submitted by Daren & Kathy Stone for the existing WestView RV Park, on property located at 12092 Hwy 145, Dolores, CO, consisting of 25.44 acres. Second by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley presented for review and determination of a proposed High Impact/Special Use Permit Application, submitted by **Smith's Materials, LLC**; agent: **Nathan Barton**, on property located at 22186 Hwy 145, Dolores, CO, consisting of 50 acres, more or less, located east and west of Hwy 145, situated in Section 22, T.38N, R.14W, N.M.P.M. Commissioner Lindsay move to approve the High Impact/Special Use Permit Application, submitted by **Smith's Materials, LLC**; agent: **Nathan Barton**, on property located at 22186 Hwy 145, Dolores, contingent upon the contingencies proposed by P&Z Commission. Second by Commissioner Koppenhafer and carried.

PUBLIC COMMENT: No comment was heard.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Topics discussed included selling all the public surplus vehicles, new KIT van for the CIP program, MOCO van and three new Sheriff Units.

IT: IT Director, Jim McClain met with the Commissioners to present his monthly report. Director McClain discussed updates. Topics included: CSU Extension Broadband program, Cyber Secure web check and upcoming update to email server.

GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist Nolan Notah met with the Commissioners to give a monthly report. Topics included improving access to Assessor's Property Viewer and demonstration of improvements made to the new GIS App.

PUBLIC LANDS:

Forrest Service District Ranger, Derek Padilla met with the Commissioners to give updates on various projects. Topics included; Federal land, Conservation Leasing, Land Health Assessment and Maintenance, Flooding, Dam at Mcphee Reservoir and the KCW Park Pass.

Forrest Service Supervisor, David Casey met with the Commissioners to give a report. Topics discussed included reported higher than normal snowpack and normal wildfire risk. Timber projects, Lone Pine Landscape, Boggy Draw projects, Inflation Reduction Funding, Wood for Life Project and various Recreation Projects.

Mesa Verde National Park Superintendent, Kayci Cool Collins met with the Commissioners to give updates on various project. Topics discussed included: Rock falls, Visitor numbers, Paving and Road Closures, and Schedule of openings for different parts of the park.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was led relating to the request to use the Administrative Offices parking lot by the **Mesa Verde Gardeners**. Commissioners agreed to allow the use of the parking lot.

DISCUSSION: A discussion was held regarding the **Communities That Care Contract**. Commissioner Koppenhafer moved to approve the **Contract Amendment #2022*0154 Amendment #2** between Department of Public Health And Environment and Montezuma County Board of Commissioners. Second by Commissioner Lindsay and carried.

DISCUSSION: A discussion was held relating to **Senate Bill 23-213**. Commissioner Lindsay moved to approve **Resolution in Opposition to Statewide Land Use and Zoning Preemptions in Senate Bill 23-213**. That would be **Resolution #7-2023**. Second by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held regarding **Road Impact Fees**. Commissioner Lindsay moved to Utilize the Road Impact Fees for Road Improvements as presented by the Road Department. Second by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held regarding the **Zoning Board of Adjustment**. Commissioner Koppenhafer moved to approve **Resolution #8-2023 Appointing Members to the Zoning Board of Adjustment Adopting General Rules for the Board of Montezuma County**. Second by Commissioner Lindsay and carried.

DISCUSSION: A discussion was held regarding **MVNP Spruce Tree House Recommendation Letter**. Commissioner Lindsay move to sign the Letter of Support for Mesa Verde National Park Spruce Tree House. Second by Commissioner Koppenhafer and carried.

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave updates on **NCA Steering Committee and SB 23-213**. Attorney MacLaren presented for approval and signatures a **Memorandum Of Understanding. Grant writer, Robert Dobry** gave an overview of **Opportunity Now Colorado Grant**. Commissioner Koppenhafer moved to sign the **Memorandum Of Understanding between Montezuma County, The Mancos School District, Mancos Creative District and The Farm to Spaceship LLC** as presented. Second by Commissioner Koppenhafer and carried.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** gave a weekly report. Topics discussed included; Strategic Plan, Notification to Employees, CCI Meeting and SB23-213.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed attending the Central Committee Meeting for the Republican Party, NCA update, and upcoming meetings. **Commissioner Lindsay** reported City Council, CCI meeting, SB23-213, and CML. **Commissioner Candelaria** discussed Staff attending the State Transportation Advisory Committee meeting, Road work around the state, attending National Association of Counties Transportation meeting, Legislative Briefing, Easter Weekend, workshop and the Dolores meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

MEETING ADJOURNED: 11:09 a.m.

Clerk

April 11, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 18, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 18, 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 April 18, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, April 11, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley presented for signatures a Mylar for a 2 Lot Moderate Subdivision 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.

PLANNING: Planning Director, Don Haley presented for signatures a Mylar for a Subdivision Amendment to the Boren Single Lot Development, submitted by Joshua & Gina Boren, on property located at 15865 Hwy 145, Dolores, CO, consisting of 5.02 acres, more or less, situated in Section 30, Township 37N, Range 15W, N.M.P.M.

PUBLIC COMMENT: No comment was heard.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held regarding the **Alkali Creek Construction Contract**. Commissioner Koppenhafer moved to sign the Agreement between Montezuma County and **Dave and Lana Waters, Inc. dba D and L Construction** hereinafter called “Contractor”. The contractor will commence and complete: **BRO C320-004 (225121) County Road N Alkali Creek Bridge Replacement**. Motion seconded by Commissioner Lindsay and carried.

DISTRICT ATTORNEY: Office Manager, Clarisa Feuilly met with the Commissioners to give a monthly report. Topics discussed included; the appointment of **Christian Hatfield** as the new District Attorney by **Governor Polis**.

DISTRICT ATTORNEY: District Attorney Office Manager, Clarissa h the Commissioners to give a monthly report. Topics discussed included; Appointment of a new District Attorney.

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, Budget, Weather Forecast, Water Levels** and an update on the **Community Intervention Program (CIP)**. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held relating to **Lodger’s Tax Grant Fund** recommendations. Commissioner Koppenhafer moved to approve the disbursement of the **Montezuma County Lodger’s Tax Committee** recommendations as approved at their Board meeting on April 8, 2023. Seconded by Commissioner Lindsay and carried.

DISCUSSION: A discussion relating to the signing of the **Beaver Rim Pit** agreement with the **USFS** was held. Commissioner Koppenhafer moved to approve the **Challenge Cost Share Agreement** between **Montezuma County** and the **USDA, Forest Service San Juan National Forest** for the **Beaver Rim FS # 23-cs-11021300-017**. Motion seconded by Commissioner Lindsay and carried.

DISCUSSION: A discussion was held relating to the **Recycling Resources Economic Opportunity Program** mini-grant. Commissioner Lindsay moved to approve the **Recycling Resources Economic Opportunity Program** mini-grant application. Second by Commissioner Koppenhafer and carried.

DISCUSSION: A discussion was held regarding the **Solar Energy Impact** grant dispatch fees, **Opportunity Now Grant, and technical assistance from CSU**.

DISCUSSION: James Dietrich met with the Commissioners to present **Letters of Support for U.S. Fish and Wildlife**. Commissioner Koppenhafer moved to send the Letter to the US Fish and Wildlife Service with an **Establishment of a nonessential experimental population of the gray wolf in Colorado; 87 Fed 43489 (July 22, 2022). Submitted via ww.regulations.gov, Docket No. FWS-R6-ES-2022-0100**. Second by Commissioner Lindsay and carried.

Discussion: A discussion was held regarding **Resolution 9 in Support of the Federal Transportation TAP Grant Application**. Commissioner Lindsay moved to approve **Resolution 9, a Resolution in Support of the 2023 Federal Transportation Alternatives Program (TAP) Grant Application by Montezuma County for the completion of the Paths to Mesa Verde Trail Project Phase 1 on the Mancos Side**. Motion seconded by Commissioner Koppenhafer and carried.

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave update a weekly update. Topics discussed included: Kinder Morgan case, Leadership Training, District Court, Marriage of the Assistant County Attorney, letters sent for land use issues.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** gave a weekly report. Topics discussed included; Application Review Committee for Social Services position, Leadership Training, Board to Board meeting, DOLA and Strategic Planning, Youth Coalition Meeting and upcoming Colorado Cities and Counties training.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed attending MVI meeting, Mancos Town meeting, water issues within Mancos and meeting of Southwest Conservation District. **Commissioner Lindsay** reported on attending the Cortez City Council meeting, Leadership Training, Strategic Planning meeting. **Commissioner Candelaria** discussed attending Fire Commission meeting in Denver, CCI, Senate Bill overviews, flooding in Dolores, Strategic Planning meeting and workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

MEETING ADJOURNED: 10:41 a.m.

Clerk

April 18, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 25, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 25, 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 (Absent)
Ian MacLaren, County Attorney
Jim McClain, IT Director
Kim Percell, County Clerk

CHAIRMAN CANDELARIA opened the meeting of April 25, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Lindsay moved to accept the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, April 18, 2023 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 an Amendment to High Impact Permit #562, submitted by **Josh & Gina Boren**, on property located at 15865 Hwy 145, Dolores, CO, consisting of 5.02 acres, more or less, situated in Section 30, Township 37N, Range 15W, N.M.P.M..

Planning Director, Haley along with **Assistant, Duncan** presented for signatures for a Mylar of a Single Lot Development 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. .

Planning Director, Haley along with **Assistant, Duncan** for signatures for a Mylar of a 2 Lot Moderate Subdivision 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.

PUBLIC COMMENT: No public comment made.

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): **MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; the March rider count of 762, a quarterly rider count of 2464 which included an increase of 578 riders from 2022, staffing, an update on the new vehicle, a proposed newspaper article, public service announcements and the disbursement of flyers.

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**, March 2023 was presented for the record. Topics discussed included; the March 2023 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. A discussion was held regarding the length of time it took to receive application decisions. (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. Director, Montoya presented for approval, a funding request from the **Clara Ormiston Fund**. Commissioner Lindsay moved to approve the expenditure from the Clara Ormiston Fund in the amount of \$3501.26. Second by Commissioner Koppenhafer and carried. (See attached)

CSU EXTENSION OFFICE: **Extension Director, Emily Lockard**, met with the Commissioner to give a monthly report and to introduce the new **4H Coordinator, Tierney Wilson** and **Programming Assistant, Todd Gunter**. Coordinator Wilson gave an update on the **4-H 201 Event**, the **4-H Question Sessions**, the **Colorado 4-H Shooting Sports** event, the attended **San Juan Basin Leadership Conference**, participation in the **4 States Ag Expo** event, and local educational opportunities within the 4-H program. Programmer, Gunter discussed the **Master Gardner Program**, the **Native Plant Program**, the **Green School Program**, the **Common Grounds / Community Garden**, the **Montezuma Restoration Orchard Project**, the **Farmer's Market** season, soil testing, container gardens and updated CSU flyers. Director Lockard gave an overview of the **Fire Mitigation for Landowners Workshop** and the **Wolves on the Horizon: A Community Dialogue** events. Other topics discussed included; virtual fencing, the scheduled **Southwest Colorado Meat and Livestock Day** event and a **Soil Moisture Probe Monitoring Program**. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held relating to a **Letter of Support for Crow Canyon Archeological Center Enterprise Zone Accreditation Renewal**. Commissioner Koppenhafer

moved to approve the letter of support for the Crow Canyon Archaeological Center Enterprise Zone application. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion relating to a **Letter of Support for the Town of Dolores Colorado Outdoor Regional Partnership Initiative Grant**. Commissioner Koppenhafer moved to sign the letter of support for the application of a capacity building grant request submitted by the Town of Dolores to the Colorado Outdoor Regional Partnership Initiative. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion relating to the **Cortez Farmers Market** expansion request was postponed to next week. (See attached)

DISCUSSION: The Public Health, Immunization, **Master Task Order Contract Number 23 FAA 00035** was presented for approval. Commissioner Lindsay moved to approve and sign the Master Task Order Contract #23 FAA 00035 for the Immunization Contract for Public Health. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The discussion regarding the sale of gravel to Dolores County from the **Ormiston Pit** was postponed.

DISCUSSION: The **Montezuma County Grant Funding and County Property Titling Policies** were presented for approval. Commissioner Koppenhafer moved to approve the Grant Funding and County Property Titling Policy. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A Memo of Understanding between the **Department of the Interior, the Bureau of Land Management and Montezuma County**, to become a cooperating agencies for the development of the Programmatic Environmental Impact Statement and Associated Resource Management Plan Amendments for Utility-Scale Solar Energy Development on Public Lands, was presented for approval. Commissioner Koppenhafer moved to sign the memorandum of understanding between the Department of the Interior, the Bureau of Land Management and Montezuma County Colorado, as cooperating agencies for the development of the Programmatic Environmental Impact Statement and Associated Resource Management Plan, for Utility-Scale Solar Energy Development on Public Lands. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** discussed the Ironwood Property, the Kinder Morgan case, the Ellis Lewis land use matter and a proposed letter addressed to the State Attorney General regarding accountability for the Bureau of Reclamation regarding the Colorado River Compact.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** was not available to give a report.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported on the attended Hospital District meeting.

Commissioner Koppenhafer discussed the review of bills included within the current legislative session. **Commissioner Candelaria** discussed the Monday Workshop and the attended Town of Dolores Trustee meeting.

PAYABLE EXPENDITURE REPORT: The March 2023 Accounts Payable Expenditure Reports in the amount of \$3,470,726.00 were presented for approval. Commissioner Lindsay moved to approve the March payables for Montezuma County, in the amount of \$3,470,726.00. Second by Commissioner Koppenhafer and carried. (See attached)

CORRESPONDENCE: The following correspondence was read and noted: Email from **Ingrid Ward**. Letter of interest to serve on the Mancos Cemetery District from **Rachael Mc Whirter**.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

MEETING ADJOURNED: 10:28 a.m.

Clerk

April 25, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 2, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 2, 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 May 2, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, April 25, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: Public comment was made by Allen Maez.

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, 2023 through May 31, 2023 and gave an overview of the type of work scheduled. Other topics discussed included; the Dolores Norwood Road, Road P flood repairs, Road 36 flood repairs, the 2023 Road project options, an update on the Alkali Bridge Project and mag chloride projects. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving met with the Commissioners to give a monthly report. Topics discussed included: participation in the

Home and Garden show, past and future events, pictures of properties before and after treatment, currently blooming plants, managing annuals, the Backpack Sprayer Program, plants coming up that need treatment soon and homemade treatments. Scheduled events include; **Herbicide 101** May 9th and June 6th, **Plant ID** June 6th, July 11th and August 5th, and the **Re-seeding Seminars** scheduled on May 23rd and September 19th. (See attached)

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2023 Landfill budget spread sheet. Manager Jarmon reported that he had received two letters from the CDPHE. One regarding a change to the waste tire rules, concerning rate reductions and the other regarding a storm water permit renewal. Other topics discussed included the compost pad and 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; 13960 in attendance, Revenues at \$51,459.49 and Expenditures at \$72,925.55. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; scheduled events in the meeting rooms, the transformer upgrade at the lower barns, wire upgrades to the Poultry/Goat barns, the Outdoor Restroom Remodel, the Fire Suppression System, painting the stage, a proposed users agreement for local municipalities to use the stage, the proposed Montezuma Water Co. / Montezuma County agreement and the Ute Mountain Roundup Rodeo gravel project. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: The request to expand the usage of the County parking lot for the **Cortez Farmers Market** was denied at this time.

DISCUSSION: A discussion was held, regarding the **Economic Development Organization Action Grant Award** in the amount of \$26,000.00. Commissioner Lindsay moved to sign the Economic Development Organization Action Grant Award. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held in regards to the **LOR Foundation Funding** for the Fairgrounds Flea Market. Commissioner Koppenhafer moved to sign the LOR Foundation funding grant for the Fairgrounds Flea market. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren presented for approval the **General Service Agreement project #25346-MTF C320-007 Montezuma Co. PTMV PH Segment A Phase 3 Alignment Selection**. Commissioner Lindsay moved to authorize the Administrator to sign the General Service Agreement for project #25346-MTF C320-007 Montezuma Co. PTMV PH2 Segment A Phase 3 Alignment Selection with Scott Belonger authorized OTAK representative. Second by Commissioner Koppenhafer and carried. (See Attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended (CCCMA) Colorado City & County Management Association conference, Proposition 123, Senate Bill-213 and the scheduled property tax zoom meeting.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended NRA Banquet, and Southwest Water legislative discussions. **Commissioner Lindsay** reported on the attended Cortez City Council meeting, constituent discussions, Senate Bill-213, the proposed property tax bill and the State of Colorado Government. **Commissioner Candelaria** discussed the attended Housing Authority meeting, gave an overview of the Monday Workshop and the E-911 Board meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:15 a.m.

Clerk

May 2, 2023

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 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 May 9, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Montezuma County Board of Commissioners, Colorado for Tuesday, May 2, 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 Subdivision Amendment Application to the Hoch 2 Lot Minor Subdivision, submitted by **Raptor Self-Storage, LLC**, on property located at 26304 Road L, Cortez, CO consisting of 3.43 acres, more or less, and **Daniel & Debbie Hoch**, on property located at TBD Road L, Cortez, CO, both situated in Section 24, Township 36N, 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** along 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 Application to the Hoch 2 Lot

Minor Subdivision, submitted by Raptor Self-Storage, LLC, on property located at 26304 Road L, Cortez. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley gave an update on the **Love's Travel Stop** and the **Rocky Mountain Meats** project. Director Haley will be conducting property reviews and will report back to the Commissioner.

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; the arrival of 3 Sheriff units, a leased vehicle yearly total of \$152,000.00, new vehicle purchasing, a new unit purchase for the Emergency Manager and the rotation of that vehicle to the IT Department, replacement vehicle purchases for the Road Department and Maintenance Department, fleet reduction and older vehicle sales. Manager Higman reported that we are still waiting for delivery of a 2022 and 2023 unit.

GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler met with the Commissioner to give a monthly report. Supervisor Sattler reported that they had changed the filters and cleaned the cooling tower at the Combined Courts Building, that the tree testing at the Administration Building had been completed, that the water had been turned on to all the buildings, they would be mowing the Combined Courts field, the back flow testing had been scheduled, the annual testing for the elevator and chair lift had been scheduled, that the RFP for Janitorial Services had been reposted and they had been working on the Annex III painting project. Resource Director, James Dietrich, joined the meeting at this time to discuss the development of a proposed overflow parking lot and xeriscaping on the Combined Courts property.

IT: IT Director, Jim McClain met with the Commissioners to present his monthly report. Topics discussed within his report included: the Broad Band speed testing, Capital Fund Project (CPF), Broadband Equity, Access, and Deployment (BEAD), coordinating with the Town of Mancos on the Broad Band project, streaming of the Ute Mountain Roundup Rodeo and cyber security.

GIS MAPPING: GIS Manager, Doug Roth met with the Commissioners to give a monthly report. Topics discussed included; a demonstration of a new map application for the Assessor's office, off the shelf imagery, property reviews and the new Assessor's values, market rates and protests. Manager Roth discussed working with Attorney MacLaren regarding an issue with a recorded Section Line document that is a Road Right of Way and Dedication to the County. The document designates 40 feet to the County instead of the normal 60 foot.

UNFINISHED BUSINESS:

DISCUSSION: The proposed Den kai Animal Sanctuary request to use the County Parking Lot on May 20 2023 was presented. Commissioner Koppenhafer moved to approve the Den kai

Animal Sanctuary request, for the use of the Montezuma County parking lot, with the stipulation that there won't be any food trucks involved, just vendors involved in the request, on May 20, 2023. Second by Commissioner Lindsay and carried.

DISCUSSION: A discussion was held, regarding the **Private Activity Bond Reallocation for Montezuma County Housing Authority**. Attorney MacLaren presented for approval **Resolution 10-2023, A Resolution Authorizing the Assignment of the County's Private Activity Bond Allocations for 2023 to the Housing Authority of the City of Aurora, Colorado; Providing Other Details in Connection Therewith; and Providing an Effective Date**. Commissioner Lindsay moved to adopt resolution 10-2023, a Resolution Authorizing the Assignment of the County's Private Activity Bond Allocations for 2023 to the Housing Authority of the City of Aurora, Colorado; Providing Other Details in Connection Therewith; and Providing an Effective Date. Seconded by Commissioner Koppenhafer and carried.

The **Assignment of Allocation** and the **Certificate of Montezuma County, Colorado Concerning Assignment of Private Activity Bond Volume Cap Allocation to the Housing Authority of the City of Aurora, Colorado**, were presented for approval. Commissioner Lindsay moved that the Assignment Allocation be signed, dated May 8, 2023, between Montezuma County and the State of Colorado and the Housing Authority City of Aurora DBA Aurora Housing Authority, a body corporate and politic of the State of Colorado. Seconded by Commissioner Koppenhafer and carried. Commissioner Lindsay moved to sign the Certificate of Montezuma County, Colorado Concerning Assignment of Private Activity Bond Volume Cap Allocation to the Housing Authority of the City of Aurora, Colorado. Second by Commissioner Koppenhafer and carried. (See attached)

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell, presented for approval a Special Event liquor license application for the **Montezuma County Fair Board**, event to be held at the Montezuma County Fairgrounds 30100 Hwy 160 Cortez Co., scheduled July 21, 2023 through July 29, 2023. The discussion was tabled to the May 16, 2023 Commissioner meeting.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed day to day business and civil cases.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported that they would be starting preliminary budget discussions, he'd had discussions with Assessor Bugg regarding property tax, had attended a meeting with AC Power LLC, had attended a meeting with Patrick Rondinelli, would be doing the scheduled interviews for the Social Services Director and had attended the Dolores Town meeting.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the Flowline / Yellow Jacket allotments, the Rangeland Stewardship Committee meeting, an update on the Paths to Mesa Verde Project, a received notification for determination of eligibility and effects for a proposed Weber Ditch Project, the Affordable Housing Project, the (DWARF) Dolores Watershed and Resilient Forrest Coordination Committee meeting, the CFLRP funding and minor maintenance for the McElmo Flume highway facility.

PUBLIC LANDS:

Acting Forrest Service District Ranger, Shauna Jensen met with the Commissioners to give updates on various projects. Topics discussed included: prescribed burns in the Boggy Draw and Haycamp Mesa areas, closure orders around Boggy Draw, the Dolores Recreation Environmental Assessment, local landslides on the Taylor Mesa and Cottonwood roads, a boulder on the Roaring Fork Road, continued material movement, the postponement of campground openings and the McPhee Breakwater Project. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the scheduled Cortez City Council meeting. **Commissioner Koppenhafer** mentioned constituent property tax discussions. **Commissioner Candelaria** discussed the end of the legislative session, Senate Bill 213, the attended Dolores Town Hall meeting and gave an overview of the Monday Workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:19 a.m.

Clerk

May 9, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 16, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 16, 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 May 16, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Lindsay moved to approve the minutes and proceedings of the E-911 Board of Commissioners, for Montezuma County, for May 8, 2023 and also the Proceedings of the Board of County Commissioners, for the May 9th, regular meeting. Motion was seconded by Commissioner Koppenhafer and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures a High Impact/Special Use Permit for **Smith's Materials, LLC; agent: Nathan Barton**, on property located at 22186 Hwy 145, Dolores, CO, consisting of 50 acres, more or less, located east and west of Hwy 145, situated in Section 22, T.38N, R.14W, N.M.P.M.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures a High Impact/Special Use Permit for **Daren & Kathy Stone** for the existing **West View RV Park**, on property located at 12092 Hwy 145, Dolores, CO, consisting of 25.44 acres, more or less, located north of Road M, east of Hwy 145, situated in Section 7, Township 36N, Range 15W, N.M.P.M.

DISCUSSION: Director Haley along with Attorney MacLaren gave updates and discussed properties included within the Land Use Code Violation priority list.

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 **Operational Expense Report** and the **Monies Paid to the General Fund Report**. Other topics discussed included; VIN inspections, inmate transports, per day inmate charges and the DOC housing fees. Sheriff Nowlin presented the Forest Service **#20-LE-11021300-031 Grant Agreement** between the **San Juan National Forest** and the **Montezuma County Sheriff's Office** for the **Region 2 Law Enforcement & Investigations Project**. The discussion was tabled at this time, to allow Sheriff Nowlin a chance to revisit the patrol mileage rate and the Deputy hourly wage rate. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the monthly report. The **April 2023** reported numbers included; 19 coroner cases, 10 hospice deaths, 7 autopsies, 1 motor vehicle accident, 0 suicides, 0 overdose deaths and 1 homicide. The **Year to date Totals** included; 100 total cases, 55 coroner cases, 45 hospice deaths, 20 autopsies, 4 motor vehicle accident, 3 suicides, 0 overdose deaths and 1 homicide. Coroner Deavers reported that the numbers had changed over the previous weekend. The updated numbers included; 104 total cases, 59 Coroner cases, 23 Autopsies, and 6 (MVA) Motor Vehicle Accidents. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioner to give a monthly report. Manager Spratlen presented for review and discussion the Forecast Hydrograph for the Dolores, Mancos, Lost Canyon Creek, Rico and McPhee Reservoir. Manager Spratlen also gave a review of the **Monthly Situational Report**. Topics discussed within the report included; fire predictions, lightning strikes, controlled burns, training on the new Everbridge dashboard, the 2022 Emergency Management Performance Grant \$46,793.70 payment, incident action plans, support plans, the completion for the 2024-2026 (IPP) Integrated Preparedness Plan and the County (TEP) Training and Exercise Plans, Incident Management Team, the All Hazards Regional Plan, Stake Holder meetings and the Generator Grant applications. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: The Colorado Department of **Public Health and Environment Contract Amendment #1, Original Contract #2023*0441, Air Quality contract** between the Board of County Commissioners of Montezuma County and the Colorado Department of Public Health and Environment was presented for approval. Commissioner Koppenhafer moved to sign Contract Amendment #1, contract number 2023*0441 with the Colorado Department of Public Health and Environment. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **Approved Task Order Contract – Waiver #154, Emergency Preparedness Program Grant**, between the Board of County Commissioners of Montezuma County and the Colorado Department of Public Health and Environment was presented for approval. Commissioner Koppenhafer moved to sign the Task Order Contract – Waiver #154, between the Colorado Department of Health Safety and Environment and the Montezuma County, Board of County Commissioners. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held, regarding the Sheriff's invoice for the **Siren Contract** with the **Town of Dolores**. Commissioner Lindsay moved to approve the expenditure from the Gaming Grant, for the contract for the Town of Dolores siren. Second Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held, regarding the Sheriff Department's invoices for the **Patrol Car Up-fitting**. Commissioner Lindsay moved to approve the up-fitting of the patrol cars for the Sheriff, as invoice relates, with the money to be taken out of the Gaming Grant. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The Commissioners were in agreement to move forward with a discussion, regarding the updated **Contract** between the Board of County Commissioners and the **Town of Dolores**.

RESOLUTION: Resolution #12-2023, a resolution appointing Montezuma County's Voting Member to the **Dispatch Accountability Committee** was presented for approval. Commissioner Koppenhafer moved to approve Resolution #12-2023, a resolution appointing Montezuma County's Voting Member to the Dispatch Accountability Committee, and that will be Kent Lindsay as the primary and Travis Anderson as the secondary. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held, regarding the **Cortez Dispatch IGA**. The Commissioners were in agreement, that no formal action would be taken at this time.

DISCUSSION: A discussion was held, regarding the disbursement of the **Mounted Patrol/County Owned Property**. Commissioner Lindsay moved to publicly disperse the inventory for the Mounted Patrol program, except one shed unit, which consists of the shed, tack room, the panels that go around it, and also the trailer. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

RESOLUTION: Resolution #11-2023, a Resolution Amending the 2022 Budget was presented for approval. Commissioner Koppenhafer moved to approve Resolution 11-2023, a resolution to amend the 2022 budget. Second by Commissioner Lindsay and carried. (See attached)

COUNTY GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to give a monthly report. Topics discussed included; a 2023 total of

\$2,691,000.00 grant submittals, the grant priority list, fiber grants, Road and Bridge grants, infrastructure funding and the County grant application procedures. Coordinator Dobry presented for discussion, a Montezuma County Grant Application Submission Form. The Commissioner were in agreement to use the form. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ironwood Case, participation in the interview process for the Department of Social Services Director position and child welfare hearings.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed day to day business, a new employee benefit software program, the Department of Social Services Director position interviews, a discussion with Chief Knuckles regarding security for the Fair Board's 4-H concert, a meeting to discuss Proposition 123, the Affordable Housing meeting and a follow up on the County Road 25 issue.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended Mancos Town Council Meeting and his possible appointment to the Governor's Task Force on the Colorado River. **Commissioner Lindsay** discussed the attended Mounted Patrol inventory review, the Monday workshop meeting and reported on the attended Cortez City Council meeting. **Commissioner Candelaria** discussed the Department of Social Services Director position interviews and announced that **Kelly Hargraves** had been offered and accepted the position. Commissioner Candelaria also discussed the attended 12 Hours of Mesa Verde event, the Mounted Patrol inventory review and gave an overview of the Monday Workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:27 a.m.

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

Clerk

May 16, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 23, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 23, 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 May 23, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Board of County Commissioners of Montezuma County, for May 16, 2023 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 2 Lot Minor Subdivision and AR3-9 Rezoning submitted by **David, Catherine & Billy Thornton**, previously approved for **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.

PUBLIC COMMENT: No public comment was made.

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris met with the Commissioners to give a monthly report. Manager Morris presented the proposed Intergovernmental Agreement for transportation services to the **Town of**

Rico by Montezuma County Transportation. The discussion was postponed to the next scheduled Monday Workshop. Other topics discussed included; public service announcements, flyers placed at various locations, staffing, the **MOCO Public Transportation Request for Proposal Feasibility Studies for a Fixed Route in Montezuma County** and the current ride numbers. (See attached)

SENIOR SERVICES: Interim Director, Lori Thompson met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included; billings, SUDS, the completed RFP, placement as a Board member to the (RAAC) Regional Aging Advisory Committee, the Advisory Board meeting, E-bikes, a completed audit, the Nutrition Supervisor position, an update on the Dolores and Mancos operations and the monthly commodity give away. A discussion was held related to the future use of the current Dolores and Mancos facilities and contingency plans for new locations if necessary.

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:

DISCUSSION: The discussion related to the **Secure Rural Funding** was postponed to a future date.

DISCUSSION: Maintenance Supervisor, Dustin Sattler met with the Commissioners to discuss the received janitorial services bids for the Sheriff, MoCo and Road & Bridge buildings. Bids were received from **Monica's Cleaning Service LLC, Decker & Associates, Inc.** and **Superior Services LLC**. Commissioner Lindsay moved to approve the recommendations from maintenance, for janitorial services for the Sheriff's office, MoCo and Road and Bridge, awarded to Monica's Cleaning Service at \$11,500.00, for the Road and Bridge service to Decker & Associates, in the amount of \$3,500.00 and to MoCo for Superior Services, in the amount of \$1,575.00, with a total amount of \$16,575.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Maintenance Supervisor, Dustin Sattler met with the Commissioners to discuss the 2023 SO HVAC replacement bids. Received bids included **Comfort Air** in the amount of \$29,495.00, **Farmington Heating & Metal Co** in the amount of \$26,353.63 and **Garrhs Inc.** on the amount of \$ 27,790.25. Supervisor Sattler reported that the County tax exempt status had been accepted, which changed the Farmington Heating & Metal Co., bid to \$24,409.00. Commissioner Koppenhafer moved to accept the low bid from Farmington Heating & Metal Co., in the amount of \$24,409.00, for the three HVAC replacement units. Second by Commissioner Lindsay and carried (see attached)

DISCUSSION: A discussion was held related to the approval of the Sheriff's Office / US Forest Service's, **Modification of Grant or Agreement #OMB0596-0217/FS-1500-19**. Commissioner Koppenhafer moved to approve the agreement between the San Juan National Forest and the Montezuma County Sheriff's Office, to provide services on the National Forest land, with a total

funding of \$10,500.00, agreement #0596-0217. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a liquor license transfer of ownership application for **G Whil Liquors, BB, LLC, DBA G Whil Liquors** located at 24001 Road G.2, Cortez, Co. Commissioner Lindsay moved to approve the transfer of ownership application for G Whil Liquors, located at 24001 Road G.2, Cortez. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to the County process, regarding the required security services for special events scheduled at the Montezuma County Fairgrounds.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give a report. Director Dietrich reported that there was a scheduled outreach meeting with the **State Water Engineer, Kevin Rhine**, on Thursday at 4:00 p.m. at the Dolores Water Conservancy District. Other topics of the discussion included; the **Outdoor Recreational Grant**, the (DWARF) **Dolores Watershed and Resilient Forrest Coordination Committee**, the (CFLRP) **Collaborative Forest Landscape Restoration Program**, the **Community Wildfire Defense Grant**, and the **Paths to Mesa Verde Project**. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave updates on the agreement with Montezuma Water CO., the Ironwood Case, the Road 41 fences, the lawsuit involving the Newman death that occurred at the jail house and day to day operations.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed day to day operations and the attended the Dolores Town Hall meeting.

TRANSFER ORDER: Administrator, Anderson presented **Transfer Order # 1-2023**, a transfer of \$3,501.26 from the Clara Ormiston Fund to the Social Services Fund for cancer patient expenses. Commissioner Lindsay moved to approve Transfer Order #1-2023, in the amount of \$3,501.26 from the Clara Ormiston Fund to Social Services. Second by Commissioner Koppenhafer and carried. (See attached)

On behalf of **County Treasurer, Ellen Black**, Administrator, Anderson presented for approval the July 1, 2022 through December 31, 2022, **Schedule of Receipts and Disbursements**. Commissioner Koppenhafer moved to accept the Schedule of Receipts and Disbursements, from 7/1/2022 to 12/31/2022, as presented. Second by Commissioner Lindsay and carried. (See attached)

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the April 2023 Accounts Payable Expenditure Reports in the amount of \$3,299,539.96. Commissioner Lindsay moved to approve the financials for April, for Montezuma County in the amount of \$3,299,539.96. Second by Commissioner Koppenhafer and carried. (See attached)

LETTER OF INTENT: Administrator Anderson presented for approval a letter of intent addressed to the Colorado Department of Public Health and Environment (CDPHE) regarding the **Participation in Strategic Prevention Framework- Partnerships for Success for States Grant**. Commissioner Lindsay moved to sign the letter of support, for the Colorado Department of Public Health and Environment, for participation in Strategic Prevention Framework-Partnerships for Success for States Grant. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported on the attended meeting with the **State Attorney General, Phil Wiser**, the attended Dispatch meeting and expressed congratulations to the Denver Nuggets, Micah Rudosky, the Cortez Panthers Baseball team and Peyton Perry. **Commissioner Koppenhafer** reported on the attended meeting with **Phil Wiser the Attorney General for the State of Colorado**, constituent discussions and the scheduled meeting Thursday at 4:00 p.m. with **State Water Engineer, Kevin Rhine** at the Dolores Water Conservancy District. **Commissioner Candelaria** discussed the attended **Western Interstate Region (WIR) Conference**, gave an overview of the Monday Workshop and the Dolores Town Hall meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: The Veteran Services Monthly Report for April 2023.

MEETING ADJOURNED: 10:25 a.m.

Clerk

May 23, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 6, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 6, 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 June 6, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for May 23, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of an Exemption Application submitted by **Van Keuren Living Trust & Akina, LLC**, on properties located at 12403 Road 22, Cortez, CO, consisting of 35.73 acres, more or less & 12525 Road 22, Cortez, CO, consisting of 70 acres, more or less, both located east of Road 22, south of Road N, situated in Section 7, Township 36N, Range 16W, N.M.P.M. Mrs. Van Kueren was present. Commissioner Lindsay moved to approve the exemption application submitted by Van Keuren Living Trust & Akina, LLC, on properties located at 12403 Road 22, Cortez. Second by Commissioner Koppenhafer and carried. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for discussion and approval of a Variance Application submitted by **Leslee Ham**, on property located at 9340 Road 29.25, Cortez, CO, consisting of 3.45 acres, more or less, located south of Hwy 160, situated in Section 28, Township 36N, Range 15W, N.M.P.M. Mr. and Mrs. Ham were present. The Commissioners were in agreement to continue the discussion to the June 13, 2023 meeting. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a Subdivision Amendment of the Swearingen 2 Lot Moderate Subdivision, 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.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment submitted by **Janice Lyons & Elbert & Donna Colcord**, on properties located at 5732 Road 25, Cortez, CO, consisting of 9.98 acres, more or less & 5754 Road 25, Cortez, CO, consisting of 2.32 acres, more or less, both located south of Road F, east of Road 25, situated in Section 14, Township 35N, Range 16W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **Susan Kemnetz, James R. Myers** and **Allen Maez**.

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 June 2023 and gave an overview of the type of work scheduled. Other topics discussed included; the Alkali Bridge project, the Airport Project, the Mancos Gravel Pit, pave patching on the Dolores Norwood Road, the Beaver Rim Pit, chip seal projects and the Road V section repair. (See attached)

NOXIOUS WEED DEPARTMENT: **Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included: updates, the month of May office calls, public outreach, Hoary Cress, Hairy Whitetop, Leafy Spurge, Siberian Elms, the Phreatophyte removal project, and county weeds. (See attached)

LANDFILL: **Landfill Manager, Mel Jarmon** gave his monthly report which included the 2023 Landfill budget spread sheet. Manager Jarmon gave an update on the Carver Field. Other topics discussed included; hours of operation (8:00 a.m. – 4:00 p.m. Monday – Saturday), tardy fees assessed for loads not unloaded by 4:15pm, scheduled inspections and wind days. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to the **Fleet Department, fleet costs, and fleet reduction strategies**. There will be future budget discussions on the topic.

DISCUSSION: The discussion related to the **Secure Rural Funding** was tabled to a future date.

DISCUSSION: A discussion regarding **Ballot Print Vendors** was held with Clerk Percell. The discussion was postponed to a future date.

DISCUSSION: A discussion was held related to the **MOCO, (IGA) Intergovernmental** agreement for transportation services to the **Town of Rico** by Montezuma County Transportation. The discussion was tabled to after the June 21st Rico Town Board meeting.

DISCUSSION: The **Master Task Order #23FAA00035** between the State of Colorado and Montezuma County for the **Public Health, Retail Food and Childcare Inspections Contract** was presented for approval. Commissioner Lindsay moved to sign the Retail Contract with the State of Colorado #23FAA00035. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held with **Economic Development Coordinator, Thurman** related to the **Landfill Voucher Program**. The Commissioners were in agreement to move forward with the program. (See attached)

CEMETERY APPOINTMENTS: Administrator Anderson presented letters of interest from **Bill Gilliland** and **Melanie Filener**, for the reappointments to a full 6 year term, to the **Lewis Cemetery Board**. Commissioner Koppenhafer moved to reappoint Bill Gilliland and Melanie Filener to the Lewis Cemetery Board. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **Professional Service Agreement between Montezuma County Sheriff's Office for Jail Based Behavioral Health Services** along with the **State of Colorado Department of Human Services Contract CMS #24IBEH182070**, in the amount of \$217695.00, were presented for approval. Commissioner Lindsay moved to sign the agreement to the State of Colorado Department of Human Services for jail based behavioral services, CMS #24IBEH182070, and also the agreement between Montezuma County Sheriff's office and Axis Health for the Professional Services Agreement to provide those services, Jail based Behavioral Health. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Attorney MacLaren presented for approval **Resolution #13-2023**. A resolution in Support of Advance Colorado and its Commencement of Litigation concerning Senate Bill #23-303 and Proposition HH. Commissioner Lindsay moved to sign Resolution 13-2023 whereas, Senate Bill 23-303 was hastily enacted by the General Assembly on the last day of the 2023 legislative session with prior consultation with local governments. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

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 Eagle Claw Trading Post and liquor store renewal, for Colorado beer and wine license, at 4321 South, US 160, Cortez Co. Second by Commissioner Lindsay and carried. (See attached)

ECONOMIC DEVELOPMENT: Economic Development Coordinator, Jessica Thurman met with the Commissioner to give a monthly report. Topics discussed included; the Montezuma Community Collective, the Outdoor Recreation Grant Community Engagement meetings, the Fairgrounds Flea Market program, the Community Cleanup program, grant updates, the attended National Association of Development Organizations Denver Conference, Roadmaps Ideas to Action exchange, the Southwest Opioid Response District, the Southwest Education Collaborative, the Colorado Department of Labor and Employment, attended Housing meetings along with the County's housing survey. (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. The purpose of the executive session will be to discuss matters related to a janitorial contract between Montezuma County and CARE. Commissioner Lindsay moved to come out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood Case, the Ellis Lewis Land Use case, the scheduled County Attorney Conference and Unemployment benefit hearings.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended CCI Conference, a discussion held with Assessor Bugg relating to the property tax rates, the scheduled Town of Dolores Law Enforcement Services Contract meeting and an increase to CCI dues.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended Town of Mancos Board meeting, the attended Triple A meeting and gave an update from the Southwest Water Conservation meeting. **Commissioner Lindsay** reported that he had the honor to hand out the Empire Electric scholarship awards, discussed the attended Housing Solutions meeting, the American Legions Memorial Day Services, Rodeo Week and discussed Veterans suicide. **Commissioner Candelaria** discussed the attended CCI legislative meeting, and the Monday Workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: Email from **Mindy Nelsen**

MEETING ADJOURNED: 11:28 a.m.

Clerk

June 6, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 13, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 13, 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 June 13, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for June 6, 2023 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 an Exemption submitted by **Van Keuren Living Trust & Akina, LLC**, on properties located at 12403 Road 22, Cortez, CO, consisting of 35.73 acres, more or less & 12525 Road 22, Cortez, CO, consisting of 70 acres, more or less, both located east of Road 22, south of Road N, situated in Section 7, Township 36N, Range 16W, N.M.P.M.

CONTINUANCE FROM JUNE 6, Planning Director, Haley along with **Assistant, Duncan** presented for discussion and approval of an amended Variance Application submitted by **Leslee Ham**, on property located at 9340 Road 29.25, Cortez, CO, consisting of 3.45 acres, more or less, located south of Hwy 160, situated in Section 28, Township 36N, Range 15W, N.M.P.M. Mr. and Mrs. Ham were present. A discussion related to the change of the application from a

variance to a PUD amendment process was held. Commissioner Koppenhafer moved to deny the variance application submitted by Leslee Ham, on property located at 9340 Road 29.25, Cortez. The motion was seconded by Commissioner Lindsay and carried. (See attached)

PUBLIC COMMENT: Public comments were made by; **Mary Dodd, James R. Meyers, Lindsay Yeager, Ernie Guilliams, and Dawn Hauser Ham.**

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Manager Higman presented for approval the bids for the Emergency Manager's replacement vehicle purchase. Bids received included: \$42,144.00 Morehart Murphy (Durango), \$45,140.00 Larry H. Miller (Salt Lake), \$45,085.00 Larry H. Miller (Denver), \$44,555.00 Auto Nation (Colorado Springs), \$43,173.00 Performance Ford (Salt Lake), 43,076.00 Auto Nation (Denver). Commissioner Lindsay moved to authorize the Fleet Manager to purchase a Chevy 1500, 4x4, from Morehart Murphy in Durango. Second by Commissioner Koppenhafer and carried. (See attached)

GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler met with the Commissioners to give project updates on the grounds and buildings. Projects discussed included; filter changes and belt checks, Annex III painting, grass planting, weed maintenance, a proposed HVAC Units Replacement Plan, the replacement of detectors and miscellaneous budget items for the jail.

IT: IT Director, Jim McClain no report given.

GIS MAPPING: GIS Manager, Doug Roth along with **Mapping Specialist, Nolan Notah**, met with the Commissioners to give a demonstration of the new Open Data Portal on the County website. Specialist, Notah also demonstrated a soon to be released, interactive, Montezuma County Recreational Trails Story Map.

UNFINISHED BUSINESS:

DISCUSSION: The Montezuma County 2022 payment of \$115,172.57 from the **Secure Rural Schools Funding** was presented for disbursement approval. The three school districts were in agreement to a split of 50% to the School Districts and the other 50% to the County. The split for the school districts will be in accordance to student enrollment. Commissioner Koppenhafer moved to disburse the funds as, 50% to the schools and 50% to Montezuma County from the Secure Rural Schools funding. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The Public Health, **CDC Infrastructure Contract, Task Order #23FAA00035**, in the amount of \$274,926.00 was presented for approval. Commissioner Lindsay moved to approve the CDC Infrastructure Contract, Task Order #23FAA00035. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to a proposed update to the Montezuma County **Official Travel Reimbursement Rate**. Commissioner Lindsay moved to upgrade the travel rate

reimbursement, to the GSA allotted funds rate. Second by Commissioner Koppenhafer and carried. (See attached)

CEMETERY APPOINTMENTS: Administrator Anderson presented a letter of interest from **Rachel McWhirter** for the appointment, to a full 6 year term, to the **Mancos Cemetery Board**. Commissioner Koppenhafer moved to nominate Rachel McWhirter to the Mancos Cemetery Board. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to the **Division of Transit & Rail, Colorado Department of Transportation**, relating to the **Community Connections, Inc.'s** application seeking 5310 Federal Transit Administration funding, was presented for discussion. Commissioner Lindsay moved to sign the letter of support for Community Connections supporting their endeavor with the Division of Transit & Rail, through the Colorado Department of Transportation. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE: Deputy Clerk, **Jerri Frizzell**, presented for approval a Special Event liquor license application for the **Montezuma County Fair Board**, event to be held at the Montezuma County Fairgrounds, 30100 Hwy 160 Cortez Co., scheduled July 21, July 25th and July 28, 2023. Commissioner Lindsay moved to approve the liquor license application for a Special Event at the Montezuma County Fairgrounds, presented by the Montezuma County Fair Board, Mary Bramwell, as a Fair Board member, to be held at 30100 Hwy 160 Cortez Co. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC LANDS:

Bureau of Land Management, Tres Rios Field Office Manager, Derek Padilla gave updates to the Commissioners on the following topics; the Lands for Disposal discussion, the Public Lands Rule and the comment period deadline, the Aqueduct Trail parking lot and the addition of future parking areas throughout the County.

Canyon of the Ancients National Monument Manager, Ray O'Neal reported that the Visitors Center has been going through a floor stabilization project and will re-open on June 24th along with the Indigenous Market special event. Other topics discussed included; renovations at Painted Hand. Manager, O'Neal reported that the visitation trends included; 150,000 yearly visitors to the monument, 30,000 to the Visitor Center, 35,000 to the Sand Canyon Trail head, Lowry Pueblo around 40,000, Painted Hand about 9,000 and the upper Sand Canyon Pueblo the Interpretive Trail about 9,000. A ten year increase of visitors with a peak in 2021 everywhere but the Visitor Center.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioners to give his weekly report. Topics of the discussion included; an update on the Paths to Mesa Verde project, the OREC Study, a reappointment to the BLM Southwest RAC, the BLM rule changes, FLPMA and the scheduled (CFLRP) Collaborative Forest Landscape Restoration Program meeting.

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

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed preliminary budget presentation meetings, a discussion held with Steve Bowman related to the Fairground's fire suppression system, constituent calls related to road concerns, a budget committee meeting with the Sheriff and the Town of Dolores, Proposition HH and the new Department of Social Services Director.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** reported that he had several constituent discussions related to the hospital Birthing Center closure and discussed the Dolores River Canyon meeting with Senator Bennet. Commissioner Lindsay also thanked the Ute Mountain Rodeo crews for the excellent job done and said they put on a great show. **Commissioner Koppenhafer** reported that he had served as the Veterinarian on duty for the Ute Mountain Roundup Rodeo, had several discussions related to the hospital Birthing Center closure and reported on the discussion with Senator Bennet on water issues. **Commissioner Candelaria** discussed the attended TPR meeting, gave an overview of the 2023 legislative report, and the rafting trip down the Dolores River Canyon, the Monday Workshop, the scheduled Hospital Birthing Center meeting and attended preliminary budget hearings.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:42 a.m.

Clerk

June 13, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 20, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 20, 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, Absent
Stephen Tarnowski, Assistant County Attorney
Kim Percell, County Clerk

CHAIRMAN CANDELARIA opened the meeting of June 20, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, June 13, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** reported that the petition, to review and determine a proposed Amendment Application to the Hoch 2 Lot Minor Subdivision and INDHZ Rezoning submitted by **Daniel & Debbie Hoch**, on property located at TBD Road L, Cortez, CO, consisting of 32.91 acres, more or less, located south of Road L, east of Road 26, situated in S. 24, T.36N, R.16W, N.M.P.M., had been **withdrawn** by the applicants. (See attached)

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Subdivision Amendment to the Hoch 2 Lot Minor Subdivision, submitted by **Raptor Self-Storage, LLC**, on property located at 26304 Road L, Cortez, CO

consisting of 3.43 acres, more or less, and **Daniel & Debbie Hoch**, on property located at TBD Road L, Cortez, CO, both situated in Section 24, Township 36N, Range 16W, N.M.P.M.

PUBLIC COMMENT: Public comments were made by **Allen Maez** and **Raymond Boyd**.

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the monthly report. The **May 2023** reported numbers included; 16 coroner cases, 2 hospice deaths, 7 autopsies, 2 motor vehicle accident, 2 suicides, 0 overdose deaths and 1 homicide. Coroner Deavers gave an update to the **Year to date Totals**, as the report had changed over the previous weekend. The updated numbers included; 124 total cases, 70 Coroner cases, 54 hospice deaths, 26 Autopsies, and 4 (MVA) Motor Vehicle Accidents, 5 suicides and 2 homicides. Other topics discussed included: a decrease of 8 within a comparison to last year's numbers and the definition of coroner cases. (See attached)

DISTRICT ATTORNEY: District Attorney Office Manager, Clarisa (Feuilly) Osborn met with the Commissioners to give a monthly report. Topics discussed included; the 2023 quarterly report numbers, staffing, current caseloads and a future introduction to the new District Attorney, **Christian Hatfield**. (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 within the report included: deactivation of the Emergency Operations Center, life lines, water storage, disaster declarations, the Fire Situation Report, the Generator Grant Project, Training/Drills, the Pipeline Tabletop Exercise, the Colorado Wildfire Incident Management Academy and the Forest Service's prescribed burns schedule. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to a proposed update of the Montezuma **County Per Diem Rate** to the federal (GSA) General Services Administration rates. Commissioner Lindsay moved to put the per diem rates in accordance with the federal government rates. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to the reimbursement, **CDB COVID 19 Detection and Mitigation in Confinement Facilities Grant**, in the amount of \$10,804.86. Commissioner Koppenhafer moved to approve the CDB COVID 19 Detection and Mitigation in Confinement Facilities Grant as presented by the Sheriff's department. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held related to the **Internet Crimes Against Children Grant Request of 2023**, in the amount of \$12,151.17. Commissioner Lindsay moved to sign the Internet Crimes Against Children Grant for Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Administrator Anderson presented for approval, **the Montezuma County Public-Private Partnership for Broadband Invitation to Negotiate**. (ITN) Commissioner

Lindsay moved to sign and approve the grant application, for the ITN from the Colorado Broadband Office. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: County Clerk, Kim Percell presented for approval the **Ballot Print and Mail Services Agreement** between Montezuma County and **K&H Integrated Print Solutions**. Commissioner Koppenhafer moved to sign the Ballot Print and Mail Services Agreement between Montezuma County and K&H Integrated Print Solutions, as presented. Second by Commissioner Lindsay and carried. (See attached)

GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to give a monthly report. Topics discussed included; the Congressionally Directed Spending request, a denial of the **Recycling Resources Grant** for the **Compost Bagging Project**, infrastructure grants for Road & Bridge, the **Nationally Significant Federal and Tribal Projects Grant**, the **Community Wildfire Defense Grant**, the **BLM Good Neighbor Authority Grant** and preparation for the Fairground's solar project **Energy Impact Grant** presentation.

COUNTY ATTORNEY REPORT: Assistant County Attorney, Stephen Tarnowski discussed working with the Department of Social Services cases and incorporating the new Social Services Director.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported on constituent discussions related to the Hospital Birthing Center closure, attendance to the (MCHD) Montezuma County Hospital District meeting, the **Mesa Sky Estate Special Taxing District** and the New Social Services Director.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** expressed his appreciation to the community for the support of the Rick Kirks family, at the recently held benefit. Commissioner Koppenhafer mentioned constituent discussions related to County issues and reported that he had been appointed as the Southwest Colorado representative to the Colorado River Task Force. **Commissioner Lindsay** also mentioned constituent discussions related to the Birthing Center, attendance at the Wednesday (MCHD) Montezuma County Hospital District meeting, the Empire Electric Annual meeting and the (SHS) Southwest Health Systems meeting. Commissioner Lindsay reported that the Hospital had announced that that they would not be closing the Birthing Center and they had a hired new CEO. **Commissioner Candelaria** reported the he also had multiple discussions relating to (SHS) Southwest Health Systems announcements, opportunities to serve on Countywide Boards, the attendance to the (MCHD) Montezuma County Hospital District meeting, attendance to the Empire Electric Annual meeting, the City of Cortez's Party in the Park event and gave an overview of the Monday Workshop.

RECESS: Chairman Candelaria announced a recess of the meeting until 10:30 a.m., for the scheduled Executive Session.

Chairman Candelaria reconvened the meeting.

EXECUTIVE SESSION: Pursuant to Attorney Tarnowski'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 Tarnowski, Clerk Percell and Sarah Cook, seconded by Commissioner Koppenhafer and carried. The purpose of the executive session will be to discuss a personnel matter. Commissioner Lindsay moved to come out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: The May 2023, monthly Montezuma County Sheriff's Office Report.

MEETING ADJOURNED: 11:05 a.m.

Clerk

June 20, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 27, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 27, 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, Absent
Malinda Fuller, Chief Deputy Clerk

CHAIRMAN CANDELARIA opened the meeting of June 27, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, June 20, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: Planning Director, Don Haley along with **Assistant S. Jane Duncan** reported that the petition, for review and determination of a General Planned Unit Development and Rezoning Application submitted by **Triple S Farms, LLC**; agent: Ernie Maness, on property located at 26960 Road N, Cortez, CO, consisting of 10 acres, more or less, located south of Road N, west of Hwy 145, situated in Section 12, T.36N, R.16W, N.M.P.M., had been **withdrawn** by the applicants. (See attached)

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Boundary Line Adjustment Application submitted by **Eric & Shelly Hooton**, on property located at 3113 Hwy 160-491, Cortez, CO, consisting of 7.84 acres,

more or less, located west of Hwy 160-491, situated in Section 32, Township 35N, Range 16W, N.M.P.M. and **Thomas & Jacklyn Burnison**, on property located at TBD Hwy 160-491, Cortez, CO, consisting of 190.24 acres, more or less, located east of Hwy 160-491, situated in Section 32, Township 35N, Range 16W, N.M.P.M. Commissioner Lindsey moved to approve the Boundary Adjustment. Motion seconded by Commissioner Koppenhafer and carried.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a 2 Lot Moderate Subdivision, submitted by **Travis & Kacia White**, on property located at 38645 Hwy 160, Mancos, CO, consisting of 9.94 acres, more or less, located north of Hwy 160, situated in Section 36, Township 36N, Range 14W, N.M.P.M.

PUBLIC COMMENT: Public comments were made by **James Russell Meyer, Dr Kent Akin, Mary Dodd, Allen Maez, Charles Jeter, Mike Lynch, B MacAfee, Phil Schmitt, and Jim Law.**

SOUTHWEST HEALTH SYSTEMS: (CEO) **Interim Chief Executive Officer, Gene Miller,** (CNO) **Chief Nursing Officer, Lisa Gates** and (CFO) **Interim Chief Financial Officer, Shelle Diehm** met with the Commissioners to give an update on the local hospital. Topics include: Enhancing Revenue, new CEO, stability of senior positions, financial plan, and staffing issues.

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** new **Director, Kelly Hargraves** were present. Also joining via zoom was **Laura Strother** from CDHS to present a **Distinguished Performance Award** and **Certificate of Appreciation** to the Social Services Department. (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, May 2023** was presented for the record. Other topics discussed included; the May 2023 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. (See attached).

SENIOR SERVICES: **Interim Director, Lori Thompson** met with the Commissioners to give a monthly report on the Senior Services programs.

CSU EXTENSION OFFICE: **Extension Director, Emily Lockard** met with the Commissioners for a monthly report. Topics of the discussion included MOU with CSU, Director Position, financial and vehicles, and the upcoming Montezuma County Fair.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to the **Community Development Block.** Commissioner Lindsay moved to sign the Community Development Block for Business Loan Fund also the Intergovernmental Agreement that pertains to that and the Letter and the Citizen Participation Development Plan and the Residential Anti Displacement and Relocation Assistance Plan. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to the **23-24 Gaming Impact Grant**. Commissioner Lindsay moved to sign the Application for the 2023 Gaming Grant. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to the **Cooperative Agreement between Montezuma County and the Forest Service**. Commissioner Lindsay move to sign the Cooperative Forest Road Agreement between Montezuma County and USDA, Forest Service San Juan National Forest Agreement No. 23-RO-1102-300-039. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to the, **Montezuma County Employee Sick Leave Pool**. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich**, met with the Commissioners to give his weekly report. Topics of the discussion included, BLM Southwest Rack meeting and recreation trail systems, CPW Grant for Wildlife, Pass of Mesa Verde and CFLRP Collaborative Process. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** reported Contempt Motion filed with CDPHE against Ironwood case, Ellis Lewis Land Use Case and day to day business.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** reported receiving a lot of calls and emails regarding the hospital situation, restructure of Senior Services, negotiations on Dolores Contract for Law Enforcement services, Board to Board meeting between Mancos and BOCC, spending Thursday and Friday at the Landfill with CDPHE and Gaming Grant.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** also receiving a lot of phone calls and messages about the hospital, no meetings last week and attending the upcoming MVI and SHS meetings. **Commissioner Koppenhafer** mentioned constituent discussions related to the hospital, appointment to the Colorado River Task Force and attending the upcoming MVI meeting. **Commissioner Candelaria** reported the he also had many calls and messages regarding the hospital, Proposal for weed funding, and gravel for improving “red roads” and gave an overview of the Monday Workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: **John D Rutledge**.

MEETING ADJOURNED: 11:29 a.m.

Clerk

June 27, 2023

Chairman

[illegible]

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 Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, June 27, 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 2 Lot Moderate Subdivision and AR3-9 Rezoning Application

submitted by the **Vinger Family Trust**, on property located at 18255 Road 23.5, Dolores, CO, consisting of 13.57 acres, more or less, located south of Hwy 184, west of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Radonna Cripps** was present. **Planning Director, Don Haley** along 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 and AR3-9 Rezoning Application submitted by the Vinger Family Trust, on property located at 18255 Road 23.5, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: No public comments were made.

GROUND AND BUILDINGS: **Maintenance Supervisor, Dustin Sattler** reported on the grounds and buildings projects. Projects discussed included; the HVAC units for the Sheriff Department, completion of the backflow and elevator inspections, the Annex III painting project and normal business operations.

GIS MAPPING: **GIS Manager, Doug Roth** met with the Commissioners to give a monthly report. Topics discussed included; a service area analysis from the main fire stations, network routing analysis and a response time analysis from the Main Fire Stations Response Travel Time Map.

VEHICLE MAINTENANCE: **Road & Bridge Equipment Manager, Shane Higman** no report given.

IT: **IT Director, Jim McClain** no report given.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to road improvements on ingress/egress from **Joe Moore Road Corporation**. The Commissioners were in agreement to deny this request.

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): **MCCO Manager, Jennifer Morris** met with the Commissioners to discuss the presented, **MCCO Public Transportation Request for Proposal Feasibility Studies for a Fixed Route in Montezuma County**. The Commissioners were in agreement to move forward with the Feasibility Studies for a Fixed Route in Montezuma County. Manager Morris presented the proposed **Intergovernmental Agreement for Transportation Services for Senior Citizens of the Town of Rico, Colorado by the Montezuma County Transportation – Pilot Program**. Commissioner Lindsay moved to enter into an Intergovernmental Agreement for Transportation Services for Senior Citizens of the Town of Rico, Colorado by the Montezuma County Transportation – Pilot Program. Second by Commissioner Koppenhafer and carried. The proposed purchase of a passenger van for the MOCO Transportation was also discussed. The

Commissioner were in agreement to get a formal quote for the van prior to moving forward. (See attached)

DISCUSSION: From **Human Resources, M. Lynn Dorenkamp** met with the Commissioners for a discussion and a decision related to the, **Montezuma County Employee Sick Leave Pool**. The recommendation was to terminate the Sick Leave Pool and allow employees the opportunity to donate time for employees with catastrophic life events. Commissioner Lindsay moved to do away with the current sick leave pool, use the accumulated hours that are left to go in to a pot, then create a volunteer donation for catastrophic events for our employees. Second by Commissioner Koppenhafer and carried.

LETTER OF SUPPORT: A letter of support addressed to the Honorable **Lauren Boebert, United States House of Representatives** regarding the **Authorizing Legislation for the Upper Colorado and San Juan Endangered Fish Recovery Programs** was presented for approval. Commission Koppenhafer moved to sign the letter of support Authorizing Legislation for the Upper Colorado and San Juan Endangered Fish Recovery Programs. Second by Commissioner Lindsay and carried (See attached)

DISCUSSION: A discussion was held related to the **Mancos RE-6 School District Fee Schedule Increase**. It was the recommendation of Attorney MacLaren to schedule a public hearing, publish the notice, and present a resolution for approval. The Commissioners were in agreement to move forward with the Public Hearing process.

DISCUSSION: A discussion was held related to proposed **AirBnB** regulation within **Montezuma County**. No action was taken at this time. (See attached)

DISCUSSION: A discussion was held related to the amended agreement between the **Noxious Weeds Department** and the **USFS**. The agreement will be presented next week for signatures.

DISCUSSION: A discussion was held related to the, **BLM Good Neighbor Authority Grant Application**. Commissioner Koppenhafer moved to approve the grant application, for the BLM, #CP3JC6K322G3, in the amount of \$25,000.00, to spray weeds along the roads connected to and adjacent to BLM land in Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ironwood case, and the Ellis Lewis Land Use Case.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed the completion of the preliminary budget meetings, scheduling budget presentations, an attended meeting with Montezuma Water related to the Fairgrounds fire suppression system, the Strategic Planning, the First Sunday Fairground's Flea Market, and a scheduled County / City of Cortez Planning and Zoning meeting.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the May 2023 Accounts Payable Expenditure Reports in the amount of \$3,954,867.23.

Commissioner Lindsay moved to accept the expenditures in the amount of \$3,954,867.23. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the scheduled Cortez City Council meeting and addressed constituent conversations related to Planning issues. **Commissioner Koppenhafer** also discussed constituent conversations relating to Planning issues. **Commissioner Candelaria** addressed a letter that had been placed on numerous county mail boxes and a radio add, both related to Planning issues. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich**, gave his weekly report. Topics of the discussion included, a final BLM decision relating to the **Yellow Jacket Grazing Allotment** and the acquisition of the Austin property, the notification from the BLM regarding the implementation of previously approved flood plan special regulations and the coordinated campground maintenance with Dolores County. **Director Dietrich** along with **GIS Manager, Doug Roth** and **Acting District Ranger, Tom Rice** met with the Commissioners to discuss a Forest Service request to eliminate one of the two access roads to the Larry E. Russell property.

PUBLIC LANDS: **Forrest Service Acting District Ranger, Tom Rice** met with the Commissioners to give updates on various projects. Topics discussed included; Recreational grants, a Stage I Fire Restriction that will be effective as of Thursday July, 13, 2023 for Zone #1, the Boggy Draw prescribed burn, recent lightning fires, road and trail closures, the McPhee Breakwater Replacement Project, the Aquatic Nuisance Inspections and the ordered Bean Canyon solar flashing sign. (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. The purpose of the executive session will be to discuss the legal ramifications related to the proposed reduction of the County Fleet. Commissioner Lindsay moved to come out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:25 a.m.

Clerk

July 11, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
July 18, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 18, 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 July 18, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, July 11, 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 High Impact Permit Application, submitted by **Silvina Guerreiro Moore & Jeremy Moore**, on property located at 7134 Road 41, Mancos, CO, consisting of 3.71 acres, more or less, located south of Hwy 160, east of Road 41, situated in Section 4, T.35N, 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. Moore were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Koppenhafer recused himself at this time. Mr. & Mrs. Moore along with **Planning Consultant, Tiffany Rhodes** presented a slide show of the proposal. Commissioner Candelaria opened the hearing to public comment. Public comments were made by: **Clara Martinez, Jessica McIntyre, Scott Midgley, Charles Jeter,**

Renee Feigenbaum, Hope Woods, Marsha Goodwin, Shelly Redder, Christopher Kloster, Katie McClure, Michon Olson, Nate McIntyre, Lynn Storm, Nathan Moore, Kelly Pettyjohn, Mike Nolan, Sharon Craft, Molly Reilly, Kathryn Fulton, Carrie Summers, Cindy Gray, John Davis, Jeffrey Magnuson, Angela Sayler, Jennifer Magnuson and Doug Carlson. Hearing no further public comment that portion of the hearing was closed. Correspondence was received from: **Christopher Kloster, Jane Chipman, Charles R Riggs and Blyth Morrison, Khrysta Woody, Jake and Nicole Thompson, Gary VanDenBurg, Celeste Quakenbush, Feli Funk, Melinda Bronson, Carrie Summers, Tom Weaver, Robert and Morgan Shepherd and Nathan & Jessica McIntyre.** After hearing all the evidence presented Commissioner Candelaria moved to continue the public hearing till August 1, 2023 at 9:00 a.m. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

RESOLUTION# 14-2023: Montezuma Hospital District Board member **Brandon Johnson** along with Attorney **Keenen Lovett** met to discuss Resolution #14-2023, a resolution authorizing the execution and delivery of a **First Supplemental Indenture of Trust**, between **Montezuma County and Zions Bancorporation, National Association as Trustee**, supplementing the indenture of trust dated as of November 1, 2016, which secures the Montezuma County, Colorado Revenue Bonds (Southwest Memorial Hospital Project), Tax-Exempt Series 2016A, and revenue bonds (Southwest Memorial Hospital Project), Taxable Series 2016B, and approving various documents and other matters in connection therewith. Commissioner Lindsay moved to authorize and accept the indenture as presented from the Montezuma County Hospital District, between Montezuma County Hospital District and Zions Bank, as stated in resolution #14-2023. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION #15-2023 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 #15-2023, reinstating the fire ban in Montezuma County. Seconded by Commissioner Lindsay 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 **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)

COUNTY CORONER: Coroner, George Deavers was called away. No report given.

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a monthly update. The **Monthly Situational Report** was presented for discussion and review. Manager Spratlen encouraged the public to sign up for emergency messaging. *To sign up for emergency messaging, text your zip code to 888777.* Other topics discussed included; the Fire Weather Indices, humidity, water, grant updates, the Generator

Grant, Search and Rescue operations, training exercises, the Fire Operations Plan, and the EMPG Grant application. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to the presented **Road Project Agreement** between **Montezuma County Government** and the **USDA, Forest Service, San Juan Nation Forest, #23-RO-11021300-041**, for services on Road 31/FS Road 526. Commissioner Koppenhafer moved to approve the Road Project Agreement between Montezuma County and the US Forest Service, # 23-RO-11021300-041. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held related to the presented **Challenge Cost Share Agreement** between the **Montezuma County Government** and the **USDA, Forest Service, San Juan Nation Forest, #23-CS-11021300-040**. Commissioner Koppenhafer moved to approve the Challenge Cost Share Agreement between the Montezuma County and the USDA, Forest Service, San Juan Nation Forest, #23-CS-11021300-040. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to a request to place a large American Flag at the outdoor arena of the Fairgrounds was postponed.

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

GRANT COORDINATOR: **Grant Coordinator, Robert Dobry** met with the Commissioners to give a monthly report. Topics discussed included; the Fairgrounds Solar Energy Impact Grant, the IRS guidance on direct pay of solar tax credits, the Congressionally Directed Spending Requests, the Noxious Weed Project grant, the BLM Good Neighbor Authority Grant application, coordination with Emergency Management on the FEMA grant application, the attended Infrastructure Development Summit and support of the Fiber Internet Grant Writing Process.

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** reported on the Ironwood case, the Ellis Lewis Land Use Case and the Kelroy Newman jail house death.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** discussed the scheduled departmental budget proposal meetings, clarifications for the Accident / Sick Leave pool forms and the current data request.

COUNTY COMMISSIONER REPORT: Topics discussed within the Commissioner's reports included: **Commissioner Lindsay** gave an overview of the attended Cortez City Council meeting, the Monday Work Session related to the Hospital and complaints filed related to a timber sale up on the Boggy. **Commissioner Koppenhafer** discussed the attended Southwest Water Conservation District meetings, the Taskforce meetings and constituent conversations. **Commissioner Candelaria** discussed the zoom attendance to the Colorado Fire Commission meeting, a CCI zoom 2024 proposed issues discussion and gave an overview of the Monday Workshop.

MOTION TO ADJOURN: Commissioner Koppenhafer moved to adjourn, seconded by Commissioner Lindsay and carried.

CORRESPONDENCE: The following correspondence was read and noted: Emails from **Tony Littlejohn** and **Debi Durand**.

MEETING ADJOURNED: 11:34 a.m.

Clerk

July 18, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 1, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 1, 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 August 1, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, July 18, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: The proposed High Impact Permit Application, submitted by **Silvina Guerreiro Moore & Jeremy Moore**, on property located at 7134 Road 41, Mancos, CO, consisting of 3.71 acres, more or less, located south of Hwy 160, east of Road 41, situated in Section 4, T.35N, R.13W, N.M.P.M was **WITHDRAWN** by the applicants. (See attached)

PLANNING: Planning Director, **Don Haley** along with Assistant, **S. Jane Duncan** presented for discussion and approval of a Variance Application for setbacks and lot size, submitted by **Kenneth Hinton; agent: Richard O'Brien**, on property located at 7351 Road 24.3, Cortez, CO, consisting of 3 acres, more or less, located north of Road G.2, west of Road 24.3, situated in Section 3, Township 35N, Range 16W, N.M.P.M. Mr. Obrien was present. No action was taken at this time.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of an Exemption to re-record for legal description correction, submitted by **Van Keuren Living Trust & Akina, LLC**, on properties located at 12403 Road 22, Cortez, CO, consisting of 35.73 acres, more or less & 12525 Road 22, Cortez, CO, consisting of 70 acres, more or less, both located east of Road 22, south of Road N, situated in Section 7, Township 36N, Range 16W, N.M.P.M.

Planning Director, Haley along with **Assistant, Duncan** reported that the Mylar for a 2 Lot Moderate Subdivision and AR3-9 Rezoning submitted by **Vinger Family Trust**, on property located at 18255 Road 23.5, Dolores, CO, consisting of 13.57 acres, more or less, located south of Hwy 184, west of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M., was not ready for signatures at this time.

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 month of August 2023 and gave an overview of the type of work scheduled. Other topics discussed included; the Alkali Bridge project, the Dolores Norwood Road, road painting, shouldering, wash out repairs to Road P, the proposed Spruce Creek / Road 36 repair, rip raff stock piles, Road M and Road V. (See attached)

NOXIOUS WEED DEPARTMENT: **Weed Department Manager, Bonnie Anderson** met with the Commissioners to give a monthly report. Topics discussed included; zebra mussels, noxious weed populations, mapping, potential economic loss average per acre, Herbaceous weeds, Russian olive and Saltcedar populations, Non Native Phreatophytes, yearly water loss within the county due to phreatophyte use, the Russian Olive and Saltcedar spread within the State of Colorado, EDD maps, State Data, Colorado noxious weed data – EDD maps 2022, “What do we do?”, monthly office phone calls, current acreage of phreatophyte management, RCPP projects, RCPP funding and the renewal of the RCPP, the property wait list, the Cost Share Program, the Backpack Sprayer Program, notifications, property visits, seminars, the September 19th scheduled Seeding Seminar, the Fall Applicator Training event and grant applications. (See attached)

LANDFILL: **Landfill Manager, Mel Jarmon** gave his monthly report which included the 2023 Landfill budget spread sheet. Topics discussed with the report included; recent CDPHE inspections, an update on the Carver Field, a proposed new design for Cell #5, the June budget, the voucher program, shred and compost, the Tire Shredding Program, green waste, yard waste and equipment repairs. (See attached)

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Kelli Hargraves** and **Finance Officer, Lori Higgins** were present. Director Hargraves presented for approval the **Core Services Plan**. Commissioner Lindsay moved to accept the Core proposal from Social Services as presented. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS: From the **National Weather Service in Grand Junction**, **Tom Renwick**, **Erin Walter** and **Matthew Aleksa** along with **Emergency Manager, Jim Spratlen** met with the Commissioners for the Montezuma County **StormReady** presentation. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to the presented **2022 Financial Audit**. Commissioner Lindsay moved to accept and approve the Audit for 2022. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: A discussion was held related to the proposed purchase of a new **printer** for the Assessors Office. Commissioner Lindsay moved to approve the purchase of a new Cannon PlotWave 3000, for the Assessor's office, in the amount of \$17,725.95. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The discussion related to the **Sheriff Department's Fleet Reduction** was tabled to the August 8, 2023 meeting. (See attached)

DISCUSSION: A discussion was held related to the **Broadband ITN Presentation**. Commissioner Lindsay moved to accept the proposal from **ClearNetworkx** as presented. Second by Commissioner Candelaria. Commissioner Koppenhafer sustained from the vote. With two votes in favor by Commissioners Candelaria and Lindsay the motion carried. (See attached)

RESOLUTION: The discussion related to the signing of a resolution forming the **Asset Forfeiture Committee** was tabled to the August 8, 2023 meeting.

MEMO OF UNDERSTANDING (MOU): The MOU between **Montezuma County** and **Montezuma Leadership Network** was presented for approval. Commissioner Lindsay moved to sign the MOU between Montezuma County and the Montezuma Leadership Network. Second by Commissioner Candelaria. Commissioner Koppenhafer sustained from the vote. With two votes in favor by Commissioner Candelaria and Lindsay the motion carried. (See attached)

DISCUSSION: A discussion was held related to the Procurement policy related to the **Summary of Purchasing Thresholds** and the proposed increase to the **Sheriff's Signatory Limit** for a credit card. The Commissioners were in agreement to leave the procurement policy as it stands. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ellis Lewis Land Use Case and the Ironwood Property case,

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, **James Dietrich**, met with the Commissioners to give his weekly report. Topics of the discussion included; the Saulter Timber Litigation, identification of CFLRP areas within Montezuma County, the OREC Study intercept surveys, the BLM Gunnison Sage Grouse, coordinated campground maintenance with Dolores County, FEMA new Flood Plan mapping, a new elevation certificate, a scheduled flood plan workshop and an update on the Paths to Mesa Verde Project. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the budget proposals, County coordination with the Civil Air Patrol, shed quotes, the Town of Mancos Board to Board meeting, an update on the ClearGov program, and an update on the Fairgrounds Solar project.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** mentioned constituent discussions, the Senior Services Director interviews, and the attended Colorado River Taskforce meeting. **Commissioner Lindsay** mentioned constituent discussions, the attended Dispatch meeting, the attended Town of Mancos Board to Board meeting, the attended Region 9 meeting, gave an overview of the attended Cortez City Council meeting and discussed the attended County Fair. **Commissioner Candelaria** mentioned constituent discussions, gave an overview of the attended Dolores Town Board meeting, the attended Town of Mancos Board to Board meeting, the scheduled STAC meeting, the Senior Services Director interviews, and budget discussions.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

MEETING ADJOURNED: 11:34 p.m.

BOARD OF EQUALIZATION 1:30 P.M.

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Jerome Thomas & Virginia Ann Katz** on account #R011606. The petitioner, Mr. Katz was present. Mr. Katz gave an overview of his appeal. **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. Recommended value to the CBOE was \$298,775.00. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Allen & Valerie Maez** on account #R000998. The petitioner, Mr. Maez was present. Mr. Maez gave an overview of his appeal. **Assessor, Leslie Kennedy-Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Ted V. Clark** on account #R018599. The petitioner, Mr. Clark and property leaser Kim Hamilton were present. Mr. Clark gave an overview of his appeal. **Assessor, Leslie Kennedy-Bugg** discussed

the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Garth & Stefani A. Nelson** on account #R008013. The petitioner, Garth Nelson was present. Mr. Nelson gave an overview of his appeal. **Assessor, Leslie Kennedy-Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to assess the property at \$251,572.00. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **C. Dexter & Barbara Gill** on account #R013465. The petitioner, C. Dexter Gill was present. Mr. Gill gave an overview of his appeal. Appraiser, Zane Fischer discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Timothy Paul & Katherine Irene McDaniel** on account #R005294. The petitioner, Katherine McDaniel was present. Mrs. McDaniel gave an overview of her appeal. **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from the **Robert M. & Lavona Hansen Living Trust** on account #R008564. The petitioners, Mr. and Mrs. Hansen were present. Mrs. Hansen gave an overview of her appeal. **Assessor, Leslie Kennedy-Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **William R. Perritt** on account #R002582. The petitioner, Mr. Perritt was present. Mr. Perritt gave an overview of his appeal. **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

BOARD OF EQUALIZATION: It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Michael & Jennifer Noland** on account #R005735. The petitioners, Mr. and Mrs. Noland were present. Mr. Noland gave an overview of his appeal. **Assessor, Leslie Kennedy-Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, the Commissioners were in agreement to deny the petition and agreed with the valuation set by the Assessor. Commissioner Candelaria closed the hearing at this time. (See attached)

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: Emails from **Jacqueline and Charles Smith, Erin Bohm, Nan McLain Halls, and Kathryn Fulton.**

MEETING ADJOURNED: 5:30 p.m.

Clerk

August 1, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 8, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 8, 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 August 8, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, August 1, 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 regarding a proposed 2 Lot Moderate Subdivision & AR3-9 Rezoning Application, submitted by **Karl Spielman & Melinda Elkin**, on property located at 17064 Road 23, Dolores, CO, consisting of 10.03 acres, more or less, located north of Road T, east of Road 23, situated in Section 16, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Spielman and Ms. Elkin were present. **Planning Director, Don Haley** along 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 and approve the proposed 2 lot moderate subdivision and AR3-9

rezoning application, submitted by Karl Spielman & Melinda Elkin, on property located at 17064 Road 23, 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** presented for signatures of Mylar for a 2 Lot Moderate Subdivision and AR3-9 Rezoning submitted by **Vinger Family Trust**, on property located at 18255 Road 23.5, Dolores, CO, consisting of 13.57 acres, more or less, located south of Hwy 184, west of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a General Planned Unit Development, 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Clark was present. **Planning Director, Don Haley** along 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 comments were made by; **Shak Powers** from **Region 9** on Zoom, **Jim Dickinson, Jimmy Williams, Charles Jeter, John Palmer, Warren Gaspar, Dave Dove, Margie Dove, Eric Terrell, Emiko South, Greg Bitsle, Judith Franklin, Dale Foote, Larry Tradlener, John Swanson, Wayne Thibodeaux, Stephanie Fry, Darren Noyes, Roger Borgen, Wendell Fry, Curtis Nelson, Mindy Nelson, Russ Schamel, Tony Martin, LeAndrea Tsosie, Ron Tucker, Susan Kemnetz, Greg South, Rick Meredith, Liana Wright, Steven Fancher, Melanie Russell, and Rebecca Quinonez.** Emails and letters were received and noted from **Anne Worthington and William Foote, David Hamilton, Jackie & Chris Callister, Ellen Macfarlane, Derek & Marlene Dove, and David Anton.** Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to delay the decision for two weeks, pending certain specifications of the property. Second by Commissioner Koppenhafer and carried. The hearing will be continued on August 22, 2023 at 9:00 a.m. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: Public comment was made by **Mike Rubin.**

PUBLIC LANDS: Forrest Service Acting District Ranger, Tom Rice met with the Commissioners to give updates on various projects. Topics discussed included; the breakwater contract award, the Dolores Norwood Road, managed fire operations, the Transfer Campground Expansion Project, the Boggy Draw Parking Lot Expansion Project, funding for the Mussels Inspection project and parking lot maintenance.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Manager Higman presented for discussion, the Vehicle Expense to Date and Vehicle Replacement Outlook reports. Other topics discussed included; the assigned Sherriff's Department pickups and scheduling a mass auction. (See attached)

GROUND AND BUILDINGS: Maintenance Supervisor, **Dustin Sattler** reported on the grounds and buildings. Projects discussed included; the Annex III paint project, weed mowing, the asphalt repair project and the Pleasant View R&B shop door project.

IT: IT Director, **Jim McClain** no report given.

GIS MAPPING: GIS Manager, **Doug Roth** no report given.

RESOLUTION: Attorney MacLaren presented **Resolution #16-2023**, a resolution designating members of Montezuma County's Committee for the Disposition of Forfeited Property. Commissioner Koppenhafer moved to approve resolution 16-2023, designating members of Montezuma County's Committee for the Disposition of Forfeited Property in Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ironwood Property case and the Ellis Lewis Land Use Case.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** announced that **Jennifer Morris** will be the combined Senior Services and MOCO Transportation Director. Other topics included; budget proposals, Board of Equalization constituent discussions, the Fairgrounds Fire suppression system and daily operations within the Administration office.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the June 2023 Accounts Payable Expenditure Reports in the amount of \$4,614,714.25. Commissioner Koppenhafer moved to approve the expenditures for Montezuma County for June 2023 in the grand total of \$4,614,714.25. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** mentioned constituent discussions, the attended Fairground's fire suppression system discussion, bar ditch fires, the scheduled Cortez City Council meeting and reminded the county of school zone safety for the start of the school year. **Commissioner Koppenhafer** mentioned constituent discussions, the attended Fairground's fire suppression system discussion, the scheduled Colorado River Taskforce meeting and the Wednesday evening meeting. **Commissioner Candelaria** gave an overview of the attended State Transportation Advisory Committee meeting, flight travel issues in Southern Colorado, the attended Boggy Draw Beat Down event, the attended Fairground's fire suppression system discussion and the Zoom meeting for the Colorado Fire Commission.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:38 a.m.

Clerk

August 8, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 15, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 15, 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 August 15, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, August 8, 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 regarding a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Jim & Sharon Krater; agent: Keenen Lovett**, on property located at 4303 Road 21, Cortez, CO, consisting of 20 acres, more or less, located west of Road 21, north of Road D, situated in Section 24, Township 35N, Range 17W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Krater and Agent, Lovett were present. **Planning Director, Don Haley** along 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 proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning

Application submitted by Jim & Sharon Krater; on property located at 4303 Road 21, 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 regarding a proposed 3 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Larry & Liana Wright**, on property located at 8435 Road 25, Cortez, CO, consisting of 19.85 acres, more or less, located west of Road 25, north of Road H, situated in Section 34, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Wright were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 3 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by Larry & Liana Wright, on property located at 8435 Road 25, Cortez. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

DISCUSSION: The **#24HEA181459, Senior Services, AAA Contract** in the amount of \$142,750.95 and the **Montezuma County Public Transportation (MCCO) AAA Contract** in the amount of \$50,000.00 were presented for approval. Commissioner Koppenhafer moved to sign the contracts for the Senior Services and the Transportation, Contract #24IHEA181459. 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 regarding a proposed Amendment Application to the Jason's Single Lot Development, submitted by **Clay & Sara South**, on property located at 23286 Road T, Dolores, CO, consisting of 3.28 acres, more or less, and **Summer Camp Cattle, LLC**, on property located at TBD Road T, Dolores, CO, consisting of 70.61 acres, more or less, both located east of Road 23, north of Road S, situated in Section 21, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Summer Camp Cattle, LLC owner **Sherrie Blackmer** was present. **Planning Director, Don Haley** along 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 **Roger Baker**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the amendment application to the Single Lot Development, submitted by Clay & Sara South, on property located at 23286 Road T, 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 regarding a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Nelda Jones**, on property located at 31522 Road W, Dolores, CO, consisting of 17.50 acres, more or less, located south of Road W, east of Road 31, situated in

Section 2, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Jones was present. **Planning Director, Don Haley** along 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 Nelda Jones, on property located at 31522 Road W, Dolores. Second by Commissioner Koppenhafer 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 **July 2023 Calls for Service Report**, and the proposed Sheriff's office **Position / Annual pay grade for 2023**. Other topics discussed included; stolen property crimes, traffic contact and speeding violations, Crimes against persons, two homicide investigations, bonds, an attempted murder investigation, involvement with the CIP Team, a jury conviction for a serious bodily injury assault to a child, a conviction and scheduled sentencing of a second degree murder stabbing, the Jail inmate count, an newspaper article "The Cost of Crime" published in the Cortez Journal and the recently held County Fair event. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the monthly report. The **July 2023** reported numbers included; 12 coroner cases, 5 hospice deaths, 4 autopsies, 0 motor vehicle accident, 3 suicides, 0 overdose deaths and 2 homicides. The **Year to date Totals** included; 158 total cases, 90 coroner cases, 68 hospice deaths, 32 autopsies, 4 motor vehicle accident, 10 suicides, 1 overdose deaths and 4 homicides. Other topics discussed included; a request for a secondary backup vehicle for the Coroners Department. (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 included: flooding on Road L, lightning fire strikes, the lightning attack report, a quarterly Community Intervention Program (CIP) report, training and drills, the Generator Grant, the All Hazards Grant and the Team Grant. (See attached)

NEW BUSINESS: Sonia Buffington and **Madison Mahaffey** from the **Probation Department** of the **Twenty-Second Judicial District** met with the Commissioners to discuss the proposed membership of the local **Juvenile Services Planning Committee**. Commissioner Lindsay moved to approve the proposed membership list of the local Juvenile Services Planning Committee. Second by Commissioner Koppenhafer and carried. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to the **Public Health's** presented **Colorado National Collaborative Grant #2020*3672 Amendment #3**. Commissioner Koppenhafer moved to approve the Amendment #3 for the contract, in the amount of \$100,000.00 on one

portion and \$32,728.00 on the other portion, to increase the current contract maximum to \$866,512.00. Second by Commissioner Lindsay and carried (See attached)

DISCUSSION: No action was taken related to the **Proposition HH** discussion.

DISCUSSION: The discussion for the Letter of Support request, related to the **Farmers Telephone Capital Project Funds Grant** was postponed to a future date.

DISCUSSION: The discussion related to the request for a secondary/backup vehicle for the Coroner's office will be added to the 2024 Coroner's budget proposal.

DISCUSSION: The discussion related to the proposed Sheriff's purchase of a Chevrolet Tahoe was postponed to a future date.

DISCUSSION: The proposed **Dolores Contract** was not ready to be discussed at this time.

DISCUSSION: Commissioner Koppenhafer gave an overview of the proposed creation of the **Montezuma County Local Improvement District #2023-1, Upper Road 42 Water Association**. Commissioner Koppenhafer moved to set a Public Hearing, on the decision for the Upper Road 42 Water Association, to September 26, 2023 at 9:10 a.m. Second by Commissioner Lindsay and carried. (See attached)

SECURE RURAL SCHOOLS FUNDING: A discussion was held regarding the distribution of the **Secure Rural Schools Funds Allocation**. Commissioner Lindsay moved to approve the 2023 SRS allocation as presented. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** reported that the **Noland's** Board of Equalization appeal had been filed.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed his Zoom attendance to a CCI meeting related to land use, affordable housing and Senate Bill 213.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** gave an overview of the attended Cortez City Council meeting. **Commissioner Koppenhafer** gave an overview of the attended Mancos Town Council meeting and the attended Colorado River Taskforce meeting. **Commissioner Candelaria** discussed an attended Women's Group meeting, the attended TPR meeting, and the attended Dolores Town Council meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:45 a.m.

Clerk

August 15, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 22, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 22, 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 August 22, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, August 15, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** reported that the application for review and determination of a General Planned Unit Development, 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., had been **withdrawn**. Commissioner Candelaria closed the public hearing.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar of an Amendment to the Jason's Single Lot Development, submitted by **Clay & Sara South**, on property located at 23286 Road T, Dolores, CO, consisting of 3.28 acres, more or less, and **Summer Camp Cattle, LLC**, on property located at TBD Road T, Dolores, CO, consisting of 70.61 acres, more or less, both located east of Road 23, north of Road S, situated in Section 21, Township 37N, Range 16W, N.M.P.M..

Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar of a 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Nelda Jones**, on property

located at 31522 Road W, Dolores, CO, consisting of 17.50 acres, more or less, located south of Road W, east of Road 31, situated in Section 2, Township 37N, Range 15W, N.M.P.M..

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

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Kelli Hargraves** and **Finance Officer, Lori Higgins** were present. (See attached)

VETERANS SERVICE: **Veteran Service Officer, Frank LoBue** met with the Commissioners to give a monthly report. A copy of the **Colorado Division of Veterans Affairs, County Veterans Service Officers Monthly Report**, for July 2023 was presented for the record. Other topics discussed included; the July 2023 financial report, a review of office activities, claim highlights, pending claims, statistical data and the indirect income to Montezuma County. Officer LoBue presented for the record, a copy of the August 2023 Newsletter and reported that the **Montezuma Stand Down for Veterans Event** is scheduled on September 16, 2023 from 9:00 a.m. - 3:00 p.m. (See attached).

SENIOR SERVICES & MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): **Director, Jennifer Morris** met with the Commissioners to give a monthly report on both departments. **Senior Services:** Director, Morris gave an update on the Mancos Senior Center remodel project and a proposal to use the Grange during the duration of time that the Center is unavailable. Other topics discussed within the Senior Services report included; the Annex cleaning deposits for county employees, an overview of program funding by (AAA) Agency on Aging and the Dolores Senior Center. Topics discussed with the **MCCO Transit** report included; funding for the new van, an update on the 14 passenger van purchase, the new transportation services to the Town of Rico, monthly ride numbers, public service announcements and staffing.

UNFINISHED BUSINESS:

DISCUSSION: A Letter of Support addressed to the **Colorado Broadband Office, Advance-CPF Grant Program** related to the **Farmers Telephone Capital Project Funds Grant** was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for Farmers Telephone Communications for the Back 40 Project. Second by Commissioner Lindsay and carried. (See attached)

RESOLUTION 17-2023: Attorney MacLaren presented **Resolution 17-2023**, a resolution declaring the intention of the Board of County Commissioners of Montezuma County, Colorado, to create a Local Improvement District within the County, to be designated as **Montezuma County Local Improvement District #2023-1, (Upper Road 42)**, adopting details and specifications therefor, and ordering publication and mailing of notice of hearing to the owners of the property to be assessed for improvements in said District. Commissioner Koppenhafer moved to approve Resolution #2023-17, declaring the intention of the Board of County Commissioners of Montezuma County, Colorado, to create a Local Improvement District within the County, to be designated as Montezuma County Local Improvement District #2023-1, (Upper Road 42), adopting details and specifications therefor, and ordering publication and

mailing of notice of hearing to the owners of the property to be assessed for improvements in said District. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the request for a secondary/backup vehicle for the Coroner's office was held. Commissioner Lindsay moved to keep the secondary vehicle for the Coroner's office. Second by Commissioner Koppenhafer and carried.

IT: IT Director, Jim McClain met with the Commissioners to present for approval, the **Bead Program**, Sign on Letter Calling for Alternatives to Letter of Credit Requirement. Commissioner Lindsay moved to sign the letter regarding the Bead Program. Second by Commissioner Koppenhafer and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the attended FEMA Flood Plan Workshop, Fluvial Hazard mapping, the Essential Federal Lands 70% design review for the Paths to Mesa Verde Project, the scheduled stakeholder's Wildfire meeting, the Sauter Vegetation Management litigation, wildfire mitigation, identification of CFLRP areas within Montezuma County, the Community Wildfire Defense Grant and the open project's quarterly reports.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ellis Lewis Land Use case, discussed the attended Fair Board meeting and CORA requests.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported he had been out of town a couple days last week.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the month of July 2023, Accounts Payable Expenditure Reports, in the amount of \$4,812,586.25. Commissioner Lindsay moved to approve the payables in the amount of \$4,812,586.25. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** reported that he had discussions with several constituents related to road striping. **Commissioner Lindsay** discussed the Dolores / Montezuma County's combined campground tour and the scheduled Cortez City Council meeting. **Commissioner Candelaria** discussed the completed blade patch work on 526 Road, the Dolores / Montezuma County's combined campground tour and completed improvement projects at the Fairgrounds.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:15 a.m.

Clerk

August 22, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 29, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 29, 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 August 29, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, August 22, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Boundary Line Adjustment Application submitted by **Kyle & Rickie Cruzan**; agent: **Vernon Hoffman**, on property located at 11809 Road 29, Cortez, CO, consisting of 37.75 acres, more or less, located west of Road 29, north of Hwy 160, situated in Section 17, Township 36N, Range 15W, N.M.P.M. and **Kyle & Rickie Cruzan**; agent: **Vernon Hoffman**, on property located at (1893) 11893 Road 29, Cortez, CO, consisting of 5.75 acres, more or less, located west of Road 29, north of Hwy 160, situated in Section 17, Township 36N, Range 15W, N.M.P.M. and **Brock Cruzan**; agent **Vernon Hoffman**, on property located at 11881 Road 29, Cortez, CO, all located west of Road 29, north of Hwy 160, situated in Section 17, Township 36N, Range 15W, N.M.P.M. Mr. Hoffman was present. Director Haley reported that the address listed as 1893 should be corrected to 11893. Commissioner Lindsay moved to approve the boundary line adjustment application submitted by Kyle & Rickie Cruzan; agent:

Vernon Hoffman, on property located at 11809 Road 29, also, Kyle & Rickie Cruzan; agent: Vernon Hoffman, on property located at 11893 Road 29, and also Brock Cruzan; agent Vernon Hoffman, on property located at 11881 Road 29, all of Cortez. Second by Commissioner Koppenhafer and carried. (See attached)

Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 3 Lot Moderate Subdivision and AR3-9 Rezoning submitted by **Larry & Liana Wright**, on property located at 8435 Road 25, Cortez, CO, consisting of 19.85 acres, more or less, located west of Road 25, north of Road H, situated in Section 34, Township 36N, Range 16W, N.M.P.M..

Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment Application submitted by **Kyle & Rickie Cruzan**; agent: **Vernon Hoffman**, on property located at 11809 Road 29, Cortez, CO, consisting of 37.75 acres, more or less, located west of Road 29, north of Hwy 160, situated in Section 17, Township 36N, Range 15W, N.M.P.M. and **Kyle & Rickie Cruzan**; agent: **Vernon Hoffman**, on property located at 11893 Road 29, Cortez, CO, consisting of 5.75 acres, more or less, located west of Road 29, north of Hwy 160, situated in Section 17, Township 36N, Range 15W, N.M.P.M. and **Brock Cruzan**; agent **Vernon Hoffman**, on property located at 11881 Road 29, Cortez, CO, all located west of Road 29, north of Hwy 160, situated in Section 17, Township 36N, Range 15W, N.M.P.M.

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

COUNTY ASSESSOR: **County Assessor, Leslie Bugg** met with the Commissioners to give a departmental update. Topics discussed included; the posting for an appraiser position, the completion of the Certification, completion of the Abstract, computer system changes, letters sent out, Departmental letters, a scheduled BAA Hearing and new construction pickups.

COUNTY TREASURER / TRUSTEE: **County Treasurer, Ellen Black** met with the Commissioner to present the **Schedule of Receipts and Disbursements** dated 1/1/2023 through 6/30/2023. Commissioner Koppenhafer moved to approve the Schedule of Receipts and Disbursements for Montezuma County, from 1/1/2023 through 6/30/2023 as presented. Second by Commissioner Lindsay and carried. Other topics discussed included; staffing, interest rates, foreclosures, and the scheduled Tax Sale. (See attached)

CSU EXTENSION OFFICE: **Extension Director, Emily Lockard** met with the Commissioners for a monthly report. Topics of the discussion included; the County Fair, an update on County Fair facts, the County Fair Livestock sale, collaboration with the County Fair Board, participants and projects at the State Fair, scheduled 4-H trainings and workshops, 4-H enrollment, the scheduled 4-H Achievement Night event, orchard maintenance, a scheduled field day at the research center, the **Peach, Apple & Pear “You Pick”** events, grant applications, strengthening drought programming, drought advisors, ranch assessments, grazing plans, general livestock workshops, pollinator workshops, canning workshops, pressure canner testing, a scheduled range judging with local FFA students, the **Star Plus Programs**, a scheduled **High Desert Conservation Master Land Steward** class, and a proposed updated to the CSU Memo of Understanding.

COUNTY CLERK & RECORDER: County Clerk, **Kim Percell** met with the Commissioners to give a departmental update. Topics discussed included; the completed Motor Vehicle Equipment refresh, required yearly certification trainings, proposed legislation related to Document Recording Fees, an update on the November 7th Coordinated Election, a customers served during the recently extended hours report and departmental closings for attendance to the Fall Regional trainings.

UNFINISHED BUSINESS:

DISCUSSION: The scheduled Monday Workshop presentation related to the funding request from **Hilltop Community Corrections** was not made. No action taken.

DISCUSSION: A Letter of Support addressed to the **Colorado Economic Development Commission Office of Economic Development and International Trade** related to the **Axis Health System's (Axis)** application for an Enterprise Zone Contribution Project designation for its Community Healthcare campus, was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for the Axis Health System's application for an Enterprise Zone Contribution Project designation for its Community Healthcare campus. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

SOUTHWEST HEALTH SYSTEMS: (CNO) Chief Nursing Officer, Lisa Gates and (CFO) Chief Financial Officer, Shelle Diehm met with the Commissioners to give an update on the local hospital. Documents presented for review included the Financial Statements December 31, 2022 and 2021, Income Statements for the Current Month and a Fiscal–Year to Date report. Other topics discussed included; recruitment and retention, the OB Department, roof repairs, the retirement celebration for Dr. Pyle, hiring a hospitalist, the addition of a Nurse Practitioner to the Mancos Clinic, a new Physician's Assistant starting in September at the Primary Care Practice, a new Physician's Assistant within the Emergency Department, pediatric education, utilization of a Nursing recruiter, the Emergency Department and a Shelter in Place Drill scheduled for September 15th. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** discussed funds received from the Ironwood Property fines, and gave a progress report of the pile removal. Attorney MacLaren also gave an update on the Ellis Lewis Land Use case.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed a meeting with the Verkada System, meetings with the City Manager, a review of MOU's, contracts and IGA's, the 2024 Strategic Plan, a scheduled visit from **Senator Bridges**, and the attended Region 9 meeting.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended Board to Board meeting, the attended CCI Western Region meeting and constituent discussions. **Commissioner Lindsay** discussed the attended Board to Board meeting, the attended CCI Western Region meeting and the attended Cortez City Council meeting. **Commissioner Candelaria** discussed the attended Board

to Board meeting, the attended CCI Western Region meeting and the attended Dolores Town Board meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: Email from Norman L. and Mary Lynn Stuckman. The CCI Legislative Committee Commissioner Designation Form.

MEETING ADJOURNED: 10:22 a.m.

Clerk

August 29, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 5, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 5, 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 September 5, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for August 29, 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 Single Lot Development and AR3-9 Rezoning Application submitted by **Raymond & Patsy Kysar**; agent: **James Kennedy**, on property located at 17184 FS 559, Mancos, CO, consisting of 5 acres, more or less, located north of Hwy 184, west of Forest Service Road 561, situated in Section 14, T.37N, R.13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, James Kennedy was present. **Planning Director, Don Haley** along 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 **Robert Urquhart**. 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 Raymond & Patsy

Kysar; agent: James Kennedy, on property located at 17184 FS 559, Mancos, contingent upon the easement being drawn on the plat. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley presented a re-appointment request from **John Hernandez** to the Planning & Zoning Commission. The discussion was tabled to the next Commissioner meeting.

Director, Haley along with **Assistant, Duncan** presented for signatures, a Mylar for a 2 Lot Moderate Subdivision & AR3-9 Rezoning, submitted by **Karl Spielman & Melinda Elkin**, on property located at 17064 Road 23, Dolores, CO, consisting of 10.03 acres, more or less, located north of Road T, east of Road 23, situated in Section 16, Township 37N, Range 16W, N.M.P.M.

Attorney MacLaren reported that a scheduled meeting with the Planning Department and the District Attorney will be held, to discuss problem properties within the County and the possibility of the use of Public Nuisance Laws. (See attached)

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

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 September 2023 and gave an overview of the type of work scheduled. Topics discussed within the report included; hauling and spreading gravel, Schedule A roads, chip seal projects, mowing shoulders, recent flood damage on county roads, an update on the Alkali Bridge project, the completion of the Dolores Norwood Road asphalt/signs project and possible environmental issues at the bridge. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Anderson met with the Commissioners to give a monthly report. Topics discussed included, an update on the Russian olive removal project, completion of the first round of approved RCPP properties, the approval of the second round of RCPP applications, the renewal of the RCPP funding request, a 2022-2023 growth rate mapping, the Roadside Spray Program, Kochia, treatment of Willows, Canada Thistle and Russian Knapweed, the Back Pack Sprayer program, cost share applications and reimbursements, property owner notification letters and property owner contacts. Manager Anderson reported that the **Seeding Seminar** is scheduled for September 19th at the Fairgrounds and the **Fall Applicator Training** is scheduled for November 3, 2023.

LANDFILL: Landfill Manager, Mel Jarmon met with the Commissioner to give a monthly report which included the July 2023 Landfill budget spread sheet. Manager Jarmon reported that the engineers will have the plans done this week, for CDPHE approval on Cell #5 including the alternate liner and that they will begin packing clay on the Carver Field on September 18th. A discussion related to a possible neighboring County closure and adjustments to the current fee structure for out of county residents was held. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire met with the Commissioner to give a monthly report. The monthly report included; the year to date attendance number, the Revenues and Expenditures report, along with past and future scheduled events. Other topics

discussed included: the outdoor restroom project, the electrical upgrade project, received LOR grant funds and the purchased tents and picnic tables, the Flea Market, a donation of gravel from the Ute Mountain Roundup Rodeo, the 2024 Racetrack Lease, proposed winter maintenance projects and completed fire hydrant flow tests. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to discuss the list of Montezuma County Public Surplus Items for August 2023 and the purchase of a Chevy Tahoe for the Detentions Department. Commissioner Lindsay moved to purchase a 2023 Chevy Tahoe from Morehart Durango, in the amount of \$46,610.00. Second by Commissioner Koppenhafer and carried. (See attached)

UNFINISHED BUSINESS:

COUNTY SHERIFF: Sheriff, Steven Nowlin met with the Commissioners to make a recommendation to rescind the Fire Ban within Montezuma County. **RESOLUTION #18-2023:** a resolution for the suspension of ban on open fires and use of fireworks, effective at 6:00 a.m., on September 6, 2023, was presented for approval. Commissioner Koppenhafer moved to approve Resolution #18-2023, rescinding the Fire ban. Seconded by Commissioner Lindsay and carried.

Sheriff Nowlin presented for approval, the **Dolores Contract for Law Enforcement Services**. No action was taken at this time.

Sheriff Nowlin presented for approval an amendment to the **2022-2023 (JBB) Jail Based Behavior Service Grant**. Commissioner Lindsay moved to accept the revised budget for the Jail Based Behavior Service Grant, 2022-2023 for the additional funds of \$33,337.03. Second by Commissioner Koppenhafer and carried. (See attached)

GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to present the **Project Manual for the 2023 Fairgrounds Solar Installation**, for approval. Commissioner Koppenhafer moved to put out for bid the 2023 Fairgrounds Solar Installation for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Ellis Lewis Land Use case and gave an update on the Road 41 fence removal issue.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed a meeting with **Business Magazine** and **Jessica Thurman** related to an article on Montezuma County, an attended meeting with **Paul Rothemeyer** related to the 2024 strategic plan, the SB213 discussion during the visit with **Senator Bridges**, and the zoom attendance for a CCI land use and housing discussion.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Housing Solutions Board meeting. **Commissioner Koppenhafer** reported on the attended Colorado River Taskforce meeting. **Commissioner Candelaria** reported on a constituent discussion related to a nuisance property.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:40a.m.

Clerk

September 5, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 12, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 12, 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 September 12, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for September 5, 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 regarding a proposed High Impact/Special Use Permit Application and Commercial Planned Unit Development and Rezoning Application, submitted by **Ramble Outdoors, Inc**, agent for **Benny & Sondra Cordova**, on property located at TBD Road 31, Dolores, CO, consisting of 9.05 acres, more or less, & Conrad & Eva Hover, on property located at 29485 Road M, consisting of 24.12 acres, more or less, both located north of Road M, west of Road 31, situated in Section 9, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Dieter Erdmann was present. **Planning Director, Don Haley** along 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 **Tres Rios Field Office Manager, Derek Padilla** and **Tom Marciniak**. Hearing no further

public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to deny the commercial zoning of the planned unit application for property located at TBD Road 31, Dolores. Commissioner Lindsay amended his previous motion to deny the application for a proposed High Impact/Special Use Permit Application and Commercial Planned Unit Development and Rezoning Application, submitted by Ramble Outdoors, Inc, agent for Benny & Sondra Cordova, on property located at TBD Road 31, Dolores, CO, consisting of 9.05 acres, more or less, & Conrad & Eva Hover, on property located at 29485 Road M, consisting of 24.12 acres, more or less, both located north of Road M, west of Road 31, situated in Section 9, Township 36N, Range 15W, N.M.P.M. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

DISCUSSION: A discussion was held, related to the current language within the Land Use Code, and the process for commercial development on properties that are not currently zoned commercial. The Commissioners were in agreement to continue this discussion.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and discussion of amending the Land Use Code subdivision regulation as it relates to the **Mancos RE-6 School District** fee in lieu of land dedication fee increase and finalizing the fees for the other school districts. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the proposed amendments 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 Mancos RE-6 School District fee in lieu of land dedication fee increase to \$550.00 per lot, and finalizing the fees for the other school districts in Montezuma County as presented. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: **Director Haley** presented a re-appointment request from **John Hernandez** to extend his term 3 years on the Planning & Zoning Commission. Commissioner Lindsay moved to re-appoint John Hernandez to the Planning & Zoning Commission, for a three year term, ending in December 2026. Second by Commissioner Koppenhafer and carried. (See attached)

Director, Haley along with **Assistant, Duncan** presented for signatures a Mylar for a 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Jim & Sharon Krater**; agent: **Keenen Lovett**, on property located at 4303 Road 21, Cortez, CO, consisting of 20 acres, more or less, located west of Road 21, north of Road D, situated in Section 24, Township 35N, Range 17W, N.M.P.M..

PUBLIC LANDS:

Bureau of Land Management, Tres Rios Field Office Manager, Derek Padilla met with the Commissioners for a monthly update. Manager Padilla introduced **Acting Lands and Realty Specialist Haley McCaffery**. Other topics discussed included; Tribal Analysis Planning, a proposed parking lot on Road 41 for access to the Webber Mountain Wilderness Study Area, the

congressional process to release a (WSA) Wilderness Study Area, the re-engagement of Phase 2 of the Tribal Management Planning, and future prescribed burns.

Canyon of the Ancients National Monument Manager, Ray O'Neal reported to the Commissioners that the Visitor Center has two new permanent exhibits, a special **Stanton Englehart Paintings** exhibit and mentioned the scheduled Star Party event.

Forrest Service Acting District Ranger, Tom Rice met with the Commissioners to give updates on various projects. Topics discussed included; the Dolores Norwood Road patching project, gravel crushing at the Beaver Pit, the new Breakwater Construction Project, the Muscle Inspections Program, brushing at Cabin Canyon, construction at the Transfer Campground, construction at the Boggy parking lot, the Road W signs, future prescribed burns and the permanent District Ranger position.

Mesa Verde National Park, Kayci Cook Collins met with the Commissioners to give an update on the nation Park. Topics discussed included; visitor numbers, the Pavement Preservation Project, exhibits at the Chapin Mesa Museum, events scheduled for the Annular Solar Eclipse, and a schedule of future closure dates for the park.

PUBLIC COMMENT: Public comment was made by **Mike Lynch** and **Susan Kemnetz**. (See attached)

GIS MAPPING: GIS Manager, Doug Roth along with **Mapping Specialist Nolan Notah** met with the Commissioners to give a monthly report. Topics discussed included; the US Forest Service Address Assignment Project, a Fire Mitigation Analysis, new wildfire analysis data, the Landfill excavation points for the Cell 5 development, a future transfer order for Road Impact Fees and a proposed grant application for County address signs.

ECONOMIC DEVELOPMENT: Economic Development Coordinator, Jessica Thurman met with the Commissioner to give a monthly report. Topics discussed included; the attended Tribal Planning and Envisioning Session, the attended (SWORD) Southwest Opioid Response District meeting, the SWORD feasibility study, the attended West Slope Start Up Week, the Landfill Voucher program, the Fairgrounds Flea Market, the Economic Development Community Perspective workshop, road maps with Montezuma Community Collective, the Housing and Transportation Action Team and the Region 9 SUDS.

UNFINISHED BUSINESS:

LETTER OF SUPPORT: Administrator Anderson presented for approval, a letter of support addressed to **Colorado Broadband Office Advance (CPF) Capital Project Fund Grant Program** related to the support of the **Clearnetworkx / Montezuma County Priority 1 & 2 CPF Project**. Commissioner Lindsay moved to sign the letter of support, the City of Cortez for providing a, non-exclusive letter for Clearnetworkx and Montezuma County as part of the Advance Colorado Capital Fund grant application. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Commissioner Candelaria gave an overview of the Monday Workshop discussion related to the **Noxious Weed Advisory Board**. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich**, met with the Commissioners to give his weekly report. Topics of the discussion included; the Flowdine and Yellow Jacket allotments, the Paths to Mesa Verde Project, the DWARF and CFLRP projects and the Community Wildfire Protection Plan.

LETTER OF SUPPORT: Director Dietrich presented a letter of support addressed to the **Colorado Parks and Wildlife Non-Motorized Trails Grant Program** related to the **Phase 1 of the Southwest Regional Trails Connector Project**. Commissioner Koppenhafer moved to approve the letter of support for the Phase 1 of the Southwest Regional Trails Connector Project, the non-motorized CPW trail planning grant. Second by Commissioner Lindsay and carried. (See attached)

EXECUTIVE SESSION: Attorney MacLaren reported that the scheduled Executive Session was not needed.

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave an update on the Ironwood Mill Property Case. The Commissioners were in agreement to move forward with a requirement of a two week deadline for the separation of piles and an increase in fines.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** reported that he had been working on the budget, the meeting with the District Attorney related to public nuisance actions for properties, the attended Region 9 discussion, a scheduled meeting with the Court Administrator to identify utility cost reductions on structures and the attended (CML) Colorado Municipal League meeting.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** reported on the attended Economic Development Community Perspective workshop. **Commissioner Lindsay** discussed the scheduled Veterans Stand Down event, the scheduled Cortez City Council meeting and the Governor of New Mexico's conceal carry executive order. **Commissioner Candelaria** reported on the attended Dolores Town Board meeting, and budget discussions.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:30a.m.

Clerk

September 12, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 19, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 19, 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 September 19, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for September 12, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for discussion and approval of an Exemption Amendment Application to Resolution #P-82-77 ATF, submitted by Sheryl H Merritt Living Trust, on property located at 28244 Road T.5, Dolores, CO, consisting of 12.78 acres, more or less, located south of Hwy 145, situated in Section 17, Township 37N, Range 15W, N.M.P.M. Commissioner Lindsay moved to approve the Exemption Amendment Application to Resolution #P-82-77 ATF, submitted by Sheryl H Merritt Living Trust, on property located at 28244 Road T.5, Dolores. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC COMMENT: No public comment 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 **August Operational Expense Report** and the **Monies Paid to the General Fund Report**. Topics discussed included: increasing mental health calls, missing person reports, an increase in burglaries within the County, an increase in violence, drive by shootings, felony cases, assaults on detention deputies, a manufacture update on the currently used Tasers, the sale of a John Deer tractor and the Casino Contract. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the monthly report. The **August 2023** reported numbers included: 17 coroner cases, 11 hospice deaths, 4 autopsies, 4 motor vehicle accident, 1 suicides, 1 overdose deaths and 0 homicides. The **Year to date Totals** included: 182 total cases, 109 coroner cases, 73 hospice deaths, 36 autopsies, 10 motor vehicle accident, 10 suicides, 2 overdose deaths and 4 homicides. A discussion was held related to a number comparison with other Category 3 counties. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: No action was taken on the discussion related to the funding request from **Hilltop House Community Corrections**.

DISCUSSION: The **Montezuma County Fairground's Racetrack** lease for the 2024 season was presented for review and discussion. The Commissioners are in agreement to have Attorney MacLaren present the lease for review and signatures, to **Garcia Motor Sports**, with updated County Fair dates. Final documents to be presented at a future date. (See attached)

DISCUSSION: Administrator Anderson opened the discussion related to **Budget Revisions for 2024**. Topics discussed included: a proposed reduction of full time employees, unfilled positions, the adoption of the final 2024 budget, amending the 2023 budget, over staffing, special assignments, proposed budget cuts, distinguishing between budget numbers and how an elected official does business, having to use County reserves to sustain the county, and deputy retentions.

RESOLUTION #19-2023: Attorney MacLaren presented for approval, **Resolution #19-2023**, a resolution **Setting School Land Dedication Fees for the Mancos School District RE-6, the Montezuma-Cortez School District Re-1 and the Dolores School District RE-4A**. Commissioner Koppenhafer moved to approve resolution #19-2023, a resolution Setting School Land Dedication Fees for the Mancos School District RE-6, the Montezuma- Cortez School District Re-1 and the Dolores School District RE-4A. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **Paths to Mesa Verde Non-Motorized Trails Grant Letter of Intent** was presented for approval. Commissioner Lindsay moved to sign the grant support letter for the Montezuma County grant application submittal form for #CP3JC6K322G3, with the Colorado Parks and Wildlife. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Grant Coordinator, Robert Dobry met with the Commissioners to discuss the **Social Services HCPF Security Grant**. The Commissioners were in agreement to update the grant application to include additional doors within the project and to postpone the decision to a future date. (See attached)

DISCUSSION: A discussion related to the **Rural Tribal Pilot Assistance Program. Road G Culvert Assessment** was held. Topics discussed included; changing the name to include Water and Flooding Mitigations. Commissioner Lindsay moved to approve the application for the Tribal Pilot Assistance Program on County Road G, in the amount of \$50,000.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion related to the **Road G Reconnecting Communities Master Planning Grant** was held. Commissioner Koppenhafer moved to approve the grant application submission form for the Montezuma County Road and Bridge Department, for \$420,000.00, for the Road G, master planning project and preliminary engineering. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: From the **Public Health Department** grant applications were presented for the **Dental Clinic Program** and the **Moms Support Group**. Commissioner Lindsay moved to sign the grant applications for the Dental Clinic Support program, in the amount of \$20,000.00. Second by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to approve the grant application submission form for the Health Department, for the Moms Support Group, in the amount of \$5800.00, through the LOR Foundation. Second by Commissioner Lindsay and carried. (See attached)

COUNTY GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to give a monthly report. Topics discussed included; the Fairground's Solar Project request for bids, Proposition 123 the Colorado Housing Proposition, coordination with the municipalities, the Community Wildfire Defense Grant, possible drug test grant funds for the Coroner's office, the Rural Technical Assistance Grant and condensing the County's (UEI) Unique Entity Identifiers.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood Mill Property Case and the schedule for the assessment of fines. Other topics discussed included: day to day operations and Child Protection Services.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed his work on the 2024 budget, on the attended meeting with the new Hospital CEO, a review of benefit aspects, discussions related to the Casino Contract, Workmen's Comp Insurance and the Town of Dolores Contract.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council meeting, the attended Montezuma County Hospital District / Southwest Health Systems meeting, and the attended Veterans Stand Down Event. **Commissioner Koppenhafer** discussed the attended Southwest

Water Conservation District meeting, the Triple A meeting and the Colorado River Task Force meeting. **Commissioner Candelaria** discussed the attended Montezuma County Hospital District / Southwest Health Systems meeting, budget discussions and the Monday Workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:30a.m.

Clerk

September 19, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
September 26, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday September 26, 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
Malinda Fuller, Chief Deputy

CHAIRMAN, CANDELARIA opened the meeting of September, 26 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for September 19, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of an Exemption Amendment Application to Resolution #P-82-77 ATF, submitted by **Sheryl H Merritt Living Trust**, on property located at 28244 Road T.5, Dolores, CO, consisting of 12.78 acres, more or less, located south of Hwy 145, situated in Section 17, Township 37N, Range 15W, N.M.P.M. (See attached)

DISCUSSION: The **Pinnacol Assurance and Work Comp proposal** was presented for review and discussion. Commissioner Lindsay moved to accept the proposal from Mountain West Insurance Financial Services for our workman's comp through Pinnacol Insurance. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held on a proposition to create a Local Improvement District in Montezuma County, Colorado, to be known as **Montezuma County Local Improvement District No. 2023-1 (Upper Road 42)**, for the

purpose of constructing, installing, completing, and acquiring certain local improvements, together with any necessary incidentals, and assessing the costs thereof against the property in the District. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Bud Smith was present. **County Attorney, Ian MacLaren** presented the details of the application. Commissioner Candelaria opened the hearing to public comment. Fred Schroeder and Linda Mount commented. After hearing all the evidence presented Commissioner Koppenhafer moved to approve Resolution NO. 21-2023 for Montezuma County, creating a local improvement district NO. 2023-1 (upper road 42) to be designated as Montezuma County Local Improvement District NO. 2023-1 (upper road 42) authorizing an election by the owners of the property to be assessed for improvements in said district and additional procedures for developing final plans and funding for the district and to appoint Laura Rieck as the administrator and to have a mail ballot election for the creation of this district. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC COMMENT: No public comment was made.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Kelli Hargraves** and **Finance Officer, Lori Higgins** were present. (See attached)

VETERANS SERVICE: Veteran Service Officer, Frank LoBue met with the Commissioners to give a monthly report. A copy of the **Colorado Division of Veterans Affairs, County Veterans Service Officers Monthly Report**, for August 2023 was presented for the record. Other topics discussed included; the August 2023 financial report, a review of office activities, claim highlights, pending claims, statistical data and the indirect income to Montezuma County. (See attached).

SENIOR SERVICES & MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): Director, Jennifer Morris met with the Commissioners to give a monthly report on Public Transportation and the Senior Center.

UNFINISHED BUSINESS:

DISCUSSION: The **2024 Strategic Planning Proposal** was presented for review and discussion. No decision was made. (See attached)

DISCUSSION: The **Southern Health Partners Contract** was presented for review and discussion. Commissioner Lindsay move to accept the Southern Health Partners Contract for 2024. Second by Commissioner Lindsay and carried. (See attached)

RESOLUTION #20-2023: Attorney MacLaren presented for approval, **Resolution #20-2023**, a resolution a **Resolution in Support of the Paths to Mesa Verde Trails Project – CPW Non-Motorized Trails Grant**. Commissioner Koppenhafer moved to approve Resolution #20-2023, a Resolution in support of the paths to Mesa Verde. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **Paths to Mesa Verde Non-Motorized Trails Grant Letter of Intent** was presented for approval. Commissioner Lindsay moved to sign the grant support letter for the Montezuma County grant application submittal form for #CP3JC6K322G3. (See attached)

LETTER OF SUPPORT: A letter of support addressed to **Dawn DiPrince, History Colorado Director** related to the **Cortez Cultural Center Grant Request** was presented for approval. (See attached)

DISCUSSION: A discussion related to the delivery of **donated gravel to the Fairgrounds** was held. (See attached)

ORDER: Order # 2-2023. Order # 2-2023 in the amount of \$546,992.78 a transfer from the Road and Impact Fee Fund to the Road and Bridge to reflect Road impact fees collected, was presented for approval. Commissioner Koppenhafer moved to approve Order #2-2023, a transfer of \$546,992.78 from the Road and Impact Fee Fund to the Road and Bridge to reflect Road impact fees collected. Second by Commissioner Lindsay and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included EIS, Mesa Verde Right of Way. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood Mill Property Case and the assessment of fines scheduled. Other topics discussed included: day to day operations.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed his work on the 2024 budget, on the attended meeting with the new Hospital CEO, a review of benefit aspects, discussions related to the Casino Contract, Recycling meeting, Fairboard meeting and Proposition meeting.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the August 2023 Accounts Payable Expenditure Reports in the amount of \$3,643,973.44. Commissioner Lindsay moved to approve the August Financial in the amount of \$3,643,973.44. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City and meeting the new hospital CEO. **Commissioner Koppenhafer** discussed the a few phone calls. **Commissioner Candelaria** reported on the attending the las Party in the Park, workshop and Dolores Town Hall meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:12a.m.

Clerk

September 26, 2023

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

MINUTES: Commissioner Lindsay moved to accept the Proceedings of the Board of County Commissioners of Montezuma County, for September 26, 2023 as amended. 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 Single Lot Development and AR10-34 Rezoning Application, submitted by **Ronnie & Rachel Hurst**, on property located at 29998 Hwy 184, Dolores, CO, consisting of 15 acres, more or less, located south of Hwy 184, west of Road 30, situated in Section 21, 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. Hurst was present. **Planning Director, Don Haley** along 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 Single Lot Development and AR10-34 Rezoning Application, submitted by Ronnie & Rachel Hurst, on property located at 29998 Hwy 184, 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 discussion and approval of a proposed flyer/insert, which notifies property owners the appropriate County Department(s) to contact for development. This would be included in the year's property tax statements. The Commissioners were in agreement to move forward with the proposed flyer insert. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Robert & Katherine Heyder Living Trust**; agent: **Benjamin Bradford Shaw**, on property located at 12064 Road 40, Mancos, CO, consisting of 12.85 acres, more or less, located east of Road 40, north of Hwy 184, situated in Section 8, 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, Shaw was present. **Planning Director, Don Haley** along 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 Moderate Subdivision and AR3-9 Rezoning Application submitted by Robert & Katherine Heyder Living Trust; at 12064 Road 40, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: Public comment was made by **Ruth Stockwell**.

DISCUSSION: Jake Zehnder met with the Commissioners for a discussion and decision related to the **Employee Health Insurance**. Commissioner Lindsay moved to accept the bid from Cigna for the health insurance for Montezuma County. 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 month of October, 2023 and gave an overview of the type of work scheduled. Other topics discussed included: the Alkali Bridge project, the completion of the Forest service crushing and crushing at the Ormiston pit. (See attached)

The **Spruce Creek Multi-Plate Culvert** project was presented for review and discussion. Commissioner Koppenhafer moved to approve the construction of the Spruce Creek multi-plate culvert, up to \$75,000.00 for the concrete quote, for that project. Second by Commissioner Lindsay and carried. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Anderson was not available to give a report.

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2023 Landfill budget spread sheet. Topics discussed with the report included: the Carver Field,

equipment repairs and out of county customers. Manager Jarmon presented the 2024 proposed rate increases. Commissioner Lindsay moved to approve the proposed rate increases at the Landfill. 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 61,230 in attendance, Revenues at \$91,247.49 and Expenditures at \$212,632.40. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included: the Outside Restroom Remodel project, planned winter maintenance and the Fire Suppression Project. Manager McGuire presented the quotes for the Donated Gravel Project. Commissioner Koppenhafer moved to approve the **K Rocking S Trucking LLC** to haul 1071 tons of donated gravel to the Fairgrounds from the Four Corners pit, in the amount of \$15,187.50. Second by Commissioner Lindsay and carried. (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: the Snag Fire, the Hope Fire, small fires at Pleasant View and Phil's World, the scheduled Federal emergency alert, the County's infrastructure study, from the Cyber Infrastructure Security Agency (CISA), the 2022 FEMA Generator grant, training and drills and County employee ICS classes. **Public Information Officer, Vicki Shaffer** gave a demonstration on "How to sign up" for the new **Everbridge** Emergency Alert System. (See attached)

CSU EXTENSION OFFICE: Extension Director, Emily Lockard met with the Commissioners for a monthly report. Topics of the discussion included; 4-H enrollment, the scheduled IFA presentation "Tour De 4-H", the Educational Access Program, taster workshops, quilting and knitting classes, the scheduled 4-H Achievement night, a pollinator class, range judging classes, the Apple U- Pick event, the Orchard Program, a cider pressing event, the Dryland Restoration Project, hosted canning classes, the Drought Advisory Program, the Colorado Master Irrigator Program, grant applications, county vehicle concerns and the proposed budget cuts. (See attached)

UNFINISHED BUSINESS:

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): Director, Jennifer Morris presented for approval the recommended proposal for the **MOCO Fixed Route Feasibility Study**. Commissioner Lindsay moved to accept the bid submitted from **Compass Transit Consulting**, to do the feasibility study for the MOCO fixed route system. Second by Commissioner Koppenhafer and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to the **Forest Restoration and Wildfire Risk Mitigation** for the **Mancos Conservation District** was presented for approval. Commissioner Lindsay moved to sign the letter of support for the Forest Restoration and Wildfire Risk Mitigation, for the Mancos Conservation District. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

RESOLUTION: Attorney MacLaren presented for approval, **Resolution #22-2023**, a Resolution Pursuant to C.R.S. 30-20-601 et seq. Forming, Creating, And Establishing a Local Improvement District For The Chip Sealing of County Road 26.1 Loop Serving The Mesa Sky Estates Subdivision, And Providing for Payment Of The Costs For Said Improvements By Assessment Of Property. Commissioner Koppenhafer moved to approve Resolution #22-2023, a resolution forming, creating, and establishing a Local Improvement District for the chip sealing of County Road 26.1 Loop, serving the Mesa Sky Estates Subdivision. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: GIS Mapping Specialist, Nolan Notah, Manager, Doug Roth along with Economic Development Coordinator, Jessica Thurman gave an update on the **Recreational Maps Webpage** and discussed promotional opportunities for the County's GIS resources. (See attached)

ECONOMIC DEVELOPMENT: Economic Development Coordinator, Jessica Thurman met with the Commissioner to give a monthly report. Topics discussed included; local business development, work with the Historic Preservation Society to become a Certified Local Government, Historic Preservation Tax credits, a discussion held with Manufactures Edge, the Make It Montezuma Monday Start-Up Business Blitz events, a scheduled Enterprise Tax Credit Webinar, the scheduled Quality Jobs Webinar, the MCC discussion related to housing and transportation, discussions with Housing Solutions, marketing for MOCO, drought and agriculture, the Noxious Weed Program, Work Force and Business, the Community Health Actions Team, and a renewed relationship with PCC and the Habitat for Humanity projects.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood Case, and mentioned Child Protection cases and the local providers.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson mentioned a discussion held with the Combined Courts related to a reduction of utility and janitorial expenses, gave an update on the Dolores Contract, a scheduled discussion related to concerns from the Sheriff and detox issues, and the attended CCI discussion related to the proposed Proposition HH.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended CCI meeting related to the proposed Proposition HH, Zoom attendance to the Cortez City Council meeting, Zoom attendance to the Region 9 meeting, mentioned the scheduled Cortez Fly In Event and offered congratulations to Micah Rudosky. **Commissioner Koppenhafer** discussed the attended workshop for the Southwest Water Conservation District and Colorado River Task Force meeting and mentioned the next Colorado River Task Force meeting would be held in Ignacio. **Commissioner Candelaria** discussed the proposed Proposition HH, the scheduled (STAK) State Transportation Advisory Committee meeting, the Monday workshop and the Spruce Creek Multi-Plate Culvert project.

MOTION TO ADJOURN: Commissioner Koppenhafer moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:20 a.m.

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

Clerk

October 3, 2023

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 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
Travis Anderson, County Administrator
Ian MacLaren, County Attorney
Kim Percell, County Clerk

CHAIRMAN, CANDELARIA opened the meeting of October 10, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 3, 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 regarding a 4 Lot Moderate Subdivision and Rezoning Application submitted by **Triple S Farms, LLC**; agent: Ernie Maness, on property located at 26960 Road N, Cortez, CO, consisting of 13 acres, more or less, located south of Road N, 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. Agent Maness was present. **Planning Director, Don Haley** along 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 **Phil Schmitt** and **Gay Balfour**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the 4 Lot Moderate Subdivision and Rezoning Application submitted by Triple S Farms, LLC, agent: Ernie Maness, on property

located at 26960 Road N, Cortez, contingent upon the correction to the plat and the covenants recommended by the P&Z. 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 regarding a proposed 3 Lot Minor Subdivision and AR3-9 and AR10-34 Rezoning Application, submitted by **Kenneth Bradshaw**, on property located at TBD Hwy 491, Cortez, CO, consisting of 36.24 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Bradshaw was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 3 Lot Minor Subdivision and AR3-9 and AR10-34 Rezoning Application, submitted by Kenneth Bradshaw, on property located at TBD Hwy 491, 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 regarding a proposed Single Lot Development and Rezoning Application, submitted by **Jason & Ashley Merritt**, on property located at 15518 Road 20, Cortez, CO, consisting of 3.63 acres, more or less, located south of Road S, east of Road 20, situated in Section 25, Township 37N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Ed Merritt** was present. **Planning Director, Don Haley** along 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 Rezoning Application, submitted by Jason & Ashley Merritt, on property located at 15518 Road 20, 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 a Mylar for a Single Lot Development and Rezoning, submitted by **Jason & Ashley Merritt**, on property located at 15518 Road 20, Cortez, CO, consisting of 3.63 acres, more or less, located south of Road S, east of Road 20, situated in Section 25, Township 37N, Range 17W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **James Russell Myers**, and **Odis Sikes**.

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman met with the Commissioners to give a monthly report. Topics discussed included: a Fleet Hourly Rate Report, funds received on items that had been auctioned and the Sheriff's vehicle for the Town of Dolores. Manager Higman presented for approval, the 2023 Maintenance pickup replacement quotes. Commissioner Koppenhafer moved to approve the purchase of the Model

2500 Maintenance pickup for 2023, from Bozarth Chevy in the amount of \$54,936.20. Second by Commissioner Lindsay and carried. (See attached)

GROUND AND BUILDINGS: Maintenance Supervisor, Dustin Sattler reported on the grounds and buildings. Topics discussed included: door replacements at the Pleasant View Sand Shed, the HVAC units for the Sheriff's Department, HVAC filter replacements at the Combined Courts, and the scheduling of the fire back flow. Supervisor Sattler presented for discussion, the County Building's, 2024 Janitorial Services quotes from **Bravo! Cleaning & Restoration, Brisa Caraveo-Chavez, Decker & Associates, Inc., Monica's Cleaning Service, Robert & Heidi Stockwell, Stockwell Cleaning, Superior Services, LLC., and Taylor Betts**. Commissioner Lindsay moved to accept the low bid across the board, across all departments, for each department, as presented. Second by Commissioner Koppenhafer and carried. (See Attached)

IT: IT Director, Jim McClain met with the Commissioners to present his monthly report. Director McClain gave an update on the Broadband Plan. Topics discussed included: grant proposals, coordinating with Empire Electric, an attended meeting with the Colorado Broadband office and the grant decision to be made in November.

GIS MAPPING: GIS Manager, Doug Roth met with the Commissioners to give a monthly report. Manager Roth gave a demonstration of the new Road Impact Fees Map. The map may be accessed at <https://arcg.is/vrC540> .

PUBLIC LANDS: No reports given.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to **Proposition 123**, with a baseline of 13 and a commitment to opt-in. Commissioner Lindsay moved to opt in to Proposition 123. The motion was second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Fairground Manager Justin McGuire met with the Commissioner to discuss the received Fairgrounds Solar Project bids. There was an additional bid received before the deadline but was delivered to a different county office. Bids were received from **Shaw Solar** and **Utopian Power**. The bids will be reviewed and brought back to the BOCC for a decision.

NEW BUSINESS:

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell met with the Commissioners to present a liquor license renewal application for the **Maverick Inc. Store #275**, located at 10223 US Hwy. 491, Cortez Co 81321. Commissioner Koppenhafer moved to approve the retail liquor license renewal for Maverick Inc., at 10223 US Hwy. 491, Cortez Co. Second by Commissioner Lindsay and carried. (See attached)

2024 BUDGET: Administrator, Anderson presented the proposed 2024 Budget for discussion. The Commissioners will review the presented budget and continue the discussion at a future time. (See attached)

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

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** mentioned administrative managerial duties, a scheduled meeting to discuss a recycle program at the Landfill, the attended CCI meeting and reported that the County Public Information Officer was currently helping with the Penrose Co. situation.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** reported that he was unable to attend the NCA Conference call and constituent discussions. **Commissioner Lindsay** discussed the zoom attendance to the CCI meeting related to Senate Bill 22-225, zoom attendance to the CCI legislative priorities meeting, and the scheduled Cortez City Council meeting. **Commissioner Candelaria** discussed the attended (STAC) State Transportation Advisory Committee meeting, an attended meeting with a CDPHE attorney, and the attended CCI legislative priorities meeting and the Dolores Town Board Meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted: Email from **Mesa Verde National Park, Ranger Kayci Cook Collins** (See attached)

MEETING ADJOURNED: 10:30 a.m.

Clerk

October 10, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 17, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 17, 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 October 17, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 10, 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 regarding a proposed Subdivision Amendment Application for a proposed Commercial Rezoning and Commercial Planned Unit Development to Lot #31 of the Blue Door Subdivision submitted by **Kenneth Hinton**; agent: **Richard O'Brien**, on property located at 7351 Road 24.3, Cortez, CO, located south of Road G.3, east of Hwy 160-491, situated in Section 3, 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 O'Brien was present. **Planning Director, Don Haley** along 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 Application for a proposed Commercial Rezoning and

Commercial Planned Unit Development to Lot #31 of the Blue Door Subdivision to include special uses to repair tractor trailer, heavy equipment, also SME and all associated uses thereof, submitted by Kenneth Hinton; agent: Richard O'Brien, property located on 7351 Road 24.3, Cortez. 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 signatures of a Mylar for a Single Lot Development and Rezoning, submitted by **Ronnie & Rachel Hurst**, on property located at 29998 Hwy 184, Dolores, CO, consisting of 15 acres, more or less, located south of Hwy 184, west of Road 30, situated in Section 21, Township 37N, Range 15W, N.M.P.M.

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 arrest of an habitual criminal, the **Southern Health Partners Contract**, the 2024 proposed budget, the \$30,000.00 Cost Pool, the statutory responsibilities and authorities of the Sheriff, under Colorado Revised Statutes Article 2, 30-2-106 and 30-10-506, and a proposed public hearing to discuss the full time employees. **IT Director, Jim McClain** joined the meeting to discuss proposed software reductions for the 2024 budget. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the monthly report. The **September 2023** reported numbers included; 13 coroner cases, 2 hospice deaths, 4 autopsies, 1 motor vehicle accident, 1 suicides, 1 overdose deaths and 0 homicide. The **Year to date Totals** were updated to include; 198 total cases, 120 coroner cases, 78 hospice deaths, 40 autopsies, 11 motor vehicle accident, 11 suicides, 3 overdose deaths and 4 homicide. Other topics discussed included; motor vehicle accidents, a year to date comparison and alcohol related deaths. (See attached)

DISTRICT ATTORNEY: District Attorney, Christian Hatfield and **Office Manager, Clarisa Osborn** met with the Commissioners to give a monthly report. DA Hatfield reported that things were proceeding at pace, that there was no back log and that they were fully staffed. Other topics discussed included; trial continuations and an update on a Public Nuisance Action.

UNFINISHED BUSINESS:

DISCUSSION: Public Health Director, Bobbie Lock met with the Commissioner to present the **CDPHE Workforce Grant**, Task Order #23FAA00035 in the amount of \$274,926.00. Commissioner Koppenhafer moved to approve Master Task Order Contract #23FAA00035, between the State of Colorado and the Montezuma County Board of Commissioners for the Public Health Agency. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Fairgrounds Manager, Justin McGuire along with **Grant Coordinator, Robert Dobry**, met with the Commissioner to discuss the Fairgrounds Solar Project bids from **Shaw Solar** and **Utopian Power Company**. Commissioner Lindsay moved to accept the Shaw Solar bid, for the Solar Project at the Fairgrounds. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS: From **Human Resources, M. Lynn Dorenkamp** met with the Commissioners to discuss the **Employee Sick Leave Pool**. Commissioner Lindsay moved to remove the catastrophic illness or accident portion definition, of the accrued sick leave donation program and allow donations made on a per case bases. Second by Commissioner Koppenhafer and carried. The Commissioners were in agreement to add the information to the County Handbook. (See attached)

GRANT COORDINATOR: Grant Coordinator, Robert Dobry met with the Commissioners to give a monthly report. Topics discussed within the report included; the **Land Water Conservation Fund Motorized Trail Grant** application, the **Reconnecting Communities Grant** application, the **Community Wildfire Defense Grant**, Proposition 123 and a future Solar Grant application to help with electrical expenses within the County. Coordinator, Dobry presented the Montezuma County Grant Application Submission Form for the **CDPHE Overdose Data in Action Grant**. Commissioner Koppenhafer moved to approve the Montezuma Grant Application for George Deavers, the Coroner, the UEI Grant to be submitted under #CP3JC6K322G3, up to \$45,000.00 requested for toxicology expenses. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on a scheduled Board of Assessment Appeals hearing and discussed an easement issue on County Road 20.5.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed working on the Road 20.5 easement issue.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the Road 20.5 easement issue, reported on the attended Southwest Water Conservation Board, the Colorado River Task Force and the Mancos Town Board meetings. **Commissioner Lindsay** discussed the attended Cortez City Council meeting and the attended “Fly In” event at the local airport. **Commissioner Candelaria** discussed the attended (TPR) Southwest Regional Transportation meeting, and the attended Fire Commission Meeting.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:00 a.m.

Clerk

October 17, 2023

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

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

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 17, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: No public comment was made.

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Kelli Hargraves** and **Finance Officer, Lori Higgins** were present. (See attached)

PUBLIC HEALTH: No report given.

VETERANS SERVICE: **Veteran Service Officer, Frank LoBue** met with the Commissioners to give a monthly report. A copy of the **Colorado Division of Veterans Affairs, County Veterans Service Officers Monthly Report**, for September 2023 was presented for the record. Other topics discussed included; the September 2023 financial report, a review of office

activities, claim highlights, pending claims, statistical data and the indirect income to Montezuma County. Other topics discussed included: out of state contracted examiners, the Montezuma Stand Down for Veterans event, a software update and the scheduled local events to celebrate Veterans Day. (See attached)

SENIOR SERVICES & MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): **Director, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed in the **Transportation** report included: transit ride statistics, the Feasibility Contract, the Bus Contract, an update on the van purchase, vehicle wraps and proposed advertising on the wraps.

Within the **Senior Services** report Director, Morris reported that in the month of September, 1100 meals were served, 366 congregate, 734 Meals on Wheels, with a total customer count of 158. Other topics discussed included: customer engagement, the Mancos Senior Center remodel project, communication with the Dolores Senior Center and coordination with Social Services on Adult protective Services.

CSU EXTENSION OFFICE: **Extension Director, Emily Lockard** met with the Commissioners for a monthly report. Topics of the discussion included: the 4-H Homecoming float, the mini excavator **Green Machine Rental Donation Program**, a **National 4-H Week** window decorating contest, the “**Tour De 4-H**” event, the quilting project, pressure canning tests, the scheduled **Colorado Master Irrigator** class, an Irrigator Management class, a proposed irrigator class for the Ag Expo event, the scheduled **Ag Welding Workshops**, the **PCC Forestry Program** focusing on wildland forestry, an opened part time administrative position, and a change of office hours starting the week of November 6, 2023. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: **Fairgrounds Manager, Justin McGuire** along with **Ireke Cooper** met with the Commissioner to discuss the **Fairgrounds Fire Suppression System Project**. Topics discussed included: the completed flow testing, volume and pressure. The Commissioners were in agreement to submit a plan with the wet system and eliminate the dry system. (See attached)

LETTER OF SUPPORT: A letter of support addressed to **B1 Energy, John Armstrong** was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for B1 Energy, out of Salida Co., in their efforts to drive sustainable energy and renewable energy, and regenerative practices related to recycling and waste diversion practices. Second by Commissioner Lindsay and carried. (See attached)

FAIR BOARD: APPOINTMENTS: Letters of interests to serve on the **Montezuma County Fair Board** were received by **Trent Carver, Hailee Harrison, Tiffany Small, Kristyn Spruell,** and **David Spiegel**. The Commissioners were in agreement to set up interviews with the applicants. (See attached)

DISCUSSION: The **US Forest Service Community Wildfire Defense Grant – The Montezuma County CWPP Implementation Project**, was presented for approval. Commissioner Lindsay moved to sign the Wildfire Defense Grant for the Montezuma County

CWPP Implementation Project. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The **Social Services, Health Care Policy and Financing Grant** application was presented for approval. Commissioner Koppenhafer moved to approve the application submission form for the Montezuma County Department of Social Services for security in the lump sum of \$52,449.12. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held related to the **Employee Sick Leave Donation Program**. Commissioner Lindsay moved to rescind the decision from last week on the Sick Leave Donation Pool, and dissolve the Sick Leave Donation Pool, at this time until we can realign and readjust and come up with something new if we can. Second by Commissioner Koppenhafer and carried.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: **Resource Director, James Dietrich**, met with the Commissioners to give his weekly report. Director Dietrich presented for approval the **CPW Motorized Trail Grant** letter of support. Commissioner Koppenhafer moved to sign the letter of support for the CPW Motorized Trail Grants, through the Colorado Parks and Wildlife, for the Dolores Ranger District's motorized grant request. Second by Commissioner Lindsay and carried. Other topics discussed included: the attended BLM **Southwest RAC** meeting, the **CFLRP Projects and Places Committee** meeting, the **BLM Big Game Management** meeting, an update on the **Paths to Mesa Verde Project**, participation in the **Emergency Evacuation Modeling** meetings, the (DWARF) **Dolores Watershed and Resilient Forrest Collaborative** and the CWPP updates. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** reported that they had been busy with day to day business.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** discussed; the Sheriff's office vehicle issues, a meeting attended with **Mountain States Employers Council**, Fair Board MOU's, the Access Code Reader, the Fire Suppression System, registration for CCI, and the proposed Public Safety Sales Tax.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the September 2023 Accounts Payable Expenditure Reports in the amount of \$4,803,481.48. Commissioner Koppenhafer moved to approve the expenditures from Montezuma County for September 1, 2023 through September 30, 2023, in the amount of \$4,803,481.48. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** reported he would be attending the scheduled Cortez City Council meeting. **Commissioner Koppenhafer** reported he had several upcoming meetings and that he'd had constituent discussions. **Commissioner Candelaria** discussed budget meetings, the attended Dolores Community Center banquet, the Dolores Town Board meeting, and BOCC authority over other Elected County Officials and the Monday workshop.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:38 a.m.

Clerk

October 24, 2023

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 31, 2023 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
Travis Anderson, County Administrator, Absent
Ian MacLaren, County Attorney
Kim Percell, County Clerk
Jim McClain, IT Director

CHAIRMAN, CANDELARIA opened the meeting of October 31, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 24, 2023 as presented. Motion was seconded by Commissioner Candelaria and carried.

PUBLIC COMMENT: Public comment was made by **Max Ash**.

LANDFILL: Landfill Manager, Mel Jarmon gave his monthly report which included the 2023 Landfill budget spread sheet. Other topics discussed with the report included: equipment repairs, ordered parts, an update on the Carver Field, a visit from CDPHE and a future rented shredder project. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Justin McGuire gave his monthly report which included the year to date numbers. Year to date numbers included; 62,890 in attendance, Revenues at \$105,793.99, and Expenditures at \$221,025.94. Manager McGuire gave a review of past and future events scheduled at the Fairgrounds. Other topics discussed included: the weekly

practice schedules, planned maintenance projects, Shaw Solar, the fire suppression system, a new Facebook page and a proposed roof vent or fan at the sheep barn. A discussion was held related to the proposed Race Track Lease. It was agreed that Attorney Maclaren would update the lease and bring back for consideration at a future date. (See attached)

UNFINISHED BUSINESS:

LETTER OF SUPPORT: A letter of support addressed to **Colorado Office of Economic Development and International Trade (OEDIT)** related to the **Timber Age IHIP Application** was presented for approval. Commissioner Koppenhafer moved to sign the letter of support, for Timber Age IHIP to establish a factory in Montezuma County dedicated to the production of cross laminated timber. Second by Commissioner Candelaria and carried. (See attached)

FAIR BOARD: APPOINTMENTS: Letters of interests to serve on the **Montezuma County Fair Board** were received by **Trent Carver, Hailee Harrison, Tiffany Small, Kristyn Spruell,** and **David Spiegel**. Commissioner Koppenhafer moved to appoint Krystin Spruell and Trent Carver to the Montezuma County Fair Board, and Hailee Harrison as the alternate. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: **Sheriff Nowlin** met with the Commissioners to discuss the previously presented **Montezuma County Sheriff's Office Position / Annual Pay Grade 2023**. Sheriff Nowlin reported that the wrong document was being presented. The discussion was postponed to a future date, to allow time to find the document that had been presented on August 15, 2023. (See attached)

DISCUSSION: The request from **VFW Post 5231, Commander, Tommy Enders** to waive fees for the use of Annex I for the 2024 events was tabled to a future date. (See attached)

DISCUSSION: The **Compass Consulting Contract** with **MoCo Transportation** was presented for approval. Commissioner Koppenhafer moved to approve the agreement between Montezuma County and Compass Transit Consulting an independent contractor, to provide professional services for Montezuma County as far as transit routes, and to authorize Administrator Anderson to sign the contract. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The **CDOT administration and operations contract for MoCo Transportation** was presented for approval. Commissioner Koppenhafer moved to approve the agreement with the Colorado Department of Transportation, Sub-award agreement, with funds coming from Federal, some local, and some State match, in the agreement, total amount of \$284,932.00 for the Transportation Department in Montezuma County, agreement number 24-HTR-ZL-00140. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** read a press release related to the Sheriff's office Use of Drones' case and gave an update on the Fair Board civil rights complaint. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson was not available to report.

TRANSFER ORDER: Representing Administrator Anderson, It Director Jim McClain presented for approval **Transfer Order #3-2023**, a transfer of \$39,696.00 from General Fund (001) to Public Health Fund (003) for 2023 per capita calculations. Commissioner Koppenhafer moved to approve Order #3-2023, a transfer of \$39,696.00 from the General Fund to the Public Health Fund. Second by Commissioner Candelaria and carried. (See attached)

TRANSFER ORDER: Representing Administrator Anderson, It Director McClain presented for approval **Transfer Order #4-2023**, a transfer \$470,000.00 from General Fund (001) to Capital Fund (004) for 2023 Capital expenditures. Commissioner Koppenhafer moved to approve Order #4-2023, a transfer \$470,000.00 from the General Fund to the Capital Fund for 2023 Capital expenditures. Second by Commissioner Candelaria and carried (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** was not available to report. **Commissioner Koppenhafer** reported on the attended Colorado River Task Force meeting and reported that he had missed the Mancos Town Council meeting. **Commissioner Candelaria** discussed the attended Dolores Senior Center luncheon and the Monday Workshop.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:58 a.m.

Clerk October 31, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 14, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 14, 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

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 31, 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 regarding a proposed High Impact Permit Application submitted by **Raptor Self-Storage, LLC**, on property located at 26304 Road L, Cortez, CO consisting of 3.43 acres, more or less, located south of Road L, east of Road 26, situated in Section 24, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Chris Ross** was present. **Planning Director, Don Haley** along 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 High Impact Permit Application submitted by Raptor Self-Storage, LLC, on property located at 26304 County Road L, 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 regarding a proposed High Impact/Special Use Permit Application, submitted by **Ramble Outdoors, Inc**, agent for **Benny & Sondra Cordova**, on property located at TBD Road 31, Dolores, CO, consisting of 9.05 acres, more or less, **Conrad & Eva Hover**, on property located at 29485 Road M, consisting of 24.12 acres, more or less, both located north of Road M, west of Road 31, situated in Section 9, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Dieter Erdmann** was present. **Planning Director, Don Haley** along 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 **Dave Dove**. 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 Application, submitted by Ramble Outdoors, agent for Benny & Sondra Cordova, and Conrad & Eva Hover, on property located at 29485 Road M and TBD Road 31, consisting of 9.05 acres on the Cordova property, and 24.12 acres on the Hover property. 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 regarding a proposed 4 Lot Moderate Subdivision and Rezoning Application submitted by **Ellis Lewis**, on property located at 14171 Road 36.75, Mancos, CO, consisting of 39.66 acres, more or less, located south and west of Hwy 184, situated in Section 34, T.37N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lewis was present. **Planning Director, Don Haley** along 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 Mr. Lewis's public hearing to December 19, 2023 at 9:00 a.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 rescheduled public hearing is held for review and determination of a proposed High Impact/Special Use Permit Application, submitted by **Silvina Guerreiro Moore & Jeremy Moore**, on property located at 7134 Road 41, Mancos, CO, consisting of 3.71 acres, more or less, located south of Hwy 160, east of Road 41, situated in Section 4, T.35N, R.13W, 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. Moore along with Planning Consultant, **Tiffany Rhodes** were present. **Planning Director, Don Haley** along 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 **Dave Dove, Jessica McIntyre, Renee Fiegenbaum, Katie McClure, Nathan McIntyre, Cindy Gray, Craig McClure, Sally Dziedzic, Susan Lisak, Mathew Decker, Mike Nolan, Wesley Rivera, John Davis, Amorina Lee Martinez, Josh Mischke, Jennifer Magnuson, Muchon Obon, Jeffrey Magnuson, Dan Peterson, Marsha Goodwin, Delaney Dillon, Travis Imel, Scott Fowler, Clara Martinez, Sharon Craft, Danette Dillon and Ashley Cody Smith**. Emailed comments were received by; **Cynthia Gridley, Leander Gridley, Sarah Decker, Kenneth Decker, Pam Kroll, Marsha Goodwin, Scott Midgley and Christina Swank, K Marie**

Meyer, Debi Durand, Audrey Royem, Jacqueline and Charles Smith, Carolyn Decker–Witt, and Dustin Brown. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented the Commissioners were at an impasse, so the application would die due to the lack of a second and would not move forward. 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 **Ashley C. Smith**, on property located at 7348 Road 40.3, Mancos, CO, consisting of 3.79 acres, more or less, located north of Road 40.3, situated in Section 5, Township 35N, Range 13W, N.M.P.M. Commissioner Lindsay moved to approve the After-The-Fact Variance, submitted by Ashley C. Smith, on property located at 7348 Road 40.3, Mancos. Commissioner Lindsay withdrew his motion. Ms. Smith will review other avenues with Empire Electric to address the issues and return at a future date.

Director, Haley along with **Assistant, Duncan** presented for discussion and approval of a Boundary Line Adjustment Application submitted by **The Faucet Company, LLC**, on property located at 24194 Road L, Cortez, CO, consisting of 6.75 acres, more or less, and **Richard McDonald**, on property located at 10801 Hwy 491, Cortez, CO, consisting of 1.40 acres, more or less, both located west of Hwy 491, south of Road L, situated in Section 22, Township 36N, Range 16W, N.M.P.M. Commissioner Lindsay moved to approve the Boundary Line Adjustment Application submitted by The Faucet Company, LLC, on property located at 24194 Road L, Cortez. Second by Commissioner Candelaria and carried. (See attached)

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to an addition to the **Employee Handbook**. Commissioner Lindsay moved to approve the addition to the Employee Handbook #3.2.4, addressing the deployment of County Employees and their salaries. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The **Montezuma County Fairground's Racetrack** lease for the 2024 season was presented for review and discussion. Commissioner Lindsay moved to sign the Race Tack lease between Montezuma County and **Julian Garcia, Garcia Motorsports** for the terms within the contract. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: **Sheriff Nowlin** met with the Commissioners to discuss the presented **Montezuma County Sheriff's Office Position / Annual Pay Grade 2023**. Commissioner Koppenhafer moved to approve the Montezuma County Sheriff's Office position pay grade proposal as presented today. Second by Commissioner Candelaria and carried. (See attached)

NEW BUSINESS:

NOTICE of the 2024 BUDGET: The Budget Committee: Administrator Anderson, Commissioner Candelaria and **Chief Finance Officer, Faedra Grubb** met with the Commissioners and gave a summary of the proposed 2024 Budget. Topics discussed included;

Road & Bridge, Public Health, Social Services, the Capital Fund, capital projects for next year, Landfill, ETA, the Lodgers Tax, Conservation Trust and the LEA. (See attached)

COUNTY GRANT COORDINATOR: Grant Coordinator, Robert Dobry no report given.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the attended Board of Assessment Appeal Hearing and gave an update on the Ironwood case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed meetings with the City of Cortez to work on unified projects, budgetary aspects of checks and balances for 2025, an attended meeting with the Sheriff and the Southwest Hospital, the attended Weed Advisory Board meeting, a special legislation meeting to discuss property tax relief, a scheduled special meeting for CCI and a proposed Safety Sales Tax.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Lindsay was not available to report. Commissioner Koppenhafer reported on the attended Colorado River Task Force meeting and reported that the NCA would be up for a vote in the Senate. Commissioner Candelaria discussed the attended Montezuma Leadership Presentation, the Weed Advisory Board meeting and the attended Dolores Town Board meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 2:50 p.m.

Clerk November 14, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 21, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 21, 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 November 21, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, November 14, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

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

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Kelli Hargraves** and **Finance Officer, Lori Higgins** were present. The **Memo of Understanding between Montezuma County and Powers County** was presented for approval. Commissioner Koppenhafer moved to sign the Memo of Understanding between Powers County and Montezuma County Board of Commissioners, for the child welfare hotline connection center. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC HEALTH: Public Health Director Bobbie Lock met with the Commissioner to give a monthly report. Topics discussed included: the **Long Term Care Program** move to

Community Connections, a financial request for cubicles, scheduled interviews, the proposed change to the **WIC Program**, the **Community Intervention Program**, the **Congressional Direct Spending Grant** and staffing.

VETERANS SERVICE: Veteran Service Officer, Frank LoBue was not available to report.

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a monthly update. Manager Spratlen presented the **Monthly Situational Report** for discussion and review. Topics discussed included: highway closures and the main street water break, planning updates, grants, training and drills, the **Community Involvement Expo** event, scheduled for December 14, 2023 and emergency management radios. (See attached)

NEW BUSINESS:

SOUTHWEST HEALTH SYSTEMS: (CEO) Chief Executive Officer, Joe Theine met with the Commissioners to give an update on the local hospital. Topics discussed included: completed Website updates, National Healthcare Challenges, staffing challenges, an increase in labor expense, staff turnover comparisons, Colorado Rural Workforce Environmental Scan, legislative activity, how to attract community members to receive care locally, building on healthcare workforce partnerships, additions, changes and recruiting of Providers, the SHS Board appointments, replacement of primary care providers, Senior Care and a scheduled fund raising event. (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 Mesa Sky Improvement District. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Resolution #23-2023, a resolution amending Montezuma County Resolution #22-2023, which formed, created and established a Local Improvement district for the chip sealing of County Road 26.1 Loop, serving the Mesa Sky Estates Subdivision was presented for approval. Commissioner Lindsay moved to approve resolution #23-2023, a resolution amending Montezuma County Resolution #22-2023, which formed, created and established a Local Improvement District for the chip sealing of County Road 26.1 Loop, serving the Mesa Sky Estates Subdivision. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the findings of the Board of Assessment Appeal Hearing, gave an update on the Ironwood case and discussed the Fair Board civil rights complaint.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the October 2023 Accounts Payable Expenditure Reports in the amount of \$4,803,481.48.

Commissioner Koppenhafer moved to approve the financials for Montezuma County Board of Commissioners, for the month of October 1, through October 31, 2023, in the total amount of \$4,803,481.48. Second by Commissioner Lindsay and carried. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed stake holder meetings held after Proposition HH failed, possible adjusted budgets from preliminary findings, state assessments, a reduction of the assessment rate, County revenues and County services.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included: a landowner's pending BLM permit for Horse Tours in the Canyon of the Ancients National Monument, the (DWARF) Dolores Watershed and Resilient Forrest Coordination Collaborative, the CFLRP Collaborative, the Sauter EA and an update on the Paths to Mesa Verde Project. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council and Dispatch meetings. **Commissioner Koppenhafer** reported on the attended Colorado River Task Force and the Colorado Ag Water Alliance meetings. **Commissioner Candelaria** discussed the attended Emergency CCI tax and finance steering committee meeting, the Ironwood site visit, the Monday E911 Board meeting and county compliance to statuted public notices.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:57 a.m.

Clerk

November 21, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 5, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 5, 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 December 5, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, November 21, 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 the purpose of reviewing and determining recommendations to be made regarding a proposed Rezoning Application from AGZ to AR10-34, submitted by **Ricky & Melissa Carver**, **Agent: Randy Carver**, on property located at 12684 Hwy 491, Cortez, CO, consisting of 31.52 acres, more or less, located south of Road N, east of Hwy 491, situated in Section 9 Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Carver was present. **Planning Director, Don Haley** along 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 public hearing until 9:15

a.m. today. 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 a Boundary Line Adjustment Application, submitted by **Ricky & Melissa Carver**, on property located at 12684 Hwy 491, Cortez, CO, consisting of 21.52 acres, more or less, and **Warren & Rhonda Allmon**, on property located at 12898 Hwy 491, Cortez, CO, both located east of Hwy 491, south of Road N, situated in Section 9, Township 36N, Range 16W, N.M.P.M. Commissioner Koppenhafer moved to approve the boundary line adjustment between Ricky & Melissa Carver, on property located at 12684 Hwy 491, Cortez, CO, consisting of 21.52 acres, more or less, and Warren & Rhonda Allmon, on property located at 12898 Hwy 491, Cortez, CO. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining recommendations to be made regarding a proposed Rezoning Application from AR3-9 to AR10-34, submitted by **Warren & Rhonda Allmon, Agent: Randy Carver**, on property located at 12898 Hwy 491, Cortez, CO, consisting of 5.51 acres, more or less, located south of Road N, east of Hwy 491, situated in Section 9 Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Carver was present. **Planning Director, Don Haley** along 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 rezoning application from AR3-9 to AR10-34, submitted by Warren & Rhonda Allmon, on property located at 12898 Hwy 491, 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 the **continuation** of a public hearing is held for the purpose of reviewing and determining recommendations to be made regarding a proposed Rezoning Application from AGZ to AR10-34, submitted by **Ricky & Melissa Carver, Agent: Randy Carver**, on property located at 12684 Hwy 491, Cortez, CO, consisting of 31.52 acres, more or less, located south of Road N, east of Hwy 491, situated in Section 9 Township 37N, Range 16W, N.M.P.M. The roll was called, and the proceedings were recorded for the record. **Planning Director, Don Haley** along 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 rezoning application from AGZ to AR10-34, submitted by Ricky & Melissa Carver, on property located at 12684 Hwy 491, Cortez. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a High Impact Permit submitted by **Raptor Self-Storage, LLC**, on property located at 26304 Road L, Cortez, CO consisting of 3.43 acres, more or less, located south of Road L, east of Road 26, situated in Section 24, Township 36N, Range 16W, N.M.P.M.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 3 Lot Minor Subdivision and AR3-9 and AR10-34 Rezoning Application, submitted by **Kenneth Bradshaw**, on property located at TBD Hwy 491, Cortez, CO, consisting of 36.24 acres, more or less, located east of Hwy 491, west of Road 22, situated in Section 19, T.37N, R.16W, N.M.P.

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 submitted by **Andrew & Danyell Lahmann**, on property located at 17593 Hwy 145, Dolores, CO, consisting of 16.93 acres, more or less, located east of Hwy 184, north of Hwy 145, situated in Section 17, 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. Lahmann was present. **Planning Director, Don Haley** along 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 Lynch** and **Allen Maez**. 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 application submitted by Andrew & Danyell Lahmann, on property located at 17593 Hwy 145, Dolores. Second by Commissioner Koppenhafer and with 2 votes in favor by Commissioners Koppenhafer and Lindsay, and 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 regarding a proposed 4 Lot Moderate Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Braden Jones**, on property located at 38511 Road H, Mancos, CO, consisting of 26.29 acres, more or less, located east of Hwy 160, north of Road H, situated in Section 36, Township 36N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, **Erick Ireland** was present. **Planning Director, Don Haley** along 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 **Danette Dillon** and **Wesley Rivera**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to continue the hearing to December 19, 2023 at 10:00 a.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 public hearing is held for review and determination regarding a proposed High Impact Permit Application, submitted by **Maverik, Inc;** **Agent: Todd Meyers**, located at 7255 Hwy 160-491, Cortez, CO, consisting of 10 acres, more or less, located west of Hwy 160-491, north of Road G, situated in Section 4, 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, **Matt Reider** was present. **Planning Director, Don Haley** along 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 **Hardy Tozer**. 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 high impact permit application, submitted by Maverik, Inc; Agent: Todd Meyers, located at 7255 Hwy 160-491, Cortez, with all contingencies to be met. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

P&Z COMMISSION APPOINTMENTS: Planning Director, **Haley** along with Assistant, **Duncan** presented recommendations for a re-appointment of **Haley Saunders** to a 3-year term; appoint **Ted Neergaard** from alternate to regular Planning and Zoning Commission Board member for a 2 year term and to appoint **Mike Doyle** as the Planning and Zoning Commission Board member alternate for a one year term. Commissioner Koppenhafer moved to re-appoint Haley Saunders, to a 3 year term on the Planning Commission, to appoint the alternate Ted Neergaard to the regular Planning Commission Board membership and move Mike Doyle from the list to the alternate at this time. Second by Commissioner Lindsay and carried.

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

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, Grant Coordinator, Robert Dobry and Finance Manager Faedra Grubbs, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were to discuss specific legal questions related to contracts with the NRCS and individual land owners for phreatophyte removal. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: The 2023, **Tozer Gravel Pit Lease Agreement** between Montezuma County and **Carol L. Tibbits** was presented for approval. Commissioner Lindsay moved to sign an agreement with Carol L. Tibbits, and Montezuma County for use of the Tozer Gravel pit. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held Monday during the BOCC workshop, related to a **DOLA planning grant application**, for a proposed capital improvement project at the County Combined Courthouse area. Commissioner Lindsay moved to sign the application for the planning grant, for improvements to the Montezuma County Court House Combined court area. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held related to the **Noxious Weed Grant Cost Share Program**. Commissioner Koppenhafer made a motion to move forward with the Cost Share Grant for the Noxious Weed program, in the amount of \$10,000.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The Commissioners were in agreement to defer the decision related to remote work for **Social Services** eligibility staff to County Staff and Administration. (See attached)

DISCUSSION: A discussion was held Monday during the BOCC workshop, **Sheriff Steve Nowlin** presented the **Department of Public Safety, Division of Criminal Justice Grant #2021-DJ-23-01-49-1**, for approval. Commissioner Lindsay moved to sign the Department of Criminal Justice Grant, for \$93,482.00, with the Colorado Division of Criminal Justice, Office of Adult and Juvenile Justice Assistance. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The discussion related to the **Phreatophytes** was postponed to a future date.

NEW BUSINESS:

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented for approval a liquor license transfer application for, **Booze Stop LLC**, located at 18794 Hwy 491, Lewis Co. 81327. Commissioner Koppenhafer moved to approve the transfer of ownership of a liquor license, to **Booze Stop LLC**, at 18794 Hwy 491, Lewis, CO. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave an update on the Fair Board civil action complaint and the Ironwood case.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** discussed attendance at the CCI Conference, budget discussions, and gave an overview of the extended budget time line.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council meeting and attendance at the CCI Conference. **Commissioner Koppenhafer** discussed classes attended at the CCI Conference, the Colorado Ag Water Alliance meeting and the scheduled Colorado River Task Force meeting. **Commissioner Candelaria** discussed the CCI Conference, budget discussions, Proposition 123, the attended press conference related to the death of Cortez Police officer Sgt. Michael Moran, the Alkali Bridge re-opening, a Road 36 Spruce Creek Multi-Plate Culvert Project presentation from Road Superintendent Englehart, and emails received related to the Road Department and snow removal.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:40 a.m.

Clerk

December 5, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 19, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 19, 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 December 19, 2023 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, December 12, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a continued public hearing is held for review and determination regarding a proposed 4 Lot Moderate Subdivision and Rezoning Application submitted by **Ellis Lewis**, on property located at 14171 Road 36.75, Mancos, CO, consisting of 39.66 acres, more or less, located south and west of Hwy 184, situated in Section 34, T.37N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lewis was present. **Planning Director, Don Haley** along 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 **Wray Boswell** and **Andrea Martin**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to deny the permit based on inadequate access and the lack of CDOT approval, at this point. 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 4 Lot Moderate Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Braden Jones**, on property located at 38511 Road H, Mancos, CO, consisting of 26.29 acres, more or less, located east of Hwy 160, north of Road H, situated in Section 36, Township 36N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Representative, **Erick Ireland** was present. **Planning Director, Don Haley** along 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 **Danette Dillon**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to deny the application at this time, due to the fact the water is not available for two of the lots. 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 the change of ownership of the **49 Square Ventures** property and a revocation of the Certificate of Designation. The recommendation from Planning was to schedule a Public Hearing for January 30, 2024 at 9:00 a.m., to review the revocation of the Certificate of Designation from the property formerly owned by 49 Square Ventures. The Commissioners were in agreement to set this Public Hearing, for January 30, 2024, to discuss the Certificate of Designation for 49 Square Ventures because the property had been sold. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a High Impact Permit Application, submitted by **Maverik, Inc**; agent: **Matt Reider**, located at 7255 Hwy 160-491, Cortez, CO, consisting of 10 acres, more or less, located west of Hwy 160-491, north of Road G, situated in Section 4, Township 35N, Range 16W, N.M.P.M.

Director, Haley along with **Assistant, Duncan** presented for signatures of a an After-The-Fact Variance, submitted by **Ashley C. Smith**, on property located at 7348 Road 40.3, Mancos, CO, consisting of 3.79 acres, more or less, located north of Road 40.3, situated in Section 5, Township 35N, Range 13W, N.M.P.M..

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a High Impact/Special Use Permit Application, submitted by **Ramble Outdoors, Inc**, agent for **Benny & Sondra Cordova**, on property located at TBD Road 31, Dolores, CO, consisting of 9.05 acres, more or less, & **Conrad & Eva Hover**, on property located at 29485 Road M, consisting of 24.12 acres, more or less, both located north of Road M, west of Road 31, situated in Section 9, Township 36N, Range 15W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **Edward P. Anderson**, **Allen Maez**, **Odis Sikes** and **James Myers**.

UNFINISHED BUSINESS: DISCUSSION: The proposed **AmpliFund** grant management software contract was presented for approval by **Grant Coordinator, Robert Dobry**. Commissioner Koppenhafer moved to approve the order form from **StreamLink Software Inc**.

DBA AmpliFund, a Delaware Corporation, and Montezuma County, for the AmpliFund Grant Seeker Enterprise, for managing the annual grant revenue in Montezuma County, for one year. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A proposed vehicle purchase for the Road and Bridge Department was presented for approval. Commissioner Lindsay moved to approve the purchase of the Ram 2500 from **Mike Shaw** which was budgeted in the amount of \$55,321.70. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed **2024 Holiday Schedule** was presented for approval. Commissioner Lindsay moved to approve the employee Holiday Schedule as presented. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A proposed Resolution pertaining to the submission to the registered qualified electors of Montezuma County, of a question authorizing the imposition of a **Public Safety Sales Tax Period** for the purpose of funding improvements to the County's Public Safety organizations will be discussed during future workshop agendas. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** discussed the 2008 and 2009 BAA Kinder Morgan case.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** reported he was working on partnerships with the City of Cortez and the Mancos Conservation District.

EXPENDITURE REPORT: Administrator Anderson presented for approval, the November 2023 Accounts Payable Expenditure Reports in the amount of \$3,219,676.27. Commissioner Lindsay moved to accept the expenditures in the amount of \$3,219,676.27. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the scheduled **Housing Solutions** meeting, the attended Cortez City Council meeting, then wished everyone a Merry Christmas and Happy New Year. **Commissioner Koppenhafer** discussed the attended **Colorado River Water Users** meeting in Las Vegas, the appointment of **Robert Sakata** as the Water Advisor for the State Department of Agriculture, the recommendations submitted to the legislature from the **Colorado River Task Force** and gave an update the **Dolores River NCA**. **Commissioner Candelaria** discussed the Dolores River NCA, proposed amendments to the County Land Use Code, the Sheriff being an Elected Official, the transparency and a public hearing for the County budget.

MOTION TO ADJOURN: Commissioner Lindsay moved to adjourn, seconded by Commissioner Koppenhafer and carried.

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 11:17 a.m.

Clerk December 19, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 28, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday December 28, 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 special meeting of December 28, 2023 with the Pledge of Allegiance.

PUBLIC HEARING: It being the time set aside a public hearing is held to review the proposed **2024 Budget** for Montezuma County. Any interested elector is invited to attend. The roll was called, the public notice read, and the proceedings were recorded for the record. **Administrator Anderson** gave an overview of the proposed County Budget and presented **Resolution #24-2023**, a resolution to appropriate sums of money for 2024. Commissioner Candelaria opened the hearing to public comment. Public comment was made by: **Allen Maez, Edward Anderson, Victor Galarza, Eric Fisher, Jessica Thurman, Troy Gattis, Susan Barrett, Sheriff Steven Nowlin, and Dena Guttridge**. Hearing no further public comment that portion of the hearing was closed. Commissioner Koppenhafer moved to approve the proposed budget Resolution 24-2023, a resolution to appropriate sums of money for 2024, at the proposed rates, with a total of \$57,869,814.00. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

Order #5-2023: Administrator Anderson presented Order #5-2023, a transfer of \$79,295.49 from General Fund (001) to the Bus Replacement Fund (089), carry over from 2022 Montezuma County Transportation Grants. Commissioner Lindsay moved to adopt Order #5-2023. Second by Commissioner Koppenhafer and carried. (See attached)

Order #6-2023: Administrator Anderson presented Order #6-2023, a transfer \$1,764,574.19 from LEA Fund (077) to General Fund (001) for LEA expenses from December 18, 2022 through December 22, 2023. Commissioner Lindsay moved to adopt Order #6-2023. Second by Commissioner Koppenhafer and carried. (See attached)

Order #7-2023: Administrator Anderson presented Order #7-2023a transfer \$251,609.03 from Conservation Trust Fund (052) to General Fund (001) for the operation of the County Fairgrounds from December 19, 2022 through December 22, 2023. Commissioner Lindsay moved to adopt Order #7-2023. Second by Commissioner Koppenhafer and carried. (See attached)

Order #8-2023: Administrator Anderson presented Order #8-2023, a transfer \$41,450.00 from ETA Fund (048) to General Fund (001) for support provided by the GIS / Mapping Department for ETA operations. Commissioner Lindsay moved to adopt Order #8-2023. Second by Commissioner Koppenhafer and carried. (See attached)

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

MEETING ADJOURNED: 9:32 a.m.

County Clerk December 28, 2023

Chairman