

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 2, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 2, 2024 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 2, 2024 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 19, 2023 as presented and those for December 28, 2023, as presented. Motion was seconded by Commissioner Lindsay and carried

PLANNING: Planning Director, Don Haley presented for signatures a Mylar for a Boundary Line Adjustment 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, consisting of 5.51 acres, both located east of Hwy 491, south of Road N, situated in Section 9, Township 36N, Range 16W, N.M.P.M.

Director Haley reported that **Eddie Mac Taylor** had resigned from the **Planning & Zoning Commission**. A notice for applications, will be posted in the Journal newspaper. Applications will be accepted until January 18, 2024.

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

BOARD APPOINTMENT: Administrator Anderson presented a letter from **Frank Muniz** requesting reappointment to the **Lebanon Cemetery District Board**, for a 3 year term. Commissioner Lindsay moved to reappoint Frank Muniz to the Lebanon Cemetery Board. Second by Commissioner Koppenhafer and carried. (See attached)

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented for approval a liquor license renewal application for the, **Westview RV Resort**, located at 12092 Hwy 145, Dolores CO. 81323. Commissioner Lindsay moved to renew the Colorado beer and wine license application for Westview RV Resort, located at 12092 Hwy 145, Dolores CO. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed **Landfill Shredder, Recycling Resources Economic Opportunity Program Grant** was presented for approval by **Grant Coordinator, Robert Dobry** and **Landfill Manager, Mel Jarmon**. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form to the Colorado Department of Public Health and Environment (CDPHE) for a shredder, for physical year 2024 in the amount of \$1,073,882.00. Second by Commissioner Lindsay and carried. (See attached)

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

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:22 a.m.

Clerk

January 2, 2024

Chairman

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

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 9, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 9, 2024 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, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 2, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: No public comment was made.

PUBLIC LANDS: No reports available

UNFINISHED BUSINESS:

DISCUSSION: The proposed **Memorandum of Understanding** between the **Montezuma County Bullseye Archery Club** and the **Montezuma County 4-H Club** regarding use of the Archery Range on County owned premises was presented for approval, by Attorney MacLaren and **Fairgrounds Manager, Justin McGuire**. Commissioner Koppenhafer moved to approve the Memorandum of Understanding between Montezuma County and the Bullseye Archery Club

and the Montezuma County 4-H Club, regarding use of the Archery Range at the Montezuma County Fairgrounds. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **Montezuma County Sheriff's Office, Eyes in the Sky Grant** was presented for approval. Commissioner Lindsay moved to approve the Eyes in the Sky grant for the Sheriff's Department in the amount of \$2635.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed **Montezuma County Sheriff's Office, Peace Officers Counseling Support Grant** was presented for approval. Commissioner Koppenhafer moved to approve the Montezuma County Sheriff Peace Officers Counseling Grant, for 2024-2026, for professional services, in the amount of \$30,000.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the comprehensive **Economic Development Strategy for Region 9** was postponed to a future date. (See attached)

RESOLUTION: Resolution #2-2024, a resolution levying General Property Taxes for the year 2023 to help defray the costs of Government for Montezuma County, Colorado for the 2024 budget. Summary of funds budget 2024: County General 10.838, Social Services 0.800, Road & Bridge 2.616, Total Mill levy 14.254. Commissioner Koppenhafer moved to approve Resolution #2-2024 a resolution levying General Property Taxes for the year 2023 to help defray the costs of Government for Montezuma County, Colorado for the 2024 budget. Second by Commissioner Lindsay and carried. (See attached)

RESOLUTION: Resolution #1-2024, a resolution levying General Property Taxes for the year 2023 to help defray the costs of the Law Enforcement Authority of Montezuma County Colorado for the 2024 budget. Commissioner Koppenhafer moved to approve resolution #1-2024 a resolution levying General Property Taxes for the year 2023 to help defray the costs of the Law Enforcement Authority of Montezuma County Colorado for the 2024 budget. Second by Commissioner Lindsay 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 was discussed during the January 8, 2024 workshop. The discussion will continue during a future Workshop. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give a report. Topics of the discussion included; the attended **Montelores Coalition** meeting, the Wolf Reintroduction program, proposed trail closures in Moab Utah, a proposed parking lot in Webber Canyon and a Paths to Mesa Verde grant presentation to the CPW. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood case. Other topics discussed included: Child Protection Hearings, an employee

complaint filed with the EEOC, the retirement of **Attorney, Gordon Vaughan** and the **Kelroy Newman** civil case.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** reporting by zoom discussed the updated CDAP, an RFP's posting for the Phreatophyte Program Qualified Supervisor position and scheduled meetings with the League of Women Voters.

IT: IT Director, Jim McClain met with the Commissioners to discuss a working project with Clear Network. Topics discussed included: the unsuccessful NTIA grant application to build Broadband, a proposed draft plan for the (CPF) Colorado Projects Funds with Clear Networks and Empire Electric as partners for fiber buildouts and proposed BEAD funds for more projects around the county.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** no report to give. **Commissioner Lindsay** the scheduled Cortez City Council meeting, discussed the recent robbery issues and reminded constituents to make sure their homes and vehicles are locked. **Commissioner Candelaria** discussed the attended (STAC) State Transportation Advisory Committee meeting, the legislative session, and the attended Town of Dolores Board meeting.

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

CORRESPONDENCE: The following correspondence was read and noted: the January 2024 newsletters from Montezuma County Senior Services and Veteran Services. The December 2023 Emergency Management Situation Report.

MEETING ADJOURNED: 9:38 a.m.

Clerk

January 9, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 16, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 16, 2024 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 16, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 9, 2024 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 & AR10-34 Rezoning Application to Lot #12 of the Summit Lake West Unit II Subdivision submitted by **Ruth Mathis & Betty Toso**, on property located at 14438 Road 34.7, Mancos, CO, consisting of 39.74 acres, more or less, located south of Hwy 184, west of Road 35.6, situated in Section 32, Township 37N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Mathis 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 **Bruce White**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed Subdivision Amendment & AR10-34 Rezoning Application to Lot 12 of the

Summit Lake West Unit II Subdivision submitted by Ruth Mathis & Betty Toso, on property located at 14438 Road 34.7, Mancos. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment Application to the Van Horn Subdivision & Boundary Line Adjustment, submitted by **Fiona King**, on property located at 17380 Road G, Cortez, CO, consisting of 4.41 acres, more or less, and **Greaves/Larsen Family Trust**, on property located at 17374 Road G, Cortez, CO, consisting of 25 acres, more or less, both located south of Road G and west of Road 21, situated in Section 33, Township 36N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. King 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 Van Horn Subdivision & Boundary Line Adjustment, submitted by Fiona King, on property located at 17380 Road G, Cortez, CO, consisting of 4.41 acres, more or less, and the Greaves/Larsen Family Trust, on property located at 17374 Road G, Cortez, CO, consisting of 25 acres, more or less, situated west of County Road 21 and south of Road G. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a 2 Lot Moderate Subdivision and AR3-9 Rezoning 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.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2nd Amendment to Lot 1 of the Lichliter 2 Lot Moderate Subdivision, submitted by **Kathleen Turner**, on property located at 25695 Road M, Cortez, CO, consisting of 7.34 acres, more or less, located west of Road 26, north of Road M, situated in Section 11, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Turner 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 2nd Amendment to Lot 1 of the Lichliter 2 Lot Moderate Subdivision, submitted by **Kathleen Turner**, on property located at 25695 Road M, Cortez, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

RESOLUTION: Resolution #3-2024, a Resolution Approving a Comprehensive Economic Development Strategy for Region 9 was presented for approval. Commissioner Koppenhafer moved to approve Resolution #3-2024, a Resolution Approving a Comprehensive Economic Development Strategy for Region 9. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **LOR Foundation Grant** funding request for **Community Emergency Response Team Training** was presented by **Emergency Manager, Jim Spratlen** and **Grant Coordinator, Robert Dobry**. Commissioner Lindsay moved to approve the application for the LOR Foundation Grant funding request for Community Emergency Response Team Training. Second by Commissioner Koppenhafer and carried. (See attached)

APPOINTMENT: An application from **Mary Holaday** to represent Montezuma County on the **Area Agency on Aging (AAA) Board of Directors** was received. Commissioner Koppenhafer moved to appoint Mary Holaday as a representative for Montezuma County to the Area Agency on Aging (AAA) Board of Directors. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **Dell Financial Services** financial documents for the **VXRAIL P670F Project** were presented for approval by **IT Director, Jim McClain**. Commissioner Koppenhafer moved to approve the lease of a server from Dell Financial Services, with an Amortization Schedule #810-9006602-002. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

CERTIFICATION LEVIES AND REVENUES: Administrator, Anderson presented for approval the **Budget Year 2024 Certification of Levies and Revenues** by the Montezuma County Commissioners, to be sent to the State of Colorado. Commissioner Lindsay moved to certify the mills for revenues for Montezuma County, for the physical year 2024. Second by Commissioner Koppenhafer and carried. (See attached)

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented a liquor license renewal application for, **Bubba J'S. LLC, DBA Bubba's**, located at 18806 Hwy 491, Lewis, Co. Commissioner Koppenhafer moved to approve the renewal application for the Colorado Beer and Wine license for Bubba J's LLC, at 18806 Hwy 491 Lewis, Co 81327. Second by Commissioner Lindsay and carried. (See attached)

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

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Kinder Morgan case and the Fair Board civil action complaint.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the Southwest Opioid Response District meeting and the attended meeting with the League of Women Voters.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the viewed Cortez City Council meeting, the attended Dispatch meeting and the scheduled Montezuma Valley Irrigation meeting. **Commissioner Koppenhafer** discussed the rescheduled Area Agency on Aging (AAA) meeting, the attended Mancos Town Board meeting and the scheduled Montezuma Valley Irrigation meeting. **Commissioner Candelaria** discussed the beginning of the legislative session, a scheduled Fire Commission meeting and the scheduled Montezuma Valley Irrigation meeting.

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

CORRESPONDENCE: The following correspondence was read and noted: the December 2023 newsletter from Veteran Services.

MEETING ADJOURNED: 10:10 a.m.

Clerk

January 16, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 23, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 23, 2024 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 23, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 16, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** for discussion and approval a First Amendment Application to the Exemption Resolution #P-20-75, submitted by **Garen Wayman**, on property located at 19936 Road T, Cortez, CO, consisting of 2.5 acres, more or less, and Michael & Tammy Hall, on property located at 19982 Road T, Cortez, CO, consisting of 2.5 acres, more or less, both located south of Road T, west of Road 20, situated in Section 23, Township 37N, Range 17W, N.M.P.M. Commissioner Lindsay moved to approve the First Amendment Application to the Exemption Resolution #P-20-75, submitted by **Garen Wayman**, on property located at 19936 Road T, Cortez, CO, consisting of 2.5 acres, more or less, and Michael & Tammy Hall, on property located at 19982 Road T, Cortez. Second by Commissioner Koppenhafer and carried.

Director, Haley along with **Assistant, Duncan** presented for discussion and approval a First Amendment Application to the Exemption Resolution #P-47-79, submitted by **Barbara Benavides**, on property located at 14852 Road 29, Dolores, CO, consisting of 3.20 acres, more or less, and on property located at 14892 Road 29, Dolores, CO, consisting of 15.63 acres, more or less, both located south of Road 29, west of Road 29.75 situated in Section 33, Township 37N, Range 15W, N.M.P.M. Commissioner Koppenhafer moved to approve the First Amendment Application to the Exemption Resolution #P-47-79, submitted by **Barbara Benavides**, on property located at 14852 Road 29, Dolores, CO, consisting of 3.20 acres, more or less, and on property located at 14892 Road 29, Dolores, CO, consisting of 15.63 acres, more or less, both located south of Road 29, west of Road 29.75. Accepting this Exemption does not include the Out of Compliance structures on Lot 1. Second by Commissioner Lindsay and carried

APPOINTMENT: **Director, Haley** along with **Assistant, Duncan** presented **Jason Armstrong** to be appointed to a one-year term as **Planning and Zoning Commission** Board member. Commissioner Lindsay moved to appoint Jason Armstrong to a one-year term on the Planning and Zoning Commission. Second by Commissioner Koppenhafer and carried.

PUBLIC COMMENT: Public comment was made by David Raubeson.

UNFINISHED BUSINESS:

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. Commissioner Lindsay moved to accept the minutes and the financials from November 2023 for the **Department Of Social Services**. Second by Commissioner Koppenhafer and carried. (See attached) Commissioner Lindsay moved to accept the payables for December 2023 for the Department Of Social Services in the amount of \$1,411,418.90. Second by Commissioner Koppenhafer and carried. Commissioner Lindsay move to accept the Department of Social Services MOU the Department of Early Childhood Routing #19906491. Second by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to sign the MOU between the State of Colorado Department of Human Services and the Board of County Commissioners Annual Reaffirmation of Colorado Works Program. Commissioner Koppenhafer moved to sign the Certification of Compliance Year 2024 County Personal and Merit System through the Department of Human Services and to adopt the Montezuma County Department of Social Services Merit System Standards. Second by Commissioner Lindsay and carried.

NEW BUSINESS:

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented a liquor license application for **Love's Travel stops & Country Stores, Inc. Center**, located at 7006 Hwy. 160/491 Cortez Co. 81321. Commissioner Koppenhafer moved approve the Colorado Liquor Retail License Application for Love's Travel Stop #850 located at 7006 Highway 160/491 Cortez CO. Second by Commissioner Lindsay carried.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed CO2 committee case with Kinder Morgan and EOC report.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed local town and municipalities meetings, Department Head meeting, Public safety sales tax presentation and financials. Commissioner Lindsay moved to approve the Dec payables in the amount of \$4,466,603.71. Second by Commissioner Koppenhafer and carried.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Lindsay discussed attending MVI, City council, Region 9 and CCI meetings.

Commissioner Koppenhafer discussed AAA meeting, MVI meeting

Commissioner Candelaria discussed Fire Commission meeting, Ironwood, Insurance, and Electrical Grid Board to Board meeting, workshop.

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

CORRESPONDENCE: The following correspondence was read and noted: None

MEETING ADJOURNED: 10:07 a.m.

Clerk

January 23, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 30, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 30, 2024 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 30, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 23, 2024 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 the proposed revocation of a **Certificate of Designation** for **49 Square Ventures**, which would prohibit the operations of the Class II composting facility now owned by **CLM Composting, Inc.** on property located at 9294 Road 39, Mancos, CO, situated in Sec.30; T.36N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Owner **Troy Hicks** was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** gave an overview of the proposed revocation. 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 revoke the Montezuma County Certificate of Designation of a solid waste facility, Resolution #P-9-2014 for 49 Square Ventures, location site is 9294 Road 39, Mancos, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: Public comment was made by **John Karsten** and **Carolyn Lucas**.

UNFINISHED BUSINESS:

APPOINTMENT: Administrator Anderson presented a letter in interest from **Lori Olander** to be reappointed to the **Sylvan Cemetery District**. Commissioner Koppenhafer moved to appointment Lori Olander, to a 6 year term on the Sylvan Cemetery Board. Second by Commissioner Lindsay and carried. (See Attached)

DISCUSSION: The proposed Montezuma County **Sheriff's Office, Smart Law Enforcement Retention Grant** was withdrawn.

DISCUSSION: The proposed Department of **Social Services, Physical Security Grant Funding** application was presented for approval. Commissioner Lindsay moved to approve the grant for the Department of Social Services, as it relates to the Physical Security Grant, total grant amount \$27,952.32. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed Colorado Department of Public Health and Environment, **OEPR Contract #2024*0099 Amendment #6** with the Montezuma County **Public Health Department** was presented for approval. Commissioner Koppenhafer moved to sign the contract #2024*0099 Amendment #6 with the Colorado Department of Public Health and Environment and the Montezuma County Public Health Department. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **2024 Noxious Weeds Qualified Supervisor- Contract** proposal received by **Joe Brunner dba. J.B. Contracting** was presented for approval. Commissioner Lindsay moved to appoint Joe Brunner, as the temporary Noxious Weeds Qualified Supervisor for the Weed Department in Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A letter addressed to the **Honorable Mike Johnston, Mayor of the City and County of Denver** related to the November 2024 Ballot Measure to prohibit slaughterhouses in Denver was presented for approval. Commissioner Koppenhafer moved to sign and send the letter to the Honorable Mike Johnston, Mayor of the City and County of Denver regarding the November 2024 Ballot Measure to prohibit slaughterhouses in Denver City / County. Second by Commissioner Lindsay and carried. (See attached)

ELECTION OF OFFICERS: Organizing the Board of County Commissioners (BOCC) for 2024. Commissioner Lindsay moved to appoint the 2024 Office Appointments as presented. Seconded by Commissioner Koppenhafer and carried. Commissioner Lindsay moved to organize the Board of County Commissioners as presented. Second by Commissioner Koppenhafer and carried. (See attached)

2024 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:	
Director of Senior Nutrition:	Jennifer Morris
Director of Social Services:	Kelli Hargraves
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: Kent Lindsay

Alternate: Jim Candelaria

AAA: Gerald Koppenhafer

Alternate: Kent Lindsay

Southwest Workforce Board: Kent Lindsay

Alternate: Gerald Koppenhafer

Montezuma County Housing Authority: Jim Candelaria

Alternate: Kent Lindsay

Housing Solutions: Kent Lindsay

Alternate: Jim Candelaria

Ute Mountain Tribal Council Meetings: Gerald Koppenhafer

Alternate: 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

NEW BUSINESS:

LIQUOR LICENSE: The presentation of the new liquor license application for the **Pleasant View Liquor**, located at 26060 Hwy. 491 Pleasant View Co. 81331, was postponed to the next BOCC meeting.

GIS MAPPING: GIS Manager, **Doug Roth** met with the Commissioners review and certify the Colorado Department of Transportation **HUTF** mileage for the previous county year. Reports presented included the **HUTF Road work and Changes for Reporting Year 2023**, completed road projects and a map reflecting said reports. Commissioner Koppenhafer moved to sign the certification signature sheet for Montezuma County, for the HUTF, marked eligible miles of 790.49 total miles for Montezuma County. Seconded by Commissioner Lindsay and carried. (See attached)

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

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed the CCI meeting. He also reported that at the attended **Tribal Project Management** meeting, the **Sun Bear Project** public meeting was scheduled on February 9, 2024 at 6:00 p.m. to be held at the Ute Mountain Casino. Information can be found at <https://www.sunbearproject.com/>

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Town Hall meeting, constituent conversations, and proposed legislative bills related to water rights. **Commissioner Lindsay** discussed the Cortez City Council meeting, the Region 9 meeting, the CCI legislative meeting and a constituent discussion related to the Raw Milk Bill. **Commissioner Candelaria** discussed the opening of the Loves Truck stop, the opening of the new USDA packing plant, the CCI legislative meeting, the proposed Senate Bills #24-005 and #24-004.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:12 a.m.

Clerk

January 30, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 6, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 6, 2024 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 6, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 30, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: Public comment was made by **Odis Sikes** and **Melani Filener**.

UNFINISHED BUSINESS:

DISCUSSION: The discussion related to the proposed stop signs for County Road P / Road 25 was postponed to a future date. (See attached)

DISCUSSION: The Commissioners reviewed the **Noxious Weed Plan** and forwarded the plan to the **Noxious Weed Advisory Committee**. (See attached)

DISCUSSION: The proposed **CATPA BATTLE Grant FY2025** with the **Montezuma County Sheriff's Office** was presented for approval. Commissioner Koppenhafer moved to approve the

Montezuma County grant application for the BATTLE Grant in the amount of \$17,587.80. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **CDOT FASTER Grant** for a new **MOCO Transportation** van was presented for approval. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form, for MOCO Transportation, the grant to be submitted to the **Faster Vehicle Grant**, for a 9-12 passenger van, in the amount of \$81,364.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **Edward Byrne Memorial Justice Assistance Grant** with the **Montezuma County Sheriff's Office** was presented for approval. Commissioner Koppenhafer moved to approve the Montezuma County grant application for the Edward Byrne Memorial Justice Assistance Grant, in the amount of \$307,087.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A letter addressed to the Bureau of Land Management related to comments on the **Gunnison Sage Grouse BLM Resource Management Plan Amendment (RMPA) 1610 (C0930)** were presented for review. Commissioner Koppenhafer moved to sign the reply letter to the Bureau of Land Management on the Gunnison Sage Grouse BLM Resource Management Plan Amendment 1610 (C0930). Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support, addressed to the **Robyn DiFalco, Local Planning Capacity Grant Manager (Prop 123)** related to the Cortez Local Planning Capacity Grant was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for the City of Cortez, for their Local Planning Capacity Grant Program, through the Community Development Office, Division of DOLA. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to **T-Mobile Corporate Office**, as it relates to the **Montezuma Heritage Museum** application for a **T-Mobile Hometown Grant** in the amount of \$50,000.00, was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for the Montezuma Heritage Museum's application to T-Mobile Hometown Grant, in the amount of \$50,000.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The **Montezuma County, Colorado Agreement for Professional Services** between the **Montezuma County Assessor's** and **Value West Inc.** was presented for approval. Commissioner Lindsay moved to sign the agreement between Montezuma County and Value West Incorporated, for professional services for the Assessor's Office. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A letter addressed to the Bureau of Land Management related to comments on the **Big Game Habitat Conservation for Oil and Gas Management [BLM_CO_FRN_M045001740631]** was presented for approval. Commissioner Koppenhafer moved to sign the letter for Montezuma County to submit to the BLM, Colorado State Office, on

the Big Game Habitat Conservation amendment / EIS. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held related to the proposed **Public Safety Sales Tax Initiative** rate assignments and a proposed reduction of levies. Rates discussed included 1.2, 1.4, or 1.6. The discussion will be continued to a future date to include additional information from the Assessor and how things pan out with the current legislative session. All three of the Commissioners pledged to lower the property mill levies once the Public Safety Sales Tax Initiative passed.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on a filed EEOC discrimination complaint.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed attended meetings, partnership developments with local municipal governments, the Solar Panel Project at the Fairgrounds and work on the proposed (PSST) Public Safety Sales Tax.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Colorado Water Congress and a pledge to shift some of the tax burden from the property tax owners to the proposed Public Safety Sales Tax, if it passes.

Commissioner Lindsay discussed research on the proposed Public Safety Sales Tax Initiative, the Kinder Morgan production, a pledge to reduce the mill levy in accordance of what excess revenues we have coming in from that sales tax.

Commissioner Candelaria discussed the attended (STAC) State Transportation Advisory Committee meeting, the CCI legislative priority bills, the scheduled (NACO) National Association of Counties / Transportation meeting and the Mancos Conservation District presentation during the Monday Workshop session.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell reported that the Presidential Primary Logic and Accuracy testing is scheduled for 9:00 a.m., February 8, 2024, at the Clerk and Recorders office located at 140 w. Main St. Ste.1 Cortez, Co.

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

CORRESPONDENCE: The following correspondence was read and noted: The **Mancos Conservation District's** workshop presentation, the Montezuma County **Veteran Services February Newsletter** and the Montezuma County **Office of Emergency Management's** January Monthly Situation report

MEETING ADJOURNED: 9:30 a.m.

Clerk

February 6, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 20, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 20, 2024 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 20, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, February 6, 2024 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 of Lot B of the **Wyatt West Ranch** Subdivision & Boundary Line Adjustment, submitted by **C&G Slice of Life, LLC**, on property located at 13968 Road 42, Mancos, CO, consisting of 28 acres, more or less, and **Johnny & Machele Stinson**, on property located at 13750 Road 42, Mancos, CO, consisting of 62 acres, more or less, both located north of Hwy 160 and west of Road 42, situated in Section 2, Township 36N, Range 13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Machele Stinson 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 of Lot B of the Wyatt West Ranch Subdivision & Boundary Line Adjustment, submitted by C&G Slice of Life, LLC, on property located at 13968 Road 42, Mancos, consisting of 28 acres, more or less, and Johnny & Machele Stinson, on property located at 13750 Road 42, Mancos, consisting of 62 acres, more or less. 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 discussion and approval of an Exemption Application, submitted by **Margaret Johnson Gaddis Estate**; agent: **Keenen Lovett**, on property located at 40752 Road J, Mancos, CO, consisting of 83.36 acres, more or less, located south and east of Hwy 160, situated in Section 32, Township 36N, Range 13W, N.M.P.M. Commissioner Koppenhafer moved to approve the exemption application, submitted by the Margaret Johnson Gaddis Estate; on property located at 40752 Road J, Mancos, CO, consisting of 83.36 acres, more or less, located south of Hwy 160. Second by Commissioner Lindsay and carried. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for discussion and approval of an Exemption Application, submitted by **Double J, LLC**; agent: **Keenen Lovett**, on property located at 40920 Road J, Mancos, CO, consisting of 346.94 acres, more or less, located south and east of Hwy 160, situated in Section 32, Township 36N, Range 13W, N.M.P.M. Commissioner Koppenhafer moved to approve the exemption application, submitted by Double J, LLC; on property located at 40920 Road J, Mancos, CO, consisting of 346.94 acres, more or less, located south of Hwy 160. Second by Commissioner Lindsay and carried. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for discussion and approval of an Exemption Application, submitted by **Brandon Sloan** and **Marsh Ann Hindmarsh**; agent: **Josh Boren**, on property located at 28502 Road W, Dolores, CO, consisting of 381.53 acres, more or less, located north of Hwy 145, situated in Section 4, Township 36N, Range 15W, N.M.P.M. Commissioner Lindsay moved to grant the exemption application, submitted by Brandon Sloan and Marsh Ann Hindmarsh; agent: Josh Boren, on property located at 28502 Road W, Dolores. Second by Commissioner Koppenhafer and carried. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar & Exemption Resolution documentation for the First Amendment to the Exemption Resolution #P-20-75, submitted by **Garen Wayman**, on property located at 19936 Road T, Cortez, CO, consisting of 2.5 acres, more or less, and **Michael & Tammy Hall**, on property located at 19982 Road T, Cortez, CO, consisting of 2.5 acres, more or less, both located south of Road T, west of Road 20, situated in Section 23, Township 37N, Range 17W, 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 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.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures a Mylar for the First Amendment to Exemption Resolution #P-47-79, for **Barbara Benavides**, on property located at 14852 Road 29, Dolores, CO, consisting of 3.20 acres, more or less, and on property located at 14892 Road 29, Dolores, CO, consisting of 15.63 acres, more or less, both located south of Road 29, west of Road 29.75 situated in Section 33, Township 37N, Range 15W, N.M.P.M.

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

UNFINISHED BUSINESS:

APPOINTMENTS: Letters of interest to be reappointed to the **Lodgers Tax Committee** for a 3 year term were received, from **Brian Bartlett** and **Lee Cloy**. Commissioner Lindsay moved to appointment Lee Cloy and Brian Bartlett, to the Lodgers Tax Committee. Second by Commissioner Koppenhafer and carried. (See Attached)

APPOINTMENTS: A discussion was held related to letters of interest received from **Taylor Oliver, Don Bain** and **Connie Clementson** to serve on the **CSU Extension Advisory Committee**. Commissioner Koppenhafer moved to appoint Taylor Oliver and Don Bain to a 3 year term on the CSU Extension Advisory Committee. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **Intergovernmental Agreement for Dispatch Services** was presented for approval. Commissioner Lindsay moved to approve the 2024 Dispatch IGA agreement between Montezuma County, City of Cortez and the other agencies involved. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed **Secure Transportation Permitting and CIP Secure Transportation Permitting** with the **Montezuma County Public Health Department** was presented for approval. Commissioner Koppenhafer moved to approve the Secure Transportation Vehicle Permit for the Montezuma County Public Health Department Community Intervention Program, on the 2023 Mercedes Sprinter van, Type B Secure Transportation Vehicle Permit. Seconded by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **Road and Bridge Tractor Replacement** bids were presented for approval. Bids received included; Two from **Jackson Group Grand Junction**, Peterbilt Model #567, cost \$174,149 and Peterbilt Model #589, cost \$188,485.00. Two from **MHC Kenworth Grand Junction**, Model #W900, cost of \$217,669.00 and Model #1880, cost \$195,612.00. Bid from **Transwest Truck Grand Junction**, Western Star Model #49X in the amount of \$159,154.00. Commissioner Lindsay moved to approve the Western Star, 49X, Detroit DD16 from Transwest Truck out of Grand Junction, bid in the amount of \$159,154.00. Seconded by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE: **Deputy Clerk, Jerri Frizzell** presented for approval and signatures a new Colorado Liquor Retail License Application for **Pleasant View Liquor LLC.**, located at 26060 Hwy. 491 Pleasant View Co. 81331. Commissioner Lindsay moved to approve the

Pleasant View Liquors LLC., Retail License Application, located at 26060 Hwy. 491 Pleasant View. Second by Commissioner Koppenhafer and carried. (See attached)

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell, presented for approval and signatures a Retail Liquor License Renewal Application for Triple H&J Inc DBA Smitty's Liquor's, located at 10255 Hwy 491, Cortez CO. Commissioner Koppenhafer moved to renew the Smitty's Retail Liquor License Renewal Application, located at 10255 Hwy 491, Cortez CO. Second by Commissioner Lindsay and carried. (See attached)

APPOINTMENT: A discussion related to the appointments to the Cortez Dispatch Advisory Committee was held. Commissioner Candelaria moved to keep as the primary voting member Commissioner Kent Lindsay and the alternate voting member Administrator Travis Anderson. Second by Commissioner Koppenhafer and carried. Commissioner Lindsay reported that the new equipment is arriving, being installed and they are working out the bugs. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update of the Ironwood case and the Fair Board complaint.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed an attended League of Women Voters meeting and the attended (NACO) National Association of Counties conference sessions.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Koppenhafer discussed the attended Southwest Cattleman's Association Business meeting, the Southwest Water Conservation meetings and the Mancos Town Board meeting.

Commissioner Candelaria: discussed the attended (NACO) National Association of Counties conference, the CCI legislative discussions, a special Dolores Town Council meeting, scheduled CSU Extension classes, the Monday Workshop and the scheduled municipal elections.

Commissioner Lindsay discussed the attended Southwest Cattleman's Association Business meeting, the Towaoc Solar Project preview meeting and the City of Cortez City Council meeting.

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

CORRESPONDENCE: The following correspondence was read and noted: The February Senior Services Newsletter.

MEETING ADJOURNED: 10:15 a.m.

Clerk

February 20, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 27, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 27, 2024 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 27, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, February 20, 2024 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 Variance Application, submitted by **Ute Mountain Ute Tribe;** agent: **Heather McDaniel** with **Horrocks Engineering**, on property located at 158 Hwy 160-491, Cortez, CO consisting of 1.91 acres, more or less, located south of Road A, east of Hwy 160-491, situated in Section 12, Township 34N, Range 17W, N.M.P.M. Ms. McDaniel joined the meeting by Zoom. Commissioner Lindsay moved to deny the variance application, submitted by the Ute Mountain Ute Tribe; agent: Heather McDaniel with Horrocks Engineering, on property located at 158 Hwy 160-491. Second by Commissioner Koppenhafer and carried. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for discussion and approval of a Boundary Line Adjustment Application, submitted by **Ute Mountain Ute Tribe;** agent:

Heather McDaniel with **Horrocks Engineering**, on property located at 158 Hwy 160-491, Cortez, CO consisting of 1.91 acres, more or less, and **Ute Mountain Ute Tribe**; agent: **Heather McDaniel** with **Horrocks Engineering**, on property located at 190 Hwy 160-491, Cortez, CO consisting of 13 acres, more or less located south of Road A, east of Hwy 160-491, situated in Section 12, Township 34N, Range 17W, N.M.P.M. Ms. McDaniel joined the meeting by Zoom. Commissioner Koppenhafer moved to approve the Boundary Line Adjustment Application, submitted by Ute Mountain Ute Tribe; agent: Heather McDaniel with Horrocks Engineering, on property located at 158 Hwy 160-491, Cortez. Second by Commissioner Lindsay and carried. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar and Exemption documentation, submitted by **Double J, LLC**; agent: **Keenen Lovett**, on property located at 40920 Road J, Mancos, CO, consisting of 346.94 acres, more or less, located south and east of Hwy 160, situated in Section 32, Township 36N, Range 13W, N.M.P.M.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar and Exemption documentation, submitted by **Margaret Johnson Gaddis Estate**; agent: **Keenen Lovett**, on property located at 40752 Road J, Mancos, CO, consisting of 83.36 acres, more or less, located south and east of Hwy 160, situated in Section 32, Township 36N, Range 13W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **David Raubeson, Lori York** and **Carolyn Lucas**.

UNFINISHED BUSINESS:

DISCUSSION: The proposed **GOCO Mesa School Project Grant** was presented for approval. Commissioner Koppenhafer moved to sign Grant Agreement #20456 for Montezuma County, the GOCO grant for the Mesa School and the Grantee is in compliance with the terms and conditions of the GOCO grant agreement. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the proposed exemptions for the **Public Safety Sales Tax Proposal** was postponed to a future date.

DISCUSSION: The **Homeland Security Hazard Mitigation Grant** for generators was presented for approval. Commissioner Koppenhafer moved to sign the letter for Grant award DR-4498-18F of the HMGP 4498 Grant program, with the Division of Homeland Security & Emergency Management and Montezuma County, total budget \$170,486.40 with a \$16,236.80 match. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **Jail Based Behavioral Services (JBBS) Grant** was presented for approval. Commissioner Koppenhafer moved to approve the application submission form between Montezuma County Sheriff's Office and the JBBS Colorado Behavioral Health Administration in the amount of \$314,191.82. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the proposed **Road & Bridge** pothole truck purchase was postponed to a future date.

DISCUSSION: The **Montezuma County Social Services**, web based and server based proposals from **Caselle** were presented for approval. Commissioner Lindsay moved to accept the proposal from Social Services for the Caselle hosted software and services, in the amount of \$28,815.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed application for an **AmeriCorps** member was presented for approval. Commissioner Lindsay moved to approve the application for AmeriCorps member for Social Services. Second by Commissioner Koppenhafer and carried. (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. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave updates on the lawsuit involving the Newman death that occurred at the jail house and the Fair Board complaint.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** discussed meetings attended related to the Public Safety Sales Tax Proposal, 2024 budget discussions, the attended CCI legislation session and a Sanctuary / Non-Sanctuary Resolution for Montezuma County.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the January 2024 Accounts Payable Expenditure Reports in the amount of \$4,910,111.47. Commissioner Koppenhafer moved to approve the Financial Expenditures for Montezuma County for January 2024, in the amount of \$4,910,111.47. Second by Commissioner Lindsay and carried. (See attached)

COUNTY CLERK & RECORDER: **County Clerk, Kim Percell** gave an update to the Commissioners on the current Presidential Primary Election and discussed rules and statutes related to maintenance of Voter Registration rolls.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed emails received concerning voting, the scheduled Housing Solutions meeting and scheduled Cortez City Council meeting, HB 1338 and HB 1339.

Commissioner Koppenhafer discussed the attended CSU Livestock Parturition program, constituent phone calls and a letter of endorsement mailed to Congress to move the NCA forward.

Commissioner Candelaria: mentioned the attended NACO meeting that had conversations related to the NCA, the attended CCI legislative meetings, CCI positions on the following House Bills (HB) and Senate Bills (SB): HB-2413, SB 24-131, HB 24-1114, HB 24-1287, HB-24-1160, HB 24-1172 HB 24-1299, SB 24-144, HB 24-024, HB 1266, SB 24-091 and SB 24-147. Other topics discussed included 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: A report from Southwest Health System.

MEETING ADJOURNED: 10:20 a.m.

Clerk

February 27, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 5, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 5, 2024 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 March 5, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, February 27, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held and determination regarding a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Braden Jones**; agent: **Erick Ireland**, 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, 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 **Wesley Rivera** and **Donette Dillen**. 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 Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by

Braden Jones; agent: Erick Ireland, on property located at 38511 Road H, Mancos. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Melanie Filener**, on property located at 21439 Road U, Cortez, CO, consisting of 26.52 acres, more or less, located east of Hwy 491, north of Road U, situated in Section 7, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Filener 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 a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by Melanie Filener, on property located at 21439 Road U, 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 7 Lot Major Subdivision and AR3-9 Rezoning Application submitted by **Charles & Laurie Hall**, on property located at 13136 Road 32, Mancos, CO, consisting of 36.80 acres, more or less, located east of Road 32, south of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Hall 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 the proposed 7 Lot Major Subdivision and AR3-9 Rezoning Application submitted by Charles & Laurie Hall, on property located at 13136 Road 32, Mancos. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Bernhard Hafner**, on property located at 19082 Road W, Lewis, CO, consisting of 36.10 acres, more or less, located east of Road 19, south of Road W, situated in Section 2, 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. Hafner was not 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 accept the proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by Bernhard Hafner, on property located at 19082 Road W, Lewis, CO. Second by

Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a First Amendment to the Exemption Resolution #P-47-79, submitted by **Barbara Benavides**, on property located at 14852 Road 29, Dolores, CO, consisting of 3.20 acres, more or less, and on property located at 14892 Road 29, Dolores, CO, consisting of 15.63 acres, more or less, both located south of Road 29, west of Road 29.75, situated in Section 33, Township 37N, Range 15W, N.M.P.M.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of 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 of a Mylar & documentation for an Exemption, submitted by **Brandon Sloan** and **Marsh Ann Hindmarsh**; agent: Josh Boren, on property located at 28502 Road W, Dolores, CO, consisting of 381.53 acres, more or less, located north of Hwy 145, situated in Section 4, Township 36N, Range 15W, N.M.P.M.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment, submitted by **Ute Mountain Ute Tribe**; agent: **Heather McDaniel** with **Horrocks Engineering**, on property located at 158 Hwy 160-491, Cortez, CO consisting of 1.91 acres, more or less, and Ute Mountain Ute Tribe; agent: Heather McDaniel with Horrocks Engineering, on property located at 190 Hwy 160-491, Cortez, CO consisting of 13 acres, more or less located south of Road A, east of Hwy 160-491, situated in Section 12, Township 34N, Range 17W, N.M.P.M.

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

UNFINISHED BUSINESS:

DISCUSSION: A redrafted **Memorandum of Understanding** between the **Montezuma County Fair Board**, and the Board of Governors of the **Colorado State University** System, for the Montezuma County CSU Extension Office was presented for approval. Commissioner Koppenhafer moved to approve the Memorandum of Understanding between the Montezuma County Fair Board, and Colorado State University System. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

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 liquor license renewal application for Mancos Brewing Company LLC., located at 484 East Frontage Road, Mancos, CO., 81328. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Landfill Manager, Mel Jarmon met with the Commissioners to discuss the presented **Request for Proposal** for the **Montezuma County Landfill Cell 5 Construction Project**. (See attached)

RESOLUTION: Attorney, Ian MacLaren presented for discussion, **Resolution #3-2024**, a resolution declaring Montezuma County as a **Non-Sanctuary County** and setting priorities and expectations in response to the immigration influx. Commissioner Lindsay moved to approve Resolution #3-2024, a resolution declaring Montezuma County as a Non-Sanctuary County and setting priorities and expectations in response to the immigration influx. Second by Commissioner Koppenhafer and carried (See attached)

DISCUSSION: Administrator Anderson held a discussion, related to the reduction of county services, if the **Public Safety Sales Tax Proposal (PSST)** does not pass. Administrator Anderson reported that a personnel and budgetary county to county comparison was being prepared. He also discussed the landfill and CTF Funding. Commissioner Candelaria discussed, funding for Social Services and per person funding to Public Health, County funds contributed to the County Fair, the number of employees per department, the Noxious Weed Department, departmental hours of operation, insurance rates and the Residential Assessment Rate. (RAR) Commissioner Lindsay discussed the County priorities of health, safety and welfare, an across the board percentage cut, the impacts of State Legislation and how it relates to our property taxes and Special Districts. Commissioner Koppenhafer discussed a need to start from the Commissioners budget, working through all of the departments, reviewing expenses and county services that are affordable, proposed legislative jail standards and unfunded state mandates. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave updates on the Ironwood Case and the Fair Board complaint.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed a meeting attended with the High Desert Conservation District, discussions related to the Public Safety Sales Tax Proposal, an attended meeting with the Fraternal Order of Police and a financial discussion with the Cortez Fire District.

TRANSFER ORDER: Administrator Anderson presented **Transfer Order #1-2024** a transfer \$370.00 from the Road and Bridge Fund (002) to General Fund (001) to correct a miscoded deposit by the Noxious Weed Department. Commissioner Koppenhafer moved to approve Order #1-2024, a transfer of \$370.00 from the Road and Bridge Fund to the General Fund to correct a miscoded deposit by Noxious Weed Department. Second by Commissioner Lindsay and carried. (See attached)

TRANSFER ORDER: Administrator Anderson presented **Transfer Order #2-2024**, a transfer \$2,715.00 from the Capital Fund (055) to General Fund (001) to correct a miscoded deposit by the Noxious Weed Department. Commissioner Koppenhafer moved to approve order #2-2024, a transfer of \$2,715.00 from the Capital Fund to the General Fund to correct a miscoded deposit by Noxious Weed Department. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the Public Safety Sales Tax Proposal meeting with the Fraternal Order of Police, the attended candidate meet and greet, the Adult Aging Association (AAA) meeting, and constituent phone calls.

Commissioner Lindsay discussed the attended Housing Solutions Board meeting, the attended Cortez City Council meeting, constituent discussions, the Public Safety Sales Tax Proposal and a proposed fee decrease for the Annex EV charger.

Commissioner Candelaria: discussed the attended Montezuma County Housing Authority meeting, the grand opening of the Love's Travel Center, the Landfill's Cell 5 Construction Project and the County Comprehensive Plan.

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

CORRESPONDENCE: The following correspondence was read and noted: The Monthly Situation Report from Emergency Management and the March, Senior Services and Veteran Services newsletters. (See attached)

MEETING ADJOURNED: 10:30 a.m.

Clerk

March 5, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 12, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 12, 2024 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 (By zoom)
Ian MacLaren, County Attorney
Jim McClain, IT Director
Kim Percell, County Clerk

CHAIRMAN CANDELARIA opened the meeting of March 12, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, March 5, 2024 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 High Impact/Special Use Permit envelope, 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 **Allen Maez**.

UNFINISHED BUSINESS:

DISCUSSION: During the Monday Workshop, **Resource Director, James Dietrich** presented an update of the **OTAK** scope of work for the **Paths to Mesa Verde Project Phase 2**. (See attached)

DISCUSSION: During the Monday Workshop **Wanda Martin** from the Sheriff's Office and **Grant Coordinator, Robert Dobry** presented for approval the **Bureau of Justice Assistance Bulletproof Vest Partnership Grant**. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form, for the Montezuma County Sheriff's Office, Bulletproof Vest grant, in the amount of \$11,850.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The Colorado Bureau of Investigation **Persons Who Wander Program Grant** the **Eyes in the Sky** project was presented for approval. Commissioner Lindsay moved to authorize the chairman to sign the Persons Who Wander Grant, for the program of Eyes in the Sky, in the amount of \$2,635.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The Montezuma County Sheriff's Office, **POST Rural and Small Agency Academy Grant** discussion was postponed to a future date. (See attached)

DISCUSSION: During the Monday Workshop, Montezuma County Public Transportation (MoCo) **Director, Jennifer Morris** along with **Grant Coordinator, Robert Dobry** presented the **MoCo Senior Services (AAA) Area Agency on Aging, Grant Application/Reimbursement**. Commissioner Koppenhafer moved to approve the grant application submission form for the MoCo Transportation and Senior Services through AAA. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to the Department of Local Affairs, Regional Manager **Patrick Rondinelli**, related to the **Mancos (REDI) Rural Economic Development Initiative Grant** application was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for Mancos, to the Department of Local Affairs, to help municipalities within the county to plan and complete projects that will diversify their local economy. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: a discussion related to the current exemption list for the **Public Safety Sales Tax Proposal (PSST)** was held. Discussion will continue at the April 2, 2024 meeting. (See attached)

PUBLIC LANDS:

Tres Rios Field Office Manager, Derek Padilla from the **Bureau of Land Management**, met with the Commissioners for a monthly update. Topics discussed included: the posting of the supplementary rules and the Federal register for review, the comment periods for the Gunnison Sage Grouse and Big Game (EIS) Environmental Impact Statements, prescribed burns in the Yellow Jacket and Dolores Rim areas, the Public Lands Rule and summer season water levels.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave updates on the Ironwood Case and the Fair Board complaint. Attorney, MacLaren along with Grant Coordinator, Robert Dobry presented for approval, the **Mesa Elementary Playground Improvement Expense Worksheet**. Commissioner Lindsay moved to sign the Mesa Elementary Improvement Actual Expense Worksheet and to authorize the Chairman to sign it. Second by Commissioner Koppenhafer and carried. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson mentioned discussions held related to the 2024 budget, and the League of Women Voters event to discuss the Public Safety Sales Tax Proposal (PSST). Administrator Anderson expressed gratitude to **Dennis Bugg** for his partnership in the Public Safety Sales Tax Proposal.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended precinct Caucus meetings and the Public Safety Sales Tax Proposal meeting with the League of Women Voters.

Commissioner Lindsay discussed the attended Public Safety Sales Tax Proposal meeting with the League of Women Voters, a proposed local peak name designation and the scheduled Cortez City Council meeting.

Commissioner Candelaria: discussed the attended Public Safety Sales Tax Proposal meeting with the League of Women Voters, current snow depths in the high country, the attended Dolores Town Board meeting, a scheduled Dolores Town Board candidate forum, an auto incident to the new Dolores Town Hall building, the 12 Hours of Mesa Verde Event 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: 9:40 a.m.

Clerk

March 12, 2024

Chairman

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

DISCUSSION: During the Monday workshop, **Jay Balfour** with the **12 Hours of Mesa Verde** presented a request for use of the Fairgrounds and permission to serve beer at the event.

Commissioner Lindsey moved to approve the use of the Fairgrounds for the Mesa Verde Bike race, otherwise known as the 12 Hours of Mesa Verde. Motion was seconded by Commissioner Koppenhafer and carried.

DISCUSSION: A proposed fund request from the **Clara Ormiston Fund** was postponed to a future date.

DISCUSSION: During the Monday Workshop **Emergency Manager, Jim Spratlen** gave the **Community Emergency Response Team** presentation. No action was needed. (See attached)

GRANT DISCUSSIONS: **County Grant Coordinator, Robert Dobry** met with the Commissioners to discuss the following Grants:

The **FFY25 Congressionally Directed Spending Request - Emergency Operations Center Fairgrounds**. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form, the Emergency Management Department for the Fairgrounds Emergency Operations Center, proposed project in 2025, in the amount of \$115,000.00. Second by Commissioner Lindsay and carried. (See attached)

The Montezuma County Sheriff's Office **Peace Officers Standards and Training (POST) Rural and Small Agency Academy Grant**. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form, for the Montezuma County Sheriff's Office, (POST) Rural and Small Agency Academy Grant, in the amount of \$34,732.00. Second by Commissioner Lindsay and carried. (See attached)

The Montezuma County Sheriff's Office, **Colorado POST In-Service Continuing Education-Cracking the Forensic Analyst Code**. Commissioner Koppenhafer moved to approve the application grant submission form, for the Montezuma County Sheriff's Office, Colorado POST In-Service Continuing Education reimbursement in the amount of \$11,493.00. Second by Commissioner Lindsay and carried. (See attached)
(See attached)

The **Colorado Behavioral Health Administration 222 Safety Net Grant Continuation supporting Montezuma County Community Intervention Program (CIP)**. Commissioner Koppenhafer moved to approve the grant application form, for the Health Department, Montezuma County Community Intervention Program, through the Colorado Behavioral Health Administration, in the amount of \$100,466.00. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** No updates to report.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** mentioned the CCI legislation discussions and clarifications of unfunded mandates.

NEW BUSINESS:

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 retail liquor license renewal application for Ancient Echos LLC., located at 14537 Road G, Cortez. Second by Commissioner Candelaria and carried. (See attached)

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a Special Event liquor license application for the **National Rifle Association**. The event is scheduled to be held at the County Fairgrounds on April 27, 2024 from 5:00 p.m. to 11:00 p.m. Commissioner Koppenhafer moved to approve the application for a Special Events Permit at the Montezuma Fairgrounds, for the National Rifles Association, on April 27, 2024. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** gave a report on the attended Cortez City Council meeting, the attended Dispatch Accountability Committee meeting, the attended Republican Party's County Assembly and the CCI legislative discussions.

Commissioner Koppenhafer gave a report on the attended Mancos Town meeting, and the attended Republican Party's County Assembly.

Commissioner Candelaria: discussed a meeting held with the Grant writer related to the Wildfire Ready Watershed Implementation Grant, the CCI legislative bill discussions; HB 24-1300, HB 24-1371, HB 24-1296, ADA Web site Accessibility Regulations, the CDOT maintenance programs, The Broad Band service HB 24-1334, the attended Republican Party's County Assembly and the Monday Workshop items.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:35 a.m.

Clerk

March 19, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 26, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 26, 2024 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 March 26, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, March 19, 2024 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 Subdivision Amendment to the **Van Horn Subdivision & Boundary Line Adjustment**, submitted by **Fiona King**, on property located at 17380 Road G, Cortez, CO, consisting of 4.41 acres, more or less, and Greaves/Larsen Family Trust, on property located at 17374 Road G, Cortez, CO, consisting of 25 acres, more or less, both located south of Road G and west of Road 21, situated in Section 33, Township 36N, Range 17W, N.M.P.M.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** 1. presented for signatures of a Mylar for a 7 Lot Major Subdivision and AR3-9 Rezoning submitted by **Charles & Laurie Hall**, on property located at 13136 Road 32, Mancos, CO, consisting of 36.80 acres, more or less, located east of Road 32, south of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **Lori York** and **Susan Kemnetz**.

UNFINISHED BUSINESS:

LETTER OF SUPPORT: A letter of support addressed to **US Senator Michael Bennet & US Senator John Hickenlooper** related to the **Southwest Health System Congressionally-Directed Spending Proposal** was presented for approval. Commissioner Koppenhafer moved to approve the signing of the letter of support, for Congressionally- Direct Funding to both Senator Michael Bennet and Senator John Hickenlooper, to upgrade the Southwest Health System's emergency fuel oil system replacement and possibility of loss of energy, for a fuel generator to keep the hospital working in an emergency. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop **Emergency Manager, Jim Spratlen** presented for approval, the **Mutual Aid Omnibus Agreement**. Commissioner Lindsay moved to table for further discussion. Second by Commissioner Koppenhafer and carried. (See attached)

APPOINTMENT: Administrator Anderson presented a letter in interest from **Sherri Gardner** to be reappointed to the **Arriola Cemetery District**. Commissioner Lindsay moved to appointment Sherri Gardner, to the Arriola Cemetery Board for another term of 6 years. Second by Commissioner Koppenhafer and carried. (See Attached)

RESOLUTION: Resolution #4-2024, a resolution amending the 2023 budget was presented for approval. Commissioner Koppenhafer moved to approve Resolution #4-2024 amending the 2023 budget. Second by Commissioner Lindsay and carried. (See attached)

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

TRANSFER ORDER: Order #3-2024 A transfer of \$3,047.41 from the **Clara Ormiston Fund** to the **Social Services Fund** for cancer patient expenses was presented for approval. Commissioner Lindsay moved to adopt Order #3-2024 to transfer \$3,047.41 from the Clara Ormiston Fund to Social Services Fund for patient expenses. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A Discussion was held related to the restructuring of the Montezuma County Noxious Weed Department. The **2024 Montezuma County Noxious Weed Plan** was presented for approval. Commissioner Koppenhafer moved to approve the 2024 Montezuma County Noxious Weed Plan as presented. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE RENEWAL: 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 license renewal application for Echo Basin LLC., at

43747 Road M, Mancos, Co. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ironwood case and mentioned the scheduled executive sessions related to the Kelroy Newman Litigation and Rubin Fair Board Complaint.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** mentioned the 3rd floor remodeling project, conversations with Amy Tooker related to the Dolores NCA, a tour of the McElmo Canyon phreatophyte property project, an attended lunch at the Dolores Senior Center, an attended municipal managers Dispatch IGA meeting and reported that Officer Rick Torres was placed as the interim VSO Officer for the Veterans Office.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the February 2024 Accounts Payable Expenditure Reports in the amount of \$4,299,871.78. Commissioner Lindsay moved to approve the February Financials in the amount of \$4,299,871.78. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** mentioned a water legislative update and constituent conversations.

Commissioner Lindsay discussed the attended AG Expo, a conversation with the new Club 20 Chairman, constituent conversations and the scheduled Cortez City Council meeting.

Commissioner Candelaria: discussed the attended lunch at the Dolores Senior Center, the tour of the phreatophyte property project, the CCI Land Use meeting, HB 24-1366, the attended Ag Expo, the Monday Workshop and the attended Dolores Town Council meeting.

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). Seconded by Commissioner Koppenhafer and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the **Kelroy Newman Litigation**. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved 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). Seconded by Commissioner Koppenhafer and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the **Rubin Fair Board Complaint**. Commissioner Lindsay moved to go 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: 10:41 a.m.

Clerk

March 26, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 9, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 9, 2024 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 April 9, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, March 26, 2024 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 Commercial Rezoning Application along with a High Impact Permit Application, submitted by **Ute Mountain Ute Tribe**; agent: **Heather McDaniel** with **Horrocks Engineers**, on property located at 158 Hwy 160-491, Cortez, CO consisting of 4.28 acres, more or less, located south of Road A, east of Hwy 160-491, situated in Section 12, Township 34N, Range 17W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Jennifer Goldman** with Horrocks Engineers was present by Zoom. **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 Commercial Rezoning Application along with a High Impact

Permit Application, submitted by Ute Mountain Ute Tribe; agent: Heather McDaniel with Horrocks Engineers, on property located at 158 Hwy 160-491, 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 Subdivision Amendment and AR3-9 Rezoning Application to Lot C of the Crooked Cottonwood Subdivision, submitted by **Gary Ellson**, on property located at TBD Road 32.75, Mancos, CO, consisting of 24.08 acres, more or less, located west of Road 33, north of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Ellson 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 AR3-9 Rezoning Application to Lot C of the Crooked Cottonwood Subdivision, submitted by Gary Ellson, on property located at Road 32.75, Mancos, CO, consisting of 24.08 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning submitted by **Bernhard Hafner**, on property located at 19082 Road W, Lewis, CO, consisting of 36.10 acres, more or less, located east of Road 19, south of Road W, situated in Section 2, Township 37N, Range 17W, N.M.P.M.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a Subdivision Amendment & AR10-34 Rezoning to Lot #12 of the **Summit Lake West Unit II Subdivision** submitted by **Ruth Mathis & Betty Toso**, on property located at 14438 Road 34.7, Mancos, CO, consisting of 39.74 acres, more or less, located south of Hwy 184, west of Road 35.6, situated in Section 32, Township 37N, Range 14W, N.M.P.M.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment & Boundary Line Adjustment Application of Lot 2 of the Lynch 2 Lot Minor Subdivision, submitted by **Paul Abate**, on property located at 14587 Road 29.75, Dolores, CO, consisting of 21.44 acres, more or less, and of the **Redwood Single Lot Development**, submitted by **Kelley Shepherd**, on property located at 14499 Road 29.6, Dolores, CO, consisting of 4.60 acres, more or less, both located south of Hwy 184 and east of Road 28, situated in Section 33, 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. Abate 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 & Boundary Line Adjustment Application of Lot 2 of the Lynch 2 Lot Minor Subdivision, submitted by Paul Abate, on

property located at 14587 Road 29.75, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: Public comment was made by **Susan Kemnetz, James Russell Meyers, Eleanor Macfarlane** (See attached) and **Landan Wilson**.

GRANT DISCUSSIONS: During the Monday workshop, **County Grant Coordinator, Robert Dobry** met with the Commissioners to discuss the following Grants:

The **CDOT DUI High Visibility Enforcement Grant**. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form for the CDOT DUI High Visibility Enforcement, in the amount of \$3,000.00 reimbursement, with no county match. Second by Commissioner Lindsay and carried. (See attached)

The **2024/25 Court Security Cash Fund Grant**. Commissioner Koppenhafer moved to approve the Montezuma County grant application submission form, for the Court Security Deputy funding, 7/1/2024 through 6/30/2025, in the amount of \$65,000.00. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to **the Department of Energy**, regarding the **DE-FOA-0003195 Grant Funding**, was presented for approval. The letter of support is to document the partnership and commitment for the Community between Montezuma County and **Empire Electric Association, Inc.** Commissioner Lindsay recused himself from this discussion. Commissioner Koppenhafer moved to sign the letter of support for the Empire Electric Grid Resistance Innovative Partnership Grant. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: A discussion related to the exemption list and percentage rate on the proposed resolution for the **Public Safety Sales Tax Proposal (PSST)** was held. The Commissioners were in agreement to include the farm equipment exemption and to set the rate at one percent. The proposed resolution is scheduled to be presented next week. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave an update on the Ironwood case and discussed new legislation related to ADA compliance for the County Web sites, the Cortez Fire Protection District Contract, and a wrongful arrest complaint filed against the Sheriff's Office.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** mentioned Officer **Rick Torres** as the interim Veterans Officer for the Veterans Department, grant issues, a stakeholder meeting related to medical detox evaluations for the Jail facility, the Public Safety Sales Tax Proposal, HB 21-1110 and the opening of the Landfill Cell 5 bids. Administrator Anderson wanted to publicly congratulate **Brenda Jarmon** from **Social Services** on earning her Master's Degree and **Delilah Darland** from the **Public Health Department** for receiving a national award from the **Child Passenger Safety Board** for child safety seats.

On behalf of **County Treasurer, Ellen Black**, Administrator, Anderson presented for approval the July 1, 2023 through December 31, 2023, **Schedule of Receipts and Disbursements**.

Commissioner Koppenhafer moved to approve the Schedule of Receipts and Disbursements as presented, with an ending balance total of \$41,777,341.04. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Town Board meeting, proposed legislative water bills and a scheduled Southwest Water Conservation meeting.

Commissioner Lindsay discussed the attended and scheduled Cortez City Council meetings, proposed legislative energy and gas bills, the attended Home & Garden Show and welcomed Veterans Officer Rick Torres.

Commissioner Candelaria: welcomed Veterans Officer Rick Torres, discussed the attended Home & Garden Show, possible repairs to the Fairground's arena sidewalk, a reminder that the Sheriff is an elected official and is responsible for his own department, the Monday workshop, the attended Dolores Town Board meeting and scheduled CCI legislative meetings.

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

CORRESPONDENCE: The following correspondence was read and noted: Reports from **Road & Bridge Equipment Manager, Shane Higman.** A yearly report from the **Clerk's Recording Supervisor, Jerri Frizzell** and **Motor Vehicle Supervisor, Malinda Fuller.** Election Comments from **Clerk & Recorder, Kim Percell.** The Monthly Situation Report from **Emergency Manager, Jim Spratlen.** An email received from constituent **Ingrid Ward** related to the Planning & Zoning.

MEETING ADJOURNED: 10:12 a.m.

Clerk

April 9, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 16, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 16, 2024 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 April 16, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, April 9, 2024 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 & General Planned Unit Development Application submitted by **Robbins Family Ranches**; agent: **Brian McLaughlin**, on property located at 9900, 10010 & 10008 Road 43, Mancos, CO, consisting of 32 acres permitted envelope, more or less, located, north of Hwy 160, situated in Section 23, Township 36N, Range 13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Brian McLaughlin** and **Don Yeomans** 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 **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 accept the High Impact/Special Use

Permit & General Planned Unit Development application submitted by Robbins Family Ranches; agent: Brian McLaughlin, on property located at 9900, 10010 & 10008 Road 43, Mancos. Second by Commissioner Koppenhafer. With two votes in favor from Commissioners Lindsay and Koppenhafer and one vote against from Commissioner Candelaria the motion carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

UNFINISHED BUSINESS:

MUTUAL AIDE AGREEMENT: The **Omnibus Mutual Aid Agreement**, between Montezuma County, Town of Dolores, Town of Mancos and the City of Cortez was presented for approval. Commissioner Koppenhafer moved to sign the Omnibus Mutual Aid Agreement between Montezuma County, a political subdivision of the State of Colorado, the Town of Dolores, the Town of Mancos and the City of Cortez. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop (**MCCO**), **Director, Jennifer Morris** discussed a proposed new van purchase from Davey Coach Sales in the amount of \$106,893.00. Commissioner Lindsay moved to purchase the new 2023 Mobility Trans 350EL van for MCCO from Davey Coach Sales LLC. Second by Commissioner Koppenhafer and carried. (See attached)

MEMORANDUM OF UNDERSTANDING: During the Monday workshop **Extension Director, Emily Lockard** presented the Memorandum of Understanding between the **Montezuma County Fair Board** and the **Board of Governors of the Colorado State University System**, acting by and through **Colorado State University**, for the benefit of its **Montezuma County CSU Extension Office (CSU Extension Office or Extension)**. Commissioner Koppenhafer moved to accept the Memorandum of Understanding between the Montezuma County Fair Board and the Board of Governors of the Colorado State University System, acting as CSU for the benefit of the Montezuma County CSU Extension Office. Second by Commissioner Lindsay and carried. (See attached)

GRANT DISCUSSIONS: During the Monday workshop, **County Grant Coordinator, Robert Dobry** met with the Commissioners to discuss the **Jail Based Behavior Health Services Grant**. Commissioner Lindsay moved to approve the signing of the document by the Chairman for the Jail Based Behavior Health Services Grant. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: During the Monday Workshop **Fairgrounds Manager, Justin McGuire** met with the Commissioners to discuss the **Fairgrounds Suppression System**. Commissioner Lindsay moved to DC the connection at the Fairgrounds for the arena, keeping the rest of the system intact. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A letter address to the **Dolores County Commissioners** regarding the **Cabin & Ferris Campground** Maintenance Intergovernmental Agreement (IGA) was presented for

approval. Commissioner Koppenhafer moved to sign the letter to the Dolores County Commissioners, in regards to the Cabin & Ferris Campground Maintenance IGA. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Social Services Director, Kelli Hargraves met with the Commissioner to discuss a proposed Temporary Assistance for Needy Families (TANF) sale to Logan County. Commissioner Lindsay moved to approve the selling of Temporary Assistance for Needy Families to Logan County. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell along with **Lacey Murphy** met with the Commissioners to discuss and present for approval a Special Event liquor license application for the **Ute Mountain Round Up Rodeo**. The event is scheduled to be held at the County Fairgrounds from June 6, 2024 through June 8, 2024, from 4:00 p.m. to 11:00 p.m. Commissioner Koppenhafer moved to approve the application for a Special Events Permit by the Ute Mountain Round Up, to be held at the Montezuma County Fairgrounds, on the 6th, 7th and 8th of June. Motion was seconded by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood case, discussed the Planning & Zoning Commission training, the Cortez Fire Protection District Contract and the Public Safety Sales Tax Proposal Resolution.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson presented Amendment NO. 2 to the **Master Engagement Agreement** between the Montezuma County Board of County Commissioners and **MGT of America Consulting, LLC**, that amends the Master Agreement dated February 15, 2022 and Amendment No. 1 dated February 1, 2023. Commissioner Lindsay moved to sign the Master Engagement Agreement, Amendment #2, between Montezuma County and MGT in the amount of \$5,650.00. Second by Commissioner Koppenhafer and carried. (See attached)

Other topics discussed included; the Public Safety Sales Tax Proposal, HB-21-1110, NCA discussions, the meeting held with the Dolores County Commissioners and the CCI legislative zoom meeting.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council meeting and the attended meeting with the Dolores County Commissioners.

Commissioner Koppenhafer discussed the attended Southwest Water Conservation District meeting.

Commissioner Candelaria: discussed the attended CCI legislation meeting, SB 24-194, the Residential Assessment Rate, Initiative 50, HB-21-1110, solar discussions and the Ute Mountain Ute Sun Bear Project, the Monday Workshop and the attended meeting with the Dolores County Commissioners.

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

CORRESPONDENCE: The following correspondence was read and noted: Emails received from constituent **Ingrid Ward**.

MEETING ADJOURNED: 10:30 a.m.

Clerk

April 16, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 23, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 23, 2024 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 April 23, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, April 16, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for a **Petition to the Board of County Commissioners**, for review and determination of a proposed High Impact Permit Application submitted by **Leaf Properties, Inc.**, on property located at 27078 Road N, Dolores, CO consisting of 3.78 acres, more or less, located south of Road N, east of Hwy 145, situated in Section 7, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Douglas Kinsey** along with **Attorney Andrew Peters** 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. Mr. Kinsey, along with Attorney Peters and **Traffic Engineer, Jeff Planck** addressed the concerns of the project. Commissioner Candelaria opened the hearing to public comment. Public comments were made by: **Pete Montano, Karelia Ver Eecke, Lori Ward, Laura Bauer, Clasandra Story, Emiko South, Melony McDonnel, Jean Becker, John**

Rutledge, Wendy Watkins, Jessie Farias, Susan Kidd, Carolyn Landis, Ken Porter, Steven Moore, Cathy Lillie, Ron Kotarski, Theresa Hohbein, Lenetta Shull, Paul Koops, Odis Sikes and Leah Burkett. Hearing no further public comment that portion of the hearing was closed. After receiving additional documents for review, Commissioner Lindsay moved to continue the hearing to April 30, 2024 at 9:00 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

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

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)

UNFINISHED BUSINESS:

LETTER OF SUPPORT: A proposed letter of support, for the **Four Corners Rifle & Pistol Club** was postponed to a future meeting. (See attached)

REQUEST FOR PROPOSAL: During the Monday Workshop **Landfill Manager, Mel Jarmon** presented the Cell 5 Requests for Proposals. Commissioner Lindsay moved to award the contract for the Cell opening at the County Landfill to **Con-Sy Inc.**, 719 Arrow West Road, Grand Junction, in the amount of \$867,733.13. Second by Commissioner Koppenhafer and carried. (See attached)

GRANT DISCUSSIONS:

The Public Health Department, **Colorado National Collaborative (CNC) Grant.** Commissioner Koppenhafer moved to approve the Montezuma County Grant application submission form, in the amount of \$113,000.00, for the Public Health Department, Suicide Prevention Program Colorado National Collaborative. Second by Commissioner Lindsay and carried. (See attached)

The Emergency Preparedness and Response / **Public Health Emergency Preparedness Grant.** Commissioner Koppenhafer moved to approve the Montezuma County Grant application submission form for the Health Department, for the Public Health Emergency Preparedness, a reimbursement of \$53,489.00. Second by Commissioner Lindsay and carried. (See attached)

CONTRACT: During the Monday Workshop, the Sheriff's Office **2024 Forest Service Contract** was presented for approval. Commissioner Lindsay moved to accept the Modification of Grant or Agreement between the Forest Service and Montezuma County, in the amount of \$16,000.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: A discussion was held, related to the **high-mileage fleet vehicle reductions** at the Sheriff's Office. Commissioner Lindsay moved to make the fleet reduction, without replacement of the vehicles highlighted and completed within a 30 day time frame. Second by Commissioner Candelaria and with two votes in favor by Commissioners Lindsay and Candelaria and one vote against from Commissioner Koppenhafer the motion carried. (See attached)

RESOLUTION: A discussion related to the proposed resolution for the **Public Safety Sales Tax Proposal (PSST)** was held. The Commissioners were in agreement to postpone the discussion until next week to include an updated estimation of tax generated funds. (See attached)

EXECUTIVE SESSION: The Commissioners were in agreement that the scheduled **Executive Session** to discuss the proposed CIP contracts was not necessary.

CONTRACT: During the Monday Workshop, the **CIP** contract between **Montezuma County** and **AXIS** along with the **CIP** contract between **Montezuma County** and the **Cortez Fire Protection District** were presented for approval. Attorney MacLaren suggested that the contracts should mirror each other as related to the termination clause. The Commissioners were in agreement to direct Attorney MacLaren to work with the entities on the contracts for a more flexible termination clause.

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ironwood case and the Fair Board complaint.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** reported on discussions held related to HB-21-1110 and a meeting held with Assessor Bugg related to the Residential Assessment Rate.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the April 2024 Accounts Payable Expenditure Reports in the amount of \$3,519,840.55. Commissioner Koppenhafer moved to accept the payables for March, 2024, for Montezuma County, in the amount of \$3,519,840.55. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Energy and Environment Symposium, the attended Gun Show, the Yellow Jacket Auction, constituent calls and emails and congratulated Commissioner Koppenhafer on his 50 year wedding anniversary.

Commissioner Koppenhafer discussed the attended Gun Show, constituent calls and emails.

Commissioner Candelaria: discussed the attended Department of Fire Prevention Control meeting and the Town of Dolores 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: 12:00 p.m.

Clerk April 23, 2024

Chairman