



rezoning application submitted by Danny & Jeanie Wilkin, on property located at 24571 Road L, Cortez, CO,. Second by Commissioner Suckla and carried. Commissioner Suckla 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 Boundary Line Adjustment to Lot 8 to amend the Totten Land General Planned Unit Development (GPUD) on property owned by **Totten Land, LLC, Agent Cap Allen**, located at 10363 Road 29, Cortez, CO, located north of Road K.3, west of Road 29, situated in Section 20, T.36N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Cap Allen joined the meeting by Zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Suckla opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept the proposed boundary line adjustment to lot #8, to amend the Totten Land General Planned Unit Development on property owned by Totten Land, LLC, Agent Cap Allen, located at 10363 Road 29, Cortez, CO,. Second by Commissioner Suckla and carried. Commissioner Suckla closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** with **Assistant, Duncan** presented for signatures a Notice of Environmental Use Restrictions for the **Carver Landfill**, on property located at TBD Road F, Cortez, CO, north of Road F, west of Road 25, situated in Section 11, Township 35N, Range 16W, N.M.P.M. (See attached)

**PUBLIC COMMENT: Bud Garner** presented Commissioners Ertel and Suckla with a service appreciation plaque. **Mindy Nelsen** thanked Commissioners Ertel and Suckla for their service to the County.

**ROAD DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart gave updates on the Road G soil slippage, the scheduled DOLA grant application presentation, the County gravel crushing projects, the Alkali Bridge project, equipment that had been sold and proposed future equipment purchases.

**WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; updates on the RCPP Program, applications for the **Colorado Department of Agriculture Grant**, the **Southwestern Basin Grant**, the **EPA National Wetland Program Grant**, the **Five Star and Urban Waters Restoration Grant** and the **Great Outdoors Colorado (GOCO) Wetlands for Wildlife Grant**. Manager Loving reported that she had received her CDL permit and would be working towards her license. She also reported that the ordered trailer had not been delivered, the new ATV had been delivered, and she was planning and organizing for the 2021 projects.

**LANDFILL: Landfill Manager Mel Jarmon** gave his monthly report which included the 2020 Landfill budget spread sheet. Topics discussed with the report included; the CDPHE trammel screen grant refund, the Carver Field closure, the development of a compost pad, equipment that had been sold and the opening of Cell #4. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$89,081.90 and attendance at 54,695. A discussion was held regarding, a three year average of income earned, yearly attendance, along with past and future events scheduled at the Fairgrounds. Other topics discussed included; demand charges, the commodity coolers, the 2020 income report, a 2021 event schedule, the After Hour Riding program, the Kitchen / Bathroom remodel project and future grant applications. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, discussed a petition filed with the Board of Assessment Appeals from **Safeway**, an invoice to the General Assistance Fund for the burial or cremation for an unclaimed person, proposed legislation regarding the County Board of Health appointment and Certifications for the County Coroner.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioners to give a weekly report. Topics discussed included; notifications to the BLM and the Forest Service regarding the Historical Road map and County Resolution, the Request for Product (RFP) for the Administration Building sign, and a letter received from the **National Resources Planning and Public Lands Coordinator** regarding a notice of intent, to list properties in **Mesa Verde National Park** on the **National Register of Historic Places**. (See attached)

**COUNTY COMMISSIONER REPORT:** Commissioner Candelaria, had no report to give. Commissioner Ertel discussed Commissioner Suckla's accomplishments within the last eight years of service to the County. Commissioner Suckla had no report to give.

**PUBLIC COMMENT: Dexter Gill** and **Kim Percell** thanked Commissioners Suckla and Ertel for their service to the County.

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

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

**MEETING ADJOURNED: 10:22 a.m.**

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Clerk

January 5, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 19, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 19, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk, Absent  
M. Lynn Dorenkamp, Chief Deputy

**CHAIRMAN, CANDELARIA** opened the meeting of January 19, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 5, 2021 as presented. Motion was seconded by Commissioner Stevenson and carried.

**ELECTION OF OFFICERS:** Commissioner Lindsay moved to nominate as the Board of County Commissioner Officers, Commissioner, Jim Candelaria as the Chairman, Commissioner, Kent Lindsay as the Vice Chairman and Commissioner, Joel Stevenson as the Commissioner of Deeds, for the year 2021. Second by Commissioner Stevenson and carried. (See attached)

**CHAIRMAN:** Commissioner Jim Candelaria

**VICE CHAIRMAN:** Commissioner Kent Lindsay

**COMMISSIONER OF DEEDS:** Commissioner Joel Stevenson

**2021 OFFICE APPOINTMENTS:** Commissioner Lindsay moved to approve all of the office appointments as presented. Second by Commissioner Stevenson and carried. (See attached)

**County Attorney:** John Baxter  
**County Administrator:** Shak Powers  
**County Road and Bridge Supervisor:** Rob Englehart  
**County Fairgrounds:** Justin McGuire  
**County GIS/Mapping:** Doug Roth  
**County Public Health:** Bobbi Lock  
**County IT:** Jim McClain  
**County Maintenance:** Mike Chenard  
**County Natural Resources:** James Dietrich  
**County Noxious Weed Program:** Bonnie Loving  
**County Senior Nutrition:** Jonathan Parker  
**Director of Social Services:** Gina Montoya  
**Veteran's Affairs Officer:** Rick Torres  
**Emergency Manager:** Jim Spratlen  
**MOCO/Transportation:** Jennifer Morris  
**County Landfill:** Mel Jarmon  
**County Planning:** Don Haley

**2021 BOCC REPRESENTATIVE APPOINTMENTS:**

**Southwest Regional Transportation Committee (TPR):** Jim Candelaria  
Alternate: Kent Lindsay  
**Region 9 Economic Development Board:** Jim Candelaria  
Alternate: Joel Stevenson  
**AAA:** Kent Lindsay  
Alternate: Jim Candelaria  
**Southwest Workforce Board:** Kent Lindsay  
Alternate: Joel Stevenson  
**Montezuma County Housing Authority:** Jim Candelaria  
Alternate: Kent Lindsay  
**Housing Solutions:** Kent Lindsay  
Alternate: Jim Candelaria  
**Ute Mountain Tribal Council Meetings:** Joel Stevenson  
Alternate: Shak Powers  
**Lower Dolores River Group:** Joel Stevenson  
Alternate: James Dietrich  
**Club 20:** Kent Lindsay  
Alternate: Joel Stevenson  
**Native Fish Monitoring & Recommendation Team:** Joel Stevenson  
Alternate: Kent Lindsay  
**Legal Publications:** Cortez Journal  
**CCI:** Jim Candelaria  
Alternate: Joel Stevenson

## **NEW SUGGESTIONS:**

Liaison to the City of Cortez Meetings: Kent Lindsay  
Liaison to the Town of Mancos Meetings: Joel Stevenson  
Liaison to the Town of Dolores Meetings: Jim Candelaria  
Liaison to UMU Tribal Meetings: Joel Stevenson

## **NEW:**

Water Representatives: Ed Millard, Don Schwindt

**PLANNING: Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Subdivision Amendment for an Industrial Planned Unit Development to Lot #30 of the **Blue Door Subdivision** submitted by **Brian & Kathy Lyons**, on property located at 24227 Road G.2, Cortez, CO, located north of Road G.2, east of Hwy 160-491, situated in S.3, T.35N., R.16W., N.M.P.M

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Mylar for a 2 Lot Moderate Subdivision and AR3-9 Rezoning submitted by **Charles & Laurie Hall** on property located at 13221 Road 32, Mancos, CO, consisting of 74 acres, more or less, located south of Road P, west of Road 32, situated in S. 1, T.36N, R.15W, N.M.P.M.

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning, submitted by **Cromar Ranch, LLC**; represented by **William & Carol Reynolds**, on property located at 29467 Road N, Dolores, CO, consisting of 39.97 acres, more or less, located north of Road N, east of Road 29, situated in Section 4, T.36N, R.15W, N.M.P.M.

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Variance to the setbacks, submitted by **Love's Travel Stops & Country Stores, LLC**, agent: **Kevin McCarthy**, located at 7006 Hwy 160-491, Cortez, CO, consisting of 5.16 acres, more or less, located east of Hwy 160-491, north of Road G situated in S.3, T.35N, R.16W, N.M.P.M. Commissioner Lindsay moved to approve the Variance to the setbacks for **Love's Travel Stops & Country Stores, LLC**, Located at 7006 Hwy 160-491, Cortez, CO, consisting of 5.16 acres, more or less, located east of Hwy 160-491, north of Road G situated in S. 3, T.35N, R.16W, N.M.P.M. Second by Commissioner Stevenson and carried. (See attached)

**Director, Haley** inquired whether or not the Commissioners had decided on an alternate for the Planning Board. After discussion Commissioner Stevenson moved to reopen the job opening for an alternate for the Planning Board. Second by Commissioner Lindsay and Carried.

**PUBLIC COMMENT: Devin Camacho** (via Zoom), **representative for Congresswoman Lauren Boebert** introduced himself and extended offer to help with any concerns the Commissioners might have now or in the future. **Allen Maez** welcomed new Commissioners.

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented for approval liquor license renewal applications for **G Whil Liquors LLC, DBA G Whil Liquors** located at 24001 Road G.2, Cortez, CO 81321 and for **The Gettin' Place, Steele Investments Inc.**, located at 26060

Hwy., 491 Pleasant View, Co. 81331. Commissioner Lindsay moved to approve the Retail Liquor License for **G Whil Liquors LLC, DBA G Whil Liquors** located at 24001 Road G.2, Cortez, CO 81321. Second by Commissioner Stevenson and carried. Commissioner Stevenson moved to approve the Retail Liquor License for **The Getting' Place, Steel Investments Inc.**, located at 26060 Hwy., 491 Pleasant View, CO 81331. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION: Terri Wheeler** with the Housing Authority did not attend due to the fact that they will not be requesting Commissioners signatures for a resolution prohibiting excessive force. (See attached)

**SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin** met with the Commissioners to give his monthly report which included recruiting and retention of cadets the 2020 Year to Date Transport Report, December 2020 total monthly inmate count, 2020 transport per diem and hotel costs, dispatch calls and an overview of some statutory responsibilities and authorities of Sheriff. (See attached)

**COUNTY CORONER: Coroner George Deavers** met with the Commissioners to give a monthly report. Topics discussed included: overview of a Coroners responsibilities, and statistics for 2020.

**DISTRICT ATTORNEY: Matt Margeson**, (absent) and **Clarisa Feully** met with the Commissioners to give a monthly report. Clarisa welcomed the new Commissioner and gave an overview of her position at the District Attorney's Office. Also discussed the budget for the District Attorney's Office.

**EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Topics discussed monthly Sit Report, Policies Introduction, training in ICS 402 Elective Officials in an emergency, and power point presentation with budget. (See attached)

**PUBLIC LANDS: Forrest Service District Ranger, Derek Padilla** (via zoom) met with the Commissioners to give updates on various projects.

**Bureau of Land Management, Connie Clementson** (via zoom) left a chat note introducing **Ray O'Neal** the new **Monument Manager** who also joined in via zoom. Ray welcomed new Commissioners and gave a quick background about himself.

**Commissioner Candelaria** asked **Derek Padilla** and **Ray O'Neal** if they would prefer an allotted time on the agenda. Both **Padilla** and **O'Neal** preferred an allotted time slot so they can plan accordingly.

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

Chairman Candelaria announced the meeting would reconvene.

**DISCUSSION: Haley Leonard Saunders, with Axis Health Systems.** Welcomed new Commissioners and gave a quick overview of what Axis Health Systems does. Introduced starting on the Community Response Program. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter,** discussed 2020 law suits, still pending law suits and what Executive Sessions are and why they are held.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich,** met with the Commissioners to give a weekly report. Topics discussed included; his background working with and for Montezuma County as head of Natural Resources, Planning & Public lands. Challenges and Successes with working with Federal and State Agencies.

**COUNTY ADMINISTRATOR REPORT: Administrator, Powers** gave an overview of his position as County Administrator, presented the following for review and approval: Public Notices, Nationwide law suit regarding Opioid Settlement break down and could he pose a question to the Attorney General regarding that break down of monies being allocated. Commissioners supported **Administrator, Powers** posing said question to the Attorney General. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** attended Mancos Town Board Meeting, Disabled Veterans meeting and 2 day CCI training. **Commissioner Lindsay** also had a 2 day CCI training, attended City of Cortez Meeting. **Commissioner Candelaria,** Friday January 8<sup>th</sup> was on a call with CCI that included Representative Kip and Senator Juneau to discuss legislation regarding counties of 100K or less being a part of the Board of Health. Submitted to CCI the Transportation Funding Survey, Monday, meet with a Weld County Commissioner discussing when we were going to start attending CCI meetings in person or Hybrid meeting, Thursday January 14<sup>th</sup> on a call with DOLA, Rob with Road and Bridge did a great job giving his presentation for the DOLA Grant Application. Submitted application to CCI to be Co-Chair for transportation and telecommunications committee with Commissioner Williams for El Paso County, who would be Chair, and held interviews for the alternate position with planning, which has been reposted.

**PUBLIC COMMENT:** None

**CORRESPONDENCE:** The following correspondence was read and noted: None

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

**MEETING ADJOURNED: 3:02 p.m.**

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Clerk

January 19, 2021

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Chairman



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
January 26, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 26, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

- Jim Candelaria, Chairman
- Kent Lindsay, Vice Chairman
- Joel Stevenson, Commissioner of Deeds
- Shalako Powers, County Administrator
- John C. Baxter, County Attorney
- Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of January 26, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 19, 2021 as presented. Motion was seconded by Commissioner Stevenson and carried.

**PLANNING: Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment to Lot #8, amending the Totten Land General Planned Unit Development (GPUD) on property owned by **Totten Land, LLC; Agent Cap Allen**, located at 10363 Road 29, Cortez, CO, located north of Road K.3, west of Road 29, situated in Section 20, T.36N, R.15W, N.M.P.M

**PUBLIC COMMENT: Rafe Obrien** discussed the 2021 budget for the County Fairgrounds Race Track.

**DISCUSSION: Dolores Chamber of Commerce Director, Susan Lisak**, met with the Commissioners to present for review a **Montezuma County 2021 Relocation Guide**. Director Lisak reported that the Relocation Guide would be digital in the beginning, working towards a printed version. Other topics discussed included: reasons for a relocation guide, the ability to attract more diverse business, a reference toolkit, marketing the area, a potential table of contents, sponsorships, the development of the website <https://www.lovelocalmontezuma.com>, the County demographics and a onetime funding request in the amount of \$10,000.00 to get the project off the ground. (See attached)

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

**VETERANS SERVICE: Veteran Service Officer, Rick Torres** along with **Assistant Service Officer, Sarah Kuhn** met with the Commissioners to give a monthly report. Officer Torres introduced himself and Officer Kuhn, then gave an overview of the Montezuma County Veterans Program. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay** December 2020 was presented for the record. Other topics discussed included; the mission statement, core values, the County's Veteran population, the focus of effort, the department budget, an update on the monthly expenditures, statistical data and the indirect income to Montezuma County. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Manager Morris introduced herself and gave an overview of the MCCO program. Other topics discussed included; a 2020 MOCO Report, grant funds received, the establishment of a fixed route program, COVID patient transports, vehicle wrap advertisements, transportation partnerships with neighboring counties, driver qualifications and Medicaid clients. (See attached)

**SENIOR SERVICES: Director Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Director Parker introduced himself and gave an overview of the Senior Service programs. Topics discussed included; the **Meals on Wheels** home delivery program, **Region 9**, the **Area Agency on Aging (AAA)**, grant funding, average yearly budget, the onsite meals program, the meal schedules, other activities offered, the Extension Office's **Aging Mastery Program**, a proposed home visit program, offered tele-programs, a future safe reopening plan and the COVID-19 vaccination availability for seniors.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners to give a monthly report. Director Felsen introduced himself and gave an overview of the Extension Office. Topics of the discussion included; scheduled events, the **Western Colorado Cattle and Forage Update**, a drought planning workshop, the Extension Newsletter, the **Master Gardner Program**, the **Native Plant Master's Program** the **4H & Youth Development Program**, the County Fair, the scheduled market beef weigh in, the (STEM) **Science Technology Engineer and Mathematics** Americore member that does the After School Programming, the scheduled Advisory Board meeting, an additional member to the

Advisory Board, the team up through **United Way**, a County vehicle for the Extension office, the **Modern Day Victory Program**, the **Grow and Give Campaign**, the **Montezuma School to Farm Program** and the **Cottage Food Training Program**. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **John Baxter**, discussed the 2009 BAA Kinder Morgan case, amendments to the proposed DOLA Excessive Force Resolution and the Request for Product (RFP) for the Fiber Project.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich**, met with the Commissioners to give a weekly report. Director Dietrich presented for signatures, a letter of support addressed to **BLM Tres Rios Field Office, Jen Jardine**, regarding the 1794 (S01000) DOI-BLM-CO-S07-2021-003 EA, **Kinder Morgan Exploration Project**. Commissioner Stevenson moved to send the letter to the BLM Tres Rios Field Office, Attention Jen Jardine, 29211 Highway 184 Dolores Colorado 81323, regarding, 1794 (S01000) DOI-BLM-CO-S07-2021-003 EA, on the Kinder Morgan Exploration Project. Second by Commissioner Lindsay and carried. Director Dietrich presented for signatures a letter addressed to the **Honorable Jared Polis, Governor of Colorado**, regarding **Proposition 114**, with a request to not rush the reintroduction of the wolf, to complete the planning for the reintroduction. The Commissioners were in agreement to include and send the letter to Parks and Wildlife. Commissioner Lindsay moved to sign the letter to Governor Polis asking him to slow down the reintroduction of the wolf, so that we can know what is coming and how to plan for this. Second by Commissioner Stevenson, the motion carried. Other topics discussed included: a bid received from **G Affordable Signs** in the amount of \$19,086.00, for the Administration Building sign and the Archeology Assessments for the **Flowdine** and **Yellow Jacket** allotments. (See attached)

**COUNTY ADMINISTRATOR REPORT:**

**EXPENDITURES REPORT:** Administrator, **Shak Powers** presented the November 2020 Accounts Payable Expenditure Reports for approval. Commissioner Lindsay moved to approve the expenditures as presented. Second by Commissioner Stevenson and carried.

**EXPENDITURES REPORT:** Administrator Powers presented the December 2020 Accounts Payable Expenditure Reports for approval. Commissioner Stevenson moved to approve the December payables as brought to us today. Second by Commissioner Lindsay and carried.

Administrator Powers discussed a request from **Brian Bartlett**, for reappointment, of a 2 year term, to the **Lodgers Tax Committee**. Commissioner Stevenson moved to leave Brian Bartlett on the Lodgers Tax Committee. Second by Commissioner Lindsay and carried. Other topics discussed included; future budgeting discussions on the County reserve funds and a maximum fund amount for agency requests.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: time spent reading documents and topic education, the attended **Multi Agency Coordination** meeting, the **Montezuma Business Taskforce** meeting, the Board to Board meeting with **San Miguel**, the CCI legislative session meeting, the Fairgrounds video presentation, the **County Commissioners of Southwest Colorado** meeting, the attended **Town of Dolores** Council meeting and the proposed Grant Writer position.

**DISCUSSION: GIS Manager, Doug Roth** along with **Resource Director, Dietrich** met with the Commissioners to discuss a map of Forest Service Logging Areas (as of 2021 permit activity list) and the impacts to Montezuma County roads. Topics discussed included; the road impact mileage for each project, the predicted end dates and the number of estimated yearly loads. (See attached)

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

**BOARD OF COUNTY HEALTH:** It being the time set aside, the Board of County Health was conducted. **Public Health Director Bobbie Lock**, and **Assistant Director Laurel Schafer** were present. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney Baxter’s suggestion, Commissioner Stevenson moved to go into executive session for a conference with the attorney for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. Section 24-6-402(4)(e), to include Commissioners, Candelaria, Lindsay and Stevenson, Administrator Powers, Attorney Baxter and Clerk Percell, seconded by Commissioner Lindsay and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the Fiber Optics Request for Product Agreement with the City of Cortez. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Stevenson and carried. (See attached)

**PUBLIC COMMENT:** None

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

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

**MEETING ADJOURNED: 4:00 p.m.**

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Clerk

January 26, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
February 2, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 2, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of February 2, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated January 26, 2021 as presented. Motion was seconded by Commissioner Stevenson and carried.

**PLANNING: Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures, a Variance to circumvent the Special Use Permit process for the construction of a third water storage tank, on property owned by **Montezuma Water Company**, located at 29995 Hwy 184, west of Road 30, north of Hwy 184, situated in Section 16, T.37N, R.15W, N.M.P.M. Commissioner Lindsay moved to approve the variance for Montezuma Water Company for the new tank in the same location, with a corrected address of 29589 Hwy 184, Dolores. Second by Commissioner Stevenson and carried. (See attached)

**PUBLIC COMMENT: Bob Clayton** presented a signature petition from property owners living on Roads 27.1, 27.3 and L.9, with a request to pave their roads. (See attached)

**Congresswomen, Lauren Boebert's Representative, Devin Camacho** attended by Zoom to introduce himself to the Commissioners.

**MONTEZUMA COUNTY VFW AUXILIARY POST 5231: Secretary / Treasurer, Queenie Barz** met with the Commissioners with a request, to use the County Annex I, for a Saint Patrick's Day Fundraiser event along with a request to waive the Annex fees. Ms. Barz reported the event had been cancelled last year due to the COVID-19 restrictions. The Commissioners were in agreement to reinstate the permission granted the previous year.

**SPECIAL EVENT LIQUOR LICENSE: Donna Foster, Carol Click and Tracey Hatley** from the **Kiwanis of Mesa Verde** met with the Commissioners to discuss a request to use the County Fairgrounds and to serve alcohol for the Annual Charity Night event, scheduled for April 17, 2021. Commissioner Stevenson moved to give the go ahead to get the liquor license for the event on April 17<sup>th</sup>, for the Kiwanis of Mesa Verde. Second by Commissioner Lindsay and carried.

**ROAD DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart introduced himself and gave an overview of the Road and Bridge Department. A road and bridge schedule for the dates of January 7, 2021 through February 12, 2021 and an overview of the type of work scheduled for each crew was presented. Other topics discussed included; updates on the **McElmo Slip Project**, a **CDOT Driveway Snow Removal** recommendation pamphlet, a land owners closed / locked gate on County Road Y, a scheduled executive session with the Board of the **Montezuma Valley Irrigation Company**, the Roads 27.1, 27.3, and the Road L.9 petition paving request from Mr. Clayton. Supervisor Englehart presented for approval, the 2021, **Tozer Gravel Pit Lease Agreement** between Montezuma County and **Carol L. Tibbits**. Commissioner Lindsay moved to sign the lease agreement between, Montezuma County and Carol L. Tibbits for the Tozer Gravel pit down in McElmo Canyon. Second by Commissioner Stevenson and carried.

Superintendent Englehart along with **GIS Manager, Doug Roth** presented for approval, the **Colorado Department of Transportation's, Highway Users Tax Fund (HUTF)** road work and changes for reporting year 2020. Topics of the discussion included; the Montezuma County Mileage Certification, road segments added or adjusted in the road inventory, surface status changes, completed chipseal projects and the total of 789.68 reporting miles for Montezuma County. Commissioner Stevenson moved to sign the certification for the Colorado Department of Transportation on our HUTF road mileages. Second by Commissioner Lindsay and carried. (See attached)

**WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Manager Loving introduced herself and gave an overview of the Weed Department. Topics discussed included; Grants and other funding, No spray agreements, the notification system, enforcement, property visits, the Mancos River Project, the Weber Canyon Project, treatments, the Phreatophyte project, the Adopt a Trail program, the New Homeowner Project, collected data, education, roadside spraying, yearly statistics, the budget and a confidentiality clause within the RCPP grant application. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** introduced himself and gave an overview of the Landfill. Manager Jarmon gave his monthly report which included the 2020 Landfill budget spread sheet. Other topics discussed with the report included; the proposed compost operation project, engineer expenses, weather closures, the upcoming household hazardous waste facility, the proposed scale replacement, contaminated recycling, electronics, the Trammel screen grant reimbursement, a grant application for a new shredder, the yearly totals, an update on the developed Cell #4, the Tire Cleanup projects, municipality clean up days and the mattress disposal fee. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** introduced himself and gave an overview of the Fairgrounds Department. Manager McGuire gave his monthly report which included the year to date numbers for income of \$13,340.00 and attendance at 1360. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; proposed capital improvement projects and the completed Kitchen / Bathroom remodel project, the rate schedule, the alcohol policy, opportunities for grant funding and marketing videos. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter,** discussed the, award of the **Calkins Building Project** DOLA grant, the 2009 BAA **Kinder Morgan** case and a Noxious Weed Department issue with the **PAX LLC**. A discussion was held regarding a letter received from **Reynolds Law Group Durango** regarding the Historical Roads Resolution #24-2020 and the inclusion of Road 19 Trail Canyon Road on the historical map. (See attached)

Chairman Candelaria announced the meeting would continue during the lunch hour at Benny's Restaurant to visit with **Cortez Fire Chief, Jay Balfour**. Chairman Candelaria announced the meeting would reconvene in the Commissioner Meeting room.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** presented public notices for upcoming meetings. Public notices presented included:

Board to Board Meeting scheduled February 9<sup>th</sup>, 1:30 p.m. executive session with **Montezuma Valley Irrigation Co.**

Board to Board Meeting scheduled February 10<sup>th</sup>, 5:30 p.m. with the **Mancos Town Council**.

Board to Board Meeting scheduled February 16<sup>th</sup>, 6:00 p.m. with the **Cortez City Council**.

Board to Board Meeting scheduled February 18<sup>th</sup>, 6:30 p.m. with the **Dolores Town Council**.

(See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** reported on the attended CCI workshops, the Mancos Town Council meeting and a meeting with Road Supervisor Englehart.

**Commissioner Lindsay** reported on the attended Regional Housing Solution meeting.

**Commissioner Candelaria** reported on the attended Montezuma Business Taskforce meeting, the attended School District Public Safety meeting, the CCI Legislative meeting, the attended County Commissioners of Southwest Colorado meeting and the Governors weekly call.

**WATER ISSUES UPDATES: Dolores Water Conservation District Manager, Ken Curtis, Southwest Water Conservation District Representative, Don Schwindt, Southwest Basin**

**Round Table, Montezuma County Representative, Ed Millard, Mancos Conservation District, Gretchen Rank, Nature Conservancy, Celene Hawkins and Mancos Conservancy District, Mike Nolan** met with the Commissioners to give an introduction and overview of County water issues. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney Baxter’s suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. Section 24-6-402(4)(e), to include Commissioners, Candelaria, Lindsay and Stevenson, Administrator Powers, Attorney Baxter, Clerk Percell and Rachel Marchbanks, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the County’s Grant Writer position. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**PUBLIC COMMENT:** None

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

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

**MEETING ADJOURNED: 3:45 p.m.**

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Clerk

February 2, 2021

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Chairman





**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by **Michael Goodman**; agent: **Brian McLaughlin**, on property located at 13045 Road 38.7, Mancos, CO, consisting of 46.15 acres, more or less, located north of Hwy 184, west of Road 40, situated in Section 1, T.36N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. McLaughlin was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the 2 lot minor subdivision and AR10-34 rezoning application, submitted by Michael Goodman; agent: Brian McLaughlin, on property located at 13045 Road 38.7, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a 2 Lot Minor Subdivision and 3 acre Heavy Industrial Rezoning submitted by **Daniel Hoch** on property located at TBD Road L, Cortez, CO, consisting of 35.95 acres, more or less, located south of Road L, east of Road 26, situated in S. 24, T.36N, R.16W, N.M.P.M.

**PLANNING: Director, Haley** with **Assistant, Duncan** presented for signatures a Mylar for a Single Lot Development, submitted by **Melvin Hicks**, on property located at 13162 Road 25, Cortez, CO, consisting of 80 acres, more or less, located north of Road N, west of Road 25, situated in Section 2, T.36N, R.16W, N.M.P.M.

**PLANNING: Director, Haley** with **Assistant, Duncan** presented for signatures a Mylar for a Single Lot Development and Rezoning submitted by **Jarrold & Colette Wyatt**, on property located at 26833 Road L, Cortez, CO, consisting of 49.60 acres, more or less, located north of Road L/Alamosa St, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M.

**EXECUTIVE SESSION:** Pursuant to Attorney Baxter's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney, for discussion of specialized details of security arrangements or investigations under C.R.S. Section 24-6-402 (4) (d); to include Commissioners, Candelaria, Lindsay and Stevenson, Administrator Powers, Attorney Baxter, Clerk Percell, Sheriff Nowlin, Lieutenant Vici Pierce, D.A. Matt Margeson and Clarisa Feuilly, seconded by Commissioner Stevenson and carried. Representative Marc Catlin joined the session by phone. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**PUBLIC COMMENT: Shelly Rhames** and **Kristen Ray** discussed the Fairground's Racetrack youth program and suggested improvements for the racetrack. **Allen Maez** discussed the County's status on the Governor's COVID color restrictions.

**OPERATION GRADUATION: Melissa Brunner** and **Megan Tallmadge** from the Dolores School's **Operation Graduation Program**, met with the Commissioners with a request to waive

the fees for the use of the County Fairgrounds, for their graduation event scheduled on May 5, 2021. Commissioner Lindsay moved to approve the request. Second by Commissioner Stevenson and carried. (See attached)

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

**IT: IT Director, Jim McClain** introduced himself and gave an overview of the IT Department. Topics discussed included: Milestones, miscellaneous statistics and the departments supported. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** introduced himself and gave an overview of the Vehicle Maintenance Department. Topics discussed included; the current vehicle report, the fleet hourly rate break down, the County heavy and light fleet, challenges, future opportunities and goals. **CSU Extension Director, Gregory Felsen** joined the meeting with a request to donate a county vehicle to the Good Samaritan Center. Commissioner Lindsay moved to donate the vehicle to the Good Samaritan Center for the Good Sam's Food Pantry program. Second by Commissioner Stevenson and carried. (See attached)

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** introduced themselves and gave an overview of the GIS Department. Topics discussed included; the role played in local government operations, the history of the department, the budget, base duties, the departments served, a 2012-2020 public map viewer usage by year graph, recent and current projects along with future goals and long term projects. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, reported on the Road Y closed gate issue, a scheduled landowner (BAA) Board of Assessment Appeals hearing and proposed fire code additions to the County Land Use Code.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioners to give a weekly report. Director Dietrich gave an overview and discussed the grant funding for the Paths to Mesa Verde Project and presented for signatures the **Federal Highway Administration Federal Land Highway Agreement #6982AF-21-K-500012** and the **Federal Lands Access Program Project Memorandum of Agreement**. Commissioner Stevenson moved to sign the Federal Highway Administration Federal Lands Highway Agreement #6982AF-21-K-500012. Seconded by Commissioner Lindsay and carried. Commissioner Lindsay moved to approve the Federal Lands Access Program Project Memorandum of Agreement dated December 15, 2020 project facility name CO FLAP, MEVA Trail 1, Path to Mesa Verde. Seconded by Commissioner Stevenson and carried. Other topics discussed included; the **Yellow Jacket** and **Flowline** archeological assessment. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator **Shak Powers** on behalf of the County Assessor, **Leslie Bugg** presented for determination and approval, **Petitions of Abatement or Refund of Taxes** from, **Precision Drilling Company L.P.** and **Reel Cinema LLC.**, along with a **Contract Extension Agreement** with **Value West** for a commercial property appraiser. Commissioner Lindsay moved to abate Precision Drilling Company L.P. in the amount of \$29,400.56. Second by Commissioner Stevenson and carried. Commissioner Lindsay moved to abate Reel Cinema LLC in the amount of \$15,961.78. Second by Commissioner Stevenson and carried. Commissioner Stevenson moved to renew the Value West contract with the County for their appraisals in commercial property within Montezuma County. Second by Commissioner Lindsay and carried. Other topics discussed included the following public notices; Board to Board Meeting scheduled February 9th, 1:30 p.m. executive session with **Montezuma Valley Irrigation Co.**,

Board to Board Meeting scheduled February 10th, 5:30 p.m. with the **Mancos Town Council**, Board to Board Meeting scheduled February 16th, 6:00 p.m. with the **Cortez City Council**, Board to Board Meeting scheduled February 18th, 6:30 p.m. with the **Dolores Town Council**, and attended meetings with Access and the Cortez Sanitation District. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** reported on the attended CCI workshops, NCA public conversations, catching up on emails and education. **Commissioner Lindsay** reported on a viewed video on solar property assessment and public discussions on tourism and taxation. **Commissioner Candelaria** reported on the attended County Commissioners of Southwest Colorado meeting, vaccine allocations and the attended Dolores Town Council meeting.

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

Chairman Candelaria announced the meeting would reconvene with a Board to Board Executive Session at the Montezuma Valley Irrigation Company building, then return to the Commissioner room for final reports and adjournment.

**EXECUTIVE SESSION:** Pursuant to Public Notice the Board of County Commissioners moved into executive session with **Montezuma Valley Irrigation Company**, for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4) (b); and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4) (e). County attendees included; Commissioners Candelaria, Lindsay and Stevenson, Administrator Powers, Attorney Baxter and Clerk Percell. Other attendees included the Montezuma Valley Irrigation Board members, **Gerald Koppenhafer, James Snyder, Marc Garlinghouse, Danny Wilkin, Les Nunn, Bill Jarrett** and **Drew Gordanier**. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the ongoing lawsuit. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)  
**Montezuma Valley Irrigation Company:** A discussion was held regarding the Montezuma Valley Irrigation Company's position with the NCA's and other water issues.

**PUBLIC COMMENT:** None

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

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

**MEETING ADJOURNED: 3:15 p.m.**

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Clerk

February 9, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
February 16, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 16, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of February 16, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated February 9, 2021 as presented. Motion was seconded by Commissioner Stevenson and carried.

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

**SHERIFF'S MONTHLY REPORT:** Sheriff, Steven Nowlin met with the Commissioners to give his monthly report which included; the **Calls for Service Report**, the Calls for Service dispatch fees, a proposed Regional Dispatch Intergovernmental Agreement, the Dispatch Center Audit, the **Year to Date Transport Report**, the **Total Monthly Inmate Report**, the **Total Monthly Arrests Report**, the **DOC Holds Report**, state reimbursement fees, the **January 2021 Jail Report**, the January **Courtesy Holds Report**, the **Detective Division Report**, the January 2021 **Sheriffs Monthly Report** and the **Jail Operations Expenses Report**. Other topics discussed included; proposed legislation, **Joint Task Force** statistics of seized drugs, firearms and cash, conviction rates, a proposed Sheriff's Office salary increase, certification, recruitment and retention. (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner Deavers reported that he'd had 48 calls in the last 2½ months that included, 1 suicide, 1 death from a motor vehicle accident and 1 overdose death. Also reported was the Dolores County usage of the County's autopsy facility.

**DISTRICT ATTORNEY: Office Manager, Clarisa Feully** met with the Commissioners to give a monthly report. Topics discussed included; the issues with the DOC Holds, advertising for a new attorney / open investigator position, an updated case statistics report and jury trial processing.

**EMERGENCY MANAGER REPORT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**, the proposed **Policy on Misconduct**, the proposed **Procurement Policy**, the proposed **Hazard Mitigation Plan** and the **Aspen Wall Wood Mitigation Plan**. Commissioner Stevenson moved to sign the Montezuma Misconduct Guidance. The motion was seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, discussed the PAX LLC weed mitigation and the Mancos Airport reclamation project.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** read the following public notices; Board to Board Meeting scheduled February 16th, 6:00 p.m. with the **Cortez City Council** and the Board to Board Meeting scheduled February 18th, 6:30 p.m. with the **Dolores Town Council**. Administrator Powers discussed a letter from **Robert Kennedy** requesting reappointment to the **Fairview Cemetery District Board**. Commissioner Lindsay moved to appoint Robert Kennedy to a 2 year term on the Fairview Cemetery District. Second by Commissioner Stevenson and carried. Other topics discussed included; the Social Services **Citizens Review Panel** letters of interest, scheduling interviews and employment opportunities at the **Ironwood Mill**. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed reading mail and public conversations. **Commissioner Stevenson** discussed reading mail, the attended Mancos Board to Board, the attended regular **Mancos Town Board** meeting and the attended **Cattleman's Association** meeting. **Commissioner Candelaria** reported on the attended Mancos Board to Board meeting, the **Multi Agency Coordination** meeting, a meeting with **Representatives Exum and Gray**, the **Southwest TPR** meeting, the **Statewide Transportation Advisory Committee (STAC)**, the **Cattleman's Association** meeting and the **County Commissioners of Southwest Colorado** meeting.

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

**WATER ISSUES, ROUND TABLE DISCUSSION:** Congresswoman Lauren Boebert, 3rd Congressional District Director, Clarice Navarro, Southwest Basin Round Table, Montezuma County Representative, Ed Millard, Dolores Water Conservation District Manager, Ken Curtis and by Zoom Southwest Water Conservation District Representative, Don Schwindt, met with the Commissioners to discuss County water issues. Mr. Millard presented slides discussing the **Dolores River Canyon National Conservation Area** and the **Horns of the Colorado River Dilemma**. (See attached)

**PUBLIC LANDS:** Bureau of Land Management, Connie Clementson introduced herself and the new Canyon of the Ancients National Monument Manager, Ray O’Neil.

**PUBLIC COMMENT:** None

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

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

**MEETING ADJOURNED: 2:45 p.m.**

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Clerk

February 16, 2021

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Chairman





update and vaccination statistics. Doctor Aiken discussed the county moving to level blue on the COVID Status Dial. Director Lock presented for review the **Colorado Department of Public Health and Environment VIP/OSP-CNC Contract Amendment #1, (Original contract 2020\*3672)**. Commissioner Stevenson moved to go forward with the Contract Amendment #1 Colorado Department of Public Health and Environment, contract number 2020-3672. Second by Commissioner Lindsay and carried. (See attached)

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

**SPECIAL EVENT LIQUOR LICENSE:** Deputy Clerk, **Jerri Frizzell** presented a special event liquor license application for the **Kiwanis of Mesa Verde** to hold an event at the County Fairgrounds on April 17, 2021 from 5:00 – 10:00 p.m. Commissioner Lindsay moved to move forward with signing the Kiwanis of Mesa Verde’s, Special Events permit application for the Fairgrounds. Second by Commissioner Stevenson and carried (See attached)

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

**DISCUSSION:** **Region 9 Director, Laura Lewis Marchino** along with **Economic Development Project Manager, Heather Otter** met with the Commissioners to introduce themselves and give an overview of their programs and services. Director, Marchino discussed the 2020 Montezuma County Performance Report. Topics within the discussion included; the 2020 Montezuma Representatives, the Region 9 staff, technical assistances, regional initiatives, the **Southwest Colorado Accelerator Program for Entrepreneurs (SCAPE)**, enterprise zones, contribution projects and small business loans. Manager, Otter discussed the Economic Development Fundamentals, education and outreach, the players, Montezuma Economic efforts, **Comprehensive Economic Development Strategy (CEDS)**, measuring effectiveness, direct job growth, quality of life, Montezuma base analysis, the State holders group, business retention and expansion, opportunity zones, incentives, leadership development, workforce development and youth engagement. It was reported that Region 9 representative was available for appointments on Thursdays at the Dolores State Bank. (See attached)

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

**VETERANS SERVICE:** **Veteran Service Officer, Rick Torres** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay, January 2021** was presented for the record. Other topics discussed included; the January 2021 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. (See attached).

**SENIOR SERVICES: Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Manager Parker reported that March 22, 2021 had been set as a date for re-opening. They plan to be open a couple days a week with limited numbers. A discussion was held regarding services to homebound seniors within the County.

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; homebound senior outreach, ridership statistics, the **Meals on Wheels** program, an award of a \$5,000.00 grant from the **City of Cortez** contingent upon the designated route feasibility study, **CARES Act** funds, the new van contract, an **Intelliride** survey and Medicaid clients. Administrator Powers received an email from Dr. Aiken asking that if any homebound seniors needed the vaccination to email him at [kaikin@swhealth.org](mailto:kaikin@swhealth.org).

**CSU EXTENSION OFFICE: 4-H Coordinator, Andrea Jeter** met with the Commissioners to introduce herself and gave an overview of the 4-H Programs. Topics of the discussion included; the number of participants, the County Fair, youth development programs, COVID event planning forms, County Council meetings, officer training, community service projects, a 101 beginners 4-H training, a dehydrations class, the MY Preparedness Initiative Program and homeschool groups.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, presented for review, a letter of support addressed to the **State Historical Fund** in support of the **City of Cortez Historic Preservation Board Survey & Planning** grant request and a letter of thanks addressed to **Congresswoman Lauren Boebert** for her recent visit to the county to discuss water issue concerns. Commissioner Stevenson moved to approve the two letters, one to the State Historical Fund and the other to the Honorable Lauren Boebert. Second by Commissioner Lindsay and carried. Other topics discussed included; the **Rangeland Stewardship** meeting, the scheduled hybrid meeting with the **Dolores Town Council**, the proposed Congresswoman Boebert's amendments to the **DeGette Wilderness Bill**, the 30x30 proposition, a future **Federal Water Rights** presentation by **Roy Smith** from the **BLM** and the proposed **NCA**. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, discussed the **Kinder Morgan BAA** hearing, the Statute 30-11-107.5 regulation of a 2% cap for the **Lodgers Tax**, the County Road Y gate issue, a scheduled Social Services jury trial, state statutes regarding municipal **Master Street Plan** and the Nuisance Planning / Health Department enforcement issues.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** read a Public Notice for a hybrid meeting with the **Dolores Town Council** scheduled at 4:00 p.m. on February 25, 2021. Other topics discussed included the **Colorado Water Congress** delegates to be appointed during the afternoon water issue discussion and the Nuisance Planning / Health Department enforcement issues. (See attached)

**EXPENDITURES REPORT:** Administrator Powers presented the January 2021 Accounts Payable Expenditure Reports for approval. Commissioner Stevenson moved to approve the

payables for January 2021, for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the BOCC attended, City of Cortez Board to Board meeting, the Social Services tour, a CCI Public Health training, the Planning & Zoning Commissioner interviews, the attended Town of Dolores Board to Board meeting and an attended Health Department meeting. Commissioner Stevenson showed a flyer for the future opening of the new **Bell Beef Store**. **Commissioner Lindsay** discussed public conversations regarding the Master Streets Plan. **Commissioner Candelaria** gave Senate and House bill updates from the attended CCI legislative meeting.

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

**WATER ISSUES, ROUND TABLE DISCUSSION:** **Dolores Water Conservation District (DWCD) Manager, Ken Curtis, Southwest Basin Round Table, Montezuma County Representative, Ed Millard,** and by Zoom **Southwest Water Conservation District Representative, Don Schwindt,** met with the Commissioners to discuss County water issues. DWCD Manager Curtis discussed; the Plateau Creek, the Totten Reservoir, McElmo water users and the Towaoc Highline Canal. Representative Millard presented slides that discussed the DeGette Wilderness Bill, the Water Equity Tax Force, Antispeculation, the Basin Implementation Plan and Our Disappearing Entitlement. The Commissioners were in agreement that the **Colorado Water Congress** delegates would be Ed Millard as the primary along with Ian MacLaren and James Dietrich as secondary delegates. (See attached)

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

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

**MEETING ADJOURNED: 2:55 p.m.**

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Clerk

February 23, 2021

Chairman



**Director, Haley,** and **Assistant, Duncan** presented for signatures a Mylar for a 2 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by **Michael Goodman;** agent: **Brian McLaughlin,** on property located at 13045 Road 38.7, Mancos, CO, consisting of 46.15 acres, more or less, located north of Hwy 184, west of Road 40, situated in Section 1, T.36N, R.14W, N.M.P.M.

**Planning Discussion: Director Haley** reported for the record, that a letter to Thomas Hughes regarding the 1739 East 7<sup>th</sup> Street (The Rock Yard) property had been mailed.

**PUBLIC COMMENT: Eric Broyles, Joe Broyles and Curtis Nelson** discussed the proposed **City of Cortez, Master Streets Plan.** **Tiffany Ghere, Marion Rodd and Sherry Simmons** discussed community concerns with the property issue at 1739 East 7<sup>th</sup> Street (The Rock Yard). **Jeff Coulon** discussed the 1739 East 7<sup>th</sup> Street (The Rock Yard) property issue, provided photos of other properties of concern within the county and the County becoming a 2<sup>nd</sup> Amendment Sanctuary County. **Tiffany Ghere** added comments on the current public access to Cortez City Council meetings and the City of Cortez, Master Streets Plan. Emailed public comments regarding the 1739 East 7<sup>th</sup> Street (The Rock Yard) property were received from; **M.B. McAfee, Annette McGivney, Deb Lux Harriman, Shauna Jensen, Sandra Harris, John Gilliat & Barbara Stagg, Elizabeth Jo (Jodi) Foran and Karen Sheek.** **Alex Graf with Wildfire Adapted Partnership** gave a brief introduction to the Commissioners. (See attached)

**IT: IT Director, Jim McClain** and from the **City of Cortez, Rick Smith** met with the Commissioners to present the Fiber Project bids. Bids received included: **Integrity Underground:** total \$240,375.00 with alternate route \$299,375.00. **Advanced:** total \$267,634.75 with alternate route \$296,285.00. **Circle Z Construction:** total \$268,862.50 with alternate route \$321,712.50. **Dak Well:** total \$350,441.95 with alternate route \$387,914.94. The bid award was postponed until 6:30 p.m. (See attached)

**COUNTY SHERIFF: Sheriff, Steven Nowlin** met with the Commissioners to present for approval the **Emergency Fire Fund Agreement, 2021 Montezuma County Operating Plan.** Commissioner Stevenson moved to sign the Montezuma County Operation Plan for the Colorado Division of Fire Prevention & Control for 2021. Second by Commissioner Lindsay and carried. Sheriff Nowlin presented for review **RESOLUTION #2-2021: A Resolution Amending the Budget for the Sheriff's Office Grants, Detention Grants, Pretrial Services, the Dolores and Casino Contracts.** Commissioner Lindsay moved to adopt Resolution #2-2021, for amending the budget for the Sheriff's Office grants, detention grants, pretrial services, the Dolores and Casino contracts. Second by Commissioner Stevenson and carried. Other topics discussed included the 1739 East 7<sup>th</sup> Street (The Rock Yard) property issue. (See attached)

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

**SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented for approval a Special Event liquor license application for the **Ute Mountain Roundup Rodeo**, event scheduled June 10th, 11th, and 12th, 2021. The event is to be held at the Montezuma County Fairgrounds. Commissioner Stevenson moved to approve the application for the Ute Mountain Rodeo special events liquor license, to be held at Montezuma County Fairgrounds. Second by Commissioner Lindsay and carried. (See attached)

**12 HOURS OF MESA VERDE MOUNTAIN BIKE RACE:** Board members **Cap Allen** and **Nick McDonald** met with the Commissioners to request permission to serve donated beer during the 12 Hours of Mesa Verde event. Commissioner Lindsay moved to approve the donated beer distribution for the 12 hours of Mesa Verde event scheduled May 8, 2021 at the County Fairgrounds. Second by Commissioner Stevenson and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of February 17, 2021 through March 5, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; the **McElmo Slip** Project, the **Alkali Bridge** Project, Road 41, and the 1739 East 7th Street (The Rock Yard) property. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Manager Loving presented a slide show discussing the repercussions of noxious weeds. Topics included; Wildlife enthusiast, impact on wildlife, croplands, jointed goatgrass, yards and gardens, right-of-way, rangelands and pastures, land value, wetlands and waterways, recreational areas, forests and weed law. (See attached)

**LANDFILL: Landfill Manager Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed with the report included; a repair expense, methane testing, the Cell 4 fluff layer, a borrowed water truck, recycling prices, compost screening, the shredder grant, a draft quit claim deed for acreage to be deeded to the county from Cortez Sanitation District and collected mattress fees. Manager Jarmon presented for the record, a letter addressed the **Thomas Hughes** 17319 Road G, Cortez Co regarding the 1739 East 7<sup>th</sup> Street (The Rock Yard) property. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$19,960.00 and attendance at 3,420. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the **Fairgrounds Alcohol Policy**, the **Rate Schedule**, the **After Hours Program**, the Kitchen Remodel Project and the placement of used kitchen equipment placed on Public Surface for a seven day auction. (See attached)

**RESOLUTION 1-2021:** Commissioner Stevenson presented for review, **A Resolution Recognizing the Many Past and Current Contributions of Montezuma County Cattlemen and Other Livestock Producers and Supporting the Local Ranching industry.** Commissioner Stevenson moved to accept Resolution #1-2021, a resolution recognizing the many past and current contributions of Montezuma County cattlemen and other livestock

producers and supporting the local ranching industry. The motion was seconded by Commissioner Lindsay and carried. (See attached)

Chairman Candelaria announced that the BOCC would convene as the **BOARD OF COUNTY HEALTH**. A letter addressed to **Thomas Hughes** regarding the 1739 East 7<sup>th</sup> Street (The Rock Yard) property was presented for review and discussion. Commissioner Lindsay moved to accept the letter as written. Second by Commissioner Stevenson and carried. Chairman Candelaria announced the BOCC would reconvene. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, discussed the **Ankiewicz Family Revocable Trust** BAA hearing, the Cortez Sanitation District draft quit claim deed, the **Pax LLC** lawsuit and the County Road Y gate issue.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** discussed the attended Rangeland Stewardship meeting, bids for the Court House sign and H.B.#803 – Diane DeGette’s Wilderness bill.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** discussed the appointments of the Colorado Water Congress delegates, scheduling a Board to Board meeting with the Ute Mountain Tribal Council, the Opioid Settlement and a proposed Board to Board meeting with Empire Electric.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Rangeland Stewardship meeting, the attended Mancos Town Board meeting, constituent discussions regarding the City of Cortez Master Streets Plan and concerns with State Bill #21-135. **Commissioner Lindsay** discussed the attended the hybrid City of Cortez Council meeting and constituent discussions regarding the Master Streets Plan. **Commissioner Candelaria** discussed attended CCI legislative meetings, the attended Board to Board meeting with the Town of Dolores Trustees, the attended County Commissioners of Southwest Colorado meeting and a scheduled meeting with CDPHE.

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

**WATER ISSUES:** From the (DRA) **Dolores River Anglers (The Trout Unlimited** local chapter) Board members, **Duncan Rose, Raymond Rose** and **Chris Burkett**, met virtually with the Commissioners to discuss the **Colorado’s “Outstanding Waters” Designation Project**. Topics of the discussion included: the key points of Outstanding Waters designations, the next steps to the process, emergent areas of concern, nine candidate stream reaches being considered, existing authorized forest activities and uses, the Upper Dolores Water shed, existing outstanding water designations in the upper Dolores, the Upper Dolores trout waters, grazing allotments and pastures in the Upper Dolores, management areas in the Land and Resource Management Plan, natural landscapes with limited management, existing quality, sampling of the nine candidates reaches, data collected available at <https://www.doloresstudy.com/>, the outstanding water process calendar and an overview of the summary points. (See attached)



Chairman Candelaria announced the adjournment of the meeting to conduct interviews for the Citizens Review Panel. Chairman Candelaria announced the meeting would reconvene

**DISCUSSION: Bridget Jabour and Colton Black** from the **Cortez Area Chamber of Commerce** met with the Commissioners to give an overview of the current status of the Chamber and made a request for program funding. Topics discussed included; the new Board members, the 2020 budget shortfall of \$86,408.00, re-staffing the Chamber, commercial growth, Lodgers Tax Funds, County property taxes, Tri-Chamber collaborations, the development of the <https://www.lovelocalmontezuma.com>, web site, membership renewals for 2021, available CVRS funds, Chamber membership fees, the “Business after Hours” event, the Empower breakfast events, leadership luncheons, a young professionals group, a proposed Co-Working Space Program, a proposed County sponsored local businesses Chamber dues grant program, coordination with Region 9, a proposed loan to the chamber and a possible name change. The discussion was tabled until Tuesday March 9, 2021, for further research. (See attached)

**IT: Director, McClain and Mr. Smith** returned for the bid award of the Fiber Project. After further discussion with **Integrity Underground**, they sent an email withdrawing their proposal. It was the recommendation of Director McClain and Mr Smith to award the project to Circle Z Construction. **Monty Guiles and Jerry Ayers** from Circle Z Construction discussed the morning’s conversation and the County’s bid process. Previous **Commissioner, Keenan Ertel** and **Attorney Baxter** gave an overview of previous transactions with Mr. Guiles. Commissioner Stevenson moved to hire the low bid of Advanced. The motion died to the lack of a second. Commissioner Lindsay moved to go with Circle Zebra for lack of a better term, time served already and local preference, which was not in the contract but we have \$1,227.75. Second by Commissioner Candelaria. With two votes in favor from Commissioners Lindsay and Candelaria and one vote against from Commissioner Stevenson the motion carried. (See attached)

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

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

**MEETING ADJOURNED: 6:45 p.m.**

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Clerk

March 3, 2021

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Chairman



**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed Single Lot Development and AR3-9 Rezoning Application submitted by **Valden Johnson**; Agent: **Aimee Johnson**, on property located at 11499 Road 34, Mancos, CO, consisting of 108.91 acres, more or less, located south of Road M, west of Road 34, situated in Section 18, T.36N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Amiee Johnson** representing Mr. Johnson, attended by Zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve an AR3-9 rezoning application submitted by Valden Johnson; Agent: Aimee Johnson, on property located at 11499 Road 34, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley, Assistant, Duncan** presented for review and determination a proposed Boundary lot adjustment for **George** and **Janice Lyons** located at 5728 Road 25, Cortez Co. 81321. Commissioner Lindsay moved to approve the boundary adjustment. Second by Commissioner Stevenson and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed 8 Lot Major Subdivision and Rezoning Application submitted by **Jarrold & Colette Wyatt**, on property located at 26833 Road L, Cortez, CO, consisting of 40.60 acres, more or less, located north of Road L/Alamosa St, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Wyatt, was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 8 lot major subdivision and rezoning application submitted by Jarrold & Colette Wyatt, on property located at 26833 County Road L, Cortez, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a proposed 3 Lot Minor Subdivision and AR10-34 Rezoning Application submitted by **Ted Clark**; Agent: **Maness & Associates**, on property located at 26059 Road 38.5, Dolores, CO, consisting of 32.6 acres, more or less, located north of Hwy 145, east of Road 38, situated in Section 36, T.39N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, **Ernie Maness** representing Mr. Clark was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to continue the application for the proposed 3 lot minor subdivision and AR10-34 rezoning application submitted by Ted Clark; Agent: Maness &

Associates, on property located at 26059 Road 38.5, Dolores, CO, hearing to be held, March 23, 2021 at 9:00 a.m.. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** **Tiffany Ghere** discussed community support to help Commissioners open the County from COVID restrictions. **Sherry Simmons** discussed the scheduled March 20, 2021, **Cattle Drive – Freedom Ride** in response to Governor Polis’s **Meat Free Day**, consequences of the COVID restrictions, opening the county and local schools. **Jeff Coulon**, discussed opening up the County and sanctuary from mandatory vaccinations. **Butch Smith** discussed becoming a sanctuary county for the bill of rights. **Odis Sikes** discussed depriving the people of their livelihood and opening the county to regular business. **Monty Guiles** thanked the Board for their efforts to keep work local through local companies. **Betty Jo Greenlee, Rusty Bryan, Kelton Veach, Piadro Benally, Jeremy Gallegos, Kody Neighbors, Lucas Isaman** and **Jerimiah Leon** all from **Circle Z Construction** discussed Commissioners support for local business, local jobs and local financial stimulation. **Justin Vasterling** discussed local business involvement with the Cortez Chamber of Commerce. (See attached)

**LIQUOR LICENSE TRANSFER:** **Deputy Clerk, Jerri Frizzell** presented a liquor license transfer to **Ancient Echos DBA, Kelly Place Inc.** located at 14537 Road G. Cortez. The new land steward to Kelly Place, **Cindy Leavitt** gave an overview of the application. Commissioner Lindsay moved to approve the transfer of liquor license to Ancient Echos, DBA Kelly Place located at 14537 Road G. Second by Commissioner Stevenson and carried. (See attached)

**LIQUOR LICENSE:** **Deputy Clerk, Jerri Frizzell** presented liquor license renewals for **Echo Basin Ranch** located at 43747 Road M, Mancos, Co 81328 and **Mancos Brewing Company LLC.**, located at 1484 East Frontage Road, Mancos, CO 81328. Commissioner Stevenson moved to renew the liquor licenses for the Mancos Brewing Company, located at 1484 East Frontage Road, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Lindsay moved to approve the renewal for a liquor license for Echo Basin, at 43747 Road M, Mancos. Second by Commissioner Stevenson and carried. (See attached)

**CITIZENS REVIEW PANEL APPOINTMENTS:** After completing interviews last week, Commissioner Stevenson moved to appoint **Melanie Filener** to a three year term on our Citizens Review Panel and **Amy Long** to a two year term on our Citizens Review Panel. Second by Commissioner Lindsay and carried.

**IT:** **IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain gave an update on the Fiber Project. Topics discussed included a weekly Monday meeting, a daily work schedule and the NEPA study. Director McClain reported that the following participating entities; **City of Cortez, Ute Mountain Ute Tribe, the Southwest Colorado Council of Government** and **CDOT** will all receive 144 fiber count. The County will receive 288 fiber count. **Executive Director** of the **Southwest Colorado Council of Government, Miriam Gillow Wiles** met with the Commissioner to discuss the **Memorandum of Agreement** between the Southwest Colorado Council of Governments and Montezuma County regarding the draft grant contract for capital expenditure.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman discussed the **2020 Vehicle Replacement Plan**. Topics discussed included; Road Department pickups, Sheriff Department units, a replacement unit for the Emergency Manager, units at the Fairgrounds and a unit for the Landfill. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard** met with the Commissioners to give a monthly report on current or proposed projects. Supervisor Chenard presented bids to purchase commercial dryers for the County Jail from **Commercial Laundry Systems** in the amount of \$9,560.57. Commissioner Stevenson moved to purchase 2 new dryers from Commercial Laundry Systems for the price of \$9560.57. Second by Commissioner Lindsay. Commissioner Stevenson removed his motion from the floor. Topics discussed within the report included; a sewage grinder, an electric motor and the replacement of two AC units at the Detention Center, progress on the Health Department carpet project, a new split heater unit for the County MOCO building, the floor replacement projects bid, the Fairgrounds fire suppression system project, the sally port remodel project and needed sewer repairs for the Administrative building. The Commissioners were in agreement to allow Administrator Powers to act on the commercial dryers for the County Jail.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Topics discussed included; a background on the proposed **City of Cortez Master Streets Plan**, State street plan mandates, national defense, a functioning public transportation system, economic activities and growth, the plan intent, the merits of connectivity, the eastern extension of Road G, road extension development, Commissioner comments on the proposed plan, collector roads, artillery roads, the County's criteria used in the consideration for acceptance of red road into green road designation, conservation easements, perception of transparency and public education. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, gave an update on the **Kinder Morgan BAA** hearing and the 2477 historical designation of Trail Canyon Road. Attorney Baxter presented for review and determination, a draft **Memorandum of Agreement** between the **Southwest Colorado Council of Governments** and Montezuma County regarding grant contract for capital expenditure. Commissioner Lindsay moved to sign the memorandum of agreement between the Southwest Colorado Council of Governments and Montezuma County, for the grant for the fiber project NEPA study. Second by Commissioner Stevenson and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** presented a letter of support address to **Raymond O'Neil Monument Manager** regarding the **4100(LLCOS01200) Marble Wash Allotment Trailing**. Commissioner Stevenson moved to sign the letter of support, to allow the people, to do their cattle drive across the public lands from Mable Wash Allotment to their private ground. Second by Commissioner Lindsay and carried. Other topics discussed included; an update on **House Resolution #803 – Diane DeGette's** Wilderness bill, the Administration building sign project, coordination on legislative concerns from the **Dolores County Commissioners**, the proposed **Paws Act**

legislation, the scheduled **Town of Mancos** meeting and the **Paths to Mesa Verde** project. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator, **Shak Powers** discussed the **Region 9** / County coordination regarding the **Cortez Area Chamber of Commerce** dues and an update on the **Johnson & Johnson** opioid settlement.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed constituent phone and email discussions. **Commissioner Lindsay** discussed road traffic down McElmo Canyon last weekend and the scheduled City of Cortez Council meeting. **Commissioner Candelaria** discussed; a meeting with Road and Bridge Superintendent Englehart, a meeting to discuss the Mancos Airport property, the attended RCC meeting, the CCI legislative meeting, the attended County Commissioners of Southwest Colorado meeting, SRS funding and the attended Town of Dolores meeting.

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

**WATER ISSUES UPDATES:** Dolores Water Conservation District Manager, **Ken Curtis**, Southwest Water Conservation District Representative, **Don Schwindt**, Southwest Basin Round Table, Montezuma County Representative, **Ed Millard**, and Southwest Water Conservation District, Interim Manager, **Chris Treese**, met with the Commissioners to discuss water issues. Managers Curtis and Treese discussed; **HR #803 Wilderness Bill** and the **(CORE Act) Colorado Outdoor Recreation Economy Act**, forest health actions, the Water Congress state of affairs, a Mutual Ditch Bill, a proposed fee based Water program, Waters of the US, and an added \$1.00 fee to support low income heating / water bills. Representative Schwindt discussed; issues of Demand Management, forest health, the federal Dolores Project, opportunities to build stronger alliances, water right ownership and the process of how we got to where we are and where we go tomorrow. Representative Millard gave a slide presentation on **Big River Issues Server**. (See attached)

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

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

**MEETING ADJOURNED: 2:56 p.m.**

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Clerk

March 9, 2021

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Chairman



evidence presented Commissioner Lindsay moved to extend the vested rights for 60 days. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning & Zoning Chairman, Rob Pope** met with the Commissioners to discuss the development of a County mechanism to address Land Use Code violations. Chairman Pope's recommendation included, violation letters be sent to the land owner from the County Planning Department, along with letters from any other involved department, a presentation of the violation to the Commissioners and the additional letter from the Commissioners. Topics within the discussion included; State Statute (CRS) 30-28-124, a 10 day written notice, summons and levying fines. Chairman Pope also discussed the Planning Department's Planned Unit Development process.

**PUBLIC COMMENT: Allen Maez**, discussed private property rights. **Sherry Simmons** discussed President Biden's Executive Order signed January 2021 regarding the 30X30. **Mindy Nelsen** discussed the County's Second Amendment Sanctuary County designation. **Jeff Coulon** discussed local plea bargaining by the District Attorney's office.

**COUNTY SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin** met with the Commissioners to give his monthly report which included; the **Calls for Service Report**, child abuse calls, sex crime calls, domestic violence calls, traffic control calls, livestock calls, the Pretrial Bill, pretrial funds, the **Jail Report**, the **Year to date Transport Report**, the **Perdium and Cost for Travel Report**, the **Dolores County Billing Report**, the **Jail Reform Bill**, the **DOC Holds Report**, the **Total Monthly Inmate Reports**, the **February Arrest / Release Report**, the **February County Jail Operational Expense Report** and the **Monies Paid to the General Fund Report**. Sheriff Nowlin presented a slide presentation, a **Montezuma County Sheriff's Office Attrition Study from 2015-2020**. Other topics discussed included; the authority to increase deputy wages for probationary periods or promotional salary increases, recruiting, retention, defined benefits, pay, insurance and a proposed scheduled meeting with CRA and FPPA. (See attached)

**DISTRICT ATTORNEY: Office Manager, Clarissa Feully** met with the Commissioners to give a monthly report. Ms. Feully presented the To Date, case numbers filed through the court, which included; Traffic: 157, Misdemeanor: 132, Felony: 79, Juvenile: 15, Crimes against Children: 15, Domestic Violence: 46, Felony Drug: 6 and DUI: 51. Other topics discussed included; the postponement of jury trials to April, alternative space options for jury selections, jury trial preparations, opening the Combined Court building and the proposed **DA Accountability Bill**. (See attached)

**Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly report. Manager Spratlen reviewed the **Monthly Situational Report** and gave an overview of the attended Sawmill owners meeting. The proposed **Procurement Guidance Document** was presented for approval. Commissioner Stevenson moved to adopt the Procurement Guidance Document as written, dated April 2021, for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)



**RESOLUTION #3-2021: Resolution #3-2021**, a resolution adopting the **Hazard Mitigation Plan**, was presented for approval. Commissioner Lindsay moved to adopt Resolution #3-2021, a resolution to adopt the Hazard Mitigation Plan. The motion was seconded by Commissioner Stevenson and carried. (See attached)

**COUNTY ATTORNEY REPORT: Assistant County Attorney, Ian MacLaren**, gave an update on the **Kinder Morgan BAA** hearing and the **Weber Canyon / Road 41** lawsuit.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** gave an update on the attended Mancos Town Board meeting and the **Paths to Mesa Verde** project.

**HISTORICAL SOCIETY MUSEUM TOUR: Montezuma County Historical Society Board Members, Chairman, Ann Brown, Julie Paige, David Everett, Melissa Brunner, DeEtta Johnson, Tulli Kertsetter**, met with the Commissioners to give an update and tour of the remodeled museum.

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

**TRAINING: From the Colorado Department of Local Affairs (DOLA), Southwest Regional Manager, Patrick Rondinelli**, met with the Commissioners to give a local government training with DOLA. Topics discussed included; an overview of DOLA, roles and responsibilities, organizational structure, types of meetings for elected officials, how to keep out of trouble, and working together as a County Board. (See attached)

**DISTRICT ATTORNEY: District Attorney, Matt Margeson** met with the Commissioners to discuss the proposed **DA Accountability Bill**, plea agreements, the current closure of the Combined Court building and scheduled jury trials.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers**, discussed the required annual **Cost Allocation Plan** and a future proposal that will be presented for review.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Mancos Town Board meeting, the attended municipal breakfast meeting, the attended sawmill owners meeting, the Board to Board meeting with the **Ute Mountain Tribal Council** and email readings. **Commissioner Lindsay** discussed constituent discussions and a scheduled July Fourth celebration. **Commissioner Candelaria** discussed the attended CCI legislative meetings, the attended **(STAC) Statewide Transportation Advisory Committee** meeting, email reading and the attended **County Commissioners of Southwest Colorado** meeting.

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Stevenson moved to go into executive session for a conference with the attorney for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Commissioners Candelaria, Stevenson and Lindsay, Administrator Powers, Attorney MacLaren, Clerk Percell

and the Southwest Basin Round Table, Montezuma County Representative, Ed Millard, seconded by Commissioner Candelaria and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding email communications from the Southwest Basin Round Table, Montezuma County Representative. Commissioner Stevenson moved to come out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

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

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

**MEETING ADJOURNED: 4:50 p.m.**

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Clerk

\_\_\_\_\_  
March 16, 2021

\_\_\_\_\_  
Chairman



**PLANNING:** Other topics discussed within the Planning report included; corrected zoning designations for the **Dolores RV Park** and the **Stoner RV Park** and an update on the Road 21 property.

**ROAD & BRIDGE DEPARTMENT:** Road Superintendent, **Rob Englehart** met with the Commissioners to present the **Asphalt and Overlay Bids for 2021**. Bids received included: **Four Corners Materials** at \$941,989.90. **Elam Construction** came in at \$1,163,924.00. Commissioner Lindsay moved to award the bid to Four Corners Materials for the two paving projects. Second by Commissioner Stevenson and carried. Superintendent Englehart presented bids from **Roller Auctions** for a roller, and two plow / sand trucks in the amount of \$42,429.90, to be purchased out of Capital Outlay Fund. Commissioner Lindsay moved to accept the bid from Roller Auctions and the purchases for the Road Department. Second by Commissioner Stevenson and carried. Other topics discussed included, the scheduled meeting with the **Ute Mountain Ute Tribe** to discuss the **McElmo Slip** Project. (See attached)

**PUBLIC COMMENT:** Appearing by zoom, **VFW Auxiliary Secretary, Queenie Barz** gave a review of the Saint Patrick dinner event and expressed gratitude to the Commissioners for their support. **Sherry Simmons**, discussed Montezuma County as a Sanctuary County and made a request for an open meeting, inviting all of the County leaders for constitutional questions from the public. (See attached) **Allen Maez** discussed the proposed **Pause Act** legislation, CSU participation in the Ag Expo and the proposed open meeting for County leaders.

**COMMUNITY CONNECTIONS:** Vice President in Marketing and Development, **Ellen Stein**, along with participant, **Kiri Buchanan** met with the Commissioners to give an overview of Community Connections. Community Connections is an organization that helps developmentally delayed adults to thrive in our community. A video was presented for review, and an expression of gratitude was extended for the funds received from the County.

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

**VETERANS SERVICE:** Veteran Service Officer, **Rick Torres** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay**, February 2021 was presented for the record. Other topics discussed included; the February 2021 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. Officer Torres discussed the Veterans Association's allocation of the **American Rescue Plan**. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** MCCO Manager, **Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; the 2021 vehicle grant funds, vehicle wraps, a proposed county vehicle replacement, proposed transportation legislation and a request for MCCO to join the **Colorado Mountain Transportation Alliance**. Business owner of **Cortez / Durango Cab, Ed Gilbert** joined the meeting to discuss the **Intelliride Program** and **HB 21-1206**. Topics discussed included; The

Colorado Mountain Transportation Alliance, the **Mountain NEMT Report**, Medicaid transport permits, non-emergent medical transports, non-medical transports, coordination with private and public transportation providers, a rule making session request and a proposed Intelliride program exemption request. (See attached)

**SENIOR SERVICES: Administrative Assistant, Lori Thompson** met with the Commissioners to give a departmental monthly report on the Senior Services programs. Ms. Thompson discussed home delivered meals, the re-opening of the Cortez congregate meal program on Mondays and Wednesdays, the Mancos meal program search for a cook and the opening of the Dolores congregate meal program.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners for a monthly report. Topics of the discussion included; the March 2021 update, gratitude for the vehicle donated to the **Food Security Action Team**, the public drought video, development of emergency drought plans, a field day held at the **Southwest Research Center**, the **Orchard Fruit Tree Project**, the increase in calls and site visits, the **4-H** program, stem kits, an **AmeriCorps Vista** position, the **Cortez Farmers Market**, hybrid programming and the proposed **Workers Right Bill** and the **Pause Act** legislation.

**RESOLUTION #4-2021:** Commissioner Stevenson presented, **Resolution #4-2021**, a resolution **Making Montezuma County a Sanctuary from the Wolf Introduction**. It was agreed that Commissioner Stevenson would apply to be the County representative to the **Colorado Parks and Wildlife, Stakeholder Advisory Group**. Commissioner Stevenson moved to adopt Resolution #4-2021, making Montezuma County a sanctuary from the wolf introduction, on this day the 23<sup>rd</sup> day of March. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, discussed the proposed E911 Dispatch Center's Inter Governmental Agreement, the RV Parks corrected rezoning designations, a requested Elected Official Memo / meeting invite, the Trail Canyon Rd./RS 2477 (Road Y closed gate) issue and the CO2 Kinder Morgan appeal hearing. (See attached)

**COUNTY ADMINISTRATOR REPORT: EXPENDITURES REPORT: Administrator Shak Powers** presented for approval the February 2021 Accounts Payable Expenditure Reports in the amount of \$3,197,007.04. Commissioner Lindsay moved to approve the expenditures. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended E911 Communications meeting. **Commissioner Stevenson** discussed the attended, Saint Patrick day dinner, the E911 Communications meeting, the attended Cattleman Association's Better with Beef campaign, House Bill 21-1115 and the proposed Pause Act legislation. **Commissioner Candelaria** discussed a phone call from **U.S. Senator John Hickenlooper's Southwest Regional Representative, Helen Katich**, the attended Saint Patrick day dinner, the Veterans Office video, the attended meeting with the **Ute Mountain Ute Tribe** to discuss the **McElmo Slip** Project, a new draft proposal for State transportation funding, an attended **Region 9** meeting, the attended Cattleman Association's Better with Beef campaign, the attended fund raiser for **Fireman Emil**

**Hindmarsh**, the attended County Commissioners of Southwest Colorado meeting and the attended Dolores Town Council meeting.

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

**WATER ISSUES:** From the **Bureau of Land Management, Roy Smith**, the **Statewide Coordinator** for the Water Rights program area, Instream Flow Protection program area and the Wild and Scenic Rivers program, met by zoom, to present an overview of Federal Water Rights and an NCA designation. Mr Smith is also a representative to the **Interagency Wild and Scenic Rivers Coordinating Council**. Zoom participants included: **Alan Bitner, Amber Clark, Ashley Higgins, Celene Hawkins, Connie Jacobs, DC Commissioners (Dolores County), Don Schwindt, Hilary Cooper, Jeff Small, Jeff Widen, John Whitney, Keith Caddy, Kris Holstrom, Sue Hansen Montrose County, and Thomas B Rice. (See attached)**

**EXECUTIVE SESSION:** Pursuant to Attorney Baxter’s suggestion, Commissioner Candelaria moved to go into executive session for a conference with the attorney for the discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Commissioners Candelaria, Stevenson and Lindsay, Administrator Powers, Attorney Baxter, Clerk Percell, Social Service Director Gina Montoya, Amy Branson and Michelle Bridgewater Simmons, seconded by Commissioner Lindsay and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding personnel matters. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. Commissioner Lindsay moved to uphold the Director’s decision. Second by Commissioner Stevenson and carried. (See attached)

**UNFINISHED BUSINESS:** **Administrator Powers** discussed a previous request from the **Tri City Chambers of Commerce** to fund the relocation guide. Commissioner Stevenson moved to donate \$10,000.00 if available from the American Rescue Plan funds, if that fails we donate \$5,000.00 from the Miscellaneous, Miscellaneous Fund. Second by Commissioner Lindsay and carried.

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

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

**MEETING ADJOURNED: 4:05 p.m.**

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Clerk

March 23, 2021

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Chairman



**PUBLIC COMMENT: Terra Graf, Roy Gelhaus, Road Superintendent Englehart, Planning Director Haley, Attorney Baxter and GIS Specialist Rachel Medina** discussed property owner issues on County Road P.2. Topics discussed included; speed bumps that had been placed on the road by a property owner, the County's road designation, a 30 foot access easement and public rights of way. (See attached)

**ASSESSOR: Montezuma County Assessor, Leslie Bugg** met with the Commissioners with a quarterly report. Assessor Bugg introduced herself, gave her professional background and an overview of the duties of the Administration / Appraiser sections of the office. Duties from the Administration side include; updates of ownership and address on all accounts, evaluations for oil and gas, evaluations for personal property possessory interest, sand and gravel, state assessed and state exempt, process and house all the recorded maps, create all subdivisions, create all new accounts, purge mobile homes, mobile home authentications, senior and veterans exemptions, update and transfer all mineral interests, update all tax districts and tax district accounts and daily customer service. Duties from the Appraiser section include; add all new construction to the tax role, verify all the sales within the county, a by yearly reevaluations of the 23,000 accounts, classify and value the land agricultural, vacant and residential, maintain the ten year revolving Agricultural report and value all commercial land and buildings. Other topics discussed within the report included; the subcontracted Commercial Appraiser John Zimmerman, field work for all new construction is done by office appraisers, the May 2021 mailing date for Notices of Value, the scheduled protest period of May 1 through May 30th, a change to public office interactions from in person to mail, phone and email, CBOE hearings for personal and real property will begin July 1<sup>st</sup>, appraiser vehicles, an update on the Kinder Morgan CO2 case currently at the Court of appeals and the Gallagher Amendment.

**COUNTY TREASURER / PUBLIC TRUSTEE: Treasurer, Ellen Black** met with the Commissioners with a quarterly report. Treasurer Black introduced herself and gave her professional background. Treasurer Black presented for approval the **6 Month Schedule of Receipts and Disbursements** dated 7/01/2020 through 12/31/2020. Topics discussed included; interest rates, investment pools, the Road Eighteen Improvement Project Fund and the Clara Ormiston Fund. Commissioner Lindsay moved to approve the Schedule of Receipts and Disbursements. Second by Commissioner Stevenson and carried. Other topics discussed included; property tax collections, fund distributions at an approximate 29% County portion and the remainder distributed to various entities, all county funds go through the Treasurer's office, monthly balancing, exempted funds for the DA, Sheriff and Weed departments, the tax lien sale, owner notifications, mineral interests, treasurers deeds, County held liens, County owned properties, a decrease in investment interest, office funding through the tax dollars and treasurers fees, the Public Trustee, releases, foreclosures, Sheriff foreclosures, using an online bidding company for the tax lien sale, the additional fee to the online bidding company and the tax lien sale publication expense. Treasurer Black reported that her challenges included being short staffed and time for cross training. Future opportunities included the utilization of on line technologies. (See attached)

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** along with **Deputy Jerri Frizzell** met with the Commissioners with a quarterly report. Clerk Percell introduced herself and gave her professional background. Deputy Frizzell gave an overview of the Recording and



Vital Statistics Departments. Topics discussed in Deputy Frizzell's report included; public record searches, department staffing, document recording, coordination with the Treasurer and Assessor's offices, 2020 statistics for printed death and birth certificates, the year to date birth and death certificates printed, on line recording, record digitization from 1996 forward, the year to date recorded documents, 2020 statistics for documents recorded, marriage licenses, certificate fees, recording fees, ID requirements, proof of relationship, certified copy and regular copy fees. Topics discussed within the Clerk's report included; an update on the Digitization Project, Tech Fund fees, the 2020 budget balance for the Tech fund and a \$40,00.00 grant fund match to be paid out at a later date, an overview of staffing, election reimbursements, the 2021 budget for Elections, vehicle registration fees, ownership tax, clerk fees, late fees, other duties within the office, Clerk to the Board, the Clerks budget, a proposed Agiles Duo machine for the Election department, election security, the election canvas, the State required Risk Limiting Audit, the signature verification process, the election certification process, the scheduled City of Cortez Municipal election, online transaction options for motor vehicle and driver license options for Montezuma County Residents.

**UNFINISHED BUSINESS:** Administrator Powers discussed the application to the **State Opioid Recovery Group**, the application to get Commissioner Stevenson on the **Wolf Stakeholder Advisory Group**, individual meetings scheduled to address paying benefits with the **Advisory Committee** on the 13th, the **FPPA / CRA** scheduled on the 20<sup>th</sup> and a pay and step plan presentation, at or before the next department head meeting. Commissioner Candelaria discussed the FPPA proposal, the new Monday workshops, the **American Rescue Plan**, defined benefits package, insurance and the draft pay step plan.

**COUNTY ATTORNEY REPORT:** County Attorney, **John Baxter**, discussed the RV Parks corrected rezoning designations, Planning's non-compliant certified property letters, an update on the Trail Canyon Rd / RS 2477 (Road Y closed gate) issue and the cancellation of the municipality Dispatch Center's Intergovernmental Agreement meeting.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich** presented for approval a letter addressed to the **Monument Manager, Ray O'Neil**, regarding the archaeological assessment and determination of effect for the proposed reintroduction of livestock grazing within the **Yellow Jacket (#8018)** and **Flodine Park (#8066)** range allotments. Commissioner Stevenson moved to send the letter to Ray O'Neil the Monument Manager, concerning the archaeological assessment and determination of the effects for the proposed reintroduction of livestock grazing within the Yellow Jacket and Flodine range allotments. Second by Commissioner Lindsay and carried. Other topics discussed included; an invitation to attend a round table discussion with **Congresswomen Boebert**, a proposed scheduled work day to clean up the **Narraguinep Reservoir** area and a discussion regarding **The Dolores Community Trail**. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator **Shak Powers** presented for approval a letter of interest to serve a five year term, from **Rebecca Fraley** to be appointed to a board vacancy for the **Housing Authority**. Commissioner Lindsay moved to appoint Rebecca Fraley to a five year term on the Montezuma County Housing Authority Board. Second by Commissioner Stevenson and carried. Administrator Powers presented for approval an

**Intergovernmental Agreement for the Community Development Block Grant 19-047.** Commissioner Stevenson moved to sign the Intergovernmental Agreement for the Community Development Block Grant 19-047. Second by Commissioner Lindsay and carried. Administrator Powers presented for approval the **Montezuma County Residential Antidisplacement and Relocation Assistance Plan for Community Development Block Grant Business Revolving Loan Funds.** Commissioner Lindsay moved to sign the Residential Antidisplacement and Relocation Assistance Plan for Community Development Block Grant Business Revolving Loan Funds. Second by Commissioner Stevenson and carried. Other topics discussed included an update on the **Housing Authority's, Calkins Commons Project.** (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended, **Mancos Town Board Trustees** meeting, the Mancos airport property, attendance at the recently held **Ag Expo** event, the Monday Commissioner workshop and the passage of **HB-1119.** **Commissioner Lindsay** discussed the attended **Cortez City Council** meeting, the dispatch center, follow up on the E911 Communications discussion and local propane company charges. **Commissioner Candelaria** discussed the amendment to **HB-1115,** the attended meeting with the **Ute Mountain Ute Tribal Council** to discuss the **McElmo Slip** Project, the attended **Housing Authority** meeting, the Monday Commissioner workshop, the **American Rescue Plan (ARP)** funds and the attended **County Commissioners of Southwest Colorado** meeting.

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

**SOTHWEST LIVESTOCK ASSOCIATION:** **Drew Gordanier** along with **SW Colorado Livestock Association Executive Secretary, Lynelle Brumley** met with the Commissioners with an invitation to attend a coordination seminar scheduled, May 7, 2021, along with a fee waiver request for the usage of the County Annex building for the event. ( See attached)

**WATER ISSUES:** **Montezuma County Representative, Ed Millard, Natural Resource Director Dietrich** and **Administrator Powers** met to present a **Sierra Club 30X30** follow up presentation. Representative Millard provided a 30x30 workshop power point presentation. Topics discussed included; worldwide sponsorship, a list of Cosponsors, a suggested legislation for a land give back program, protected Public Lands, reforestation projects, native food replacement, global over fishing, conservation easements, the wildlife corridor, biodiversity regions, the effects on Public Lands, wilderness designations, ocean water protection, river protection and water rights tied to the conservation land easements. (See attached)

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

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

**MEETING ADJOURNED: 3:00 p.m.**

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Clerk

March 30, 2021

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Chairman



Subdivision and Rezoning Application submitted by **Linda Melton, Agent: Sean Flaherty**, on property located at TBD Road M Cortez, CO consisting of 63.67 acres more or less be approved. Second by Commissioner Stevenson 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 County Commissioners will hold a Public Hearing for review and determination for regarding a proposed Boundary Line Adjustment Application for the **Freeman-Likes Single Lot Development**, submitted by **Deric Freeman; Agent: Cody Likes**, on property located at 20839 Road 20, Lewis, CO, consisting of 3.36 acres, more or less, located north of Hwy 491, west of Road 20, situated in Section 35, T.38N, R.17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Likes, was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved that the proposed Boundary Line Adjustment to the **Freeman-Likes Single Lot Development** submitted by **Deric Freeman, Agent Cody Likes**, on property located at 7255 Hwy 160-491 Lewis, CO, consisting of 3.36 acres, more or less be approved. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING DISCUSSION: Planning Director, Haley, Assistant, Duncan** along with **Corey Veach** met with the Commissioners to discuss appeals of permitting process to BOCC, 3 years after attending P&Z commission meeting. Commissioners supported **Planning Director Haley's** recommendation of **Mr. Veach** restarting the permitting process. **Director Haley** also discussed the question on Road Impact Fees being charged for preapproved or established subdivision prior to the Land Use Code being adopted. Whether those should be charged or not. **Attorney Baxter** suggested the Board of County Commissioners address wording used in collecting the road impact fees for clarification.

**PUBLIC COMMENT: Tiffany Ghere** requested the County Commissioners to ask questions of the Board of Health regarding Mental Health, Substance Abuse and accountability. **Charles Jeter** supported **Tiffany Ghere's** questions and concerns. **Allen Maez**, discussed his opinion regarding the State of Colorado's Election System and his concern with how family members being treated when someone is in the hospital. **Melanie Filner** voiced her concern with regarding the need of accountability of the Public Health Department. (See attached)

**LOCAL IMPROVEMENT DISTRICT: Mesa Sky Estates** property. **Dewayne Findley** was present. Agent **Keenen Lovett** met with the Commissioners to present a petition signed by property owners of Mesa Sky Mesa Estates, for the development of a Local Improvement District. The purpose of the Local Improvement District, would be to chip seal and make improvements to Road 26.1 Loop road. Commissioner Lindsay moved to accept the petition from Mesa Sky Estates Subdivision for a Local Improvement District for improving roads in Montezuma County on Road 26.1 loop serving the Mesa Sky Estates Subdivision with a seven year term and interest rate to be determined within a weeks' time. Second by Commissioner Stevenson and carried. (See attached)

**SOUTHWEST HEALTH SYSTEMS: CEO, Anthony Sudduth** and **CFO, Rick Shrader** met with the Commissioners to give an update on the local hospital. Topics of the discussion included; a financial year to date performance report, the 2019 Audit, the May month end report, an update on COVID, supply costs, test kit allocations, current hospital patient numbers and stimulus funding. (See attached)

**MONTEZUMA COUNTY FAIRBOARD: County Fair Board President, Allen Higgins** along with **Fairgrounds Manager, Justin McGuire** met with the Commissioners to discuss alcohol at the Fair and Security. Commissioner Stevenson moved to allow a beer garden to take place in the outdoor arena during the night time events. Second by Commissioner Lindsay and carried.

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$27,208.50 and attendance at 8,105. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, kitchen rental possibilities, fence upkeep and contract security clarification for the race track. Commissioner Stevenson moved to keep 1 Sheriff's Deputy and 1 Sheriff's Posse per a minimum of 2 guards in the outdoors activities. Second by Commissioner Lindsay and carried. (See attached)

**Planning Director, Haley** brought back the PROCEDURE FOR COLLECTION ROAD IMPACT FEES portion, on page 5 for clarification of wording, of the MONTEZUMA COUNTY DEPARTMENT OF PLANNING AND ZONING –FEE SCHEDULE. Commissioner Lindsay moved to strike out “accessory use (second residential home not to exceed 1500 sq. ft.)” will be stricken and the word “structure” will be added after residential. Second by Commissioner Stevenson and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart gave updates on the month of April 2021. Introduced a new calendar format. Other topics discussed included; McElmo Slip Project power point presentation given to the Ute Mountain Ute Tribe last week. **Administrator Powers** presented Resolution 5-2021, a resolution amending the budget for the Road and Bridge Fund due to a clerical oversight. Commissioner Lindsay moved to adopt the Resolution 5-2021 a resolution amending the budget for the Road and Bridge Fund, a change from \$562,179 to \$576,489 for a total increase of \$59,030. Second by Commissioner Stevenson and carried. (See attached)

**LANDFILL: Landfill Manager Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed with the report included methane testing, the cover compost pad, and the Quit Claim Deed with the Cortez Sanitation District. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included updates on grants, upcoming plans, and weed 1 and weed 2 of the month and management of those. Hired an Office

Manager and the CSU Extension hired Vanessa for Administration and she will be helping with both departments. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** reported on his meeting with Congress Woman Lauren Boebert last week. Topics of discussion were the 30 x 30 project, access to Natural Resources, concerns of water rights, recreation and access issues, his opportunity to explain grazing rights, affordable housing and economic growth, and transportation in Southwest Colorado. Other topics discussed were, Paths to Mesa Verde on the Cortez side and public cleanup effort.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter,** had no report at this time.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** responded to an email received late Monday night. (See Attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** the request from Renew and visiting with people. **Commissioner Stevenson** had a lot of phone work and research. **Commissioner Candelaria** spent a lot of time on the phone with several people regarding road issues and did some site visits. Attended CCI meetings on Thursday and Friday going over bills. Reached out to the Colorado Parks and Wildlife and receive an email back from Adrian Archuleta, regarding Road P.2. Attended the Governor's Staff call along with Administered Shak and our Emergency Manager.

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

Chairman Candelaria announced the meeting would reconvene at 1:30p.m., as the Board of Health. Once the meeting is over at 3:00 p.m. we will then reconvene and the Board of County Commissioners.

**BOARD OF COUNTY HEALTH:** It being the time set aside, the Board of County Health was conducted. **Public Health Director Bobbie Lock,** and **Assistant Director Laurel Schafer** were present. (See attached)

**UNFINISHED BUSINESS:** Extra round of business grants with Corona Virus Relief Fund. Commissioner Lindsay moved to split the remaining Corona Virus Relief Fund balance in half, sending one half back to Region 9 and retaining the other half for reevaluation in 6 months. Second by Commissioner Stevenson and carried. Sign for the Administration Building. Commissioner agreed to take this off the table at this time.

**EXECUTIVE SESSION:** Pursuant to Attorney Baxter's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and to include Commissioners Stevenson, Lindsay and Candelaria, Administrator Powers, Attorney Baxter, Chief Deputy Clerk Dorenkamp, seconded by Commissioner Stevenson and carried.

Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**UNFINISHED BUSINESS:** State of Colorado Intergovernmental Agreement with Colorado Department of Transportation regarding Right-of-Way for Montezuma County. Commissioner Lindsay moved to sign the Intergovernmental Agreement with Colorado Department of Transportation and the Montezuma County Board of County Commissioners for access right and Colorado Department of Transportation right of way. Second by Commissioner Stevenson and carried. (See attached)

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

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

**MEETING ADJOURNED: 4:10 p.m.**

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Clerk

April 06, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
April 13, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 13, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk,

**CHAIRMAN, CANDELARIA** opened the meeting of April 13, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Stevenson moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 6, 2021 as amended. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC COMMENT:** **Eric Broyels** discussed local propane prices. (See attached) **Allen Maez** made a clarification of comments regarding voter integrity. **Don Harwood** and **Jason Herod** discussed his concerns with road access to Puett Reservoir and road maintenance for Road P.2.

**ROAD P.2 DISCUSSION:** A continued discussion was held regarding property owner concerns with maintenance and access on Road P.2. **Adrian Archuleta, Area Wildlife Manger** with **Colorado Parks and Wildlife**, discussed a proposed equipment operator position to cover the Southwest Colorado area and reviewed the history of the public access grant right of way agreement to the **State of Colorado**. County **GIS Manager, Doug Roth** gave an overview of the county history and research he had completed for Road P.2. Public Comments were made by



property owners, **Vanessa Velasquez, True Kirk, Roy Gelbhaus, Frank Lopez, Don Lee (by Zoom), Tara Graf, Patty Winger and Arch Shero.** Email comments were received by **Rick Shipp** and **Michael Just.** The Commissioners were in agreement that the County are not asserting jurisdiction of the road. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to present for approval **Change Order #1** to the **Four Corners Materials,** paving contract. Commissioner Lindsay moved to approve Change Order #1. Seconded by Commissioner Stevenson and carried. (See attached)

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain discussed the Fairground's wireless internet bandwidth upgrade and gave a Fiber Project update. Director McClain presented for review a draft Easement agreement for the Fiber Project. Attorney Baxter and Director McClain will review the document together. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman presented the **2021 Fleet Replacement** bids for approval. Commissioner Lindsay moved to approve the 2021 Fleet Replacement bids. Seconded by Commissioner Stevenson and carried. Manager Higman reported that there would be five units taken to the local farm auction. Other topics discussed included; the Town of Dolores unit, GSA bidding and the Public Surplus auction. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard** met with the Commissioner to give a monthly report. Supervisor Chenard discussed a bid received for the Jail's air conditioner replacement and the bidding process for the floor replacement projects. Topics discussed included; the County Procurement Policy, sole sourcing, the County's (RFP) Request for Products process, advertising, the addition of a force account and not to exceed within the RFP process.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Manager Roth discussed the **New LIDAR Data** collected in 2019. Specialist Medina discussed a developed **Cortez Fire District** response time data map for all three of the Cortez fire stations. Other topics discussed included; a radar weather site located within the county and attended Hazard Mitigation and EOC meetings. (See attached)

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

**BENEFITS ADVISORY COMMITTEE DISCUSSION:** County employees serving on the **Benefits Advisory Committee; Virginia McKinney** Road & Bridge Office Manager, **Gary Nelson,** Landfill Foreman, **Stacie Connor,** Transfer Clerk from the Assessor's Office, **Clarissa Fueilly,** District Attorney's Office Manager, **Tyson Cox,** Sheriff Detective Lieutenant, **Jennifer Morris,** MOCO Transportation Manager, **Laurel Schaeffer** Public Health Assistant Director. **Billye Morgan,** Human Resources Assistant, along with the County Assessor, **Leslie Bugg** and

County Treasurer, **Ellen Black** met with the Commissioner for a discussion regarding the County Employees Insurance Benefits plan. Topics in the discussion included; a proposed employee survey, individual employee insurance plans, employee retention, other local agencies benefit packages, employee dependent costs, employee recruitment, employee training, a 20% employee turnover rate, a proposed pay plan, an employee wage comparison, health care deductibles, claims history, Required statutes for business insurance, employee premiums, network coverage, group policy numbers, the 2020 national average of 67% that employers contributed for family coverage, the number of county employees that utilize the current family coverage and the development of a County plan to address the issues discussed.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich;** had no report at this time.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter,** discussed the Mancos airport / gravel pit reclamation project, the Ute Mountain Ute Tribe / Montezuma County right of way through McElmo canyon and a letter sent to a property owner regarding a Planning & Zoning violation.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** reported that the **Southwest Colorado Region Virtual Townhall** meeting with **Attorney General, Phil Weiser,** to discuss the opioid settlement, had been rescheduled to April 22, 2021 at 2:00 p.m. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent phone calls, the scheduled **Cortez City Council** meeting and attendance at the Home and Garden show. **Commissioner Stevenson** discussed the attended **Native Fish Monitoring** meeting, an in person review of Road P.2, attendance at the **Home and Garden Show**, constituent phone calls and reading. **Commissioner Candelaria** discussed the attended **TPR** meeting, an in person review of Road P.2, the attended (STAC) **Statewide Transportation Advisory Committee** meeting, the attended **Dolores Town Council** meeting and the **Recovery Resiliency Grant** letter of support.

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

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

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

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Clerk

April 13, 2021

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Chairman



145, consisting of 3.70 acres, more or less, east of Dolores, north of Hwy 145, situated in Section 12 T.37N, R.15W, N.M.P.M. Other topics discussed included Monday's workshop COGCC / SB- 181 legislation presentation.

**FAIRGROUNDS RACE TRACK DISCUSSION:** Fairgrounds Manager, Justin McGuire along with the Race Track Promoter, Eugene Felker, met with the Commissioners to give an update on the recently held Demolition Derby. A discussion was held regarding county funding for improvements to the racetrack. Topics of the discussion included; economic benefits from Race track events, community involvement, the current lease agreement, fencing, lighting, upgrades to the rodeo facilities, County Fair events, the Hospital District tax, the history of the County race track, the County grant writer's salary (by contract \$30.00 per hour plus 1% of secured grant funds), motor sports grant opportunities, a Promoter announcement during the Saturday event, a newspaper article from 4/22/2019, the Promoter's interest in purchasing the property, the property access easement, the outdoor arena improvements donated by the Ute Mountain Roundup Rodeo Committee, improvements made to the indoor arena, bids for the fencing, the usable property acreage, a proposed purchase price discussion, County critical financial needs, the (ARP) American Rescue Plan funds and restrictions. (See attached)

**PUBLIC COMMENT:** Tony Hill gave a history the Racetrack and discussed county funding for the improvements discussed. David Raubeson, Ethan Summa, John Burntred, Andi Bundy, Jeff Coulon, Krissy Carpenter, Glen Brace, Don Taylor, Richard Cox, Amanda Carpenter, Tiffany Hurst, Ron Aubuchon, Larry Rust, Sylvia Hageman, discussed community support, family participation and improvements for the Racetrack. Tiffany Ghere discussed youth involvement and support for the racetrack, then asked for updates on the following discussions; deputy retention, SB-217 and the Planning's nuisance property issues. (See attached)

**TEAM UP CHILD MALTREATMENT PREVENTION ACTION TEAM DISCUSSION:** Emily Spahn and the High School (CAPS) Child Abuse Prevention Society team members, Khyzten Stiegemeyer, Hope Perry, John Diecco and Hannah Sparks met with the Commissioners to give a power point presentation from the Child Abuse Prevention Society. Topics discussed included: child abuse statistics, substantiated cases within Montezuma County, County resources, reporting child safety issues, violations, the team members involvement stories, goals, education, adverse childhood experiences, positive childhood experiences, raising awareness, proposed community mural selections, decreasing stigmatization for reporting, social media, community engagement, and an invitation to the Montezuma County Supports Each Other event, scheduled on May 11, 2021 from 12:00 p.m. through 2:00 p.m., at the County Annex. (See attached)

**EMERGENCY MANAGEMENT:** From the Colorado Emergency Management Association Board, City of Durango, Emergency Manager, Terry Hoecker along with Dolores County Emergency Manager, Keith Keesling joined the meeting to present Emergency Manager Jim Spratlen, the Colorado Emergency Manager of the Year Award. (See attached)  
Emergency Manager, Jim Spratlen met with the Commissioner to give a monthly update. Manager Spratlen presented for discussion and review; the Monthly Situational Report. Topics discussed included; PPE supplies, the State Status report, Safety and Security, the Aspen

**Wall Wood** smolder fire, temperature probes, prescribed burns, gearing up for fire season, the Operating Plan, weather predictions, food, water, sheltering, health and medical, a COVID-19 update, the State dial, vaccine reports, a hospital report, energy power and fuel, communications, **Nixle** reporting, the development of a new repeater system, transportation, hazardous materials, an update on the **M&M Truck Stop** property, the (CWPP) **Community Wildfire Protection Plan**, the (EMPG) **Emergency Management Performance Grant, Cares Act Funding, (EOP) Emergency Operations Plan**, the (HMP) **Hazard Mitigation Plan**, the (SWAHAC) **Southwest all Hazards Advisory Council**, the **Training and Exercise Plan**, training drills, the Annex III **Emergency Response Plan** and the development of all County building emergency operation plans. (See attached)

**DISTRICT ATTORNEY: Office Manager, Clarisa Feuilly** met with the Commissioners to give a monthly report. Manager Feuilly reported on scheduled jury trials and discussed a future need for additional office space.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter**, gave updates on the Kinder Morgan CO2 case, the Weber Canyon / Pax LLC case, the Road Y closed gate issue, and the letter sent to a property owner regarding a Planning & Zoning violation.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**; reported on the conference call with Congresswoman Lauren Boebert. Topics discussed within that call included; the proposed 30x30 project, the immigration situation, proposed regulations for the EPA, waters of the United States, the New Green Deal, Western Waters Protection and the discussion regarding the relocation of the BLM. Other topics discussed included the attended Water Congress discussion, the (CWCB) Colorado Water Conservation Board Equity Committee, the Hospital District irrigation project, the limited opening of the **Canyon of the Ancients National Monument** and a proposed BLM request for a donation of gravel for the Summit access and parking lot.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** discussed a **Southwest Colorado Region Virtual Townhall** meeting with **Attorney General, Phil Weiser**, scheduled for April 22, 2021 at 2:00 p.m. to discuss the opioid settlement. Administrator Powers discussed the purpose of government and County funding priorities. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended by zoom, **Cortez City Council** meeting, the attended Montezuma County Hospital District meeting and constituent phone calls. **Commissioner Stevenson** discussed the attended **Mancos Town Board** meeting, the (ARP) American Rescue Plan funds, the Lewis Arriola Community Center fund raiser and constituent phone calls. **Commissioner Candelaria** discussed the developed Noxious Weed video, a zoom attendance to the **Front Range Passenger Rail Conversation** meeting, **SB-21-1117**, the Lewis Arriola Community Center fund raiser, the Monday workshop presentation and request for a letter of support from **Elizabeth Marsh** with **SCAPE**, a Monday workshop presentation and update on **SB-181**. Commissioner Stevenson moved to sign the letter of support for **SCAPE** and send it to Emily Miller, the Acting **OID Director**, from Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

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

**WATER ISSUES: Mancos Conservation District, Executive Director, Gretchen Rank,** met with the Commissioners to give a power point presentation discussing **Water Concerns for the Mancos Watershed.** Topics discussed included the 2011 Mancos Watershed Plan, Watershed Plan recommendations, the Phase 1- Planning and design, the Mancos River Habitat and Diversion Project – Phase II, the **Exon Diversion** before and after, the Mancos River Habitat and Diversion Project- Phase III, the **Samson Diversion** before and after, the Mancos Watershed Water Concern Gathering, Colorado Decision Support Tools, the Mancos River Watershed Drought resilience Planning, Mancos River diversions, the Mancos Basin monthly flow comparison, a 2015 Crop Consumptive Use graph, a near Towaoc flow chart, current projects, partners and technical assistance providers. **Dolores Water Conservation District Manager, Ken Curtis** discussed the current drought conditions. **Ed Millard, Montezuma County’s Representative** to the **Southwest Basin Round Table,** gave an update on the attended **River District** meeting.

**EMPIRE ELECTRIC DISCUSSION:** Board members, **Larry Archibeque, Jerry Fetterman, David Sitton, Bob Barry,** and **Norman Butler** along with Empire Electric’s General Manager **Josh Dellinger,** Member Engagement Manager **Andy Carter,** Operations Manager **Ken Tarr,** Finance Manager **Ginny Johnson** and Business Service Manager **Chis Snyder** met with the Commissioners for a Board to Board meeting. Topics of the discussion included; a completed **Cost of Service Study,** grid access charges, demand charges, kilowatt hour charges, demand categories, peak demand draws, billed power charges, energy billings to members, County solar projects, the new rate structure, service load profiles, facility demand peaks, usage habits, a complete county services review, scheduled forums to discuss the member rates, peak demand reductions, shifting usage to off peak hours, on peak hours (12:00 p.m. to 10:00 p.m., Monday through Saturday excluding holidays), individual rate management opportunities, high / low load factors, **Tristate** rules, the All Energy Rate, Time Use and Demand Rate, General Service Three Phase, large power rates, KVA ratings, a proposed County energy efficiency study, facility LED light upgrades, the Empire Electric / Landfill refrigerant appliance event, current legislation, the June 17, 2021 annual meeting and the directorship election.

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

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

**MEETING ADJOURNED: 4:30 p.m.**

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Clerk

April 20, 2021

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Chairman



locations, generator options, highway access, contract sales and working with the Planning Department.

**MARIJUANA MORATORIUM DISCUSSION:** **Kevin Wing** and **Bob Varcados** with **Green Lynx Farm Inc.** met with the Commissioners with a request that the Board of County Commissioners lift the County moratorium and end the prohibition on the operations of marijuana facilities within Montezuma County. Topics discussed included; employment opportunities, the capabilities of the four wing facility, the facility value, current property taxes, crop options, USDA guidance, supply and demand, neighboring county moratoriums, monthly operational expenses, State marijuana growth regulations, , projected harvest count, generated income, buyers and marketing, a business development plan, plant based fees, increasing costs and diminishing County revenues, local municipality cultivation fees and the County process for the proposed removal of the moratorium. (See attached)

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

**VETERANS SERVICE:** **Veteran Service Officer, Rick Torres** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay**, for March 2021 was presented for the record. Other topics discussed included; the March 2021 financial report, a review of office activities, statistical data, the indirect income to Montezuma County, virtual trainings attended and 90<sup>th</sup> anniversary celebration event scheduled on May 22, 2021, for the **Ute Mountain American Legion Post 75**. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** **MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; an increase of ridership, the **Meals on Wheels** program, an available driver position, a proposed vehicle purchase, the Fixed Route grant funding and mounting bike racks on the buses. Manager Morris presented for approval the **MOCO Public Transportation Drug and Alcohol Testing Policy**. Commissioner Stevenson moved to accept the Drug and Alcohol Testing Policy for MOCO Public Transportation, adopted as of April 27, 2021. Second by Commissioner Lindsay and carried. (See attached)

**TRANSFER ORDER:** **Transfer Order #1-2021** was presented for approval. Order #1-2021 is a transfer of \$14,481.09 from the general Fund (001) to the Bus Replacements Fund (089). Commissioner Lindsay moved to approve transfer Order #1-2021, a transfer of \$14,481.09, from the General Fund to the Bus Replacement Fund. Second by Commissioner Stevenson and carried. (See attached)

**SENIOR SERVICES:** **Director, Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Director Parker reported that they had opened up 2 days a week for meals and planned to open 4 days a week as of May 10<sup>th</sup>. Other topics discussed included; vaccines, safety protocol, group gathering numbers, a site coordinator, the



current senior's moral, speaker presentations, proposed senior road trip / tours, fall field trips, a fiscal update and public vaccine outreach to seniors.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners for a monthly report. Director Felsen presented a video on the **Grow and Give Project**. Other topics of the discussion included; the **Modern Day Victory Garden**, garden give sites, grow areas, the **Montezuma School to Farm program**, the **Healthy Youth and Health Schools** event, the **Montezuma County Supports Each Other** event, site visits, work at the **Yellow Jacket Orchard**, the **4-H** market tag in's, the County Fair Board meeting, a drought advisors group, a Social Service / Extension office collaboration and the Memorandum of Understanding between CSU and the County regarding a second extension agent.

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

**FPPA/ CRA DISCUSSION:** From the (FPPA) **Fire and Police Pension Association, Phil Borgman, Beth Hemenway, Chip Weule and Jacquette Tara** met with the Commissioners virtually to give an overview of the FPPA Public Pension Plan. From the (CRA) **Colorado Retirement Association, Matt Benitez and Tim Mullen** gave an overview of the current Montezuma County CRA retirement plan and a comparison of defined benefit to defined contribution retirement plans. **Sheriff, Steven Nowlin** discussed the choices for the Sheriff's office with a request to allow them to move forward with a resolution to join FPPA. (See attached)

**IMAGINATION LIBRARY DISCUSSION was postponed.**

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter,** discussed the County's Memorandum of Understanding with CSU regarding the second extension agent and an amendment to the Memorandum of Understanding for Law Enforcement to the Town of Dolores.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** along with **Devin Camacho (via Zoom), Representative for Congresswoman Lauren Boebert** discussed an update on the roundtable with Congresswoman Boebert, and proposed letters of support for the **Western Waters Securities Act, the Local Act** and the **Protecting the American Energy Jobs Act**. Other topics discussed included; the May 7<sup>th</sup> scheduled 30x30 meeting and the irrigation analysis at the Combined Court Building.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** presented the Public Notice for the CDOT meeting scheduled May 5, 2021. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the virtual Town Hall meeting with the Attorney General, constituent emails, phone calls and attendance to the Suckla Auction. **Commissioner Lindsay** discussed the virtual Town Hall meeting with the Attorney General, constituent emails and phone calls. **Commissioner Candelaria** discussed the developed Social Services video, the virtual Town Hall meeting with the Attorney General, the attended Region 9 Board meeting, a

CCI legislative update, a **Bustang** bus ride, the attended County Commissioners of Southwest Colorado meeting and the **Dolores Town Hall** meeting.

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

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

**MEETING ADJOURNED: 3:30 p.m.**

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Clerk

April 27, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 4, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 4, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk,

**CHAIRMAN, CANDELARIA** opened the meeting of May 4, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 27, 2021 as written. Motion was seconded by Commissioner Stevenson and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination, regarding a proposed 3 Lot Minor Subdivision and AR10-34 Rezoning Application submitted by **Ted Clark; Agent: Maness & Associates**, on property located at 26059 Road 38.5, Dolores, CO, consisting of 32.6 acres, more or less, located north of Hwy 145, east of Road 38, situated in Section 36, T.39N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Ernie Maness was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to continue

the public hearing to Tuesday July 6, 2021 at 9:00 a.m. Second by Commissioner Stevenson 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 a proposed Single Lot Development and AR3-9 Rezoning Application submitted by **Justin & Brandy McGuire**, on property located at 22173 Road M, Cortez, CO, consisting of 40 acres, more or less, located north of Road M, east of Road 22, situated in Section 8, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. McGuire was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the proposed single lot development and AR3-9 rezoning application submitted by Justin & Brandy McGuire, on property located at 22173 Road M, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 7 Lot Major Subdivision and Rezoning Application submitted by **Richard & Melanie McDonald**, on property located at 12107 Hwy 145, Dolores, CO, consisting of 52.01 acres, more or less, located west of Hwy 145, north of Road M, situated in Section 12, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. McDonald were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the 7 lot major subdivision and rezoning application submitted by Richard & Melanie McDonald, on property located at 12107 Hwy 145, consisting of 52.01 acres, more or less, as amended. Second by Commissioner Stevenson 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 for a proposed Subdivision Amendment Application for the **Fox Subdivision**, submitted by **Samuel Fox**; **Agent: Brian McLaughlin**, on property located at 22251 Road N, Cortez, CO, consisting of 19.46 acres, more or less, located east of Road 22, north of Road N, situated in Section 5, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Brian McLaughlin was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the application, submitted by Samuel Fox; Agent: Brian McLaughlin, on property located at 22251 Road N, Cortez, CO, consisting of 19.46 acres, more or less, located east of Road 22 and north of Road N. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING:**

**Director, Haley** along with **Assistant, Duncan** presented for approval the **McWilliams / LA Fire Protection District** application for a Boundary Line Adjustment Agreement. Commissioner Lindsay moved to approve the McWilliams / Lewis Arriola Fire Protection District boundary line agreement. Second by Commissioner Stevenson and carried.

**Director, Haley with Assistant, Duncan** presented for signatures the Mylar for the 8 Lot Major Subdivision and Rezoning Application submitted by **Jarrold & Colette Wyatt**, on property located at 26833 Road L, Cortez, CO, consisting of 40.60 acres, more or less, located north of Road L/Alamosa St, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M.

Other topics discussed included; an update from Attorney Baxter regarding expired vested rights for the **Jody and Jenna Payne** Subdivision.

**PUBLIC COMMENT: Tiffany Ghere** discussed the gun range contract, local water distribution, the Road G nuisance property, substance abuse, mental health and proposed second amendment legislation. **Charles Jeter** discussed the gun range contract.

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented a liquor license renewal applications for **Bubba's LLC**, 18806 Hwy 491, Lewis, Co. Commissioner Stevenson moved to approve the liquor license for Bubbas, LLC located at 18806 Hwy 491 Lewis Co. Second by Commissioner Lindsay and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart discussed the road and bridge schedule for the dates of April 26, 2021 through May 29, 2021 and gave an overview of the type of work scheduled for each crew. Superintendent Englehart presented a power point presentation on the **McElmo Slip Project**. Other topics discussed included; a requested decrease in the speed limit for a road section on Road H, a data baseline of well readings, a proposed phase two for the McElmo Slip Project, the development of a slope protection plan, an erosion control plan, the **Alkali Bridge Project**, a scheduled site visit to **Hinsdale County** to review an earth bind product, the Road G cleanup project and a future truck purchase. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Manager Loving gave a power point presentation with her report. Topics included; the hoary cress weed, the myrtle spurge weed, the Cheatgrass weed, cheatgrass fueled wild fires, fire impact on the mule deer, statistical data, the 2021 property schedule, land stewardship, water conservation, current project costs, a request to hire two part time positions and the required financial process to cover the cost of the additional positions. (See attached)

**LANDFILL: Landfill Manager Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed with the report included; scheduled State inspections, compost results, an update on the Carver Field, an update on Cell #4, the shredder grant, a future shredder rental, the nitrogen stock, the carbon stock, the **Tire Shred Program** and the **No Charge for Yard Waste** event. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$41,594.99 and attendance at 16,705. A discussion was held regarding past and future events scheduled at the Fairgrounds.

**BID AWARD: Administrator Powers** presented reviewed bids for the flooring project, from **Top Line Floors, Inc.** in the amount of \$197,101.28 and a total bid from **High Tech Floors, Inc.** in the amount of \$163,710.00. Commissioner Lindsay moved to award the flooring bid to High Tech Floors Inc., in the amount of \$163,710.00. Second by Commissioner Stevenson and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney Baxter's suggestion, Commissioner Stevenson moved to go into executive session for a conference with the attorney to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. 24-6-402 (4) (a), and to include Commissioners Stevenson, Lindsay and Candelaria, Administrator Powers, Attorney Baxter, Clerk Percell, Fairgrounds Manager Justin McGuire, Eugene Felker and Torren Andrews,. The motion was seconded by Commissioner Lindsay and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding proposed amendments to the Race track contract. Commissioner Stevenson moved to come out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

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

**MONTEZUMA LAND CONSERVANCY: Executive Director Travis Custer, Conservation Director Jamie Johnson, Board President Judy Garrigues and Board Member Jeanne Becker** met with the Commissioners and gave an overview of current programs and the conservation easement process. Topics discussed included: program growth, land owner property rights, easement qualifications and terms, demographics, general water protections, funding mechanisms, future collaboration opportunities, community planning and design, support for the agricultural community, land use planning and development, the creation of open space and recreation assets for the community, affordable housing opportunities, youth development, stewardship of the land, water rights connected to easements, the current Land Use Code, funding, long term ramifications, public information, **Fozzie's Farm** and the **Montezuma Inspire Coalition**. (See attached)

**WATER ISSUES: Southwestern Water Conservation District Representative Don Schwindt** along with **Interim General Manager, Chris Treese** met with the Commissioners and gave an overview and background of the district. Topics discussed included; the naming of the sole finalist **Steve Wolf** as the proposed General Manager, an overview of the district's area map, an overview of the board appointments, forest health, ground water storage, legislative education, wildfire, funding, exploration of the demand management, drought contingency plans, interim guidelines, augmentation water, the water bank concept, the Colorado River Compact, compact protection authority, adoption of the guiding principles and the demand management program. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, **John Baxter**, presented for the record, an addendum to the **Contract for Law Enforcement Services**, between the Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores, to modify the contract for a patrol car unit in Dolores. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, **James Dietrich** presented for approval, a letter of objection, addressed to the Honorable **Diana DeGette**, regarding the **Colorado Wilderness Act of 2021**. Commissioner Stevenson moved to send the letter to Diana DeGette on the Colorado Wilderness Act of 2021. Second by Commissioner Lindsay and carried. Other topics discussed included; a proposed General Services Agreement sent to **KDI Hydrasource** regarding the MVI Irrigation Project to the Hospital District, attendance to the **Scenic Byways Conference** and the wolf re-introduction board candidates. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator **Shak Powers** discussed a request from Road & Bridge Superintendent Englehart, to be allowed to gravel the road from the Fairground entrance to the Racetrack, prior to the placement of mag chloride. The Commissioners approved the request.

**EXPENDITURES REPORT:** Administrator Powers presented the March 2021 Accounts Payable Expenditure Report for approval. Commissioner Candelaria moved to accept the payables for the month of March, in the amount of \$3,472,956.81. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the virtual attendance to the **Cortez City Council** meeting and the virtual attendance to the **Housing Solutions** meeting, constituent emails and phone calls. **Commissioner Stevenson** discussed the ribbon cutting ceremony for the **Town Trail Project** in Mancos, attendance at the **Mancos Town Board** meeting, constituent emails and phone calls. **Commissioner Candelaria** discussed the CCI legislative update meeting, the Front Range Rail system, a discussion with Representatives Coram and Catlin regarding the local Workforce Center, the virtual attendance for the Governors call, constituent emails and phone calls.

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

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

**MEETING ADJOURNED: 3:55 p.m.**

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Clerk

May 4, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
May 11, 2021**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 11, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

- Jim Candelaria, Chairman
- Kent Lindsay, Vice Chairman
- Joel Stevenson, Commissioner of Deeds
- Shalako Powers, County Administrator
- John C. Baxter, County Attorney
- Kim Percell, County Clerk, (By Zoom)

**CHAIRMAN, CANDELARIA** opened the meeting of May 11, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated May 4, 2021 as written. Motion was seconded by Commissioner Stevenson and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for regarding a proposed 4 Lot Moderate Subdivision and Rezoning Application and Variance Applications, submitted by **Ellis Lewis**, on property located at 14171 Road 36.75, Mancos, CO, consisting of 40 acres, more or less, located south and west of Hwy 184, situated in Section 34, T.37N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** reported that a continuance had been requested by Mr. Lewis. Commissioner Lindsay moved to continue the public hearing to Tuesday May 18, 2021 at 9:10 a.m. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)



**PLANNING: Director, Haley** with **Assistant, Duncan** presented a variance application for D&L Construction, submitted by **Dave and Lana Waters** on property located at 25716 Road L, Cortez, CO. Mr. and Mrs. Waters were present. Commissioner Stevenson moved to accept the variance for Dave and Lana Waters on property located 25716 Road L, Cortez, CO. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Boundary Line Adjustment for the **Myler Corners Estates Subdivision**, submitted by **Graham & Dianne Nielson**, on property located at 27221 Road P.3, Dolores, CO, consisting of 5.18 acres, more or less, and **Joseph & Diane Roybal**, on property located at 27211 Road P.3, consisting of 6.60 acres, more or less, both situated west of Hwy 145, situated in Section 31, T.37N, R.15W, N.M.P.M.

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

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented a liquor license renewal application for **Schroeder Colorado Inc., DBA Eagle Claw Trading Post**, located at 4321 S US Hwy 160/491, Cortez, CO. Commissioner Stevenson moved to approve the liquor license for the Eagle Claw Trading Post and liquor store, Schroeder Colorado Inc. at 4321 US Hwy 160 South, Cortez Co. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC HEALTH DEPARTMENT: Public Health Director Bobbie Lock** along **Melony Begay** and **Megan Bradley**, presented for review and approval, the **Communities That Care Contract**, the **Tobacco Education Prevention Program Contract**, an amendment to the **Single Entry Point Contract** and the **Public Health Core Contract**. Commissioner Lindsay moved to approve and sign the contracts with the State, the Communities That Care Contract, the Tobacco Education and Prevention Program, the Single Entry Point and the Public Health Core Contract. Second by Commissioner Stevenson and carried. (See attached)

**MONTEZUMA ORCHARD RESORATION PROJECT: Jude Schuenemeyer** met with the Commissioners with a request for a letter of support for a Ready Grant application. Commissioner Lindsay moved to sign the letter of support for the (MORP) Montezuma Orchard Restoration Project. Second by Commissioner Stevenson and carried. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard** met with the Commissioners to give updates on the grounds and buildings projects. Topics discussed included; the District Attorney's window frame project, replaced units at the jail, the flooring project and a request for an additional full time employee. Commissioner Lindsay moved to approve a new full time employee for the Building and Maintenance. Second by Commissioner Stevenson and carried.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included; five units sold at the auction, the patrol unit for the Town of Dolores, responder units ordered for the Sheriff Department, repairs to a water truck, repairs to a dump truck and mag chloride projects.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Topics discussed included; the 2020 Census data, redistricting data, an attended meeting with the Dolores County GIS department, a road impact fee map, the Pictometry project, public use of the County's GIS mapping site and fire season training maps. (See attached)

**UNFINISHED BUSINESS: Administrator Powers** discussed a Noxious Weed Department request to hire two extra seasonal employees to help with the Phreatophyte Program. Commissioner Lindsay moved to fund two more part time personal, for the Phreatophyte crew, with a cap of \$20,000.00, with a transfer order at the end of the year with consideration of received grant funding. Second by Commissioner Stevenson and carried.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** no report given.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** presented for approval, letters of support addressed to **Colorado State Representative Boebert**, for the **H.R. 859, Protecting American Energy Jobs Act** and the **America's Infrastructure Modernization Act (AIM)**. Commissioner Stevenson moved to sign the two letters, one regarding HR859, the Protecting American Energy Jobs Act and the other one, the America's Infrastructure Modernization Act, (AIM), to be sent to Congresswoman Boebert's office. Second by Commissioner Lindsay and carried. Other topics discussed included; the **KDI Hydro Systems** General Service Agreement and notice to proceed, the **Public Private Partnership** and **Certificate of Excellence** awards presented to the County at the **Scenic Byways** Conference for the **McElmo Flume** project. Administrator Powers read and presented an award from the Board of County Commissioners, to Director Dietrich, in recognition of the work and leadership of James Dietrich, in the project to restore the McElmo Fume #6. (See attached)

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** reported on a meeting attended with **Grant Writer, Rachel Marchbanks** in Dolores County, for a collaboration for recovery and resiliency and then as an Economic Development Team met with the office of **Economic Development and International Trade**. Administrator Powers discussed the proposed June scheduling, for an entity collaborative of an after action review and debriefing of the COVID19 response.

**ORDER: Administrator Powers** presented **Transfer Order # 2-2021**, a transfer of \$36,498.04 from the **Road Impact Fees** to the **Road and Bridge Fund** for 2020 work completed on Roads 41, H and S. Commissioner Stevenson moved to transfer \$36,498.04 from the Road Impact Fee Fund to the Road to Bridge. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioner reports included: **Commissioner Stevenson** discussed the attended CDOT meeting, the CCI Agricultural meeting the Cattleman Association's 30x30 land issues meeting, the Cattleman's coordination seminar and the Monday workshop session. **Commissioner Lindsay** discussed constituent emails and phone calls and the scheduled **Cortez City Council** meeting. **Commissioner Candelaria** discussed the attended CDOT meeting, the, the attended RCC

meeting, the attended Lewis Arriolla School / CDOT project meeting, the Cattleman's coordination seminar, participation in the 12 hours of Mesa Verde event, the Monday workshop, the attended County Commissioners of Southwest Colorado meeting, the attended Dolores Town Council Meeting and the morning Rotary meeting.

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

**PUBLIC LANDS:** From the **Bureau of Land Management, Connie Clementson, and Connie Jacobs**, met by Zoom, with the Commissioners and gave a power point presentation and held a discussion regarding **National Conservation Authorities**. Other participants by zoom included; **John Whitney, Jeff Widen, Derek Padilla, Mike Bordogna, Jon Waschbusch, Sue Hansen, Shawn Reinhardt, Devin Camacho, Amber Clark, Keith Caddy, Hilary Cooper, Kris, and CK Rassin**. **Dolores County Commissioner Garcher and Ed Millard**, appeared in person.  
(See attached)

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

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

**MEETING ADJOURNED: 3:08 p.m.**

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Clerk

May 11, 2021

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Chairman



**PUBLIC HEARING:** It being the time set aside a public hearing is held regarding a proposed 4 Lot Moderate Subdivision and Rezoning Application and Variance Applications, submitted by **Ellis Lewis**, on property located at 14171 Road 36.75, Mancos, CO, consisting of 40 acres, more or less, located south and west of Hwy 184, situated in Section 34, T.37N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lewis was present. **Planning Director, Don Haley** 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 **Attorney, Bryson McCabe** on behalf of **Brent Graham** and **Wray Boswell**. **Michael Gostlin** also made comment. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the 4 lot moderate subdivision that is already there and to include the contingencies by the P&Z, that no new additional residences on lots #1, #2 and #3 and the plat notes on lot #4 that no new residences be built without the approval of CDOT. Second by Commissioner Stevenson and carried. Commissioner Stevenson moved to grant the after the fact exemption on the North property line of Lot #1, from a 30 foot to a 15 foot setback for the residence. Second by Commissioner Lindsay and carried. Commissioner Lindsay moved to deny the after the fact variance for the individual shared leach field located on Lot #1. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**MEMORIAL DAY PROCLAMATION: Veteran Service Officer, Rick Torres** presented the Memorial Day Proclamation for signatures. Commissioner Lindsay moved to proclaim Memorial Day on behalf of Montezuma County. Second by Commissioner Stevenson and carried. (See attached)

**PUBLIC LANDS: Assistant Field Manager** for the **Bureau of Land Management, Joseph Manning** met with the Commissioners to provide an update on the implementation of the **Travel and Access Plan** and to discuss a donation of gravel for the parking lots at the **Summit** area and the new **Aqueduct Trail Head**.

**Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give a monthly update. Topics discussed included; public access to the office, purchasing fuel wood permits, the Prescribed Fire Program, road work on the Ormiston Road, the Sautler Environmental Analysis and logging operations on the Dolores Norwood Road.

**SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented a special event liquor license application from the **True Western Roundup Rodeo, with Santa's Special Forces**, for the 2021 events to be held on June 19th, July 3rd, August 21st, September 18<sup>th</sup> and October 9th, at the Montezuma County Fairgrounds. Commissioner Stevenson moved to approve the application for True Western Roundup with Santa's Special Forces, for the dates of, June 19th, July 3rd, August 21st, September 18<sup>th</sup> and October 9<sup>th</sup>. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC COMMENT: Jennifer Singer** discussed the proposed 30x30 legislation and support of the legislation by the Commissioners.

**GRAVEL GRINDER RACE:** Susan Thomas, Coordinator with Trail of the Ancients National Scenic Byways, Diane McBride with Associate Director for Southwest Colorado Canyons Alliance, and Natural Resource Director, James Dietrich met with the Commissioners to give an overview of the June 26, 2021 scheduled event and made a request for funding. (See attached)

**DISCUSSION:** Haley Leonard Saunders, with Axis Health Systems, Mancos Marshall, Justen Goodall and Cortez Fire Protection District Chief, Jay Balfour met with the Commissioner to discuss the development of a **Community Intervention Program**. Topics of the discussion included: grant funding for the pilot program, the program design to assist citizens with substance abuse, social or, behavioral health issues, a dedicated response team, State Representative support, the County Coordination of the program, a contract for a clinician, Cortez Fire for EMTs, proposed grant applications, current ambulance jurisdictions, possible program coordination with the County's Public Health or Emergency Management Department, program funding from local Municipalities, the mobile unit, housing of the vehicle and office space, hours of operations, call volumes, incident reporting systems, and County owned jurisdiction of the program. The discussion was tabled until the June 1, 2021 Commissioner meeting,

**COUNTY CORONER:** Coroner, George Deavers met with the Commissioners to give a monthly report. Topics discussed included; service calls, motor vehicle fatalities, suicides, overdose deaths and a yearly call numbers comparison.

**EMERGENCY MANAGEMENT:** Emergency Manager, Jim Spratlen met with the Commissioners and gave a monthly update. Manager Spratlen presented for discussion and review; the updated **Forest Service Fire Report**, the **Situational Report** and a map of the recent Hawkins Fire. Other topics discussed included; the water report, the COVID statistics report, a hospital update, a visit from Mike Willis from the **Director of Homeland Security Emergency Management** and **Field Manager, Trever Denny**. Manager Spratlen reported that the Hazard Mitigation Plan is complete. (See attached)

**COUNTY SHERIFF'S MONTHLY REPORT:** Sheriff, Steven Nowlin met with the Commissioners to give his monthly report which included the **Calls for Service Report**, the **Transport Report**, the **Total Inmates Report**, the **Jail Report**, the **April Total Monthly Arrests** report, the **DOC Holds Report**, the **April Operational Expense Report**, and the **Monies Paid to the General Fund Report**. Sheriff Nowlin presented the **Police Officer Counseling Support Program Grant #20007 (2021-2022)**. Commissioner Lindsay moved to allow the Sheriff to expend the monies for the Police Officer Counseling Support Grant for 2021-2022. Second by Commissioner Stevenson and carried. Sheriff Nowlin presented for approval the **Forest Service LEO Contract 2021**. Commissioner Stevenson moved to sign the agreement between the Montezuma County Sheriff's and the Forest Service LEO Contract for 2021. Second by Commissioner Lindsay and carried. Other topics discussed included; vehicle vin verification inspections, traffic contacts, auto thefts, the Sheriff office answering system, the FPPA retirement discussion, an update on the Dispatch Services discussion and the draft IGA. (See attached)

**DISTRICT ATTORNEY:** District Attorney, Matt Margeson and Office Manager, Clarisa Feuilly met with the Commissioners to give a monthly report. Manager, Feuilly discussed jury trials, public education on the acts of domestic violence and State training on sexual assaults. District Attorney Margeson discussed; required in person court appearances starting in June, the proposed DA legislation, a proposed ordinance regarding marijuana cultivation in rural areas of the County and the jury selection process.

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

**WATER ISSUES: Southwest Basin Round Table, Montezuma County Representative, Ed Millard,** reviewed a power point presentation regarding Demand Management.

**ONWARD A LEGACY FOUNDATION: Karen Sheek, Vangi McCoy, Chuck Forth, Joanie Howland, Lisa Bunker** and from the Public Health Department **Kathi Marler** met with the Commissioner with a request to help fund the **Imagination Library** for Montezuma County. Commissioner Lindsay moved to participate in the program with a funding number at a later date, utilizing the SRS funding. Second by Commissioner Stevenson and carried. (See attached)

**UNFINISHED BUSINESS: Administrator Powers** presented the June 1, 2021, scheduled, Public Hearing notice for the **Mesa Sky Estates** Subdivision. A discussion was held regarding the requested letter of support for the Gun Club regarding the shooting range. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** discussed the recent fire at the local Hong Kong restaurant, dependency neglect trials and updates on the Weber Canyon / Pax LLC case, and the Kinder Morgan CO2 case.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** presented for approval a letter of support addressed to **Honorable Gina M. Raimondo** the Secretary of Commerce, U.S. Department of Commerce Economic Development Administration regarding support for the **Colorado State University, Co, Broadband Plan and Feasibility Study.** Commissioner Stevenson moved to write a letter of support for the Colorado State University, to do the feasibility study for broadband. Second by Commissioner Lindsay and carried. Administrator Powers reported that there would not be a Commissioner meeting on May 25, 2021. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent emails, visits and phone calls and virtual attendance to the **Cortez City Council** meeting. **Commissioner Stevenson** discussed the attended Mancos Town Board meeting the Dolores Chamber fund raiser event and constituent phone calls. **Commissioner Candelaria** discussed the attended Forest Health meeting and the Dolores Chamber fund raiser event.

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

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

**MEETING ADJOURNED: 4:40 p.m.**

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Clerk

May 18, 2021

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Chairman





and **Butch Smith**. Commissioner Stevenson moved to put an Order in place declaring a disaster in and for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination regarding a Local Improvement District for the **Mesa Sky Estates** Subdivision, submitted by **Agent Keenen Lovett**. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Lovett was not present. Attorney Baxter recommended that the hearing be continued to a future date. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lindsay moved to continue the hearing on June 15, 2021 at 9:30 a.m. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed included; an update on the shredder grant application, repairs required to the rented shredder, the annual State inspection, compost sales, temporary closures for Cell #3, repairs to the JD 95/30 tractor and the residential income numbers for the month of May. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; a report on the local gravel pits that had been sprayed, leafy spurge, Mediterranean sage, road side spraying, the Phreatophyte project, the backpack loaner program, property visits and mapped noxious weed properties. Manager Loving presented for approval, the **Participating Agreement between the Montezuma County and the USDA Forest Service, San Juan National Forest, Dolores Ranger District**. Commissioner Stevenson moved to sign the participation agreement between the Montezuma County and the USDA Forest Service for the San Juan National Forest, Dolores Ranger District. Second by Commissioner Lindsay and carried. Manager Loving presented, for approval **Noxious Weed Right of Entry Resolutions #1-2021, #2-2021, #3-2021 and #4-2021**. Commissioner Lindsay moved that we move forward with the Right of Entries, to be issued with the Montezuma County weed program, for the four displayed properties. The motion was seconded by Commissioner Candelaria and with two votes in favor by Commissioners Lindsay and Candelaria and one abstained vote by Commissioner Stevenson, the motion carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the work schedule for the dates of May 31, 2021 through June 10, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; a proposed draft letter to address road damages to the Haycamp County Road, Dolores County logging operations using Montezuma County roads, an update on the McElmo Slip project, the asphalt spray project, road painting, turn lanes placed on Hwy. 491 and the request for donated gravel at the BLM access parking lot on Road N. Commissioner Lindsay moved to grant the request for gravel at the parking lot on

the west end of County Road N. Second by Commissioner Stevenson and carried. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$49,359.99 and attendance at 21,335. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Fourth of July scheduled events, gravel for the road to the race track, dust abatement and the development of the draft Race Track Contract. (See attached)

**UNFINISHED BUSINESS:** The discussion regarding the **County Intervention Program** was postponed. A discussion was held regarding the Rock Yard clean-up project and the Road 21 scheduled inspection by the Public Health Department.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** gave an update on the Weber Canyon / Pax LLC case, a BAA case regarding a property owner's shed and the Montezuma Valley Irrigation Company lawsuit.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich,** presented, **Resolution #6-2021,** a resolution in opposition of **"The Protect Animals from Unnecessary Suffering and Exploitation (PAUSE)"** ballot initiative. Commissioner Lindsay moved to sign, as the Board of County Commissioners, a resolution opposing the Protect Animals from Unnecessary Suffering and Exploitation, otherwise known as the PAUSE ballot initiative. Second by Commissioner Stevenson and carried. Other topics discussed included; the BLM donated gravel request for the County Road N parking lot, donated gravel for the proposed Aqueduct area parking lot, an update to the Natural Resources Plan, the Community Wildfire Prevention Plan, the Trail of the Ancients Scenic Byway's updated Corridor Management Plan, the proposed 30x30 legislation and the Red Zone Project now known as the Wildfire Risk Analysis. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Mancos Town Board meeting, constituent phone calls, the Lewis Arriola Hoedown, the American Legion's 90<sup>th</sup> Birthday Celebration and the scheduled CCI conference. **Commissioner Lindsay** discussed the Cortez City Council meeting, the American Legion's Memorial Day Services, local Memorial Day decorations and constituent phone calls. **Commissioner Candelaria** discussed the CCI Legislative meeting, the RAR percentage change, constituent phone calls and the weekend's small forest fires in the Boggy Draw area.

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

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

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

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Clerk

June 1, 2021

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Chairman





proceedings were recorded for the record. Commissioner Lindsay recused himself from this hearing, due to the fact that he seats on the Board Empire Electric. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Gavin Berg and Nathan Settler from One Energy Renewables the parent company of Solar 2, LLC along with Josh Dellinger, General Manager of Empire Electric were present. Commissioner Candelaria opened the hearing to public comment. Justin Vasterling questioned how the price is fixed. Duane Dale, expressed his disapproval of the Solar Farm. Bob Bragg, second the Prairie Dog problem. Administrator Shak read written public comment for Cathy Topper. (See attached) Jody Hubbs voiced her concerns with glare, security lighting along with Prairie Dog problem, property values and the initial cost of installation of a Solar Farm. After hearing all the evidence presented Commissioner Candelaria moved to continue this hearing to June 29<sup>th</sup>, 2021 at 9:00am. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed General Planned Unit Development and Rezoning Application submitted by **Paul and Dana Weyand, Agent: Jason Carruth**, on property located at 11187 Hwy 145, Cortez, CO, consisting of 99.39 acres, more or less, located south of Road M, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Jason Carruth was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve General Planned Unit Development and Rezoning Application for Paul and Dana Weyand, Agent: Jason Clarruth on property located at 11187 Hwy 145, Cortez, CO. Second by Commissioner Stevenson 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 a proposed Commercial Rezoning (COMZ) for a proposed Planned Unit Development request submitted by **Jay & Virginia Collier, Agent Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lindsay moved to forward and approve the request for their vested rights for another 60 days. Second by Commissioner Stevenson 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 for a proposed Common Lot Line change within **The Forks Subdivision**, submitted by **Darrell Jiles**, on properties located at 25046 Road 38.1 & TBD Road 38.1, Dolores, CO, both consisting of 1.10 acres, more or less, located east of Road 38.1, south

of Hwy 145, situated in Section 1, T.38N, R.14W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Darrell Jiles was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented. Commissioner Stevenson moved to approve the common Lot Line adjustment within The Forks Subdivision submitted by Darrell Jiles, on properties located at 25046 Road 38.1, Dolores, 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 a proposed Subdivision Amendment Application, submitted by **Russell & Marsha Hindmarsh Trust, Agent: Maness & Associates**, on property located at 28339 Road N, Dolores, CO, consisting of 4.06 acres, more or less, located north of Road N and west of Road 28, situated in S.5, T.36N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ernest Manness was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed Subdivision Amendment Application submitted by Russell & Marsha Hindmarsh Trust, Agent Maness & Associates property located at 28339 Road N, Dolores, CO Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed 2 Lot Moderate Subdivision and AR10-34 Rezoning Application, submitted by **Terry and Larry Pickens**, on property located at 13848 Road 23, Cortez, CO, consisting of 38 acres, more or less, located south of Road P, east of Road 23, situated in Section 4, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Kelly Pickens was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the 2 Lot Moderate Subdivision and AR10-34 Rezoning Application, submitted by Terry and Larry Pickens on property located at 13848 Road 23, 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 for review and determination a proposed Subdivision Amendment Application to the **Hobo Acres Minor Subdivision**, submitted by **Valarie Francisco & Robin Estep**, on properties located at 26986 & 26980 Road H, Cortez, CO, consisting of 20.02 acres, more or less, located south of Road H, east of Road 26.5, situated in Section 6, T.35N., R.15W.,

N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed Subdivision Amendment Application to Hobo Acres Minor Subdivision submitted by Valarie Francisco & Robin Estep on properties located at 26986 & 26980 Road H, Cortez, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** presented for review and signatures of a Mylar for a Boundary Line Adjustment for Ellis Lewis to Ray Boswell. Commissioner Stevenson moved to approve the boundary Line Adjustment conveyed from Lewis to Boswell. Second by Commissioner Lindsay and carried. (See attached)

**Planning Director, Don Haley** presented for review a Variance application for Don and Wendy Francisco. Commissioner Stevenson moved to approve the 9ft. Variance application for Don and Wendy Fransico. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination regarding a Local Improvement District for the **Mesa Sky Estates** Subdivision, submitted by **Agent, Keenen Lovett**. Agent, Keenen Lovett was present. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Finalizing logistics of parties' responsibilities. The Mesa Sky Estate Subdivision will contact D& L Construction and payment will go through the Assessor's Office for the Special Improvement District. Attorney Baxter suggested showing any changes in contract with D & L Construction.

**PUBLIC COMMENT: Jessey Stieglmeyer** requested funding for a Detox Center. (See attached) **Randy Pixler** voiced his concerns regarding his neighborhood and asked for help to address his concerns. Commissioner Candelaria advised Mr. Pixler to write a letter of complaint to the Planning Department to start addressing the issue. **Norm Stuckman** voiced his supported of Mr. Pixler concerns in their neighborhood.

**SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented a special event liquor license application from the **Montezuma County Fair Board**, for an event, to be held on July 23, 24, 30 and 31, 2021, at the Montezuma County Fairgrounds. Commissioner Stevenson moved to approve the Special Events Permit for dates July 23, 24, 30 and 31, 2021. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC HEALTH DEPARTMENT: Public Health Director Bobbie Lock** presented for approval, the following contract renewals. The first contract is the Immunization Contract for the fiscal year starting July 1, 2021 through June 30, 2022 in the amount of \$9,766.00. Commissioner Stevenson moved to approve the signing of Contract Amendment #4 with the Colorado Department of Public Health. Second by



Commissioner Lindsay and carried. The second contract is for the Emergency Preparedness Contract for fiscal year starting July 1, 2021 through June 30, 2022 for \$116,740.00. Commissioner Lindsay moved to sign the Contract Amendment #3 with the Colorado Department of Public Health for Emergency Preparedness. Second by Commissioner Stevenson and carried. (See attached)

**COLORADO-NATIONAL COLLABORATIVE PROGRAM: Arlina Yazzie and Laurel Schaffer** met with the Commissioners regarding a painted wall mural on a Fairgrounds building. (See attached)

**PROBATION JUVENILE SERVICES PLANNING COMMITTEE BOARD: Brian Kelley** met with the Commissioners to discuss membership approval. Commissioner Stevenson moved to approve the proposed membership to the Juvenile Service Planning Committee Board. Second by Commissioner Lindsay and carried. (See attached)

**LODGERS TAX COMMITTEE: Committee Chairman, Lee Cloy** along with **Committee Secretary, Brian Bartlett** met with the Commissioners to give their recommendations for the 2020 Tax Fund Disbursements. Recommendations included: Dolores Chamber \$35,000, Mancos Chamber \$35,000, Cortez Cultural Center \$24,000, Galloping Goose Historical and Museum \$10,000, Mesa Verde Country \$85,000, Ute Mountain Roundup \$2,500, Lodgers Committee Application Advertising Fund \$200, and Ride of the Ancients \$5,000. Totaling 196,700.00. Commissioner Lindsay moved to approve the recommendations from the Lodgers Tax Committee in the amount of \$196,700.00. Second by Commissioner Stevenson and carried. (See attached)

**DISCUSSION: Director, Don Haley** presented for discussion of the **Cortez School District RE-1** Fees changes that were approved by the School Board, Colorado Revised Statutes, and completed subdivision and lot owner separation question with Attorney Baxter.

**Planning Director, Don Haley** presented for signatures of a Mylar for a 2 Lot Moderate Subdivision submitted by **Linda Melton; Agent: Sean Flaherty**, on property located at TBD Road M, Cortez, CO, consisting of 63.67 acres, more or less, located north of Road M, west of Road 26, situated in Section 11, T.36N, R.16W, N.M.P.M.

**Director, Don Haley** presented for signatures of a Mylar for 2 Lot Minor submitted by **Peter Hold**, on property located at 23784 Road X, Lewis, CO, consisting of 43.38 acres, more or less, located south of Road X, east of Road 23, situated in Section 33, T.38N, R.16W, N.M.P.M.

**Director, Don Haley** presented for signatures of a Mylar for a Boundary Line Adjustment for the Freeman-Likes Single Lot Development, submitted by **Deric Freeman; agent: Cody Likes**, on property located at 20839 Road 20, Lewis, CO, consisting of 3.36 acres, more or less, located north of Hwy 491, west of Road 20, situated in Section 35, T.38N, R.17W, N.M.P.M. (See attached)

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

**COUNTY SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin** met with the Commissioners to give his monthly report which included; Calls for May 2021, Traffic stops, and domestic violence, DUI's, suicides and attempted suicides number are all up. Jail numbers and transport numbers plus the costs for this. Break down of arrests for May 2021. Three different budgets for approval; 1<sup>st</sup>, The NRA Range Grant starting July 1, 2021 for \$1,556.00, 2<sup>nd</sup> grant starting July 1, 2021 for \$10,163.00 for Range Improvement and the 3<sup>rd</sup> The Battle Grant, which is and auto theft grant and will be paying for 2 Licenses Plate readers, in the amount of \$51,964.00 Commissioner Candelaria accepted the grants in the respective amounts of \$1,556.00, \$10,163.00 and \$51,964.00. **Sheriff Nowlin** requested that the fire ban be reinstated as of 6:00am June 16, 2021. Commissioner Stevenson moved to accept **Resolution No. 7-2021** a resolution re-imposing a fire ban effective 6:00am June 16, 2021. Second by Commissioner Lindsay and carried. **Sheriff Nowlin** also discussed the pedestrian and bike trail in Dolores, CO. Intergovernmental agreement for dispatch services throughout Montezuma and Dolores Counties, Colorado, including federal agencies and appointing someone to represent Montezuma County on the Dispatch Accountability Committee was discussed and postponed until June 29, 2021. (See attached)

**DISTRICT ATTORNEY: District Attorney, Matt Margeson and Office Manager, Clarisa Feully** met with the Commissioners to give a monthly report. Topics discussed included; Case numbers for Montezuma County presented by Clarisa. District Attorney Margeson went over Jury Trials, why they happen and the logistics of Jury Trials. Upcoming visit from the Attorney General in the Opioid Settlement.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen discussed Health disaster emergency declarations, drought disaster emergency declarations and fire restrictions. Finished building the Emergency Response Plan for Annex 3 and will start on Annex 1. Emergency Ops plan started out at 52% is now 72% compliant. Senior Officials have been invited to June 17, 2021 training.  
(See attached)

**UNFINISHED BUSINESS:** A discussion was held regarding the distribution of the **PILT and Secure Rural Schools** Funding. Commissioner Lindsay moved to distribute the remaining 50% of the Secure Rural Schools funds to Early Childhood Development through the destination of Imagination Library in the amount of \$78,475.20. Second by Commissioner Stevenson and carried. Whether or not to allow the Department of Social Services the use of property for an outside breakroom. Commissioner Stevenson moved to allow the Department of Social Services the use of the property for an outside breakroom. Second by Commissioner Lindsay. Review of the bids for the construction of the outside break area at 109 W. Main St., Cortez, CO. Commissioner Lindsay moved to award the bid to Advanced Machining & Welding in the amount of \$14,228.19. Second by Commissioner Stevenson and carried. Commissioner Candelaria overviewed the

Emails from Rob Englehart, Road and Bridge Department, regarding the 168 tons materials previously approved for the BLM parking lots. Rob's recalculations came up with 380 plus or minus and now the request was for 400 tons of gravel for the County Road N parking lot. Commissioner Lindsay moved approve the contribution of up to 400 tons of gravel to the BLM for the parking lot at the West end of County Road N. Second by Commissioner Stevenson and carried. Commissioner Stevenson moved to allow Rob Englehart, Road and Bridge Superintendent, to sale 3000 tons of chips to Steve Davis, Road and Bridge Superintendent with Dolores County for their Chip and Seal project for the year 2021. Second by Commissioner Lindsay and carried. Land fill AC Bid was sent back out for bid. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** filed for cost just in our Packs case. Received a new road complaint for County Road Y. Also, receiving inquiries from a gentleman to support his grant for provisions.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, absent. Commissioner Candelaria spoke on behalf of James in regards of the TPR meeting last week. The City of Cortez was unable to utilize their MMOF funding and Montezuma County was on track to receive 100% funding for our MMOF for the Paths of Mesa Verde but was reduced by 10% along with some others within the grant application to help Archuleta County and the Town of Bayfield, so everyone got a piece of the pie. With Cortez being able to push back \$156, 000 almost a \$160,000. Commissioner Candelaria did request that we receive our other \$56,000.00 and sounds like the decision will be made next month. Commissioner Candelaria will get with James Dietrich to make sure there is no other paper work to be filed to get back our 10% of the MMOF funding through the CDOT.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** presented a Public Notice for the Montezuma County Commissioners and other elected officials from local governments within the county will attend a training with Department of Homeland Security and Emergency Management on June 17, 2021. Our grant writer Rachel March Banks is at training. We were awarded the recovery and resiliency grant, which will provide for a position to help us coordinate with the Office of Economic Development and International Trade. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** attendance of the Mancos Town Board meeting, phone complaints, visiting areas of complaints from residence. Department head meetings, and Mancos Water Conservancy meeting. **Commissioner Lindsay** sat in on Zoom meeting for the City of Cortez and what it had included. **Commissioner Candelaria** attended the CCI workshop summer conference. Legislative agenda were finalized on Wednesday night. Presented the idea of Leasing Fleet vehicle instead of buying to fellow Commissioners. Western District meeting forth coming in July or August. Attend the TPR meeting and requested getting monies back as previously state in

James Dietrich portion. Commissioner Stevenson and I were able to sign the proclamation for the Women’s Veterans Day on Friday. Attend the Dolores Town Board meeting last night.

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

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

**MEETING ADJOURNED: 3:21 p.m.**

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Clerk

June 15, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
June 22, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 22, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

Jim Candelaria, Chairman  
Kent Lindsay, Vice Chairman  
Joel Stevenson, Commissioner of Deeds  
Shalako Powers, County Administrator  
John C. Baxter, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of June 22, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Stevenson moved to accept the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 15, 2021 as presented. Motion was seconded by Commissioner Lindsay and carried.

**PLANNING: Planning Director, Don Haley** presented for signatures of a Mylar for a proposed Common Lot Line change within **The Forks** subdivision, submitted by **Darrell Jiles**, on properties located at 25046 Road 38.1 & TBD Road 38.1, Dolores, CO, both consisting of 1.10 acres, more or less, located east of Road 38.1, south of Hwy 145, situated in Section 1, T.38N, R.14W, N.M.P.M.

**Planning Director, Don Haley** presented for discussion and approval a proposed Boundary Line Adjustment Application, submitted by **Keenan** and **Beverlee Ertel**, on property located at 11510 Road 26, Cortez, CO, consisting of 15.47 acres, more or less and **Ertel Ranches, LLC**, on property located at 26780 Road M, Cortez, CO, consisting of 247.72 acres, more or less, both located south of Road M and east of Road 26, situated

in Section 13, T.36N, R.16W, N.M.P.M. Commissioner Lindsay moved to approve the boundary line adjustment, submitted by Keenan and Beverlee Ertel, on property located at 11510 Road 26, Cortez. Second by Commissioner Stevenson and carried.

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

**VETERANS SERVICE: Veteran Service Officer, Rick Torres** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay**, for the months of April and May 2021 was presented for the record. Other topics discussed included; the April and May 2021 financial report, a review of office activities, unfavorable and favorable decisions, April and May monthly income, year to date income, April and May highlights, the scheduled Veterans Stand Down event, and VA computer systems training. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; 629 total rides in May, 126 Meals on Wheels deliveries, Medicaid rides, a need for additional drivers, a proposed van purchase, the wraps for the vans, next year's grant applications and fixed route grants. Manager Morris presented for approval the **San Juan Basin Area Agency on Aging, Inc. Contract** for the Montezuma County Public Transportation. Commissioner Stevenson moved to sign the agreement with the San Juan Basin Area Agency contract. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC HEALTH: Public Health Director Bobbie Lock**, along with **Coordinators, Arlina Yazzie** and **Katie Maxwell**, met with the Commissioners to discuss the **Colorado National Collaboration for Suicide Prevention and Essentials for Childhood**. Ms. Yazzie gave an overview of the **Colorado National Collaborative**. Ms. Maxwell gave an overview of the **Essentials for Childhood Program**. (See attached)

**BOARD OF SOCIAL SERVICES MONTHLY REPORT:** It being the time set aside, the Board of Social Services was conducted. **Finance Officer, Lori Higgins** and **LueAnn Everett** were present. Mrs. Everett presented, for approval the **Colorado Works, Memorandum of Understanding** between the State of Colorado, Department of Human Services and the Board of County Commissioners. Commissioner Lindsay moved to sign the Memorandum of Understanding with the State of Colorado, Department of Human Services. Seconded by Commissioner Stevenson and carried. (See attached)

**SENIOR SERVICES: Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included the completion of the floor replacement project, additional meal days for the Dolores site, a new manager at the Mancos site and escalating food costs. Director Parker presented for approval the **San Juan Basin Area Agency on Aging, Inc. Contract** for the Montezuma Senior Services. Commissioner Lindsay moved to sign the San Juan Basin Area Agency on Aging, contract. Second by Commissioner Stevenson and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to discuss a proposed purchase of a **Kubota KX080-4** excavator and a **DML/HY-100 VT Melcher**. Commissioner Lindsay moved to authorize Superintendent Englehart to purchase the Kubota excavator/ mulcher from Southwest Ag. Inc. in the amount of \$126,804.00. Second by Commissioner Stevenson and carried. (See attached)

**COMMUNITY CONNECTIONS: President and CEO Tara Kiene** met with the commissioners to give an update on the Community Connections programs. Topics discussed included; a reopening of the **Pine Street Day Program**, the continuation of some of virtual classes, face-to-face contacts with case managers, the **Festival of Wreaths** event, the support received from Montezuma County and job opportunity coordination from Community Connections. *(If interested call Community Connections at 970-259-2464.)*

**UNFINISHED BUSINESS:** Administrator Powers gave an update on the proposed Dispatch Inter Governmental Agreement.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** discussed the Road Y complaint, Colorado Revised Statutes regarding the SRS fund disbursements and jury trials. Attorney Baxter gave an update on the residential classification decision from the **Board of Assessment Appeal** for the **Ankiewicz Family Revocable Trust** case. Attorney Baxter recommended the collection of all fees due under the County's Land Use Code for a residential property.

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

**COUNTY ADMINISTRATOR REPORT:** On behalf of the **CSU Extension Office, Administrator Powers** discussed opportunities to complete the Extension, CSU community survey, and gave an update on the potential Demand Management Impacts. (See attached)

**EXPENDITURES REPORT:** Administrator Powers presented the April 2021 Accounts Payable Expenditure Reports for approval. Commissioner Stevenson moved to pay the April bills in the amount of \$3,821,763.19, less the amount already approved for Social Services in the amount of \$1,625,793.37. Seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent phone calls, received emails, the scheduled City of Cortez Council meeting and the passing of AAA Chairman, Tom Butler.

**Commissioner Stevenson** discussed the attended Emergency and Disaster training through the Homeland Security, constituent phone calls and County follow up on the Road 21 property clean-up issue.

**Commissioner Candelaria** discussed the attended Emergency and Disaster training through the Homeland Security, and gave an overview of the following Monday workshop discussions; the **Magellan Strategies LLC** presentation, a personnel executive session, the scheduled CSU visit, and SRS funding. Commissioner Candelaria also gave an update on the CCI legislative call.

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

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

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

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Clerk

June 22, 2021

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Chairman





Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** presented for discussion and approval of a proposed Variance Setback Application, submitted by **Jerry & Susan Frye**; agent: **Marc Rosenbaum**, on property located at 25368 Road T.5, Dolores, CO, consisting of 35.90 acres, more or less, located south of Road T.5 and east of Road 25, situated in Section 14, T.37N., R.16W., N.M.P.M. Mr. Rosenbaum was present for the discussion. Commissioner Stevenson moved to approve the proposed variance setback application, submitted by Jerry & Susan Frye, on the property located at 25368 Road T.5, Dolores. Second by Commissioner Lindsay and carried. (See attached)

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

**DISCUSSION: City of Cortez Municipal Clerk, Linda Smith** and from the **County Clerk & Recorder's office, Clerk, Kim Percell, Chief Deputy, Lynn Dorenkamp** and **Elections Supervisor, Miranda Warren** met with the Commissioners to discuss coordinated efforts for elections.

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** met with the Commissioners to give a quarterly report. Topics discussed included: the **Digitization** project, the **KIOSK** program, the November Coordinated Elections, the **Redistricting** project, 2020 election audits held in **El Paso** and **Elbert Counties**, future election recommendations from the **Colorado County Clerks Association** and a proposed **Agiles Duo** purchase.

**DISCUSSION: Clay Tillia** met with the Commissioners to discuss using the County Fairgrounds as a place for the community to light their personal fireworks. **Cortez Fire Chief, Jay Balfour** was not in favor of any type of fireworks event at the County Fairgrounds. The Commissioners were concerned with the current fire restrictions within the County and not in favor of the event. Mr. Tillia made a request for future consideration, of a designated area, for families to enjoy their personal fireworks for the 4<sup>th</sup> of July holiday.

**BID AWARD: Administrator Powers** presented for review the received bids for the **Landfill, HVAC** unit. Bids received included **Comfort Air Mechanical** in the amount of \$13,740.00 and from **Bishop Brothers Climate Control** in the amount of \$12,795.00. The bids will be reviewed and the decision will be announced during the July 6, 2021 meeting. (See attached)

**UNFINISHED BUSINESS:** Commissioner Candelaria discussed the Monday workshop presentation from **Magellan Strategies LLC.**, for a proposed public opinion survey, regarding a ballot sales tax question. Commissioner Lindsay made a motion to move forward with Magellan Strategies to do a survey for Montezuma County. Second by Commissioner Stevenson and carried. Commissioner Candelaria and County Attorney

Baxter discussed the resignation of Attorney Baxter and the selection of Attorney Ian MacLaren as his replacement.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** gave an update on the Road Y complaint and discussed a draft agreement regarding the Mancos Gravel pit.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Powers** on behalf of Resource Director, James Dietrich, presented for approval, a letter addressed to the **Canyons of the Ancients, Monument Manager, Ray O'Neil** regarding the **Flodine / Yellow Jacket** grazing permits. Commissioner Stevenson moved to sign the letter, to participate in the Section 106 Agreement for the proposed undertaking. Second by Commissioner Lindsay and carried. Administrator Powers discussed the Weed Department's award of the Forest Service Agreement and a purchase of herbicides with the funds. The Commissioners were in agreement to make a single budget amendment at the end of the year for this transaction. Commissioner Lindsay moved to allow the Montezuma County Weed Department to purchase the herbicide as under the contract with the San Juan National Forest. Second by Commissioner Lindsay and carried. Other topics discussed included a public notice for a scheduled meeting to be held on July 3, 2021 at 2:30 and 3:15 p.m. with the Attorney General, the County's yearly audit and the American Rescue Plan Funds. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the attended City of Cortez Council meeting, constituent phone calls, reading emails and being fire wise, the 30<sup>th</sup> anniversary of the American Disabilities Act and handicapped parking. **Commissioner Stevenson** reported he was unable to attend the Mancos Town Board meeting but received an overview of the meeting. Other topics discussed included; a discussion held with the Cortez Solar 2, constituent phone calls and the County follow up on the Road 21 property clean-up issue. **Commissioner Candelaria** gave overviews of the attended Housing Authority meeting, the Monday workshop, the attended Dolores Town Hall meeting and the Governors call.

**SOUTHWEST HEALTH SYSTEMS: CFO, Rick Shrader**, introduced the new **Interim CEO, Jeanette Flipi**, and **Interim CNO, Mary Ann Angle**. Interim CEO Flipi, discussed process growth, the number of services offered, physician recruitment, rental property options, the new sleep lab, high altitude sleep studies, outreach opportunities, moving the wound care program to the hospital, plant operations, infrastructure, pediatrics and behavioral health. Interim CNO, Angle gave updates on the current COVID 19 patients, visitor restrictions, visitor screening, following CDC guidelines for health care workers, vaccination sites, a Delta variant patient, the temporary closure of the lab draw station, hospital leadership positions, testing timelines and antibody testing. CFO Shrader discussed the Financial Statements and Statistical Summary reports for the Month ended April 30, 2021. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted:  
**MOTION TO ADJOURN:** was made by Commissioner Lindsay seconded by Commissioner Stevenson and carried.  
**MEETING ADJOURNED: 11:10 a.m.**

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Clerk

June 29, 2021

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Chairman



**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Subdivision Application, submitted by **Jimmy & Marian Rodd**, on property located at 11773 Hwy 145, C, Cortez, CO, consisting of 7.21 acres, more or less, located south of Road M and west of Hwy 145, situated in Section 13, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Representing the Rodd's, **Cynthia Miller** was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the subdivision application, submitted by Jimmy & Marian Rodd, on property located at 11773 Hwy 145, 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 a proposed Subdivision and AR 10-34 Rezoning Application, submitted by **John & Robyn Foster**, on property located at 15123 Road 18 #A&B, Cortez, CO, consisting of 48 acres, more or less, located south of Road S and west of Road 18, situated in Section 27, T.37N., R.17W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Foster were present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the subdivision and rezoning application, submitted by John & Robyn Foster, on property located at 15123 Road 18 #A&B, Cortez, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Subdivision Amendment Application to the **Fox Run Development**, 2nd Amendment, submitted by **Ute View Farms**, on property located at 7255 Hwy 160/491, Cortez, CO, consisting of 9.78 acres, more or less, located west of Hwy 160/491, situated in Section 4, T.35N., R.16W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Charles and Wanda Martin** were present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the Fox Run Development, 2nd Amendment, submitted by Ute View Farms, on property located at 7255 Hwy 160/491, Cortez, with an amendment to the motion to include the rezoning to a commercial state. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Subdivision Amendment Application to the **Herrington Minor Subdivision**, submitted by **Edward Tevault**, on property located at 21555 Road F, Cortez, CO, consisting of 3 acres, more or less, located south of Road F and east of Road 21 situated in Section 18, T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Tevault was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the subdivision amendment application to the Herrington Minor Subdivision, submitted by Edward Tevault, on property located at 21555 Road F, Cortez, CO., Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** presented for discussion and approval a proposed After-the-Fact Variance Application for the setback distance of a raised deck to the Dolores River, submitted by **William Grace and Elka Youngren**, on property located at 19826 Hwy 145, Dolores, CO, consisting of 1.39 acres, more or less, located south and east of Hwy 145, in the Stapleton Subdivision, Tract 8. Mr. Grace was present. Commissioner Lindsay moved to approve the variance being since there was no water or septic flowing through there. Second by Commissioner Stevenson and carried. (See attached)

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

**DISCUSSION: Kelly Kirkpatrick** along with Board member **Justin Vasterling** from **Mesa Verde Country** met with the Commissioners with an introduction and to give an update on the tourism office. Ms. Kirkpatrick reported that they manage the tourism opportunities available within Montezuma County. Topics discussed included; strengthening the competitive position, collaboration with other tourism partners, new visitor readiness program development and stimulation of the tourism industry businesses, encouragement for economic development, occupancy rates and the County's support. Mr. Vasterling discussed hotel rack rates, an increase to the Lodgers Tax, marketing, outdoor destination area designations and workforce availability.

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of June 28, 2021 through July 30, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; road painting, shouldering, the Road 10 chip seal project, BLM access on Road 35.6, a new culvert replacement project on Road 20, the Mc Elmo Slip Project, the CDOT turn lanes on Hwy 491 and the Highland Terrace Road. (See attached)

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

spurge, statistical data updates, the Phreatophyte project, the cancellation of the Weber Canyon field tour, the July 15 and 16<sup>th</sup> scheduled applicator training, the Bare Ground Program, spraying the edges of County roads, Dalmatian Toadflax, and the Useful Public Service (UPS) program. Manager Loving presented, for approval **Noxious Weed Right of Entry Resolutions #5-2021, #6-2021, #7-2021, #8-2021, #9-2021 and #10-2021**. Commissioner Lindsay moved to approve the six, Right of Entries, as presented. The motion was seconded by Commissioner Candelaria and with two votes in favor by Commissioners Lindsay and Candelaria and one vote against by Commissioner Stevenson, the motion carried. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed with the report included: repairs to the Bomag Machine, compost rows, yard waste, scheduled composting training, the PCS soil acceptance plan from CDPHE, the development of the compost pad, and an update on the cells. Manager Jarmon reported they had found a rate discrepancy within the screening rates. His recommendation was to adjust the screening rates from \$38.68, to be applicable with the MSW rate at \$53.91, effective January 1, 2022. Commissioner Lindsay moved to approve the screening rates. Second by Commissioner Stevenson and carried. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$51,899.99 and attendance at 43,535. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the Ute Mountain Rodeo in-kind trade program, the grand stand sidewalks, a 12 foot gate and the new secretary office. Manager McGuire discussed an attended Ute Mountain Rodeo Committee meeting and future in-kind trade ideas. Ideas included a parking lot expansion project, a concert stage area and a horse barn. A discussion was held regarding recent light issues during events at the Race Track and the proposed Race Track Lease. (See attached)

**UNFINISHED BUSINESS:** Topics discussed included; scheduling a meeting with the three local School Districts representatives regarding the Secure Rural Schools Funds and a scheduled meeting to discuss the Sheriff's draft marijuana policy.

**COUNTY ATTORNEY REPORT: County Attorney, John Baxter** discussed scheduling county public hearings, the Road Y complaint, the draft agreement with the Town of Mancos, an update on the Weber Canyon / Pax LLC case, and the Fairgrounds contract.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Powers** reported that there would not be a Commissioner meeting on July 13, 2021.



**EXPENDITURES REPORT:** Administrator Powers presented the May 2021 Accounts Payable Expenditure Reports for approval. Commissioner Stevenson moved to pay the payables, in the amount of \$3,684,470.59, for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed the noxious weeds program, the attended meeting with the Attorney General, constituent phone calls, reading emails and the scheduled City of Cortez Council meeting. **Commissioner Stevenson** discussed the attended Economic Development meeting, the attended meeting with the Attorney General and constituent phone calls. **Commissioner Candelaria** discussed the attended Economic Development meeting, the CDOT / TPR tour and the attended meeting with the Attorney General.

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

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

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

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

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

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Clerk

July 6, 2021

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Chairman





property located at 25368 Road T.5, Dolores, CO., contingent on completion of the driveway. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Subdivision Amendment Application to the **Mountain Jerry Moderate Subdivision**, submitted by **Glenn & Jena Raleigh**, on property located at 40850 Road H, Mancos, CO, consisting of 8.69 acres, more or less, located south of Road H and east of Road 40.5 situated in Section 5, T.35N., R.13W., N.M.P.M The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Lindsay moved to approve the proposed subdivision amendment application to the Mountain Jerry Moderate Subdivision, submitted by Glenn & Jena Raleigh, on property located at 40850 Road H, Mancos, CO,. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**DISCUSSION:** A discussion was held regarding a Non-compliant property at 6330 Road 21, Cortez, Co., 81321. Property owner **Terry Belden** was present. The Commissioners were in agreement to allow Mr. Belden until August 2, 2021 to get the property compliant. (See attached)

**Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of Resolution #P-8-96, 1st Amendment and Mylar, submitted by **3D Farms**, on property located at 12225 Road BB, Pleasant View, CO, consisting of 320 acres, more or less, located north of Road BB and west of Road 13, situated in Section 3, T.38N., R.18W., N.M.P.M. Commissioner Stevenson moved to approve Resolution #P-8-96, 1st Amendment and Mylar, submitted by **3D Farms**, on property located at 12225 Road BB, Pleasant View, CO,. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for review and discussion of a sketch plan for a proposed **20 Lot Major Subdivision**, on property located at TBD Road M, Cortez, CO, consisting of 70.34 acres, more or less, situated in Section 13, T. 36N, R. 17W, N.M.P.M. Property owner **Carol Stepe** and **Alison Klein** were present. The Commissioners were in agreement that the sketch plan move forward to the Planning & Zoning Commission.

**RESOLUTION 8-2021:** Director, Haley with Assistant, Duncan presented for signatures for Resolution #8-2021, to adopt the revised **School Land Dedication/Fee Resolution**, submitted by **Montezuma-Cortez School District RE-1**. Commissioner Lindsay moved to adopt Resolution #8-2021, to adopt the revised School Land Dedication/Fee Resolution, submitted by Montezuma-Cortez School District RE-1. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** with **Assistant Duncan** presented for signatures of a Mylar for a Single Lot Development submitted by **Valden Johnson**; agent: **Aimee Johnson**, on property located at 11499 Road 34, Mancos, CO, consisting of 108.91 acres, more or less, located south of Road M, west of Road 34, situated in Section 18, T.36N, R.14W, N.M.P.M.

**Director, Haley** with **Assistant Duncan** presented an After the Fact Exemption application submitted by Jessica Jo Lenhart, property located at 12461 Road 44, Mancos Co., 81328. Commissioner Stevenson moved to approve the After the Fact exemption for Jessica Lenhart located at 12461 Road 44, Mancos Co. 81328. Second by Commissioner Lindsay and carried.

**PUBLIC COMMENT: Eddie Hershberger** discussed stop signs at the intersection of Aztec Street and East 1st Street within the Town of Mancos.

**DISCUSSION: Gary Welch** from **End Veteran Homelessness (EVHN) Program** met with the Commissioners to discuss an emergency housing proposal and the EVHN program. (See attached)

**PUBLIC LANDS: Bureau of Land Management, Tres Rios Field Manager, Connie Clementson** gave updates to the Commissioners on the following topics, the Summit parking area, current fire restrictions, and an update on the proposed NCA. Manager Clementson gave an update on the Canyons of the Ancients Museum. Topics discussed within that report included; the relocation of the Painted Hand and Cutthroat Castle road, the hours of operation, the museum fees, the Wild Horse and Burro exhibit, the Wild Horse Project and water developments.

**GIS MAPPING: GIS Manager, Doug Roth** and **Mapping Specialist, Rachel Medina** met with the Commissioner to present for approval the **Eagleview Pictometry** invoice in the amount of \$32,568.00. Commissioner Lindsay moved to approve the bid for the GIS imagery. Second by Commissioner Stevenson and carried (See attached)

**COUNTY SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin** met with the Commissioners to give his monthly report which included; an update on the fire restrictions, the **June Calls for Service Report**, traffic calls, domestic violence calls, disturbance calls, assaults, trespassing calls, private property signs along the river walk areas in Dolores, the **Jail Report**, the **Transport Report**, the **Perdium and Cost for Travel Report**, the **City of Cortez Billing Report**, the **Dolores County Billing Report**, the **DOC Holds Report**, the total monthly inmate numbers, the **Arrest / Release Report**, the **Operational Expense Report**, the **Monies Paid to the General Fund Report** and an update on the body camera grant funding. Sheriff, Nowlin presented for approval, the **Justice Assistance Grant (JAG)** in the amount of \$13,000.00. Commissioner Lindsay moved to approve the grant funding budget for the JAG education grant. Second by Commissioner Stevenson and carried. Sheriff Nowlin presented for approval the **POST Range Improvement Grant 2021-2022 #POGG1-LAAA-GT2022** in the amount of \$50,809.00. Commissioner Stevenson moved to approve the POST Range Improvement

Grant #POGG1-LAAA-GT2022. Second by Commissioner Lindsay and carried. A discussion was held regarding the permanent salary line item within the Sheriff's approved budget. (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner, Deavers reported on the year to date statistics, which included; 4 overdose deaths, 6 suicides, 10 motor vehicle accident deaths, 2 ethanol related deaths, 29 autopsies performed and 97 year to date calls. Coroner Deavers also discussed Dolores County and San Miguel County using our facilities to perform autopsies.

**DISCUSSION: Cortez Fire Protection Chief, Jay Balfour** met with the Commissioners to give a perspective of the Cortez Fire Protection District. Chief Balfour discussed the establishment of the Fire District, the boundaries of the district, the population of the district, the calls for service, response protocols, the board members, staffing statistics, station locations, the primary mutual aid fire districts, RAR adjustments and the May 2022 Board election along with a proposed ballot question. (See attached)

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioners and gave a monthly update. Manager Spratlen presented the **Monthly Situational Report** and the **Montezuma County, Colorado COVID-19 Response, After Action Report/Improvement Plan (Version 2)**. Topics discussed within the report included; the current fire statistics, the National Preparedness level, a COVID update, EOC trainings, Continuity of Operations planning, proposed legislation for cross state transports, the Department of Homeland Security Emergency Management site visit, the EMPG Grant approval, compliance for the Emergency Operation Plan, the Monday Zone meetings and the weekly National Weather Service call. (See attached)

**UNFINISHED BUSINESS:** A discussion was held regarding the current County Moratorium of the Public Health Department's, Transfer of Title under Regulation #43. Commissioner Lindsay moved to opt out. Second by Commissioner Stevenson and carried.

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

**DISCUSSION: Kevin Wing and Bob Varcados with Green Lynx Farm Inc.** met with the Commissioners to discuss commercial operations of marijuana facilities within Montezuma County. Topics discussed included; marijuana excise taxes within other Colorado counties, a gradual increase to a proposed County excise tax, the current County moratorium and the proposed draft marijuana ordinance.

**DISCUSSION: U.S. Senator John Hickenlooper's Southwest Regional Representative, Helen Katich,** met with the Commissioners to discuss Senator Hickenlooper's priority projects. Representative Katich reported that Senator

Hickenlooper was serving on the following committees; the **Space and Science Committee**, the **Small Business and Entrepreneurship Committee**, the **Energy and Natural Resources Committee** and the **Commerce Committee**. Other topics discussed included; a proposed small business package concerning access to the SBA, Cooperative Businesses, venture capital, indigenous participation in the SBA Board, an increase of loan capacity, employment opportunities, unemployment, housing, child care, Wilderness bills, the **Health Education, Labor and Pensions Committee**, a Rural Health Care Bill, the **Western Health Alliance**, the **Map Land Act**, the **Shred Act**, the **Infrastructure Package Plan**, rural broadband development projects and the **Lower Dolores NCA**.

**COUNTY ATTORNEY REPORT:** County Attorney, **Ian MacLaren** gave an update on the Weber Canyon / Pax LLC case and the Road Y issue.

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

**COUNTY ADMINISTRATOR REPORT: ORDER 3-2021:** Administrator **Shak Powers** presented **Transfer Order #3-2021** for approval. A transfer of \$384,861.00 from the General Fund (001) to the Capital Fund (004) for the costs of capital projects. Commissioner Stevenson moved to transfer \$384,861.00, from the General Fund to the Capital Fund for the costs of capital projects for 2021, which would be Order #3-2021. Second by Commissioner Lindsay and carried. Administrator Powers presented for approval, the **Memorandum of Understanding Version 6/22/21** between the State of Colorado Department of Local Affairs and Montezuma County for the technical assistance services to be provided under the **Regional Resiliency and Recovery Roadmaps Project**. Commissioner Lindsay moved to approve the Memorandum of Understanding with DOLA, Version 6/22/21. Second by Commissioner Stevenson and carried. Administrator Powers gave a report on the recently attended NACO conference. Topics discussed included; economic and work force development, the American Rescue Plan funds, broadband, revenue loss calculations, mental health, the opioid response and the addition of a behavioral health tab to the County web site. <https://montezumacounty.org/behavioral-health/>

**Administrator Powers** on behalf of Resource Director Dietrich, presented for approval a letter addressed to the **San Juan National Forest Dolores Ranger District, Walt Brown** regarding the **Alianza Minerals Limited Twin Canyon Exploration Drilling Project (1950/2400)** and a letter addressed to the **San Juan National Forest Dolores Ranger District, Chris Alanis** regarding the **Plateau Fire Reforestation Project**. Commissioner Stevenson moved to send the letters regarding the Alianza Minerals Limited Twin Canyon Exploration Drilling Project and the Plateau Fire Reforestation Project. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** A discussion was held with **GIS Mapping Specialist, Rachel Medina** regarding the preliminary redistricting maps.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Mancos Town Board

meeting, a scheduled workshop with the Mancos Town Board, constituent phone calls and reading. **Commissioner Lindsay** discussed constituent phone calls, reading and the City of Cortez Council meeting. **Commissioner Candelaria** gave an overview of the Monday workshop presentations and the attended NACO conference.

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

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

**MEETING ADJOURNED: 3:15 p.m.**

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Clerk

July 20, 2021

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Chairman





comment. Public comment was made by **Breen Mc Comb, Jody Hubbs, Kathy Topper** and **Duane Dale**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Candelaria moved to accept a proposal of a solar photovoltaic electricity generating project submitted by Shawn & Kathy Wells, Glen Wells & Empire Electric Association & Keith Cole; agent: Cortez Solar 2, LLC, on property located at 11501 Road 24, 11551 Road 24 & 23999 Road L.4, Cortez, CO., contingent on the completion of the mitigation measures discussed. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination for regarding a proposed 3 Lot Minor Subdivision and AR10-34 Rezoning Application submitted by **Ted Clark**; agent: **Maness & Associates**, on property located at 26059 Road 38.5, Dolores, CO, consisting of 32.6 acres, more or less, located north of Hwy 145, east of Road 38, situated in Section 36, T.39N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Clark along with Agent, Ernie Maness were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 3 lot minor subdivision and rezoning application submitted by Ted Clark; agent: Maness & Associates, on property located at 26059 Road 38.5, Dolores. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT: Clay Hollen** discussed weed mitigation and a proposed Noxious Weed Resolution.

**2020 FINANCIAL AUDIT: Chris Majors** with **Majors and Haley P.C.** presented the December 31, 2020 audit for review. Mr. Majors gave an overview of the audit report. Topics discussed included; the Schedule of Revenues, Expenditures and Changes in Fund Balances- Budget and Actual General Fund Reports for the following funds; the **Road & Bridge Fund**, the **Social Services Fund**, the **Public Health Fund**, the **Conservation Trust Fund**, the **Clara Ormiston Fund**, the **Emergency Telephone Fund**, the **Sheriff's Forfeiture Fund**, the **Revolving Loan Fund**, the **Lodgers Tax Fund**, the **Emergency Reserve Fund**, the **Contingent Fund**, the **Law Enforcement Authority Fund**, the **Capital Fund** and the **Landfill Fund**. Other topics discussed included; federal monies received, COVID monies received, the Highway Report and the **Notes to the Financial Statements Report**. Commissioner Lindsay moved to accept the Audit Report, dated December 31, 2020 from Majors and Haley P.C. Second by Commissioner Stevenson and carried. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to present, **Noxious Weed Right of Entry Resolution #11-2021**. Commissioner Lindsay moved to approve Noxious Weed Resolution #11-2021.

The motion was seconded by Commissioner Stevenson and carried. Manager Loving made a request to amend the June 2021, expirations dates for Right of Entry Resolutions, #1-2021, #2-2021, #4-2021 and to extend the expiration date to November 1, 2021. Commissioner Lindsay moved to extend resolutions #1-2021, #2-2021 and #4-2021 for the County Noxious Weed Program, until November 1, 2021. Second by Commissioner Stevenson and carried. (See attached)

**BOARD OF SOCIAL SERVICES MONTHLY REPORT:** It being the time set aside, the Board of Social Services was conducted. **Director, Gina Montoya** and **LueAnn Everett** were present. (See attached)

**RESOLUTION #9-2021: Public Health Doctor, Kent Aiken,** along with **Scott Anderson** met with the Commissioners to discuss, the proposed Resolution #9-2021. A resolution concerning ambulance service licenses, permits, and regulation of emergency medical services. The Commissioners were in agreement to postpone the decision to the August 3<sup>rd</sup> meeting.

**VETERANS SERVICE: Veteran Service Officer, Rick Torres** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay,** June 2021 was presented for the record. Other topics discussed included; the June 2021 financial report, a review of office activities, statistical data, the indirect income to Montezuma County and the hours of operations during the remodeling project. (See attached).

**SENIOR SERVICES: Director, Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. Topics discussed included: the remodeling project, the **Meals on Wheels** program, the **Silver Sneakers** exercise classes and coordination with CSU Extension on the **Agging Mastery Program.**

**UNFINISHED BUSINESS: Administrator Powers** presented the **Memorandum of Understanding (MOU)** between the **American Red Cross** and the **Montezuma County Office of Emergency Management.** Commissioner Stevenson moved to sign the MOU between the American Red Cross and the Montezuma County Office of Emergency Management. Second by Commissioner Lindsay and carried. A discussion was held regarding a final decision, on the fund increase request from Alex Graff from the **Wildfire Adapted Partnership.** The Commissioners were in agreement to leave the budgeted amount where it currently stands for this budget cycle. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Weber Canyon / Pax LLC case.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** reported on meetings attended to discuss the Opioid Settlement monies, the Recovery and Resiliency Grant, future funding sources for the Community Intervention Program and meetings with the Economic Development Group.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed constituent phone calls, the attended Denver meeting with the Department of Agriculture and the attended Introduction of Wolfs Update meeting. **Commissioner Lindsay** discussed the County Fair opening, constituent phone calls and local high school athletes that have qualified for State teams. **Commissioner Candelaria** discussed the attended CCI Legislative issues call, the attended CCI Western Districts call, the County Fair, gave an overview of the Monday workshop presentations, the attended Dolores Town Board Meeting, and the August 7, 2021 Redistricting Forum meeting in Durango.

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

**DISCUSSION: Region 9 Economic Development Project Manager, Heather Otter** met with the Commissioners to discuss the **Community Development Action Plan** and the Strategic Direction-Montezuma County Priorities and Projects. (See attached)

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Sue E Sieber** on account #R002707. The petitioner, Sue E. Sieber was not present. **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Lindsay moved to accept the Assessor's adjusted value at \$368,051.00 for the property located at 101 S. 5<sup>th</sup> St. Dolores Co. 81323. Second by Commissioner Stevenson and carried. Commissioner Suckla closed the hearing at this time. (See attached)

**ABATEMENT:** It being the time set aside for the **Robert Urquhart, Double R Ranch LLC** Abatement hearing on accounts #R004280 and #R004281. The proceedings were recorded for the record. **Robert Urquhart** was present for the hearing. The Petitioner along with **Assessor, Leslie Bugg** gave an overview of the process of valuation of said land. Assessor Bugg gave her recommendations of a temporary adjustment. Commissioner Lindsay moved to approve for abatement account number R004280, in the amount from tax value of \$15,903.24 to tax value of \$4,083.05. Second by Commissioner Stevenson and carried. Commissioner Lindsay moved to approve the abatement for account number R004281, located at 19505 Road 42, Mancos Co. abated from \$11,512.04 to \$2,128.17. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Keith Clem** on account #R013004. The petitioner, Keith Clem was not

present. **Assessor, Leslie Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to accept the evaluation on account #R013004, the adjusted value of \$195,679.00, as residential. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was scheduled. The appeal is from **Susan L. Grabbe** on account #R007189. The petitioner, Susan Grabbe made a request to postpone the hearing. The Commissioners were in agreement to postpone the hearing to August 3, 2021 at 1:30 p.m.

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Ron F. Kotarski** on accounts #R006367, #R015643, and #R013424. The petitioner, Ron F. Kotarski was present.

**#R015643:** The Petitioner along with **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Lindsay moved to reduce it by \$4,350.00 down to \$45,650. For lack of second, the motion died. Commissioner Stevenson moved to stand by the assessment from the Assessor's office with the value at \$50,000.00. Second by Commissioner Lindsay and carried.

**#R006367:** The Petitioner along with **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Candelaria moved to go with the value recommended at \$479,140.00. Second by Commissioner Stevenson and carried.

**#R013424:** The Petitioner along with **Appraiser, Zane Fischer** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to go with the value recommended by CBOE as \$63,424.00, on property located at 28155 County Road N, Dolores Co. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**DISCUSSION:** Commissioner Lindsay presented for approval, a letter of support addressed to **Director Allison George, Division of Housing- Department of Local Affairs** regarding the **Southwest - Housing Rehabilitation Program**. Commissioner Lindsay moved to sign the letter of support for Housing Solutions. Second by Commissioner Stevenson and carried. (See attached)

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

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

**MEETING ADJOURNED: 4:30 p.m.**



**Planning & Zoning Commission: Director, Haley** reported that Chairman Rob Pope of the Planning and Zoning Board had resigned. Director Haley's recommendation was to advance John Hernandez as a permanent member to the Board. Commissioner Lindsay moved to appoint John Hernandez to the Planning & Zoning Commission, as a permanent position and for a 2 year term. Second by Commissioner Stevenson and carried.

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

**RESOLUTION #10-2021 / FIRE BAN: Sheriff Nowlin** made a recommendation to the Board of County Commissioners to lift the Fire Ban within Montezuma County. **Resolution 10-2021**, a resolution to suspend the ban on fires and use of firework was presented for approval. Commissioner Lindsay moved to rescind the Fire Ban. Seconded by Commissioner Stevenson and carried. (See attached)

**PUBLIC HEALTH DEPARTMENT: Public Health Assistant Director, Laurel Schafer**, met with the Commissioner to present for signatures the **CNC Grant / Contract Amendment #2** for the time period September 1 through August 31. Assistant Director Schafer noted, that this was the Suicide Prevention Grant. Commissioner Stevenson moved to sign the agreement from the Montezuma County Public Health Department and the State of Colorado for contract #2020\*3672 Amendment #2. Second by Commissioner Lindsay and carried. (See attached)

**RESOLUTION #9-2021: Public Health Doctor, Kent Aiken, Scott Anderson and Matt Lindsay** presented Resolution #9-2021. A resolution concerning ambulance service licenses, permits, and regulation of emergency medical services. Commissioner Lindsay moved to adopt Resolution #9-2021, Montezuma County Colorado concerning ambulance service licenses, permits, and regulation of emergency medical services. Seconded by Commissioner Stevenson and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney Mac Laren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and to include Commissioners Stevenson, Lindsay and Candelaria, Administrator Powers, Attorney MacLaren, Clerk Percell, Road Superintendent Rob Englehart along with Mr. and Mrs. Jeff Bunnell from Ironwood Group LLC, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding a road usage agreement between Montezuma County and Ironwood Group LLC. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of August 1, 2021 through September 3, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; the **McElmo Slip Project**, the **Root & Ratcliff** project, and the **Alkali Creek Bridge** project. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; musk thistle, applicator training, the new ATV, property owner mailings, spotted knapweed, diffuse knapweed, the cost share program, property visits, the back pack loaner program, the Hermana Project, the Diffuse Project, Biological control and amendments to the budget, for the additional \$10,000.00 grant funds received. Manager Loving made a request for permission to spend the additional funds received from the CDA. Commissioner Lindsay moved to give permission to Manager Loving to spend the additional funds. Second by Commissioner Stevenson and carried. Manager Loving presented, for approval **Noxious Weed Right of Entry Resolutions, #12-2021, #13-2021 and #14-2021**. Commissioner Stevenson moved to approve the three Right of Entries for the weed program. Second by Commissioner Lindsay and carried. (See attached)

**LANDFILL: Bid Opening:** The Commissioners opened the design build bid received for the replacement scale. The bid received was from **Western Slope Scale Service** for a **Rice Lake Weighing Model EZ4711-ST-OTR**, 100 ton capacity, truck scale with a steel deck, in the amount of \$84,750.00. Commissioner Lindsay moved to approve the bid for the Landfill, from Western Slope Scale Service, in the amount of \$84,750.00. Second by Commissioner Stevenson and carried. **Landfill Manager, Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed with the report included; the APEN permit and new regulations from the CDPHE, the budget, equipment repairs, and a proposed new compactor purchase next year.

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$61,509.99 and attendance at 53,365. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the County Fair, the commodity freezers, electrical issues during the County Fair and Commissioner review of the draft Race Track Agreement. (See attached)

**UNFINISHED BUSINESS: Commissioner Candelaria** gave an overview of the Monday Workshop meetings. Attorney MacLaren presented for approval, the **Programmatic Partnership Agreement between the USDA Natural Resources Conservation Services (NRCS) and Montezuma County**. Commissioner Stevenson moved to sign the partnership agreement between the USDA Natural Resources Conservation Services (NRCS) and Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Weber Canyon / Pax LLC case.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** presented for signatures the updated list of individuals to serve on a local **Juvenile Services Planning Committee**. Administrator Powers presented a Public Notice for the **Montezuma Heritage Museum** event to be held August 9<sup>th</sup>, 2021. Other topics discussed included the **Economic Development Team's** Community Survey. (See attached)



**EXPENDITURES REPORT:** Administrator Powers presented the June 2021 Accounts Payable Expenditure Reports for approval. Commissioner Stevenson moved to pay the expenditures in the amount of \$3,602,572.49, for the June 2021 expenditures. Second by Commissioner Lindsay and carried. (See attached)

**ORDER #4-2021: Administrator Powers presented Transfer order #4-2021.** A transfer of \$30,579 from General Fund (001) to Capital Fund (004) to correct solar invoice paid out of wrong fund. Commissioner Lindsay moved to authorize, order #4-2021, for the transfer of \$30,579 from the General Fund to Capital Fund, for the solar project. Second by Commissioner Stevenson and carried. (See attached)

**ORDER #5-2021: Administrator Powers presented Transfer Order #5-2021.** A transfer of \$14,958.00 from Road and Bridge (002) to Capital Fund (004) to correct solar invoice paid out of wrong fund. (See attached) Commissioner Stevenson moved to approve Order #5-2021, a transfer of \$14,958.00 from Road and Bridge to the Capital Fund, to correct solar invoice paid out of wrong fund. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent phone calls, attendance at the County Fair and the City of Cortez Council meeting. **Commissioner Stevenson** discussed the attended Mancos Town Board meeting, attendance at the County Fair, the Monday workshop, constituent phone calls and reading. **Commissioner Candelaria** discussed the Region Board meeting, attendance at the County Fair, the Monday workshop and a tour of Road 41 to review the gates. The Commissioner were in agreement to mail a letter addressed to **Ray Lucero**, Regional Director, Colorado **Department of Labor and Employment**. (See attached)

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

**PUBLIC COMMENT:** Chairman Candelaria allowed **Barbara J. Hughes** an opportunity to speak regarding her assessed property value. Ms. Hughes was present during the morning session but missed the public comments period.

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Stacy and Kendall Allen** on account #R002579. The petitioner, Stacy and Kendall Allen were present. The Petitioner along with **Assessor, Leslie Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to accept the value recommended by the CBOE at this time and revisit at the next reevaluation period. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Calyn Allen** on account #R017913. The petitioner, Calyn Allen was present. The Petitioner along with

**Assessor, Leslie Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to adjust the valuation to \$205,080.00. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was scheduled. The appeal is from **Susan L. Grabbe** on account #R007189. The petitioner, Susan Grabbe was present. The Petitioner along with **Assessor, Leslie Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Lindsay moved to reduce the valuation to \$236,156.00. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

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

**MEETING ADJOURNED: 2:45 p.m.**

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Clerk

August 3, 2021

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Chairman



located at 761 N. Broadway, Cortez, CO, consisting of 1.89 acres, more or less, located west of Hwy 491/N. Broadway situated in Sections 22 & 27, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Ernie Maness was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed subdivision amendment for the Empire Electric North Broadway Subdivision, submitted by Bedroc, LLC; agent: Maness & Associates, located at 761 N. Broadway, Cortez,. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is for review and determination of a proposed Subdivision and AR10-34 Rezoning Application submitted by **Gary & Georgia Stanley**; agent: **Jeffrey Sederlin**, on property located at 19250 Road P, Cortez, CO, consisting of 35 acres, more or less, located west of Road 20, south of Road P, situated in Sections 35, T.37N., R.17W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Sederlin was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the proposed subdivision and AR10-34 rezoning application submitted by Gary & Georgia Stanley; agent: Jeffrey Sederlin, on property located at 19250 Road P, 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 a proposed Subdivision Amendment & Rezoning Application to the **Lichliter 2** Lot Moderate Subdivision, submitted by **Julian Martinez**, on property located at 25695 Road M, Cortez, CO, consisting of 11.35 acres, more or less, located north of Road M, west of Road 26, situated in Sections 11, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Martinez was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed subdivision amendment & rezoning application to the Lichliter 2 lot moderate subdivision, submitted by Julian Martinez, on property located at 25695 Road M, Cortez,. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed 2 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by **Michael Chenard & Jerrod Chenard**, on property located at 10455 Road 20, Cortez, CO, consisting of 43.34 acres, more or less, located south of Road M and west of Road 20, situated in Section 23, T.36N., R.17W., N.M.P.M.. The roll was called, the public notice

read, and the proceedings were recorded for the record. Michael and Jerrod Chenard were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the proposed 2 lot minor subdivision and AR10-34 rezoning application, submitted by Michael Chenard & Jerrod Chenard, on property located at 10455 Road 20, Cortez, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed 2 Lot Minor and AR10-34 Rezoning Application submitted by **Hancock Family Trust**, on property located at 19444 Road 16.5, Yellow Jacket, CO, consisting of 23.40 acres, more or less, located south of Road W, east of Road 16, situated in Section 5, T.37N, R.17W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Mr. Joe Hancock** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Director Haley reported that the rezoning needed to be amended from AR10-34 to AR3-9. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2 lot minor and rezoning AR3-9 application submitted by Hancock Family Trust, on property located at 19444 Road 16.5, Yellow Jacket. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING:** **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of a Variance, submitted by **Joseph F & Sandra E Jaburg**, on property located at 19183 Road 25.3, Dolores, CO, consisting of 3.13 acres, more or less, located south of Hwy 184, west of Road 25.3, situated in Section 2, T.37N, R.16W, N.M.P.M. Commissioner Lindsay moved to approve the variance for Joseph & Sandra Jaburg, on property located at 19183 Road 25.3, Dolores. Second by Commissioner Stevenson and carried. (See attached)

**Director, Haley** with **Assistant Duncan** reported that the Mylar for an Exemption Resolution, submitted by **Kenneth R & Jeanne M Todd**, on property located at 27538 Road 16, Pleasant View, CO, was postponed to a later date. Other topics discussed included; an update on the Periman property on Road 25, the Road 21 property and an update on the **Love's Travel Stops & Country Stores, LLC** project.

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

**DISCUSSION:** **President of Muscanell Millworks, Bobbie Comisky**, along with **Planning Director Haley** met with the Commissioners to discuss the required County assessed road impact fees, for a warehouse expansion project. The Commissioners were in agreement to impose the current assessed road impact fees.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manger Higman reported that at the current time it is difficult to purchase vehicles or parts and that he would be presenting new bids for replacement vehicles soon. Other topics discussed included the Enterprise Fleet presentation.

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Mike Chenard** met with the Commissioners to give a monthly report. Supervisor Chenard reported on the grounds and building projects. Topics discussed included; updates on the floor replacement projects, the LED lights project, repair projects at the Jail, the City of Cortez grinder request, and a plumbing project at the administration building.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to discuss the proposed Montezuma County redistricting project. Topics discussed included; the attended Statewide Redistricting Committee public comment meeting, the anticipated census data, the inclusion of municipal partners to the process, the proposed preliminary Colorado House District redistricting maps and a draft letter to the Colorado State Redistricting Committee. (See attached)

**UNFINISHED BUSINESS:** Topics discussed included: a request for an additional 2 full time employees for the **Social Services Department** and the **Secure Rural Schools (SRS)** funding. Commissioner Lindsay moved to allow the Social Services to hire 2 full time employees. Second by Commissioner Stevenson and carried. Commissioner Stevenson moved that after the meeting with the School Superintendents, to give Imagination Library the remainder of the money allocated, in the amount of \$78,475.21. Second by Commissioner Lindsay and carried.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Road 41 case, the Road Y issue, the new Assistant County Attorney, the Road 21 property case and the penalties for Land Use Code violations.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich** discussed a scheduled meeting with Connie Clementson and the BLM, to discuss the (CANM) Canyons of the Ancients National Monument roads, along with a scheduled work session to discuss a signage project,. Director Dietrich discussed the **Community Wildfire Protection Plan**, gave an update on the **Paths to Mesa Verde Trail** project and discussed attended water meetings. The Commissioners were in agreement to name Mr Dietrich as the **Southwest Basin Round Table, Montezuma County Interim Representative**.

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** had no report to give.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed constituent phone calls and the attended Heritage Museum event. **Commissioner Stevenson** discussed an attended meeting with the Commissioner of Agriculture, attendance at a **Changing Our Mental and Emotional Trajectory** (COMET) training, the attended redistricting meeting, the Monday workshop meeting, the Heritage Museum event, and constituent phone calls and reading. **Commissioner**

**Candelaria** discussed a Road 27.3 meeting with Road Supervisor Englehart, a meeting with an engineer, the redistricting meeting, the Monday workshop and the Dolores Town 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), and to include Commissioners Stevenson, Lindsay and Candelaria, Administrator Powers, Attorney MacLaren and Clerk Percell, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure for the MOU related to the Fiber. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren’s suggestion, Commissioner Stevenson moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and to include Commissioners Stevenson, Lindsay and Candelaria, Administrator Powers, Attorney MacLaren, Clerk Percell and the Fairgrounds Manager Justin McGuire seconded by Commissioner Lindsay and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the proposed Race Track Lease Agreement. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

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

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

**MEETING ADJOURNED: 12:30 p.m.**

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Clerk

August 10, 2021

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Chairman





Hwy 145, Dolores. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for an Exemption Resolution, submitted by **Kenneth R & Jeanne M Todd**, on property located at 27538 Road 16, Pleasant View, CO, consisting of 149.68 acres, more or less, located south of Road EE, east of Road 16, situated in Section 29, T.39N, R.17W, N.M.P.M. Commissioner Stevenson moved to sign a Mylar for an exemption resolution, submitted by Kenneth R & Jeanne M Todd, on property located at 27538 Road 16, Pleasant View, CO. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Boundary Line Adjustment, submitted by **Kelly & Stacey Weyand** and **Carlos Whitmer**, on properties located at TBD Road C and 21550 Road C, Cortez, CO, consisting of 27 acres, more or less and 7.18 acres, more or less, both located south of Road C, west of Hwy 160/491, situated in Section 31, T.35N, R.16W, N.M.P.M. Commissioner Lindsay moved to approve a boundary line adjustment, submitted by Kelly & Stacey Weyand and Carlos Whitmer, on properties located at TBD Road C and 21550 Road C, Cortez. Second by Commissioner Stevenson and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for discussion of a proposed Variance application submitted by **Carl Chiodo & Lynn Hill**, on Lot #9 of the Four Corners Encampment Subdivision, located at 24850 Road 37, Dolores, CO, consisting of 3.77 acres, more or less, located east of Hwy 145, situated in Section 11, T. 38N, R. 14W, N.M.P.M. Commissioner Stevenson moved to continue this variance application submitted by Carl Chiodo & Lynn Hill, on Lot #9 of the Four Corners Encampment Subdivision, located at 24850 Road 37, Dolores, CO. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a High Impact/Special Use Permit for the **Dolores River Campground**, submitted by **Elaine & William Beyhan**, on property located at 18680 Hwy 145, Dolores, CO, consisting of 34.23 acres, more or less, located south of Hwy 145, situated in Section 12, T. 37N, R. 15W, N.M.P.M. Commissioner Lindsay moved to approve the High Impact/Special Use Permit for the Dolores River Campground, submitted by Elaine & William Beyhan, on property located at 18680 Hwy 145, Dolores. Second by Commissioner Stevenson and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a High Impact/Special Use Permit for the **Stoner RV Resort & Campground**, submitted by **Carol Leinberger**, on property located at 26055 Road 40, Dolores, CO, consisting of 5.44 acres, more or less, located north of Hwy 145, east of Road 40, situated in Section 32, T. 39N, R. 13W, N.M.P.M. Director Haley noted a name change to the **Cortez RV Resort**. Commissioner Lindsay moved to approve the High Impact/Special Use Permit for the Stoner RV Resort & Campground, submitted by Carol Leinberger, on property located at 26055 Road 40, Dolores. Second by Commissioner Stevenson and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Subdivision Amendment to the **Hobo Acres** Minor Subdivision, submitted by **Valarie Francisco & Robin Estep**, on properties located at 26986 & 26980 Road H, Cortez, CO, consisting of 20.02 acres, more or less, located south of Road H, east of Road 26.5, situated in Section 6, T.35N., R.15W., N.M.P.M.

**Director, Haley** with **Assistant, Duncan** presented for signatures of a High Impact/Special Use Permit for a Solar Photovoltaic Electricity Generating Project submitted by **Shawn & Kathy Wells, Glen Wells Empire Electric Association & Keith Cole**; agent: **Cortez Solar 2, LLC**, on property located at 11501 Road 24, 11551 Road 24 & 23999 Road L.4, Cortez, CO, consisting of 67.69 acres, 37.27 acres, & 36.98 acres, more or less, 11267 Road 24, consisting of 9.47, more or less, all located north of Road L, west of Hwy 491, situated in Section 16, T.36N, R.16W, N.M.P.M.

**Director, Haley** with **Assistant, Duncan** presented for signatures of a 7 Lot Major Subdivision, submitted by **Richard & Melanie McDonald**, on property located at 12107 Hwy 145, Dolores, CO, consisting of 52.01 acres, more or less, located west of Hwy 145, north of Road M, situated in Section 12, T.36N, R.16W, N.M.P.M.

**Director, Haley** with **Assistant, Duncan** reported that the 2 Lot Moderate Subdivision, submitted by **Terry and Larry Pickens**, on property located at 13848 Road 23, Cortez, CO, consisting of 38 acres, more or less, located south of Road P, east of Road 23, situated in Section 4, T.36N., R.16W., N.M.P.M. was postponed to a later date.

**PUBLIC COMMENT: Tiffany Ghere** discussed the proposed redistricting project, proposed State gun resolutions and illegal marijuana grows within Montezuma County. **Allen Maez** discussed the proposed redistricting project and the Cattlemen Association's annual picnic.

**GIS MAPPING: GIS Manager, Doug Roth** met with the Commissioners to present, for approval, a letter addressed to the **Colorado State Redistricting Committee** regarding the Montezuma County proposed legislative redistricting. Commissioner Lindsay moved to sign the letter. Second by Commissioner Stevenson and carried. (See attached)

**PUBLIC HEALTH: Public Health Director, Bobbie Lock** presented for approval the Essentials for Childhood Program, **Contract Amendment #1** original contract number 2021\*0191. Commissioner Stevenson moved to sign the contract agreement 2021\*0191 through CDPHE, and the Board of Commissioner in the Montezuma County Public Health Agency. Second by Commissioner Lindsay and carried. **Arlina Yazzie** and **Katy Maxwell** presented Commissioner Stevenson's certificate of completion for the attended, **Changing Our Mental and Emotional Trajectory** (COMET) training. (See attached)

**DISCUSSION: Allen Giannakopoulos** President of the **Cedar Mesa Ranches HOA Inc.**, property owner **Steve Campbell** and from the **Bureau of Land Management, Connie Clementson** met with the Commissioners to discuss options, for emergency evacuation routes within the Cedar Mesa Ranches subdivision. Topics discussed included; a five year fire mitigation plan, safe zones, home owner responsibilities, and defensible space. (See attached)

**PUBLIC LANDS: Canyon of the Ancients, National Monument Manager, Ray O’Neal** met with the Commissioners and gave updates on the following topics: the current hours of operation for the Visitor Center / Museum, reopening the book sales area, a special exhibit, the Montezuma County Sheriff Office Mounted Patrol Unit’s public event scheduled September 2, 2021 at 10:a.m., and the Painted Hand Improvement Project.

**COUNTY SHERIFF’S MONTHLY REPORT: Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report**, the **Jail Report**, the **Year to Date Transport Report**, the **Perdium and Cost for Travel Report**, the **Total Monthly Inmate Report**, the **July Monthly Arrests Report**, the **Dolores County Billing Report**, the **City of Cortez Billing Report**, the **DOC Holds Report**, the **July Operational Expense Report** and the **Monies Paid to the General Fund Report**. Other topics discussed included; the current COVID precautions for the jail, a proposed Commissioner jail tour, recent jail closures, mask or PPE requirements, the back-up generator and light fixture replacements at the jail. Sheriff Nowlin presented for approval the **Jail Based Behavior Service Grant** for 2021-2022 in that amount of \$31,289.00. Commissioner Lindsay moved to approve the Montezuma County Sheriff’s Jail Based Behavior Service Grant for 2021-2022. Second by Commissioner Stevenson and carried. (See attached)

**CORTEZ FIRE PROTECTION DISTRICT (CFPD): Chief, Jay Balfour** met with the Commissioners to give a monthly report. Topics discussed included the monthly and yearly Calls for Service, the average turnout time, silent dispatching and the District’s **Community Risk Reduction** concept, Smoke & Carbon Monoxide alarm installation, fire mitigation education, emergency preparedness, training in CPR, AED, First Aid and Stop the Bleed, address signs for residential and commercial properties, escape planning, pre-incident planning and fire station mile classifications. (See attached)

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

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**. Topics discussed included; the CFPD emergency declaration, spot fires, the recent fire list, current Fire ban status for the Town of Dolores, the most recent fire forecast, the current national weather report, the national preparedness level, the County preparedness, water updates, a COVID update, the recent Homeland Security site visit, the Community Wildfire Protection Plan (CWPP), the Emergency Operations Plan (EOP) and the Annex I Building Plan, a completed fire drill at Annex III and a Federal Government declaration of a water shortage on the Colorado river. (See attached)

**RESOLUTION 11-2021: Administrator, Shak Powers** along with **Grant Writer, Rachel Marchbanks Simbeck** presented Resolution 11-2021, a resolution authorizing the Main Street Project in Montezuma County. Commissioner Lindsay moved to support, Resolution #11-2021, authorizing the Main Street Project in Montezuma County. Seconded by Commissioner Stevenson and carried. (See attached)

**UNFINISHED BUSINESS:** Topics discussed included; an update on the Southwest Roundtable applications, a requested update from Southwest Water Conservation District Representative, Don Schwindt.

**Administrator, Powers** on behalf of **Resource Director, James Dietrich** presented a letter addressed to the **Colorado State Attorney General's Office, Ralph L. Carr Colorado Judicial Center** in opposition to any action that would force **Black Resources, Inc.** to plug an existing well. Commissioner Lindsay moved to sign the letter in opposition to plugging the Black Resources well. Second by Commissioner Stevenson and carried. (See attached)

**Administrator, Powers** presented a letter from **Area Wildlife Manager, Adrian Archuleta** regarding the **Twin Spruce Ponds SWA- Fee Title to CPW-20-067 concurrence letter request.** A review and discussion was held in regards to the current **No Net Loss Policy** within the County. Commissioner Lindsay moved to sign the letter of support for CPW, for the Twin Spruce Ponds acquisition. Second by Commissioner Stevenson and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Kinder Morgan BOAA case, the Road 21 Land Use Code violation, the Road Y issue and the Road 41 case.

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

**COUNTY ADMINISTRATOR REPORT: Administrator Shak Powers** gave an update on the Annex III solar project and reported that he would be posting public notifications that the Commissioners will be attending the Western Region District meeting and the Cattlemen Associations annual picnic

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Mancos Town Board meeting, constituent phone calls and reading. **Commissioner Lindsay** discussed the attended Cortez City Council meeting, constituent phone calls and reading. **Commissioner Candelaria** discussed the attended Housing Authority Conference.

**CORRESPONDENCE:** The following correspondence was read and noted: Monthly report from **District Attorney Matt Margeson.** (See attached)

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

**MEETING ADJOURNED: 3:10 p.m.**

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Clerk

August 17, 2021

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Chairman



Cortez, CO, consisting of 38 acres, more or less, located south of Road P, east of Road 23, situated in Section 4, T.36N., R.16W., N.M.P.M

**Director, Haley** with **Assistant, Duncan** reported that the application of a Subdivision Amendment & Rezoning to the **Lichter** 2 Lot Moderate Subdivision, submitted by **Julian Martinez**, on property located at 25695 Road M, Cortez, CO, consisting of 11.35 acres, more or less, located north of Road M, west of Road 26, situated in Sections 11, T.36N., R.16W., N.M.P.M., the plat was not available at this time.

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

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved for the Board of County Commissioners to go into executive session for discussion of specialized details of security arrangements or investigations under C.R.S. Section 24-6-402 (4) (d), and to include Commissioners Candelaria, Lindsay and Stevenson, Administrator Powers, Attorney MacLaren, Clerk Percell, Fairgrounds Manager McGuire, Sheriff Nowlin and from The RE-1 School District, Lis Richards and Cynthia Eldredge, seconded by Commissioner Stevenson and carried. Topics for the executive session included a proposed Memo of Understanding. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**ASSESSOR: County Assessor, Leslie Bugg**, was unable to meet with the Commissioners at this time.

**DISCUSSION: General Manager, Terry Hinds** from **Farmers Telephone**, met with the Commissioners to discuss the opportunity and process to partnership with the County on the Fiber project. Mr. Hinds will develop a proposal for the Commissioners review and present it at a later date.

**VETERANS SERVICE:** Retiring, **Veteran Service Officer, Rick Torres** along with **Officer, Sara Kuhn** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay**, July 2021 was presented for the record. Other topics discussed included; the July 2021 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. Officer Torres reported there could be a possible delay in future reports due to the change over from Officer Torres to Officer Kuhn and gave an overview of his time with the County. Other topics discussed included the **3rd Annual Montezuma Stand Down for Veterans Event**, scheduled for September 18th from 9:00 a.m. to 3:00 p.m. at 107 N. Chestnut in Cortez, CO. (See attached)

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

**SENIOR SERVICES: Director, Jonathon G. Parker** was unable to meet with the Commissioners at this time.

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners for a monthly report. Topics of the discussion included; a review of the recently held County Fair, new 4-H enrollment scheduled for the middle of October, the 4-H Youth Development Program, a Pinion Project partnership, Leadership and Life Skill Development, project based learning, scheduled food skills classes, the annual U-Pick Day community event, Stockmanship and Stewardship Clinic, the Senior Aging Mastery Program, applications for the new CSU Extension Agent and the 2022 CSU budget.

**UNFINISHED BUSINESS:** Topics discussed included; the Monday tour of the County Jail, the workshop discussion regarding proposed changes to the County Employee Handbook and an update on the Fairground's water line and lift projects.

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

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

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** presented for approval, **Resolution #12-2021**, a resolution approving the Comprehensive Economic Development Strategy for Region 9. Commissioner Stevenson moved to sign Resolution #12-2021, approving the Comprehensive Economic Development Strategies for Region 9. Second by Commissioner Lindsay and carried. Administrator, Powers discussed the attended Economic Development Team meeting and the Recovery and Resiliency Grant presentation and discussion with the Dolores Town Board. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the Monday workshop, constituent phone calls and reading. **Commissioner Lindsay** discussed constituent phone calls, in person visits, the attended Cattleman's Association picnic and Forrest Service fence lines. **Commissioner Candalaria** discussed the attended BLM meeting, the 4-H Extension video, the 3<sup>rd</sup> Thursday Party in the Park event, the attended Western Region District meeting Montrose, a 2022 legislative overview, a Division of Fire Prevention and Control presentation, the Cattleman's Association picnic and the attended Dolores Town Board meeting.

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

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

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

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Clerk

August 24, 2021

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Chairman





submitted by Michael & Regina Ford, on property located at 16389, Cortez, CO. Second by Commissioner Candelaria and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for discussion of a proposed Variance application submitted by **Bruce Lightenburger**; agent: **Keenen Lovett**, on Lot # 8 of the Dolores River Ranches Subdivision, located at 18916 Hwy 145, Dolores, CO, consisting of 36.65 acres, more or less, located south of Hwy 145, situated in Section 7, T. 37N, R. 14W, N.M.P.M.. Mr. Lightenberger and Agent Lovett were present. Commissioner Lindsay moved to accept the variance as presented. For lack of a second the motion failed. Commissioner Candelaria moved to accept the variance application submitted by Bruce Lightenburger; agent: Keenen Lovett, on Lot #8 of the Dolores River Ranches Subdivision, located at 18916 Hwy 145, consisting of 36.65 acres, more or less, with one exception that the 80 foot variance be applied and not what is presented today, it must maintain an 80 foot setback, instead of the 100 foot setback, have a 20 foot encroachment, along with a minimum of a 2 foot elevation gain from the AE Zone, contingent upon an updated map provided to the Planning Department. Second by Commissioner Lindsay. With two votes in favor from Commissioners Lindsay and Candelaria and one vote against from Commissioner Stevenson, the motion carried. (See attached)

**PUBLIC COMMENT: James Park** made a request, that County roads L, 32 and P, be placed on the Road & Bridge chip seal schedule. **Elisabeth Berger** discussed mask mandates along with additional ways for the public to fight pandemics.

**DISCUSSION: Jennifer Nelson** met with the Commissioners to discuss her request for appeal of the Non-Compliant Use of Property decision from the Planning Department. Ms. Nelson is currently in violation of the Land Use Code. The Commissioner were in agreement, that Ms. Nelson move forward with the process and file the applications, provided by the Planning Department. (See attached)

**DISCUSSION: Haley Leonard-Saunders, Sheriff Nowlin, Chief Knuckles, Marshall Goodall, Chief Balfour, Emergency Manager Spratlen, Grant Writer Rachel Marchbanks-Simbeck and Chief Behavioral Officer for Axis Health System, Stacey Russell** met with the Commissioner to discuss the development and funding of the proposed (CIP) **Community Intervention Program**. Letters of support were received by **Veterans Officer, Rick Torres, Carol A. Bylsma, and Michael Maxwell**. The Commissioners were in agreement to continue the discussion at the September 21, 2021 meeting. (See attached)

**ASSESSOR: Montezuma County Assessor, Leslie Bugg** met with the Commissioners to present the preliminary assessed values for 2021 along with the Certification of Valuation Report for tax year 2021. Topics discussed included; the difference in the 2020 total assessed value vs. the 2021 assessed value, an estimated decrease in funds for County General, the total county values per classifications, an outlook of Kinder Morgan production and a signature for the corrected Urquhart abatement form. (See attached)

**COUNTY TREASURER/ TRUSTEE: Treasurer, Ellen Black** met with the Commissioners to present for approval, the Schedule of Receipts and Disbursements for January 1, 2021 through June 30, 2019. Commissioner Stevenson moved to sign the Schedule of Receipts and

Disbursements. Second by Commissioner Lindsay and carried. Other topics discussed included: foreclosures, releases and a decrease in interest income. (See attached)

**COUNTY CLERK & RECORDER: County Clerk & Recorder, Kim Percell, Motor Vehicle Supervisor, Malinda Fuller and Election Supervisor, Miranda Warren,** met with the Commissioners to give a Departmental update. Supervisor Fuller discussed a breakdown of transaction types, transaction fees, a year to date Out of State Title Report, in-office transactions, E-service transactions and a June sales tax collection report. Supervisor Warren discussed; surges in voter registration during a presidential election year, CDOR Registrations, office registrations, the current ballot batch scanning process, an overview of the Presidential 2020 scanned documents and the proposed redistricting. Clerk Percell gave an update on the ERTB Digitization Project, and discussed the proposed AgilesDuo purchase. The Commissioners were in agreement to continue the AgilesDuo discussion during the September 9, 2021 meeting. (See attached)

**SOUTHWEST HEALTH SYSTEMS: Interim CEO, Jeanette Flipi, Interim CNO, Mary Ann Angle and CFO, Rick Shrader** met with the Commissioners to give an update on the local hospital. Topics of the discussion included; operational updates, legislative focus, visitor restrictions, staff protocols, vaccine updates, and the financial statements and statistical summary. (See attached)

**WATER ISSUES UPDATES: Southwest Water Conservation District Representative, Don Schwindt** along with **Dolores Water Conservation District Manager, Ken Curtis,** met with the Commissioners to give an update on water issues. Topics discussed included the Colorado Water Congress Summer Conference, a drought contingency plan, Executive Director of the Colorado Water Conservation Board, **Rebecca Mitchell** as the representation to the **Upper Colorado River Commission,** compact negotiations, expirations of the demand management, Colorado goals for post 2026, correct information on press releases, power issues, future growth to the upper basin, Trans Mountain deliveries, the Tribal rights settlements, environmental issues, a futile call for water, a possible acceleration of the negotiations, and a invite to join the scheduled joint meetings with Montezuma Valley Irrigation, Dolores Water Conservation District, Dolores County and San Miguel County for September 14, 2021 at 4:30 p.m., to discuss the draft bill. The Southwest meeting will be held on Monday September 13<sup>th</sup> and the Commissioner meeting is scheduled on the 16<sup>th</sup> at 2:00 p.m. (See attached)

#### **UNFINISHED BUSINESS:**

**Employee Handbook Amendments:** From the Administration office, **Billye Morgan** and **Faedra Grubbs** met with the Commissioners to review the proposed amendments to the County Employee handbook. Commissioner Stevenson moved to update the Employee Handbook as presented by the staff today. Second by Commissioner Lindsay and carried. (See attached)

**Southwest Roundtable Appointment:** Commissioner Stevenson moved to accept the application of **Randy Carver** for the appointment to the Southwest Roundtable. Second by Commissioner Lindsay and carried.

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

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich gave an update on the Paths to Mesa Verde Project and discussed the scheduled meeting regarding the McPhee Breakwater Project.

**COUNTY ADMINISTRATOR REPORT:** Administrator, Shak Powers presented for approval, a Memo of Understanding (MOU) between the Montezuma Cortez School District RE-1 and the Montezuma County Board of County Commissioners. Commissioner Lindsay moved to sign the MOU between the Montezuma Cortez School District and the Montezuma County Board of County Commissioners. Second by Commissioner Stevenson and carried. (See attached)

**ORDER 6-2021:** Administrator, Powers presented Transfer Order #6-2021. A transfer of \$511,151.78 from General Fund (001) to the Capital Fund (004) to pay for change orders to road projects requested by the commissioners on Roads 29 and N. Commissioner Lindsay moved to approve Transfer Order #6-2021, in the amount of \$511,151.78. Second by Commissioner Stevenson and carried. (See attached)

Administrator Powers presented for the record, a Public Notification, for the Dolores River National Conservation Area discussion, to be held in the Montezuma County Board of County Commissioners meeting room on, Thursday September 16, 2021 from 2:00- 4:00 p.m. (See attached)

**PROCLAMATION:** Administrator, Powers presented for approval a proclamation regarding Overdose Awareness Day. Commissioner Stevenson moved to sign the Proclamation for Overdose Awareness Day. Second by Commissioner Lindsay and carried. (See attached)

Other topics discussed included; the Maintenance Supervisor position and a request of consideration to hire a County Engineer.

**COUNTY COMMISSIONER REPORT:** Other topics discussed within the Commissioners reports included: Commissioner Stevenson discussed the Mancos Town Board meeting, the Lewis Arriola pancake breakfast, the Farmers Telephone 100 year celebration, the municipal breakfast, the Monday workshop, the Mancos Town Board workshop meeting, and a proposed resolution regarding the 30X30 legislation. Commissioner Lindsay discussed the municipal breakfast and the Cortez City Council meeting. Commissioner Candelaria discussed the attended zoom meeting with the Magellan Strategies LLC.

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

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

**MEETING ADJOURNED: 1:00 p.m.**

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Clerk

August 31, 2021

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Chairman



**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Subdivision Amendment Application, submitted by **Justin & Erin Schmitt, agent: Julie Suckla**, on property located at 13657 Road 21, Cortez, CO, consisting of 6.63 acres, more or less, located south of Road P and west of Road 21, situated in Section 1, T.36N., R.17W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Director Haley reported that the new owners of the property were **Larry Don** and **Julie Suckla**. Mr. and Mrs. Suckla were present. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to accept the proposed subdivision amendment application, submitted by Larry Don and Julie Suckla, on property located at 13657 Road 21, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of a High Impact Permit Amendment, submitted by **Dave & Lana Waters**, on property located at 25716 Road L, Cortez, CO, south of Road L, east of Hwy 491, situated in Section 23, T. 36N, R. 16W, N.M.P.M.. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Boundary Line Adjustment with rezoning, submitted by **Paul & Dana Weyand**, on property located at 16323 Road 20, Cortez, CO, consisting of 119.22 acres, more or less, located north of Road S, east and west of Road 20, and Michael & Regina Ford, on property located at 16389, Cortez, CO, consisting of 1.37 acres, more or less, located north of Road S, west of Road 20, both situated in Section 23, T.37N, R.17W, N.M.P.M. Commissioner Lindsay recused himself from the discussion. Commissioner Stevenson moved to accept the boundary line adjustment with the rezoning, submitted by Paul & Dana Weyand, on property located at 16323 Road 20, Cortez, CO. Second by Commissioner Candelaria and carried. (See attached)

**Director, Haley** with **Assistant, Duncan** presented for signatures of a Variance submitted by **Michael & Regina Ford**, on property located at 16389 Road 20, Cortez, CO, consisting of 1.37 acres, more or less, located north of Road S, west of Road 20, situated in Section 23, T.37N, R.17W, N.M.P.M. Commissioner Lindsay recused himself from the discussion. Commissioner Stevenson moved to accept the variance submitted by Michael & Regina Ford, on the property located at 16389, Cortez, CO. Second by Commissioner Candelaria and carried. (See attached)

**PUBLIC COMMENT: Allen Maez** discussed the 30X30 Resolution from the Town of Dolores the proposed redistricting for CD3 and the Public Health workers vaccine mandate. **Susan Kemnetz** discussed the CDPHE vaccine mandate and the proposed 30X30 legislation.

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for September, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; an update on the Alkali Bridge project, box culverts, the new vehicle purchase program, a proposed vehicle / gravel trade with Dolores County and an

update on the McElmo Slip project. Superintendent presented for the record, the **Root & Ratliff Pipeline Maintenance Agreement**. A discussion was held regarding 2022 DOLA grant applications for the Yellow Jacket 4.3 miles on Roads Y and 16 project and the Haycamp Road S project. The Commissioners were in agreement to allow the Road Department to pursue **Energy Impact Grants**. Superintendent Englehart presented a bid for the Mancos shop roof repair / rebuild project. Insurance will cover a portion for the project. A bid from **Cruzan Construction** in the amount of \$31,625.00 was the only one received. Commissioner Lindsay moved to approve the request. Second by Commissioner Stevenson and carried. (See attached)

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

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers for income of \$65,074.99 and attendance at 60,075. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; problems with a roping chute, moving the commodity freezers and dry goods to the Senior Services Center. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Manager Jarmon discussed bids to review for a new compactor. Bids received included; **Power Equipment Company (PECO)** for a Bomag machine \$541,853.00, and a **CAT** machine at \$516,579.00. Manager Jarmon reported that the Cat machine would require an additional expense for wheels. Other topics discussed with the report included; repairs to the 924K CAT loader, CDPHE property restrictions, property title commitments, CDPHE plans for the Carver composting pad and hazardous household waste, completed compost school by Foreman Gary Nelson, and possible coordination with the Forest Service for a tire shredder project. (See attached)

#### **UNFINISHED BUSINESS:**

**DISPATCH SERVICES:** Administrator Powers presented for review and approval the **Intergovernmental Agreement for Dispatch Services throughout Montezuma and Dolores Counties, Colorado, Including Federal Agencies** and a proposed resolution appointing the **Montezuma County's Representatives to the Dispatch Accountability Committee**. Commissioner Lindsay moved to sign the Intergovernmental Agreement for dispatch services throughout Montezuma and Dolores counties, including Federal agencies. Second by Commissioner Stevenson and carried. The Commissioners were in agreement to continue the discussion, on the proposed representative resolution, during the next Commissioner meeting. (See attached)

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** presented for approval, the **Runbeck, Sale and Purchase Agreement** for the **AgilesDuo** election equipment. Commissioner Stevenson moved to approve the sale and purchase agreement with Runbeck Election Services, in the amount of \$60,500.00. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the Landfill's property restrictions, the Road 41 case and the Belden, Land Use Code Non-compliant property hearing.

**EXPENDITURES REPORT:** Administrator Powers presented the July 2021 Accounts Payable Expenditure Reports for approval. Commissioner Lindsay moved to pay the expenditures. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator, Shak Powers discussed the usage of ARP funds, for the Town of Mancos, Water Tower Fiber Project. Commissioner Stevenson moved to support the Town of Mancos in their project to the water and fiber, in the amount of \$100,000.00, through ARP monies in 2022. Second by Commissioner Lindsay and carried. Other topics discussed included scheduled events to be held within the Commissioner's room. Events included: **Congresswomen, Lauren Boebert's Assistant, Naomi Dobbs** will hold an open public meeting, scheduled October 7, 2021, between the hours of 3:00 -4:30 p.m.. From the **Colorado Department of Education, District 3 Representative, Joyce Rankin** will hold an open public meeting, scheduled October 5, 2021, at 6:00 p.m. Administrator Powers reported that the full time position at the Veterans Office had been filled. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich presented for review and discussion a resolution **Opposing the Federal Governments "30X30" Land Preservation Goal** and gave an update on the **Paths to Mesa Verde Project**. A discussion was held regarding, the letter of opposition to the 30X30 initiative, that was addressed to Congress and had been hand delivered to Congresswoman Boebert, during her February 2021 visit with the Commissioners. The Commissioners were in agreement to continue the discussion for the proposed Resolution during the next Commissioner meeting. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; phone calls, an issue on Road Z, an Opioid Abuse Program, an attended meeting with the County Grant writer, the upcoming 9/11 anniversary and the designation of September 12<sup>th</sup> as Patriots Day. Commissioner Lindsay read for the record, the names of the 13 U.S. service members killed in the recent Afghanistan attack.

Those names included:

Sgt. Johanny Rosario Pichardo, 25, of Lawrence, Massachusetts

Sgt. Nicole L. Gee, 23, of Sacramento, California

Staff Sgt. Darin T. Hoover, 31, of Salt Lake City, Utah.

Cpl. Hunter Lopez, 22, of Indio, California.

Cpl. Daegan W. Page, 23, of Omaha, Nebraska,

Cpl. Humberto A. Sanchez, 22, of Logansport, Indiana,

Lance Cpl. David L. Espinoza, 20, of Rio Bravo, Texas,

Lance Cpl. Jared M. Schmitz, 20, of St. Charles, Missouri,

Lance Cpl. Rylee J. McCollum, 20, of Jackson, Wyoming,

Lance Cpl. Dylan R. Merola, 20, of Rancho Cucamonga, California

Lance Cpl. Kareem M. Nikoui, 20, of Norco, California.

Navy Corpsman Maxton W. Soviak, 22, of Berlin Heights, Ohio,

Staff Sgt. Ryan C. Knauss, 23, of Corryton, Tennessee.

**Commissioner Stevenson** discussed phone calls received.

**Commissioner Candelaria** discussed phone calls received, the CDPHE vaccination mandates and the League of Women Voter’s discussion, that is scheduled at the Mancos Library, Saturday, September 11, 2021 at 9:00 a.m.

**CORRESPONDENCE:** The following correspondence was read and noted: Email received from **M.B McAfee** regarding a letter of support for the Crisis Intervention Program. Email from **Mindy Nelsen** regarding the “30X30 initiative.

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

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

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Clerk

September 7, 2021

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Chairman





**Director, Haley** presented the Planning Department proposed 2022 budget. Topics discussed included; revenues, permanent salaries, fringe benefits, operating expenses professional services and software. (See attached)

**PUBLIC COMMENT: Andi Bundy and Gene Ring** discussed the proposed Fairground's Race Track Contract.

**DISCUSSION: Arlina Yazzie and Katy Maxwell** presented the **Suicide Prevention Awareness Proclamation**. Commissioner Stevenson moved to sign the Proclamation that September is National Suicide Prevention Awareness Month. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION: From Enterprise Fleet Management, Andrew Schmidt** along with **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to present for approval the fleet management program. Commissioner Lindsay moved to accept Enterprise to manage the fleet. Second by Commissioner Stevenson and carried. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give the proposed 2022 budget presentation. Topics discussed included; insurance and bonds, permanent salaries, fuel, employee staff time and operating expenses. A discussion was held regarding the proposed vehicle/gravel trade with Dolores County. Commissioner Lindsay moved to allow the trade. Second by Commissioner Stevenson. With two votes in favor from Commissioners Stevenson and Lindsay, along with one vote against from Commissioner Candelaria, the motion carried. (See attached)

**IT: IT Director, Jim McClain** met with the Commissioners to present the proposed 2022 budget presentation. Topics discussed included; a fire suppression system for the server room, permanent salaries, fringe benefits, operating expenses, maintenance contracts, the Tyler software, miscellaneous expense, Fleet expense, the Network, IT Capital account, IT Shi and the IT Data Domain. (See attached)

**GROUNDS AND BUILDINGS: Interim Maintenance Supervisor, Dustin Sattler** met with the Commissioners to present the proposed 2022 budget presentation. Topics discussed included; permanent salaries, fringe benefits, operating expenses, professional services, telephone expense, public utilities, maintenance contracts, building repairs, vehicle maintenance, fleet costs, Administration operating, Coroner operating, the Annexes operating, Sheriff's Office operating, Jail operating, Transportation operating, Combined Courts operating, Admin utilities, Coroners utilities, the Annexes utilities, Sheriff's Office / Jail utilities, the Combined Courts utilities and the Combined Court building's sally port. (See attached)

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to discuss the Redistricting project and to give the proposed 2022 budget presentation. Manager Roth gave an overview of the current, staff proposed district changes. The 2022 budget topics discussed included; permanent salaries, fringe benefits, operating expenses, telephone, maintenance contracts, dues, travel and training and the Aerial Project. (See attached)

**UNFINISHED BUSINESS:** Administrator Powers presented, **RESOLUTION #13-2021: A Resolution Opposing the Federal Government’s “30 X 30” Land Preservation Goal.** Commissioner Stevenson moved to sign Resolution #13-2021, a resolution, Opposing the Federal Government’s “30 X 30” Land Preservation Goal. Second by Commissioner Lindsay and carried. (See attached)

It was reported that the **Fairground’s Race Track Contract** would be advertised for facility proposals

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

**COUNTY ADMINISTRATOR REPORT:** Administrator, **Shak Powers** discussed the 2022 appointment for the County’s Representative to **Region 9**, the **Community Intervention Program** and the cancellation of the September 16<sup>th</sup>, scheduled **Tribal Council** meeting. Administrator Powers presented an amended **Employee Handbook** for approval. Commissioner Lindsay moved to correct the changes in the handbook as presented. Second by Commissioner Stevenson and carried. Administrator Powers presented a Public Notice for a meeting with **Naomi Dobbs, Southwest Colorado Regional Director for Congresswoman Lauren Boebert**, to be held October 7, 2021 from 3:00-430 p.m., within the Commissioner’s meeting room. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; attendance at the GOP picnic, the scheduled Cortez City Council meeting, constituent phone calls and the Fairground’s Rack Track Contract. **Commissioner Stevenson** discussed; the attended Mancos Town Board meeting, the League of Women Voters meeting, the Lincoln Day dinner, the Department Head meeting, the Monday Workshop, reading budget proposals, constituent phone calls received and the Fairground’s Rack Track Contract. **Commissioner Candelaria** discussed constituent phone calls received and the Fairground’s Rack Track Contract

**TOUR: Combined Courts Building**

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

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

**MEETING ADJOURNED: 10:45 a.m.**

\_\_\_\_\_  
Clerk                      September 14, 2021

\_\_\_\_\_  
Chairman



**PUBLIC COMMENT:** **Allen Maez** discussed the 2022 Republican Primary and the Fairgrounds Race Track Contract. Public Comments on the Fairgrounds Race Track Contract were made by **Sherry Simmons, Tony Hill, William (Gene) Felker, Marion Rodd, Toby Boettler, Jordan Eddleman, Ron Aubuchon, Terry Christensen, Kristy Conner, Tiffany Hurst Small, Rafe O'Brien, David Raubeson, Andi Bundy, Bud Griffin, Katie Barthel, Garland Malcolm, Carolyn Felker, Larry Don Suckla, and Cynthia Robison.** The new **Montezuma Cortez School District Re-1, Superintendent, Risha VanderWey** introduced herself to the Board of County Commissioners.

**DISCUSSION:** **Mancos Marshall, Justen Goodall, Cortez Police Chief Vern Knuckles, Cortez Fire Protection District Chief, Jay Balfour** along with **Chief Behavioral Officer for Axis Health System, Stacey Russell** met with the Commissioner to discuss the development of a **Community Intervention Program.** Commissioner Candelaria moved to accept the program. The motion was seconded by Commissioner Stevenson and with two votes in favor from Commissioners Candelaria and Stevenson and one vote against from Commissioner Lindsay, the motion carried. (See attached)

**PUBLIC LANDS:** **Bureau of Land Management, Connie Clementson** met with the Commissioners and discussed, the attended briefing session on the NCA, the October 21<sup>st</sup> and 22<sup>nd</sup> Southwest Resource Advisory Council meeting, nominations to serve on the Resource Advisory Council and the Paths to Mesa Verde project. The new **Park Service Superintendent, Kayci Cook Collins** met with the Commissioner to introduce herself and to give updates on Mesa Verde National Park

**COUNTY SHERIFF'S MONTHLY REPORT:** **Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report, the Jail Report, the Year to Date Transport Report, the Perdiem and Cost for Travel Report, the Total Monthly Inmate Report, the July Monthly Arrests Report, the City of Cortez Billing Report, the Dolores County Billing Report, the DOC Holds Report, the July Operational Expense Report** and the **Monies Paid to the General Fund Report.** Sheriff, Nowlin presented the **Sheriff's Department, Detention Center** and the **LEA 2022 budget proposals.** (See attached)

**RESOLUTION #14-2021:** Administrator Powers presented for approval, Resolution #14-2021, a resolution appointing **Sheriff Nowlin** as the **Montezuma County Representative to the Dispatch Accountability Committee.** Commissioner Stevenson moved to appoint Sheriff Nowlin to the dispatch accountability committee for Resolution #14-2021. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY CORONER:** **Coroner, George Deavers** met with the Commissioners to give his monthly report and to present his 2022 budget proposal. Topic discussed included the number of deaths, fatal motor vehicle accidents, suicides, overdose deaths, an age death comparison, performed autopsies, out of county autopsies and a proposed part time position. (See attached)

**EMERGENCY MANAGEMENT:** **Emergency Manager, Jim Spratlen** met with the Commissioners to give his monthly report along with the 2022 budget proposal. Topics discussed included; the **Monthly Situational Report**, permanent salaries, fringe benefits, overtime, fuel, vehicle expense, the Emergency Operations Services Center, the mitigation grant and EMS grants. Manager Spratlen presented for approval a declaration to extend the **Order Declaring a Disaster in and for Montezuma County, Colorado** to February 2022. Commissioner Stevenson moved to extend the Order Declaring a Disaster in and for Montezuma County, until February 1, 2022. Second by Commissioner Lindsay and carried. (See attached)

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

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; the attended Cortez City Council meeting, the attended Opioid Abuse Education Forum, constituent phone calls and the Fairground's Rack Track Contract. **Commissioner Stevenson** discussed; the attended Suicide Awareness Team presentation, the NCA /Dolores Rover Dialog meeting, an attended benefit dinner, constituent phone calls received and the Fairground's Rack Track Contract. **Commissioner Candelaria** discussed attendance to the same previously mentioned meetings, except the opioid meeting and the benefit dinner, draft legislation, constituent phone calls received and the Fairground's Rack Track Contract.

**UNFINISHED BUSINESS: County Fairgrounds Rate Schedule:** Administrator Powers presented for approval the updated Rate Schedules for the Fairgrounds. Commissioner Lindsay moved to adopt the Rate Schedule as presented and change the dates. Second by Commissioner Stevenson and carried. (See attached)

**Habitat for Humanity:** Administrator Powers presented for approval a letter addressed to the **Office of Economic Development and International Trade** in support of Habitat for Humanity's request to access the Enterprise Zone Contribution Program. Commissioner Lindsay moved to sign the letter of support for Habitat for Humanity to access the Enterprise Zone Contribution Program. Second by Commissioner Stevenson and carried. (See attached)

Administrator Powers discussed a request from the Economic Development's Team, for the **Grant Writer, Rachel Marchbanks Simbeck**, to pursue a Redi Grant application. Commissioner Stevenson moved to give the ok, for Rachel to apply for the Redi Grant. Second by Commissioner Lindsay and carried.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Weber Canyon / Road 41 case and the Belden, Land Use Code Non-compliant property case.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** discussed the annual building cleaning services requests for bids and the County Procurement guidance policy. The Commissioners were in agreement to continue with the same current services. Administrator Powers discussed the Memorandum regarding the **2021 Direct Distribution of Severance Tax and Federal Mineral Lease**, reporting the Federal Mineral lease distribution was \$971,131.53.

It was the recommendation of the Administrator to the Board to leave it all in the General Fund. Commissioner Lindsay moved to direct the distribution of severance tax and federal mineral lease monies, to the General Fund. Second by Commissioner Stevenson and carried. Administrator Powers discussed the Opioid Settlement and a scheduled meeting in Durango on October 6, 2021 from 9:00 am. 3:30 p.m. (See attached)

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

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and to include, Commissioners Candelaria, Stevenson and Lindsay, Attorney MacLaren and Clerk Percell, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**OTHER BUSINESS: Jim Rodd** met with the Commissioners to discuss the development of the County Fairgrounds Race Track

**CORRESPONDENCE:** The following correspondence was read and noted: Emails received from: **Cindy Smedstad, Jennifer Quintana, Bill Miller, Cindy Klumker** and **Mindy Nelsen**. (See attached)

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

**MEETING ADJOURNED: 3:15 a.m.**

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Clerk

September 21, 2021

Chairman





**Director, Haley** with **Assistant, Duncan** presented for signatures a Mylar for a Subdivision and Rezoning, submitted by **Jimmy & Marian Rodd**, on property located at 11773 Hwy 145, C, Cortez, CO, consisting of 7.21 acres, more or less, located south of Road M and west of Hwy 145, situated in Section 13, T.36N., R.16W., N.M.P.M.

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

**COUNTY ATTORNEY REPORT:** **County Attorney, Ian MacLaren** gave an update on the Belden, Land Use Code Non-compliant property case.

**COUNTY ADMINISTRATOR REPORT:** **Administrator, Shak Powers** discussed an email request from **Cammy Coulon**, to use the Administrative Building parking lot, for a **Trunk or Treat** event scheduled, October 30, 2021 from 5:00 – 7:00 p.m. The Commissioners were in agreement to allow the event as long as set up was after the Farmers Market was closed. **Administrative Powers** discussed an email received from **Dawn Hoselton** with a request to waive the Fairground kitchen fees, for the **Kylee Pontine Fundraiser**, scheduled October 2, 2021. Commissioner Stevenson moved to allow the use of the kitchen and tables for the event. Second by Commissioner Lindsay and carried. **Administrator Powers** discussed a request from the Forest Service to plow the Chicken Creek Road. (See attached)

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

**BOARD OF SOCIAL SERVICES MONTHLY REPORT:** It being the time set aside, the Board of Social Services was conducted. **Director, Gina Montoya** and **Finance Officer, Lori Higgins** were present. **Director, Montoya** presented the 2022 Social Services budget proposal. (See attached)

**COUNTY PUBLIC HEALTH:** **Public Health Director, Bobbie Lock** along with **Assistant Director, Laurel Schafer** met with the Commissioners to discuss the 2022 budget proposal. Topics discussed included; anticipated revenues and expenses, reserves and cost reimbursements. Other topics discussed included; booster shots, testing, vaccine sites and the current Public Health vaccine schedule. (See attached)

**VETERANS SERVICE:** **Veteran Service Officer, Sara Kuhn** and the new **Assistant Veteran Service Officer, Frank LoBue** met with the Commissioners to give a monthly report. Officer Kuhn had presented the 2022 budget proposal during the Monday workshop meeting. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay**, August 2021 was presented for the record. Other topics discussed included; the August 2021 financial report, a review of office activities and an overview of the recently held Veterans Stand Down event. Service Officer LoBue introduced himself with a brief sketch of his biography. (See attached)

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** **MCCO Manager, Jennifer Morris** met with the Commissioners to discuss the 2022 budget proposal. Manager Morris reported that the number of rides from the Pinion Project, Medicaid and CCI were

increasing. Topics discussed included; two part time driver positions, revenues, grants, feasibility studies, salaries, operating expenses, fuel and maintenance, dues, travel and training, defensive driving training, CDOT funds, the proposed fixed route and the IntelliRide program. (See attached)

**SENIOR SERVICES: Director, Jonathon G. Parker** met with the Commissioners to discuss the 2022 budget proposal. Topics discussed included; staff positions, revenues, salaries, operating expenses, food costs, repairs and maintenance, dues, travel and training, facility expense, the Home Chores Contract and the total cost to the USDA for the commodities program. (See attached)

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners to discuss the 2022 budget proposal. Topics discussed included; salaries, fringe benefits, operating expenses, professional services, telephones, dues, travel and training, fleet costs, the new agent application process, the 4-H program and a scheduled drought advisory meeting. (See attached)

**UNFINISHED BUSINESS:** Commissioner Stevenson discussed sending the **Southwest Basin Round Table, Montezuma County Representative, Randy Carver** to the **Colorado River Water Users Association Conference** in Las Vegas, scheduled December 14-16, 2021 at the cost to the County of \$1500.00. Commissioner Stevenson moved to send Randy Carver to the conference. Second by Commissioner Stevenson and carried.

Administrator Powers discussed posting Public Notices for the Senior Center Lunch and the Intergovernmental Breakfast meeting, scheduled, Monday October 4, 2021.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed; the attended Mancos Town Board meeting and constituent phone calls received. **Commissioner Lindsay** discussed; the attended Southwest Health Systems meeting, and constituent phone calls. **Commissioner Candelaria** discussed; the Senior Services exercise program video, the attended Timber Age Tour, the attended CCI legislation meeting, the Monday workshop, the Dolores Town Board meeting and constituent phone calls.

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

Chairman Candelaria announced the meeting would reconvene.

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and to include, Commissioners Candelaria, Stevenson and Lindsay, Administrator Powers, Attorney MacLaren, Clerk Percell, Jim McClain, Rick Smith, Attorney Mike Green and Manager, Drew Sanders, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**CORRESPONDENCE:** The following correspondence was read and noted: Letter from **Charles J Greaves**. (See attached)

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

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

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Clerk

September 28, 2021

Chairman



property located at 15428 Road 30, Dolores. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Amendment to the Pickens 2 Lot Moderate Subdivision and AR3-9 Rezoning Application, submitted by **Terry and Larry Pickens**, on property located at 13848 Road 23, Cortez, CO, consisting of 23 acres, more or less, located south of Road P, east of Road 23, situated in Section 4, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mrs. Pickens was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the 2 lot moderate subdivision and AR3-9 rezoning application, submitted by Terry and Larry Pickens, on property located at 13848 Road 23, Cortez. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a Special Use Permit Application for the proposal of a solar photovoltaic (“PV”) project, submitted by **Fish Brothers Land & Cattle Co, Agent: Cortez Solar 3, LLC**, on property located at 25506 Road F.6, Cortez, CO, consisting of 39.70 acres, more or less, located south of Road G, east of Road 25, situated in Section 11, T.35N., R.16W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Cortez Solar 3, LLC, Agent, **Nathan Stottler**, President of Fish Brothers, Land & Cattle Co., **Glen Fish**, Landfill Manager, **Mel Jarmon** and Road & Bridge Superintendent, **Rob Englehart**, were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to continue the public hearing to October 19th, at 9:00 a.m. Second by Commissioner Candelaria and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a 3 Lot Minor, submitted by **Jerry & Susan Frye**; agent: **Marc Rosenbaum**, on property located at 25368 Road T.5, Dolores, CO, consisting of 35.90 acres, more or less, located south of Road T.5 and east of Road 25, situated in Section 14, T.37N., R.16W., N.M.P.M..

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

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented a liquor license renewal application for **Ted R. Lawrence** dba **Log Cabin Liquor**, 41900 Hwy 160, Mancos, CO 81328. Commissioner Lindsay moved to sign the retail liquor license renewal application, for Log Cabin Liquors, at 41900 Hwy 160, Mancos. Second by Commissioner Candelaria and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give the 2022 budget proposal and a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of October 1, 2021 through October 30, 2021 and gave an overview of the type of work scheduled for each crew. Other topics discussed included; revenues, expenditures, salaries, fringe benefits and reserves. Superintendent Englehart presented purchase pricing for a used replacement broom. Commissioner Lindsay moved to approve the purchase of the broom, for the Road and Bridge at \$23,000.00. Second by Commissioner Candelaria and carried. Superintendent Englehart gave updates on the **McElmo Slip** and the **Alkali Bridge** projects. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give the 2022 budget proposal. Topics discussed included; salaries, fringe benefits, the cost share program, fuel, insurance and bonds, enforcement, dues, travel and chemicals. Manager Loving discussed the WaterSMART grant application and presented for approval, a letter of support addressed to the Bureau of Reclamation, regarding the **WaterSMART Environmental Water Resources Project and Planning Office**. Commissioner Lindsay moved to sign the letter of support for the Environmental Water Resources Project, WaterSMART. Second by Commissioner Candelaria and carried. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave the 2022 budget proposal and the monthly report. Topics discussed with the report included; revenues, the proposed BOMAG purchase, expenditures, salaries, the August Landfill budget spread sheet and recyclables. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave the 2022 budget proposal and the monthly report. Topics discussed included; revenues, salaries, operating expenses and the monthly report. Manager McGuire reported the year to date numbers for income of \$70,184.99 and attendance at 68.901. A discussion was held regarding past and future events scheduled at the Fairgrounds. (See attached)

**ASSESSOR: Assessor, Leslie Bugg** met with the Commissioners to present the 2022 budget proposal. Topics discussed included; salaries, fringe benefits, postage and the three open positions within the department. (See attached)

**COUNTY TREASURER/ TRUSTEE: Treasurer, Ellen Black** met with the Commissioner to present the 2022 budget proposals. Topics discussed included; salaries, a proposed part time position, fringe benefits, expenditures, advertising fees, postage and travel. A discussion was held regarding the on line, tax lien sale, scheduled November 5, 2021. (See attached)

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** met with the Commissioners to present the 2022 budget proposal. Topics discussed included; salaries, 2022 elections, the digitization project and election equipment. (See attached)

**UNFINISHED BUSINESS:** A discussion was held regarding the Maintenance Supervisor position.

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

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, gave the proposed 2022 budget. Topics discussed included; operational expenses, dues, training and travel, salaries and fringe benefits. Director Dietrich presented for approval a letter addressed to the **San Juan National Forest, Dolores Ranger District** regarding the **Fox Den Salvage Project**. Commissioner Lindsay moved to support the 1950/2400 Fox Den Salvage proposal. Second by Commissioner Candelaria and carried. Director Dietrich presented for approval, a letter of support, addressed to the **San Juan National Forest, Dolores Ranger District**, regarding the **CPW Motorized Trail Grants**. Commissioner Lindsay moved to sign the letter of support for the CPW Motorized Trail Grant. Second by Commissioner Candelaria and carried. Other topics discussed included; the **Paths to Mesa Verde**, the **Black Resources, Inc. State Well #3611** and the **Flodine / Yellow Jacket** grazing permits.. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator, Shak Powers presented for approval the **Colorado Opioids Settlement Memorandum of Understanding**. Commissioner Lindsay moved to sign the MOU on the Colorado Opioids Settlement. Second by Commissioner Candelaria and carried. **PAYABLE EXPENDITURE REPORT:** Administrator Powers presented the August 2021 Accounts Payable Expenditure Reports for approval. Commissioner Lindsay moved to sign the payables for the month of August 2021. Second by Commissioner Candelaria and carried. **FAIRBOARD APPOINTMENTS:** Administrator Powers discussed letters of interest received from **Asialynn Widen** and **Richard Zawistowski** to serve on the Fairboard. Commissioner Lindsay moved to approve these two people to the Fairboard. Second by Commissioner Candelaria and carried. It was agreed that the Fairboard would determine the length of term for the new members. Administrator Powers reported that the local economic development team had been nominated for the Economic Development Community of the Year Award. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; the attended Cortez City Council meeting, constituent phone calls emails and questions. **Commissioner Candelaria** discussed the attended Region 9 Board meeting, an NCA discussion, the attended Local Government Coordination Breakfast, the Monday workshop, the attended Dolores Town Board meeting and constituent phone calls.

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

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

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

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

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Clerk

October 5, 2021

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Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
October 12, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 12, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

**CHAIRMAN, CANDELARIA** opened the meeting of October 12, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated October 5, 2021 as presented. Motion was seconded by Commissioner Candelaria and carried.

**PLANNING: Planning Director, Don Haley, Assistant, S. Jane Duncan and Agent, Ernie Maness** presented for signatures of a Mylar for a Subdivision Amendment Application to the Empire Electric North Broadway Subdivision, submitted by **Bedroc, LLC**; agent: Maness & Associates, on property located at 761 N. Broadway, Cortez, CO, consisting of 1.89 acres, more or less, located west of Hwy 491/N. Broadway situated in Sections 22 & 27, T.36N., R.16W., N.M.P.M..

**Director, Haley with Assistant, Duncan** presented for signatures of a Mylar for a Boundary Line Adjustment, submitted by **BedRoc, LLC**; agent: **Maness & Associates**, on property located at 761 N. Broadway, Cortez, CO, consisting of 1.89 acres, more or less, , and R C Southwest Development, LLC; agent: Maness & Associates, on property located at TBD Hwy 491, Cortez, CO, consisting of 32.64 acres, more or less, both located west of Hwy 491/N.



Broadway, both situated in Sections 22 & 27, T.36N., R.16W., N.M.P.M. Commissioner Lindsay moved to approve the boundary line adjustment, on property located at 761 N. Broadway, Cortez, consisting of 1.89 acres, submitted by BedRoc, LLC; agent: Maness & Associates. Second by Commissioner Stevenson and carried.

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

**IT: IT Director, Jim McClain** met with the Commissioners to present a monthly report. Topics discussed included, the emergency use of the secondary VX Rail, the implementation of a new help desk system, Director McClain's nomination to the Southwest Colorado, Region 9 Board Band Authority, the break area security gate and the new election room cameras.

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Topics discussed included; the Emergency Manager's replacement vehicle and the new Enterprise Fleet program.

**BUILDINGS AND GROUNDS MAINTENANCE: Interim Maintenance Supervisor, Dustin Sattler** met with the Commissioners to present a monthly report. Topics discussed included; the Fairground's fire suppression system, the server room fire suppression system, estimates for the fire pull stations, the Combined Courts sally port project and winterization projects.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Topic discussed included the redistricting project, fire district maps, maps for the Mancos Marshall's office, maps to be included within county emergency plans and addressing. (See attached)

**UNFINISHED BUSINESS: Landfill Manager, Mel Jarmon** met with the Commissioner to discuss the proposed compactor purchase. Commissioner Lindsay moved to sign the contract with Power Equipment Company in the amount of \$546,853.00. Second by Commissioner Stevenson and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the chief judge's order, limiting in person court appearances. Topics discussed included; the suspension of jury trials, Land Use violation cases placed on hold, civil cases and contract drafting.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich,** met with the commissioner to give a weekly report. Topics discussed included; the Combined Courts water project, the **Black Resources, Inc. State Well #3611**, a scheduled listening session with **Congresswoman Boebert**, the **Paths to Mesa Verde Project** and the **Dolores Community Trail**. (See attached)

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** discussed the attended Opioid Work Shop, the fiscal agent for the opioid settlement funds, a public caution regarding counterfeit oxycontin and ibuprofen and the (RFP) Request for Product for the Community Intervention Program.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed; the attended CSU Hiring Committee meeting and the attended Colorado Municipality Leagues meeting. **Commissioner Lindsay** discussed; an opioid discussion with Congresswoman Boebert’s office and the scheduled Cortez City Council meeting. **Commissioner Candelaria** discussed; the completed sound decibel demo on 11<sup>th</sup> Street in Dolores, the attended Dolores Town Board meeting, the Landfill video, the RCC meeting and the attended CCI legislative meeting.

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

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

**MEETING ADJOURNED: 10:20 a.m.**

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Clerk

October 12, 2021

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Chairman



LLC, on property located at 25506 Road F.6, Cortez,. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination of a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Jimmy G. Suckla**, on property located at 12588 Road 23, Cortez, CO, consisting of 49.37 acres, more or less, located east of Road 23, west of Hwy 491, situated in Section 9, T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Jimmy and Julie Suckla were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the single lot development and AR3-9 rezoning application, submitted by Jimmy G. Suckla, on property located at 12588 Road 23, Cortez, CO,. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Mylar for a Single Lot Development, submitted by **Jimmy G. Suckla**, on property located at 12588 Road 23, Cortez, CO, consisting of 49.37 acres, more or less, located east of Road 23, west of Hwy 491, situated in Section 9, T.36N., R.16W., N.M.P.M. (Not available at this time.)

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Variance for setbacks, submitted by Jimmy G. Suckla, on property located at 12588 Road 23, Cortez, CO, consisting of 49.37 acres, more or less, located east of Road 23, west of Hwy 491, situated in Section 9, T.36N., R.16W., N.M.P.M. Commissioner Stevenson moved to approve the one foot setback variance for the shed on the northwest property line. Second by Commissioner Lindsay and carried.

**Director, Haley** along with **Assistant, Duncan** presented for signatures a Mylar for a 2 Lot Minor Subdivision submitted by **Gary & Georgia Stanley** on property located at 19250 Road P, Cortez, CO, consisting of 35 acres, more or less, located west of Road 20, south of Road P, situated in Sections 35, T.37N., R.17W., N.M.P.M.

**Director, Haley** along with **Assistant, Duncan** presented for signatures a Mylar for the Amendment to the Pickens 2 Lot Moderate Subdivision submitted by **Terry and Larry Pickens**, on property located at 13848 Road 23, Cortez, CO, consisting of 23 acres, more or less, located south of Road P, east of Road 23, situated in Section 4, T.36N., R.16W., N.M.P.M

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

**COUNTY CORONER:** **Coroner, George Deavers** was not available at this time.

**EMERGENCY MANAGEMENT:** **Emergency Manager, Jim Spratlen** met with the Commissioners and gave a monthly update. Manager Spratlen gave a review of the **Emergency Management Situation Report**. Topics discussed included; preparedness levels, fire

restrictions, drought conditions, air quality, a COVID update, the (CWPP) Community Wildfire Protection Plan and County PPE supplies. Manager Spratlen presented for approval, the revised Emergency Operations Plan along with, **RESOLUTION #15-2021**. A resolution adopting the revised **Emergency Operations Plan** for the County of Montezuma, State of Colorado. Commissioner Stevenson moved to accept Resolution #2021-15 for the Emergency Operation Plans, revised and adopted on October 19, 2021. Second by Commissioner Lindsay and carried. **Chief, Jay Balfour** from the **Cortez Fire Protection District** joined the meeting and discussed the Emergency Health Disaster Declaration. (See attached)

**DISTRICT ATTORNEY: District Attorney, Office Manager, Clarisa Feully** met virtually with the Commissioners to give a monthly report. Topics discussed included; court restrictions, jury trials, working remotely, the case statistics report, back log procedures, the total 2021 months of operations and scheduling the District Attorney, report during the Monday workshop sessions. (See attached)

**BID AWARD: Administrator, Powers** presented for approval, the previously reviewed bids for the **Community Intervention Program**. Administrator Powers reported there were no competing bids and these bids, met all requirements of the requests for bid. Bids received included: from the **Cortez Fire Protection District**, a total amount of \$137,917.44, for two emergency medical technicians, and from **Axis Health System** a total amount of \$186,302.49 for the Behavioral Health Clinician Services. Commissioner Stevenson moved to award the bid to Cortez Fire Protection District for the two emergency medical technicians, for the amount of \$113,982.00 payable in 12 monthly payments, which includes the indirect charges, for a sum of \$137,917.44. Second by Commissioner Lindsay and carried. Commissioner Lindsay moved to award, for the proposal of the Behavioral Health Clinician Services of the Community Intervention Program, in the amount of \$186,302.49, not to be exceeded, to Axis Health. Second by Commissioner Stevenson and carried. (See attached)

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

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** reported on a discussion held with the Dolores Bike Club regarding the Dolores Trail Easement, civil cases waiting on filings and reported he was working with the Health Department regarding pit privies.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** presented for approval the **Montezuma County Fair, State of Colorado Department of Agriculture Grant #POGG1,BAAA,202200002422**, in the amount of \$37,561.00. Commissioner Stevenson moved to sign the acceptance of the grant #POGG1,BAAA,202200002422. Second by Commissioner Lindsay and carried. (See attached)

Administrator, Shak Powers presented for approval a letter of support addressed to the DOLA Committee, regarding the **Mancos Housing Affordable Strategy Grant**. Commissioner Lindsay moved to approve the support letter for the Affordable Housing Strategy Grant for Mancos. Second by Commissioner Stevenson and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the commissioner to give a weekly report. A letter of recommendation, for

Director Dietrich's re-appointment to the **Southwest Colorado Resource Advisory Council (SWRAC)** was presented for approval. Commissioner Lindsay moved to approve the letter of support, for James Dietrich to be re-appointment to the Southwest Resource Advisory Council. Second by Commissioner Stevenson and carried. Other topics discussed included; combining the Paths to Mesa Verde Trail and the Broad Band Projects, an update on the Paths to Mesa Verde Trail and a scheduled discussion with the Dolores Town Board regarding the proposed 30x30 legislation. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; constituent road phone calls and the attended Cortez City Council meeting. **Commissioner Stevenson** discussed; reading material and an email received from the DWCD regarding the proposed NCA legislation. **Commissioner Candelaria** discussed the attended Housing Authority Tour, an economic development discussion regarding a manufactured housing plant, the attended Southwest TPR meeting, the attended (STAC) State Transportation Advisory Committee meeting, Monday's workshop, the Fairground's Race Track contract and budget presentations.

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

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

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

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Clerk

October 19, 2021

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Chairman



**Director, Haley, and Assistant, Duncan** held a discussion regarding a proposed amendment to the threshold standards of the Land Use Code, for line items #24, Lighting and #25, Noise. The discussion was tabled until the November 2<sup>nd</sup> meeting. (See attached)

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

**BOARD OF SOCIAL SERVICES MONTHLY REPORT:** It being the time set aside, the Board of Social Services was conducted. **Director, Gina Montoya** and **Finance Officer, Lori Higgins** were present. A discussion was held regarding a regional shortage of Foster homes. Director Montoya mentioned that if anyone is interested they can contact her at [gmontoya@co.montezuma.co.us](mailto:gmontoya@co.montezuma.co.us) or 970-564-4105. (See attached)

**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay, September 2021** was presented for the record. Other topics discussed included; the September 2021 financial report, a review of office activities, the staff change over, State training, Officer Kuhn's access to the VA claims program, and scheduled Veterans Day events. (See attached)

**SENIOR SERVICES: Administrative Assistant, Lori Thompson** met with the Commissioners to give a departmental monthly report on the Senior Services programs. A discussion was held on the proposed, commodity freezers and dry storage, transfer from the Fairgrounds to the Senior Service building. (See attached)

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners for a monthly report. Topics of the discussion included; the My Preparation Presentation, an update on the new agent interviews, a community needs assessment, the overview of the Focus Group event, the Montezuma County Community Survey and the **Montezuma County Program Plan**. (See attached)

**UNFINISHED BUSINESS:**

**RESOLUTION #16-2021:** Administrator Powers presented for approval, **Resolution #16-2021**, a resolution, declaring the intent of Montezuma County Colorado to issue **Multifamily Housing Revenue Bonds for the Sleeping Ute Apartments Project**. Commissioner Stevenson moved to approve Resolution #16-2021, a resolution, declaring the intent of Montezuma County Colorado to issue Multifamily Housing Revenue Bonds for the Sleeping Ute Apartments Project. Second by Commissioner Lindsay and carried. (See attached)

Administrator Powers presented for approval, the **Certificate Required by Section 24-32-1709(2)(c) of the Colorado Revised Statutes** as amended. Commissioner Stevenson moved to allow Administrator Powers to sign the Certificate Required by Section 24-32-1709(2)(c) of the Colorado Revised Statutes as amended and the future application when it is finished. Second by Commissioner Lindsay and carried. (See attached)



Administrator Powers presented for approval. a letter of support addressed to the Colorado Department of Local Affairs regarding the **Homesfund Application for HDG funds**. Commissioner Lindsay moved to sign the letter of support for Homesfund application for HDG funds. Second by Commissioner Stevenson and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** along with **Maintenance Supervisor, Justin Sattler** met with the Commissioners to present for approval a change order request in the amount of \$31,440.00, to contract #08262021 for the Lost Canyon Shop Addition. Commissioner Lindsay moved to approve the original contract #08262021, with the addition of the change order, not to exceed \$65,000.00. Second by Commissioner Stevenson and carried. Other topics discussed included; a citizen complaint regarding truck traffic on non-designated roads, current truck routes, truck route signage, road stability on Roads L, 32 and P, proposed additions to the official road map and maintenance on Road 29.2. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the commissioner to give a weekly report. Director Dietrich presented for approval, a letter addressed to the **Honorable Michael Bennett** regarding the **Dolores River Proposed National Conservation Area**. Commissioner Lindsay moved to sign the letter, for the Dolores River Proposed National Conservation Area, and send to Senator Bennett. Second by Commissioner Stevenson and carried. Other topics discussed included the Dolores Town Board 30x30 presentation. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed civil cases, child protection cases and a discussions held with the Dolores Bike Club.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** presented to the Montezuma County Economic Development Team, the **Economic Development Medium Community of the Year Award**. Team members in attendance included; Greg Felsen, Rachel Medina, Don Haley, Sherri Jane Duncan and James Dietrich.

**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)(d) for discussion of specialized details of security arrangements or investigations, and to include; Commissioners Stevenson, Lindsay and Candelaria, Administrator Powers, Attorney MacLaren, Clerk Percell, Sheriff Nowlin, Public Health Director, Bobbi Lock, and District Attorney, Matt Margeson, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding COVID 19 protocols at the Jail. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** reported on; the attended After Hours Event and constituent discussions. **Commissioner Lindsay** reported on; constituent discussions, a culvert review expedition with MVI and the scheduled Cortez City Council meeting. **Commissioner Candelaria** reported on, the attended League of Women Voters virtual meeting with the

Assessor, constituent discussions, the Monday workshop presentations, attendance to the Dolores Town Board meeting and the MVI culvert review expedition.

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

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

**MEETING ADJOURNED: 3:45 p.m.**

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Clerk

October 26, 2021

Chairman



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

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and AR 10-34 Rezoning Application, submitted by **Karla Fassett Revocable Living Trust**; agent: **James Lindahl**, on property located at 43996 Road M, Mancos, CO, consisting of 60.91 acres, more or less, located north of Hwy 160 and west of Road 44, situated in Section 11, T.36N., R.13W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lindahl appeared through zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the single lot development and AR 10-34 rezoning application, submitted by Karla Fassett Revocable Living Trust; agent: James Lindahl, on property located at 43996 Road M, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed High Impact/Special Use Permit with Commercial Rezoning Application, submitted by Zane Odell, on property located at TBD Road X, Lewis, CO, consisting of 10 acres, more or less, located north of Road X, west of Hwy 491, situated in Section 26, T.38N, R.17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Odell was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the rezoning application, submitted by Zane Odell, on property located at, to be determined, Road X, Lewis, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING:** **Planning Director, Don Haley**, and **Planning Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Single Lot Development, submitted by **Jimmy G. Suckla**, on property located at 12588 Road 23, Cortez, CO, consisting of 49.37 acres, more or less, located east of Road 23, west of Hwy 491, situated in Section 9, T.36N., R.16W., N.M.P.M.

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

**BENEFITS ADVISORY COMMITTEE:** From the County **Benefits Advisory Committee**; Human Resource Assistant **Billye Morgan**, Road & Bridge Office Manager **Virginia McKinney** Sheriff Detective Lieutenant **Tyson Cox**, Public Health Assistant Director, **Laurel Schaeffer** and **Debbie Amsden** from Social Services, along with **Benefit Health Advisor, Jake Zehnder** and **Southwest Health Systems, CFO, Rick Shrader**, met with the Commissioners to discuss health insurance options and presented the Committee recommendations for the 2022 employee

health insurance. Commissioner Lindsay moved to switch the health insurance to Cigna. Second by Commissioner Stevenson and carried. (See attached)

**ROAD & BRIDGE DEPARTMENT: Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the month of November, 2021, and gave an overview of the type of work scheduled for each crew. Superintendent Englehart discussed, a presentation to DOLA, regarding the Roads Y, 16 and S grant application. Other topics discussed included; an update of the Mc Elmo Slip Project Plan, moving the crusher to the Mc Elmo pit, an update on the Alkali Creek Bridge Project, general seasonal road maintenance, completion of the Forest Service Schedule A Agreements and a traffic count and inspection regarding Mr. Parks chip seal request. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners by zoom, to give a monthly report. Topics discussed included: the counties noxious weed inventory, the local A list species information, the Pheathophyte Project, the Mancos River project, the Hermana Project, spotted knapweed and a diffuse knapweed project, the Cost Share Program, notifications, enforcement, education and outreach. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Manager Jarmon discussed the new scale project, a tour of the Landfill with the new Permittee from the CDPHE, recycled cardboard, recycled office paper, recycled #1 plastics and #2 plastics. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date report. Year to date numbers included; income \$87,437.49 and attendance 70,531. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, winter practice schedules, grounds clean up at the racetrack, indoor facility maintenance and the race track meters. (See attached)

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

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave an update on the Belden Land Use Code Violation case, the Weber Canyon / Road 41 lawsuit and civil cases.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** discussed a proposed Noxious Weed Department budget amendment, in the amount of \$10,000.00 for the Hermana and Spotted Knapweed Projects. Commissioner Lindsay moved to amend the Weed Department budget for \$10,000.00, in the knapweed treatment line item, with any unspent funds at the end of the fiscal year, be rolled over to the 2022 budget. Seconded by Commissioner Stevenson and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; constituent discussions, the Cortez City Council meeting and the zoom attendance for the Housing Solutions meeting. **Commissioner Stevenson** discussed; the Mancos Town Board meeting and recharging the Dove Creek canal.

**Commissioner Candelaria** discussed the attended Housing Authority Meeting, the constituent discussion process for Land Use / Planning issues and the No Shave November event.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the commissioner to give a weekly report. Director Dietrich gave updates on the Paths to Mesa Verde project, the McPhee Reservoir CWCB Tire Project and the completed BLM parking lot. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren’s suggestion, Commissioner Lindsay moved for the Board of County Commissioners to go into executive session, for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), and to include Commissioners Candelaria, Lindsay and Stevenson, Administrator Powers, Attorney MacLaren, Clerk Percell, and IT Director Jim McClain, seconded by Commissioner Stevenson and carried. Topics for the executive session included the Broadband Project. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

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

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

**MEETING ADJOURNED: 11:45 a.m.**

\_\_\_\_\_  
Clerk                      November 2, 2021

\_\_\_\_\_  
Chairman



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

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Subdivision Amendment Application to the Fowler 2 Lot Development, submitted by **Joe & Rita Fowler**, on property located at 25198 Road T.5, Cortez, CO, consisting of 4.01 acres, more or less, located south of Road T.5 and east of Road 25 situated in Section 14, T.37N., R.16W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Fowler was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to accept the proposed subdivision amendment application to the Fowler 2 lot development, submitted by Joe & Rita Fowler, on property located at 25198 County Road T.5, 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 a proposed Subdivision and AR3-9 Rezoning Application, submitted by **Flame Conley**; agent: **Ironwood Group, LLC**, on property located at 27980 Road T, Dolores, CO, consisting of 35.85 acres, more or less, located south of Road T, east of Hwy 145, situated in Section 19, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Ironwood Plant Manager, Wade Bantley** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by; **Mary Ranney, John Godbout, Lana Kelly, Trent Bishop** and **Frances Thullen. Melissa Valdez** read a letter from property owner **Paul VanVleet**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the subdivision and AR3-9 rezoning application, submitted by Flame Conley; agent: Ironwood Group, LLC, located on property, 27980 Road T, Dolores,. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain reported that the external public DNS service provider was currently having issues and gave a review of the new software for the County's Help Desk procedures.

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

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioners to give a monthly report on the grounds and buildings. Supervisor Sattler discussed; exterior light bulb replacements, the Sally Port Gutter Project, the Fairground Fire



Suppression Project, restroom repairs at the Detention Center, the east gate repair at the Sheriff's Department and expansion projects for the Road Department shops.

**GIS MAPPING: GIS Manager, Doug Roth and Mapping Specialist, Rachel Medina** met with the Commissioners to give a monthly report. Manager Roth gave a history and overview of the County's Address system processes. Topics discussed included; Resolution #22-2008, Resolution #6-2009, Understanding Address Assigning and Corrections / Changes, Road Naming and Address System Standards, the General Guidelines for Road Systems, Mapping and Administration, naming red roads, address verifications for first responder's property address markers, a proposed County wide address marker project, and a proposed Region 9 Economic Development application packet. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the commissioner to give a weekly report. Director Dietrich presented for review and approval, a letter of support addressed to **Tom Metsa, OHV Program Manager, for the Colorado Parks and Wildlife**, regarding the **BLM Request for CPW Motorized Trail Grants**. Commissioner Stevenson moved to sign the letter of support for the BLM request CPW motorized trail grants. Second by Commissioner Lindsay and carried. Other topics discussed included; the attended field trip with the Dolores Working Group to the Lone Pine logging operations in Dolores County, a proposed letter of support request from Montrose County and a **Grant Sources and Purpose Report**. (See attached)

**UNFINISHED BUSINESS:** From the Benefits Advisory Committee; **Human Resource Assistant, Billye Morgan** presented the 2022 Insurance Rates Final 30% and 70% Dependent Coverage proposals. It was agreed to continue the discussion to the next meeting. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the City of Cortez, Fiber Management Proposal, and gave updates on the Walmart BOA appeal, the Weber Canyon / Road 41 lawsuit, the Land Use Code Violation cases, the Road Y gate issue, and a County right-of-way issue on Road Z.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** discussed property inspections regarding Land Use Code violations, the 911 Authority's recording equipment warranty and the official press release regarding the **Montezuma County Sales Tax Ballot Measure Survey**. Administrator Powers presented for review and discussion, a draft 2022 **Montezuma County Official County Holiday** schedule. It was agreed to continue the discussion at a later date. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay** discussed; the sales tax survey, a short term rental presentation viewed at the Housing Solutions meeting, constituent discussions, the attended 100 year anniversary for Ertel Funeral Home and the Veterans Day Holiday. **Commissioner Stevenson** discussed; constituent discussions and the sales tax survey presentation at the scheduled Mancos Town Board meeting. **Commissioner Candelaria** discussed a US Transportation, zoom meeting regarding the Infrastructure Bill, constituent discussions, a County

representative to the CCI Public Lands delegation, an overview of the Monday workshop and the sales tax survey presentation to the Dolores Town Board.

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

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

**MEETING ADJOURNED: 11:35 a.m.**

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Clerk

November 9, 2021

Chairman



in Section 22, T.37N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Brumley was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Lindsay moved to continue the public hearing, to a date to be determined, for the, Brumley Family Ranch, LLC, on property located at 16440 Road 30, Dolores. Second by Commissioner Stevenson and carried. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed General Planned Unit Development and Rezoning Application submitted by **Ironwood Group, LLC**, on property located at 27736 Road T, Dolores, CO, consisting of 45.48 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19, T.37N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. From Ironwood Group LLC., Chief Finance officer, **Mark Hartman** and Plant Manager, **Wade Bantley**, were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Emergency Manager, **Jim Spratlen** and Cortez Fire Protection District Chief, **Jay Balfour** joined the hearing, to discuss the development of fire mitigation plans. Commissioner Stevenson moved to continue the proposed General Planned Unit Development and Rezoning Application submitted by **Ironwood Group, LLC**, on property located at 27736 Road T, Dolores, to February 1, 2022 at 9:00 a.m.. Second by Commissioner Lindsay and carried. (See attached)

**Director, Haley** reported that the presentation for signatures of a Variance for the Land Use Code Requirement of the 3 acre parcel size, submitted by **Spencer Smith; agent: Ernie Maness**, on property located at 26780 Road M, Cortez, CO, consisting of 247.62 acres, more or less, located south of Road M, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M., was postponed to a future date.

**Director, Haley** along with **Assistant, Duncan** presented for signatures of a Boundary Line Adjustment, submitted by **Madeline Butcher**, on property located at 25289 Road X, consisting of 12 acres, more or less, and **Reed-Carr Trust**, on property located at 25357 Road X, Dolores, CO, consisting of 4 acres, more or less, both located north of Road X, east of Road 23, situated in Section 26, T.38N, R.16W, N.M.P.M. Commissioner Lindsay moved to approve the variance for the boundary line adjustment for Madeline Butcher, on property located at 25289 Road X. Second by Commissioner Stevenson, and with two votes in favor by Commissioners Lindsay and Stevenson and one vote against from Commissioner Candelaria, the motion carried. (See attached)

**Director, Haley** along with **Assistant, Duncan** presented for signatures a Mylar for a 2 Lot Minor Subdivision submitted by **Sharon Williams, agent: Krista Veloso**, on property located at 7251 Road 25, Cortez, CO, consisting of 35 acres, more or less, located north of Road G, west of Road 25, situated in Section 3, T.35N, R.16W, N.M.P.M.

**Director, Haley** discussed personal property developments for RV Parks or Camp Ground Sites and the permitting process required for such developments.

**PUBLIC LANDS: Bureau of Land Management, Connie Clementson** met virtually with the Commissioners and discussed the BLM access parking lot off of Road N. From the **Forrest Service, D. J. Casey** met virtually, with the Commissioners and reviewed Forest Management within Montezuma and Dolores Counties. (See attached)

**PUBLIC COMMENT:** Public comments were made by; **Melissa, Valdez, Rose Jergens, Ed Carpenter, Trent Bishop, John Godbout, Jay Wood, Susan Bernard, Kathy VanVleet, Terry Hinds, Allen Maez, Debra Gentilini,** and **Lana Kelly.** Virtual public comment was made by; **MB McAfee** and **Julia Anderson.** (See attached)

**DISCUSSION:** Property owner, **Dawn Lightenberger** met with the Commissioners to discuss an address change to a Montezuma County property and made a request for an exemption of that change. **GIS Specialist, Rachel Medina** presented the Montezuma County Addressing Office address change process. **Sheriff Nowlin** discussed emergency response to the newly assigned address. The Commissioners were in agreement to table the discussion until December 14<sup>th</sup> for further review. (See attached)

**COUNTY SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report,** the **Year to Date Transport Report,** the **Total Monthly Inmate Report,** the **October Monthly Arrests Report,** the **Jail Report,** the **Dolores County Billing Report,** the **City of Cortez Billing Report,** the **DOC Holds Report,** the **Operational Expense Report** and the **Monies Paid to the General Fund Report.** Other topics discussed included; a transport vehicle collision, damage expense to the vehicle and public education classes. (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Topics discussed included; the year to date numbers, suicides, motor vehicle fatalities and neighboring counties using the autopsy suite.

**CORTEZ FIRE PROTECTION DISTRICT (CFPD): Chief, Jay Balfour** met with the Commissioners to give a monthly report. Topics discussed included a **Calls for Service Report,** year to date training hours, a report on a recent structure fire, a dumpster fire, response to the transport vehicle collision, stand by operations, prescribed burns, the **911 Stair Climb Challenge,** fire education, a reminder to local residents to check their smoke detectors, the Community Intervention program, an update of the **Calkins Building Project,** the new **Urgent Care Center** and the development and certification of a Fireworks Team to manage local firework events. (See attached)

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

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report.** Topics discussed included; water updates, the evaporation rate, a COVID update, the (CWPP) **Community Wildfire Protection Plan,**

information on the **Rocky Mountain Fire Executive Council** and the **Ironwood** property fire mitigation plan. (See attached)

**UNFINISHED BUSINESS: Attorney MacLaren** presented for approval the **City of Cortez, Fiber Management Agreement**. Commissioner Lindsay moved to sign the agreement between Montezuma County and the City of Cortez, for the Community network enterprise, regarding a broadband fiber network. Second by Commissioner Stevenson and carried. Other topics discussed included; the developed (RFP) Request for Proposal for the Management of Existing Fiber. (See attached)

**2022 Official County Holiday Schedule:** Administrator Powers presented for discussion the **2022 Montezuma County Official County Holiday Schedule**. Commissioner Candelaria described the following ten Federal holidays that would be observed; New Year's Day, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus/Indigenous People Day, Veterans Day, Thanksgiving Day and Christmas Day. Commissioner Stevenson moved that for the official County holidays, we stick with the federal days off, as stated by Commissioner Candelaria. Second by Commissioner Lindsay and carried. (See attached)

From the **Benefits Advisory Committee; Human Resource Assistant, Billye Morgan** met with the Commissioners for a final decision on the 2022 Employee Dependent Care Insurance. The Commissioners were in agreement to move forward with the previously approved, 2022 employee dependent care insurance as presented.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** appearing by Zoom, gave an update on the discussions with the Dolores Bike Club regarding the Dolores Trail Easement.

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

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** presented for approval the **PAYABLE EXPENDITURE REPORT** for September, 2021. Commissioner Lindsay moved to accept the payables for the month of September, 2021. Second by Commissioner Stevenson and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Mancos Town Board meeting and constituent discussions. **Commissioner Lindsay** discussed; constituent discussions and the attended Cortez City Council meeting. **Commissioner Candelaria** discussed; the attended Veterans Day breakfast and parade, the virtual attendance to the State Transportation Advisory meeting, a NACO Transportation Steering Committee priority survey, a ride along with Road Superintendent Englehart to review culvert projects, a truck route designation on Road 22 and an overview of the Monday workshop.

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

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

**MEETING ADJOURNED: 2:00 p.m.**

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Clerk

November 16, 2021

Chairman





Lindsay moved to grant the After-The-Fact Special Use Permit Application for a Wireless & Internet Cell Tower project, submitted by **Farmers Telephone Company, Inc**; agents: **Shawn Sanders & Terry Hinds**, on property located in the Right-of Way of Road J, Cortez, CO, located south of Road J, east of S. Sligo St, situated in Section 36, T.36N., R.16W., N.M.P.M.. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application, submitted by **Brumley Family Ranch, LLC**, on property located at 16440 Road 30, Dolores, CO, consisting of 46.94 acres, more or less, located east of Road 30, south of Hwy 184, situated in Section 22, T.37N., R.15W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Sandy T and April were present via Zoom. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to accept proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application, submitted by **Brumley Family Ranch, LLC**, on property located at 16440 Road 30, Dolores, CO, consisting of 46.94 acres, more or less, located east of Road 30, south of Hwy 184, situated in Section 22, T.37N., R.15W., N.M.P.M.. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC COMMENT:** **Dexter Gill** voiced his concern regarding the proposed Montezuma County Sales Tax question and how State Mandates influence said possible tax. Allen Maez commented on metro counties resolutions in regards to the governor mandates.

**BOARD OF SOCIAL SERVICES MONTHLY REPORT:** It being the time set aside, the Board of Social Services was conducted. **LueAnn Everett** and **Finance Officer, Lori Higgins** were present. Commissioner Lindsay moved to accept the Record of Proceedings for the Board of Social Services Oct 26, 2021. Second by Commissioner Stevenson and carried. Commissioner moved to approve the Payables for the Montezuma County Department of Social Services for October 2021. Second by Commissioner Stevenson and carried. (See attached)

**VETERANS SERVICE:** **Veteran Service Officer, Sara Kuhn** met with the Commissioners to give a monthly report. A copy of the **Colorado Department of Military and Veterans Affairs, County Veterans Service Officers Monthly Report and Certification of Pay**, October 2021 was presented for the record. Other topics discussed included; the October 2021 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO):** **MCCO Manager, Jennifer Morris** met with the Commissioners to present a MoCo Transportation Fare Increase 2022 and adding a new destination of Farmington, New Mexico. Commissioner Lindsay moved to approve the MoCo Transportation Fare Increase 2022 and new destination of Farmington, New Mexico. Second by Commissioner Stevenson and carried. (See attached)

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

**UNFINISHED BUSINESS:** Dolores Operation Graduation asked to have this at the Fairgrounds and the facility fee waived. Commissioner Stevenson moved to grant the use of the Fairgrounds without any fees for the Dolores Operation Graduation. Second by Commissioner Lindsay and carried.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren.** Received a request to make an appeal to the Zoning Board of Adjustment. Discussion was held regarding a Zoning Board of Adjustment, ongoing cases and waiting on an order to come through regarding Kinder Morgan.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich,** out of the office this week, no report was given.

**COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers** presented a letter of interest for the opening position for an alternate on the Fair Board. Commissioner Lindsay moved to appoint Mary Brumwell for the Alternate position on the Montezuma County Fair Board. Seconded by Commissioner Stevenson and carried. Another letter of interest for the position on the board of Arriola Cemetery District. Commissioner Stevenson moved to appoint Swayzee Ramage to the 6 year term of Arriola Cemetery District. Seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed constituent discussions and expressed Commissioner's discussions are made with the best interest of Montezuma County. **Commissioner Lindsay** echoed the same sentiment as Commissioner Stevenson; working on the budget, attending upcoming Cortez City Council meeting and constituent discussions. **Commissioner Candelaria** also echoing the same as Commissioner Stevenson and Commissioner Lindsay. Call from Commissioner Garcher from Dolores County about attending a Zoom meeting. Attended the Dolores Town Board meeting.

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

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

**MEETING ADJOURNED: 9:56 a.m.**

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Clerk

November 23, 2021

Chairman



Cortez, CO, located south of Road J, east of S. Sligo St, situated in Section 36, T.36N., R.16W., N.M.P.M. (See attached)

**Planning Director, Haley** presented for signatures of a Mylar for a Boundary Line Adjustment, submitted by **Joel & Cassandra Jarrett, Sam & Julie Jarrett & Justin & Jim Honaker**, on properties located at 19710 Road 19, 19670 Road 19 & TBD Road W, Lewis, CO, all located east of Road 19, south of Road W, situated in Section 2, Township 37N, Range 17W, N.P.M. Commissioner Lindsay moved to approve and sign the plats for the boundary line adjustment, submitted by Joel and Cassandra Jarrett, Sam and Julie Jarrett, and Justin and Jim Honaker, on properties located at 19710 Road 19, 19670 Road 19 and “to be determined” Road W, Lewis,. Second by Commissioner Stevenson and carried. (See attached)

**Planning Director, Haley** presented for signatures a High Impact/Special Use Permit with Commercial Rezoning Application, submitted by **Zane Odell**, on property located at TBD Road X, Lewis, CO, consisting of 10 acres, more or less, located north of Road X, west of Hwy 491, situated in Section 26, T.38N, R.17W, N.M.P.M.

**Planning Director, Haley** presented for signatures a Subdivision Amendment Application to the Fowler 2 Lot Development, submitted by **Joe & Rita Fowler**, on property located at 25198 Road T.5, Cortez, CO, consisting of 4.01 acres, more or less, located south of Road T.5 and east of Road 25 situated in Section 14, T.37N., R.16W., N.M.P.M.

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

**LIQUOR LICENSE:** **Deputy Clerk, Jerri Frizzell** presented a liquor license renewal application for Maverick Country Stores Inc. #275, located at 10223 US Hwy. 491, Cortez Co 81321. Commissioner Lindsay moved to approve the fermented malt beverage license renewal application for Maverick Inc., located at 10223 US Hwy. 491, Cortez Co. Second by Commissioner Stevenson and carried. (See attached)

**BID AWARD:** **Administrator Powers** along with **IT Director, Jim McClain** presented reviewed proposals for the **Fiber Contract**. Proposals received, included one from **Farmers Telephone** and one from **2210Cortez**. The Commissioners were in agreement, to postpone the discussion, until the December 14, 2021, meeting.

**MONTEZUMA COUNTY HEALTH DEPARTMENT:** **Public Health Director, Bobbie Lock** met with the Commissioners, to present for signatures, a letter of request to terminate the **Tobacco Community Initiatives Contract #19FHLA108508/2019-0021\_AMD1**. Director, Lock along with **Danna Nofsinger** and **Tim Ruiz Brown** discussed a digital signature and proposed changes for the (SEP) Single Entry Point, Options for Long Term Care Contract, Amendment #2. (See attached)

**ROAD & BRIDGE DEPARTMENT:** **Road Superintendent, Rob Englehart** met with the Commissioners to give a monthly report. Superintendent Englehart presented the road and bridge schedule for the dates of November 29, 2021 through December 31, 2021 and gave an overview of the type of work scheduled. Other topics discussed included; the Road 20

realignment project, winter maintenance projects, snow removal, the scheduled DOLA presentation, the attended CCI / CARSE conference and a constituent discussion regarding center line delineators. (See attached)

**NOXIOUS WEED DEPARTMENT: Weed Department Manager, Bonnie Loving** met with the Commissioners to give a monthly report. Topics discussed included; grant funding, an update of 2022 funding, and scheduled projects. Manager Loving presented for approval, requested tax liens on the following properties located at; 17921 Road 25, Dolores, 13657 Road 21, Cortez, 21035 Road S, Cortez and 22486 Road D, Cortez. Commissioner Lindsay moved to sign the lien request for the 4 properties, as presented. Second by Commissioner Stevenson and carried. (See attached)

**LANDFILL: Landfill Manager, Mel Jarmon** gave his monthly report which included the 2021 Landfill budget spread sheet. Topics discussed with the report included; the new scale, compost piles that are in the curing stage, CDPHE approval for the Carver Field plans, the Forest Service Tire project, a proposed spring cleanup event and carbon stock. (See attached)

**FAIRGROUNDS: Fairgrounds Manager, Justin McGuire** gave his monthly report which included the year to date numbers. Year to date numbers included; income \$90,877.49 and attendance 73,061. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included, winter practice schedules, the Platform Lift Project, a proposed wall mural, and winter maintenance projects. (See attached)

**2022 BUDGET: Administrator, Shak Powers** presented **Resolution #17-2021**. A Resolution Adopting a Budget for Montezuma County, Colorado for the Calendar Year Beginning on the first day of January 2022 and ending on the last day of December 2022. Commissioner Lindsay moved to approve Resolution #17-2021, approving the budget for Montezuma County, for the year 2022. Second by Commissioner Stevenson and carried. Administrator Powers presented **Resolution #18-2021**. A resolution to appropriate sums of money for 2022. Commissioner Stevenson moved to sign Resolution #18-2021, a resolution to appropriate the sums of money for 2022. Second by Commissioner Lindsay and carried. (See attached)

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Topics discussed included two Flood Plane Development Permit Applications, an update on the Paths to Mesa Verde Project, the Flodine / Yellow Jacket grazing permits, and the Ironwood Fire Mitigation Plan.

**UNFINISHED BUSINESS: County Clerk, Kim Percell** discussed a constituent request regarding election recounts and reported on the completed recounts in Montrose, Clear Creek, Larimer, Garfield, El Paso and Jefferson Counties.

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** gave updates on the Land Use Code violation cases, the Road Y gate issue and the Landfill's restrictive covenants. Attorney MacLaren also discussed the County review of approved High Impact Permits and the scheduling of a Zoning Board of Adjustments hearing.

**PAYABLE EXPENDITURE REPORT: Administrator, Shak Powers** presented the October 2021 Accounts Payable Expenditure Reports for approval. Commissioner Lindsay moved to approve the payables for October 2021. Second by Commissioner Candelaria and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** Administrator, Powers presented for approval **TRANSFER ORDER #7-2021**, a transfer of \$2,750.00 from the Road and Bridge Fund (002) to the Capital Fund (004), to correct a deposit error. Commissioner Lindsay moved to accept Order #7-2021. Second by Commissioner Candelaria and carried. (See attached)

Administrator Powers presented **TRANSFER ORDER #8-2021**, a transfer of \$2,748.50 from the Public Health Fund (003) to the General Fund (001,) to correct a deposit error. Commissioner Lindsay moved to accept Transfer Order #8-2021. Second by Commissioner Candelaria and carried. (See attached)

Administrator Powers presented **TANSFER ORDER #9-2021**, a transfer of \$38,779.50 from General Fund (001) to Public Health Fund (004), for 2021 per capita calculations. DOLA estimates the population of Montezuma County to be 26,183. (25,853 X \$1.50 = \$38,779.50). Commissioner Lindsay moved to accept Order #9-2021. Second by Commissioner Candelaria and carried. (See attached)

Other topics discussed included the attended CCI Winter Conference, the attended Intergovernmental Breakfast meeting and the Ironwood inspection.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended CCI Winter Conference. **Commissioner Lindsay** discussed the attended CCI Winter Conference and the attended Intergovernmental Breakfast meeting. **Commissioner Candelaria** discussed the attended Fading West Tour, the attended CCI Winter Conference and the scheduled Dolores School Board meeting.

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

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

**MEETING ADJOURNED: 3:35 p.m.**

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Clerk

December 7, 2021

Chairman



notice read, and the proceedings were recorded for the record. Ms. Downs and **Kirk Underwood** were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the single lot development and AR 10-34 rezoning application, submitted by 50-C Ranch, LLC; agent: Raven Downs, on property located at 15804 Road 30.5, Dolores. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Minor and AR10-34 Rezoning Application submitted by **David Scates**, on property located at 23200 Road F, Cortez, CO, consisting of 35.69 acres, more or less, located south of Road F, west of Hwy 160-491, situated in Section 16, T.35N, R.16W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Scates was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the proposed 2 lot minor and AR10-34 rezoning application submitted by David Scates, on property located at 23200 Road F, Cortez, CO, consisting of 35.69 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Kenneth Bradshaw**, on property located at 16941 Hwy 491, Cortez, CO, consisting of 39.62 acres, more or less, located east of Hwy 491, west of Road 22, situated in Section 19, T.37N, R.16W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Bradshaw and son, **Tim Bradshaw** were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed single lot development and AR3-9 rezoning application, submitted by Kenneth Bradshaw, on property located at 16941 Hwy 491, Cortez, Co. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination a proposed Amendment Application to the **Lutken** 2 Lot Minor Subdivision, submitted by **Jesus Castillo** and **Amanda Edwards**; agent: **Bernard Karwick**, on properties located at 12168 Road G, consisting of 3.40 acres, more or less and 12318 Road G, consisting 18.08 acres, more or less, Cortez, CO, both located south of Road G, situated in Section 4, T.36N, R.18W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Castillo was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the



Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the proposed amendment application by the Lutken 2 lot minor subdivision, submitted by Jesus Castillo and Amanda Edwards; agent: Bernard Karwick, on properties located at 12168 Road G, consisting of 3.40 acres, more or less and 12318 Road G, consisting 18.08 acres, more or less, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Minor Development and AR10-34 Rezoning Application, submitted by **Keith Halls**; agent: **Maness & Associates**, on property located at 40857 Road H, Cortez, CO, consisting of 36 acres, more or less, located west of Road 41, north of Road H, situated in Section 5, T.35N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, **Ernie Maness** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2 lot minor development and AR10-34 rezoning application, submitted by Keith Halls; agent: Maness & Associates, on property located at 40857 Road H, Cortez, with the amendment that the address be correct to say Mancos. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and AR3-9 Rezoning Application, submitted by **Toni Suckla**; agent: **Luke Bates**, on property located at 22387 Road M, Cortez, CO, consisting of 45.23 acres, more or less, located west of Road 23, North of Road M, situated in Section 8, T.36N., R.16W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, **Luke Bates** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Stevenson moved to approve the single lot development and AR3-9 rezoning application, submitted by Toni Suckla; on property located at 22387 Road M, Cortez, CO, consisting of 45.23 acres, more or less,. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 12 Lot Major Subdivision and AR3-9 Rezoning Application, submitted by **Sheldon Randall**, on property located at TBD Road M, Cortez, CO, consisting of 40 acres, more or less, located north of Road M, west of Road 23, situated in Section 8, T.36N., R.16W., N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. **Sheldon** and **Tiffani Randall** were present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to

public comment. Public comment was made by **Ernest** and **Theresa Williams**. 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 12 lot major subdivision and AR3-9 rezoning application, submitted by Sheldon Randall, on property located at “to be determined”, Road M, consisting of 40 acres, and also contingent upon the establishment of a 20 foot easement of the Lone Pine 49 through lots #2 and #4. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Planning Director, Haley** and **Assistant Duncan**, presented a Letter of Intent from **Eddie Mac Taylor** to be re-appointment as a **Planning and Zoning Commission** member. Commissioner Stevenson moved to re-appoint Eddie Mac Taylor to the Planning & Zoning, with a three year term. Second by Commissioner Lindsay and carried. Other topics discussed included; signatures on the previously approved variance application for **Triple S Farms LLC.**, the required process for property owners that have added tent sites, RV sites, tepee sites, camp grounds or cabins to their properties and the 1739 East 7th Street (Rock Yard) property. (See attached)

**PUBLIC COMMENT:** Public comment was made by **Elizabeth Berger**.

**DISCUSSION:** A continued discussion was held, regarding a request for an exemption of a County assigned address change for property owners, **Bruce** and **Dawn Lightenberger**. The new property address is located at 18872 Road 33.6, Dolores, Co., 81323. **GIS Manager, Doug Roth** and property owner Dawn Lightenberger, were present for the discussion. Planning Director, Haley joined the discussion and reviewed the Land Use Code requirements for subdivision roads. The Commissioners were in agreement to deny the request for exemption of the address change. (See attached)

**GIS MAPPING: GIS Manager, Doug Roth** met with the Commissioners to give a monthly report. Topics discussed included; future address changes to Road K.4 Mancos, the redistricting projects and the HUTF report. (See attached)

**IT: IT Director, Jim McClain** met with the Commissioners to present his monthly report. Director McClain presented for approval the (ISCP) **Information System Contingency Plan** and the **Technology Security Incident Management Plan**. Commissioner Stevenson moved to accept and sign the Information System Contingency Plan. Second by Commissioner Lindsay and carried. Director McClain presented quotes for internet services to the County, from **FastTrack** in the amount of \$2,385.32 monthly and from **Farmers Telephone** in the amount of \$2,815.00 monthly. Commissioner Lindsay recused himself from this discussion. Commissioner Stevenson moved to accept the quote for the **IG DIA**, from FastTrack in the amount of \$2,385.32. Second by Commissioner Candelaria and carried. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manger Higman gave an update on the current vehicle orders from **Enterprise Fleet** and **Keesee Motors**. Manager Higman presented for approval a bid from Keesee Motors in the amount of \$30,557.00, for the **Town of Dolores** F150 patrol unit. Commissioner Lindsay moved to approve the bid from Keesee Motors.

Second by Commissioner Stevenson and carried. Other topics discussed included the purchase of a van for the (CIP) **Community Intervention Plan**. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioners to give a monthly report. Supervisor Sattler gave updates on the Mancos and Dolores Road & Bridge shop projects, the Combined Courts Sally Port project, the semi-annual filter changes, fire suppression backflow testing, the Fairgrounds Suppression Project, the east gate replacement and fence repairs at the Sheriff Department and the Annex III Solar project.

**UNFINISHED BUSINESS: BID AWARD: Attorney, MacLaren** along with **IT Director, Jim McClain** presented reviewed proposals for the **Fiber Contract**. Proposals received, included bids from **2210Cortez** and **Farmers Telephone**. Commissioner Lindsay moved to approve the amended bid and award the bid to 2210Cortez, for the fiber management services. Second by Commissioner Stevenson and carried. (See attached)

**2022 MILL LEVY CERTIFICATION: Administrator, Shak Powers** presented for approval **Resolution #19-2021**. A resolution levying General Property Taxes for the year 2021 to help defray the costs of government for Montezuma County Colorado for the year 2022 budget. Commissioner Stevenson moved to approve Resolutions #19-2021, a resolution levying General Property Taxes for the year 2021 to help defray the costs of government for Montezuma County Colorado for the 2022 budget. Second by Commissioner Lindsay and carried. **Administrator, Powers** presented for approval **Resolution #20-2021**. A resolution levying general property taxes for the year 2021 to help defray the costs of the Law Enforcement of Montezuma County, Colorado for the 2022 budget. Commissioner Lindsay moved to approve Resolution #20-2021, a resolution levying general property taxes for the year 2021 to help defray the costs of the Law Enforcement of Montezuma County, Colorado for the physical year, 2022 budget. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed the requested, Ironwood written mitigation plan.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich**, met with the Commissioner to give a weekly report. Topics discussed included; updates on the Flood Plane Development Permit Applications, the DWARF Collaborative meeting, the Ironwood Fire Mitigation Plan and the Paths to Mesa Verde Trail.

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

**COUNTY COMMISSIONER REPORT: Topics** discussed within the Commissioners reports included: **Commissioner Candelaria** discussed the attended Road & Bridge DOLA presentation, the attended Southwest Regional Transportation Committee meeting, the current job posting for a grant writer, the attended Dolores School Board meeting, the attended City of Cortez meet and greet meeting, the attended Farm Bureau Christmas Party and the scheduled Town of Dolores Board meeting. **Commissioner Lindsay** discussed constituent discussions and the scheduled Cortez City Council meeting. **Commissioner Stevenson** discussed constituent discussions, reading, and reported that the Southwest Basin Round Table, Montezuma County

Representative, **Randy Carver** was unable to attend the Colorado River Water Users Association Conference in Las Vegas.

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

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

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

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Clerk

December 14, 2021

Chairman



F, Cortez, CO, consisting of 35.69 acres, more or less, located south of Road F, west of Hwy 160-491, situated in Section 16, T.35N, R.16W, N.M.P.M.

**PUBLIC COMMENT:** Public comment was made by **Farmers Telephone General Manager, Terry Hinds**. (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give a monthly report. Coroner, Deavers reported on the year to date statistics, which included; a total of 155 calls, 16 motor vehicle fatalities, 10 (possibly 11) suicides, 8 overdose fatalities, 20 autopsies performed last month and 10 completed autopsies so far this month.

**COUNTY SHERIFF'S MONTHLY REPORT: Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report**, the **Jail Report**, the **Year to Date Transport Report**, the **Perdium and Cost for Travel Report**, the **Total Monthly Inmate Report**, the **November Monthly Arrests Report**, the **Dolores County Billing Report**, the **City of Cortez Billing Report**, the **DOC Holds Report**, the **November Operational Expense Report** and the **Monies Paid to the General Fund Report**. Other topics discussed included; scheduling a tour of the Jail with the new Municipal Judge, the new Jail Reform Bill, booking fees, the new Bill of Right postings and the **2022-BW-22-22088** camera grant award from the State. Sheriff Nowlin presented the proposed **2022 Pre-Trial** budget for the Sheriff Department. Commissioner Lindsay moved to approve the Sheriff's Pre-Trial Unit Budget in the amount of \$68,205.99, for 2022. Second by Commissioner Stevenson and carried. (See attached)

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented the **Monthly Situational Report** for discussion and review. Other topics discussed included; the Emergency Manager's Performance Grant, Active Shooter Training, the Hazard Mitigation Plan and the Notice of Intent for the Homeland Security Grant. (See attached)

**TELECOM BID AWARD: IT Director, Jim McClain** gave an overview of the previously reviewed bids received. Bids were received from **Clarity, DataSafe, High Country/Avaya, Net Force** and **TDS**. Commissioner Stevenson moved to award the bid for the telecommunications to Net Force. Second by Commissioner Lindsay and carried. (See attached)

**PUBLIC LANDS: Bureau of Land Management, Connie Clementson** met with the Commissioners by Zoom to discuss the proposed **Mary Austin Land Acquisition**. Topics discussed included; grazing allotments, the 2017 "No Net Loss" County Resolution, (FLTFA) **The Federal Land Transaction Facilitation Act** and an update to the **BLM Lands for Disposal & County Proposed Lands for Disposal Map**. (See attached)

**FAIRGROUND FIRE SUPPRESSION BID AWARD: Maintenance Manager, Dustin Sattler** gave an overview of previously reviewed bids received. Bids received included; **Advance Fire Systems Inc.**, in the amount of \$82,808.00 and from **Cooper Fire** in the amount of \$50,899.69. Commissioner Stevenson moved to give the Fire Suppression bid to Cooper Fire in the amount of \$50,899.69. Second by Commissioner Lindsay and carried. (See attached)

**UNFINISHED BUSINESS:** A discussion was held in regard to County participation in the (NCA) **Dolores River National Conservation Area**. Commissioner Lindsay moved to become part of the discussion of the NCA. Second by Commissioner Stevenson and carried.

**CERTIFICATION LEVIES AND REVENUES:** **Administrator, Powers** presented for approval the **Budget Year 2022 Certification of Levies and Revenues** by the Montezuma County Commissioners, to be sent to the State of Colorado. Commissioner Lindsay moved to approve the Certification of Levies and Revenues for Montezuma County. Second by Commissioner Candelaria and carried. (See attached)

**COUNTY ATTORNEY REPORT:** **County Attorney, Ian MacLaren** discussed the Road Y case and Colorado Statutes regarding road obstructions and mud on the County Roads.

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

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

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed the attended Women’s Veteran luncheon, the attended Dolores County Board to Board meeting, the attended Business after Hours event, the drug presentation by the Sheriff’s Department, constituent discussions and the Monday workshop session. **Commissioner Lindsay** discussed constituent discussions and reading. **Commissioner Candelaria** discussed the attended Women’s Veteran luncheon, the meeting with the Magellan Strategies LLC., regarding the County Tax survey and the Monday workshops.

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

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

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

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Clerk

December 21, 2021

Chairman





for a 3 year term. Commissioner Lindsay moved to approve Stan Pierce, to the Planning & Zoning Commission. Second by Commissioner Lindsay and carried. (See attached)

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

**LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell** presented for approval a liquor license renewal application for, **Double R Liquors, LLC, DBA Double R Liquors**, located at 18794 Hwy 491, Lewis Co. 81327. Commissioner Lindsay moved to approve the renewal license for fermented malt beverage, at Double R Liquors, LLC, located at 18794 Hwy 491, Lewis. Second by Commissioner Candelaria and carried. (See attached)

**COMMUNITY INTERVENTION PROGRAM (CIP): Emergency Manager, Jim Spratlen, Cortez Fire Chief, Jay Balfour** and by zoom **Haley Leonard** met with the Commissioners to present bids for the proposed van purchase. Bids received included; **Shamrock Auto** \$43,900.00, **Horne Ford** \$46,237.00 and **Best Buy Auto** \$33,094.00. Commissioner Lindsay moved to approve the purchase of the van for the Community Intervention Program. Second by Commissioner Candelaria and carried. (See attached)

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

**CSU EXTENSION OFFICE: Extension Director, Gregory Felsen** met with the Commissioners for a monthly report. Topics of the discussion included; 2021 program highlights, the County Fair, expanding the Youth Development Programs, youth quilting classes, current staff, the new Livestock and Agriculture Agent **Emily Lockhart**, the **Colorado Building Farmers & Ranchers** classes, the **Livestock Forage Workshop**, the Master Gardener's Program, participation and classes scheduled for the **Four States Ag. Expo** event and working with the Community and Economic Development Team. (See attached)

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

**COUNTY ADMINISTRATOR REPORT: TRANSFER ORDER: Administrator, Shak Powers** presented **Transfer Order #10-2021**, a transfer of \$785,140.66 from LEA Fund (077) to the County General Fund (001) for 2020 LEA actual expenses from December 12, 2020 through December 18, 2021. Commissioner Lindsay moved to approve Order #10-2021, for the transfer of \$785,140.66 from LEA Fund to the County General Fund. Second by Commissioner Candelaria and carried. (See attached)

**TRANSFER ORDER: Administrator Powers** presented **Transfer Order #11-2021**, a transfer of \$87,613.28 from Conservation Trust Fund (052) to General Fund (001) for the operation of the County Fairgrounds from December 12, 2020 through December 18, 2021. Commissioner Lindsay moved to approve Order #11-2021, a transfer of \$87,613.28 from the Conservation Trust Fund to the General Fund. Second by Commissioner Candelaria and carried. (See attached)

