

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 2, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of January 2, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday December 19, 2023 as presented and those for December 28, 2023, as presented. Motion was seconded by Commissioner Lindsay and carried

PLANNING: Planning Director, Don Haley presented for signatures a Mylar for a Boundary Line Adjustment submitted by **Ricky & Melissa Carver**, on property located at 12684 Hwy 491, Cortez, CO, consisting of 21.52 acres, more or less, and **Warren & Rhonda Allmon**, on property located at 12898 Hwy 491, Cortez, CO, consisting of 5.51 acres, both located east of Hwy 491, south of Road N, situated in Section 9, Township 36N, Range 16W, N.M.P.M.

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

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

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

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

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

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

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:22 a.m.

Clerk January 2, 2024

Chairman

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

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 9, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of January 9, 2024 with the Pledge of Allegiance

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

PUBLIC COMMENT: No public comment was made.

PUBLIC LANDS: No reports available

UNFINISHED BUSINESS:

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

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

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

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

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

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

RESOLUTION: Resolution #1-2024, a resolution levying General Property Taxes for the year 2023 to help defray the costs of the Law Enforcement Authority of Montezuma County Colorado for the 2024 budget. Commissioner Koppenhafer moved to approve resolution #1-2024 a resolution levying General Property Taxes for the year 2023 to help defray the costs of the Law Enforcement Authority of Montezuma County Colorado for the 2024 budget. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A proposed Resolution pertaining to the submission to the registered qualified electors of Montezuma County of a question authorizing the imposition of a **Public Safety Sales Tax Period** for the purpose of funding improvements to the County's Public Safety organizations was discussed during the January 8, 2024 workshop. The discussion will continue during a future Workshop. (See attached)

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

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

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

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

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

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

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

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

MEETING ADJOURNED: 9:38 a.m.

Clerk

January 9, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 16, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of January 16, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 9, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment & AR10-34 Rezoning Application to Lot #12 of the Summit Lake West Unit II Subdivision submitted by **Ruth Mathis & Betty Toso**, on property located at 14438 Road 34.7, Mancos, CO, consisting of 39.74 acres, more or less, located south of Hwy 184, west of Road 35.6, situated in Section 32, Township 37N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Mathis was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Bruce White**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed Subdivision Amendment & AR10-34 Rezoning Application to Lot 12 of the

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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment Application to the Van Horn Subdivision & Boundary Line Adjustment, submitted by **Fiona King**, on property located at 17380 Road G, Cortez, CO, consisting of 4.41 acres, more or less, and **Greaves/Larsen Family Trust**, on property located at 17374 Road G, Cortez, CO, consisting of 25 acres, more or less, both located south of Road G and west of Road 21, situated in Section 33, Township 36N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. King was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the Van Horn Subdivision & Boundary Line Adjustment, submitted by Fiona King, on property located at 17380 Road G, Cortez, CO, consisting of 4.41 acres, more or less, and the Greaves/Larsen Family Trust, on property located at 17374 Road G, Cortez, CO, consisting of 25 acres, more or less, situated west of County Road 21 and south of Road G. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures a Mylar for a 2 Lot Moderate Subdivision and AR3-9 Rezoning submitted by **Robert & Katherine Heyder Living Trust**; agent: **Benjamin Bradford Shaw**, on property located at 12064 Road 40, Mancos, CO, consisting of 12.85 acres, more or less, located east of Road 40, north of Hwy 184, situated in Section 8, Township 36N, Range 13W, N.M.P.M.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2nd Amendment to Lot 1 of the Lichliter 2 Lot Moderate Subdivision, submitted by **Kathleen Turner**, on property located at 25695 Road M, Cortez, CO, consisting of 7.34 acres, more or less, located west of Road 26, north of Road M, situated in Section 11, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Turner was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2nd Amendment to Lot 1 of the Lichliter 2 Lot Moderate Subdivision, submitted by **Kathleen Turner**, on property located at 25695 Road M, Cortez, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

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

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

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

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

NEW BUSINESS:

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

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

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

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

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

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

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

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

MEETING ADJOURNED: 10:10 a.m.

Clerk

January 16, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 23, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of January 23, 2024 with the Pledge of Allegiance

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

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

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

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

PUBLIC COMMENT: Public comment was made by David Raubeson.

UNFINISHED BUSINESS:

BOARD OF SOCIAL SERVICES MONTHLY REPORT: It being the time set aside, the Board of Social Services was conducted. **Director, Kelli Hargraves** and **Finance Officer, Lori Higgins** were present. Commissioner Lindsay moved to accept the minutes and the financials from November 2023 for the **Department Of Social Services**. Second by Commissioner Koppenhafer and carried. (See attached) Commissioner Lindsay moved to accept the payables for December 2023 for the Department Of Social Services in the amount of \$1,411,418.90. Second by Commissioner Koppenhafer and carried. Commissioner Lindsay move to accept the Department of Social Services MOU the Department of Early Childhood Routing #19906491. Second by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to sign the MOU between the State of Colorado Department of Human Services and the Board of County Commissioners Annual Reaffirmation of Colorado Works Program. Commissioner Koppenhafer moved to sign the Certification of Compliance Year 2024 County Personal and Merit System through the Department of Human Services and to adopt the Montezuma County Department of Social Services Merit System Standards. Second by Commissioner Lindsay and carried.

NEW BUSINESS:

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

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

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

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

Commissioner Koppenhafer discussed AAA meeting, MVI meeting

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

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

CORRESPONDENCE: The following correspondence was read and noted: None

MEETING ADJOURNED: 10:07 a.m.

Clerk

January 23, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 30, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of January 30, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, January 23, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for the purpose of reviewing and determining the proposed revocation of a **Certificate of Designation** for **49 Square Ventures**, which would prohibit the operations of the Class II composting facility now owned by **CLM Composting, Inc.** on property located at 9294 Road 39, Mancos, CO, situated in Sec.30; T.36N., R.13W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Owner **Troy Hicks** was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** gave an overview of the proposed revocation. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to revoke the Montezuma County Certificate of Designation of a solid waste facility, Resolution #P-9-2014 for 49 Square Ventures, location site is 9294 Road 39, Mancos, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

UNFINISHED BUSINESS:

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

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

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

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

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

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

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

2024 OFFICE APPOINTMENTS

Attorney:	Ian MacLaren
Administrator:	Travis Anderson
Road & Bridge Superintendent:	Rob Englehart
Fairgrounds Manager:	Justin McGuire

GIS/Mapping Director:	Doug Roth
Director of Public Health:	Bobbi Lock
IT Director:	Jim McClain
Maintenance Director:	Dustin Sattler
Natural Resources Director:	James Dietrich
Noxious Weed Director:	
Director of Senior Nutrition:	Jennifer Morris
Director of Social Services:	Kelli Hargraves
Veteran's Affairs Officer:	Frank Lobue
Emergency Manager:	Jim Spratlen
MOCO/Transportation Director:	Jennifer Morris
Director of Solid Waste/Landfill:	Mel Jarmon
Planning Director:	Don Haley
Public Information:	Vicki Shaffer
Economic Development Coordinator:	Jessica Thurman
Grant Coordinator:	Robert Dobry
Water Representative:	Randy Carver

2024 BOCC REPRESENTATIVE APPOINTMENTS:

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

Southwest Regional Transportation Committee (TPR): Jim Candelaria

Alternate: Kent Lindsay

Region 9 Economic Development Board: Kent Lindsay

Alternate: Jim Candelaria

AAA: Gerald Koppenhafer

Alternate: Kent Lindsay

Southwest Workforce Board: Kent Lindsay

Alternate: Gerald Koppenhafer

Montezuma County Housing Authority: Jim Candelaria

Alternate: Kent Lindsay

Housing Solutions: Kent Lindsay

Alternate: Jim Candelaria

Ute Mountain Tribal Council Meetings: Gerald Koppenhafer

Alternate: Travis Anderson

Lower Dolores River Group: Gerald Koppenhafer

Alternate: James Dietrich

Club 20: Kent Lindsay

Alternate: Gerald Koppenhafer

Native Fish Monitoring & Recommendation Team: Gerald Koppenhafer

Alternate: Kent Lindsay

CCI: Jim Candelaria

Alternate: Gerald Koppenhafer

Legal Publications: The Journal

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

NEW BUSINESS:

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

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

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

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

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Town Hall meeting, constituent conversations, and proposed legislative bills related to water rights.

Commissioner Lindsay discussed the Cortez City Council meeting, the Region 9 meeting, the CCI legislative meeting and a constituent discussion related to the Raw Milk Bill.

Commissioner Candelaria discussed the opening of the Loves Truck stop, the opening of the new USDA packing plant, the CCI legislative meeting, the proposed Senate Bills #24-005 and #24-004.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:12 a.m.

Clerk

January 30, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 6, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of February 6, 2024 with the Pledge of Allegiance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MEETING ADJOURNED: 9:30 a.m.

Clerk February 6, 2024 Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 20, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of February 20, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, February 6, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment Application of Lot B of the **Wyatt West Ranch** Subdivision & Boundary Line Adjustment, submitted by **C&G Slice of Life, LLC**, on property located at 13968 Road 42, Mancos, CO, consisting of 28 acres, more or less, and **Johnny & Mabelle Stinson**, on property located at 13750 Road 42, Mancos, CO, consisting of 62 acres, more or less, both located north of Hwy 160 and west of Road 42, situated in Section 2, Township 36N, Range 13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mabelle Stinson was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed

Subdivision Amendment Application of Lot B of the Wyatt West Ranch Subdivision & Boundary Line Adjustment, submitted by C&G Slice of Life, LLC, on property located at 13968 Road 42, Mancos, consisting of 28 acres, more or less, and Johnny & Machele Stinson, on property located at 13750 Road 42, Mancos, consisting of 62 acres, more or less. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of an Exemption Application, submitted by **Margaret Johnson Gaddis Estate**; agent: **Keenen Lovett**, on property located at 40752 Road J, Mancos, CO, consisting of 83.36 acres, more or less, located south and east of Hwy 160, situated in Section 32, Township 36N, Range 13W, N.M.P.M. Commissioner Koppenhafer moved to approve the exemption application, submitted by the Margaret Johnson Gaddis Estate; on property located at 40752 Road J, Mancos, CO, consisting of 83.36 acres, more or less, located south of Hwy 160. Second by Commissioner Lindsay and carried. (See attached)

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

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

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

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning submitted by **Raymond & Patsy Kysar**; agent: **James Kennedy**, on property located at 17184 FS 559, Mancos, CO, consisting of 5 acres, more or less, located north of Hwy 184, west of Forest Service Road 561, situated in Section 14, T.37N, R.13W, N.M.P.M.

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

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

UNFINISHED BUSINESS:

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

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

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

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

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

NEW BUSINESS:

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

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

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

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

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

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

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

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

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

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

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

MEETING ADJOURNED: 10:15 a.m.

Clerk

February 20, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 27, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of February 27, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, February 20, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Variance Application, submitted by **Ute Mountain Ute Tribe;** agent: **Heather McDaniel** with **Horrocks Engineering**, on property located at 158 Hwy 160-491, Cortez, CO consisting of 1.91 acres, more or less, located south of Road A, east of Hwy 160-491, situated in Section 12, Township 34N, Range 17W, N.M.P.M. Ms. McDaniel joined the meeting by Zoom. Commissioner Lindsay moved to deny the variance application, submitted by the Ute Mountain Ute Tribe; agent: Heather McDaniel with Horrocks Engineering, on property located at 158 Hwy 160-491. Second by Commissioner Koppenhafer and carried. (See attached)

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

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

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

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

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

UNFINISHED BUSINESS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CORRESPONDENCE: The following correspondence was read and noted: A report from Southwest Health System.

MEETING ADJOURNED: 10:20 a.m.

Clerk

February 27, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 5, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of March 5, 2024 with the Pledge of Allegiance

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

PUBLIC HEARING: It being the time set aside a public hearing is held and determination regarding a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Braden Jones**; agent: **Erick Ireland**, on property located at 38511 Road H, Mancos, CO, consisting of 26.29 acres, more or less, located east of Hwy 160, north of Road H, situated in Section 36, Township 36N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Ireland was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Wesley Rivera** and **Donette Dillen**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by

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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Melanie Filener**, on property located at 21439 Road U, Cortez, CO, consisting of 26.52 acres, more or less, located east of Hwy 491, north of Road U, situated in Section 7, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Filener was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by Melanie Filener, on property located at 21439 Road U, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 7 Lot Major Subdivision and AR3-9 Rezoning Application submitted by **Charles & Laurie Hall**, on property located at 13136 Road 32, Mancos, CO, consisting of 36.80 acres, more or less, located east of Road 32, south of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Hall were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed 7 Lot Major Subdivision and AR3-9 Rezoning Application submitted by Charles & Laurie Hall, on property located at 13136 Road 32, Mancos. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by **Bernhard Hafner**, on property located at 19082 Road W, Lewis, CO, consisting of 36.10 acres, more or less, located east of Road 19, south of Road W, situated in Section 2, Township 37N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hafner was not present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to accept the proposed 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning Application submitted by Bernhard Hafner, on property located at 19082 Road W, Lewis, CO. Second by

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

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

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 5 Lot Moderate Subdivision and Rezoning, submitted by **Mark Lowe Investments, LLC**, on property located at TBD Road 32, Mancos, CO, consisting of 35.23 acres, more or less, located south of Road P, east of Road 32, situated in Section 1, T.36N, R.15W, N.M.P.M.

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

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

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

UNFINISHED BUSINESS:

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

NEW BUSINESS:

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

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

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

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

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

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

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

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

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

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

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

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

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

MEETING ADJOURNED: 10:30 a.m.

Clerk

March 5, 2024

Chairman

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

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

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

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

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

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

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

PUBLIC LANDS:

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

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

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

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

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

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

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:40 a.m.

Clerk

March 12, 2024

Chairman

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

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

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

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

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

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

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

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

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

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

NEW BUSINESS:

LIQUOR LICENSE RENEWAL: **Deputy Clerk, Jerri Frizzell** presented a retail liquor or fermented malt beverage license renewal application for, **Ancient Echos DBA, Kelly Place Inc.**

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

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

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

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

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

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:35 a.m.

Clerk

March 19, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 26, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of March 26, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, March 19, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a Subdivision Amendment to the **Van Horn Subdivision & Boundary Line Adjustment**, submitted by **Fiona King**, on property located at 17380 Road G, Cortez, CO, consisting of 4.41 acres, more or less, and Greaves/Larsen Family Trust, on property located at 17374 Road G, Cortez, CO, consisting of 25 acres, more or less, both located south of Road G and west of Road 21, situated in Section 33, Township 36N, Range 17W, N.M.P.M.

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

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

UNFINISHED BUSINESS:

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

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

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

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

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

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

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

NEW BUSINESS:

LIQUOR LICENSE RENEWAL: Deputy Clerk, Jerri Frizzell presented a liquor license renewal for **Echo Basin Ranch LLC**, located at 43747 Road M, Mancos. Commissioner Lindsey moved to approve the retail liquor license renewal application for Echo Basin LLC., at

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

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

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

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

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

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

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

EXECUTIVE SESSION: Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the **Kelroy Newman Litigation**. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the **Rubin Fair Board Complaint**. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:41 a.m.

Clerk

March 26, 2024

Chairman

Permit Application, submitted by Ute Mountain Ute Tribe; agent: Heather McDaniel with Horrocks Engineers, on property located at 158 Hwy 160-491, Cortez. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment and AR3-9 Rezoning Application to Lot C of the Crooked Cottonwood Subdivision, submitted by **Gary Ellson**, on property located at TBD Road 32.75, Mancos, CO, consisting of 24.08 acres, more or less, located west of Road 33, north of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Ellson was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the AR3-9 Rezoning Application to Lot C of the Crooked Cottonwood Subdivision, submitted by Gary Ellson, on property located at Road 32.75, Mancos, CO, consisting of 24.08 acres, more or less. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment & Boundary Line Adjustment Application of Lot 2 of the Lynch 2 Lot Minor Subdivision, submitted by **Paul Abate**, on property located at 14587 Road 29.75, Dolores, CO, consisting of 21.44 acres, more or less, and of the **Redwood Single Lot Development**, submitted by **Kelley Shepherd**, on property located at 14499 Road 29.6, Dolores, CO, consisting of 4.60 acres, more or less, both located south of Hwy 184 and east of Road 28, situated in Section 33, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Abate was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed Subdivision Amendment & Boundary Line Adjustment Application of Lot 2 of the Lynch 2 Lot Minor Subdivision, submitted by Paul Abate, on

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MEETING ADJOURNED: 10:12 a.m.

Clerk

April 9, 2024

Chairman

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

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

UNFINISHED BUSINESS:

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

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

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

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

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

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

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

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

NEW BUSINESS:

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

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

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

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

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

Commissioner Koppenhafer discussed the attended Southwest Water Conservation District meeting.

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

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

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

MEETING ADJOURNED: 10:30 a.m.

Clerk

April 16, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 23, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of April 23, 2024 with the Pledge of Allegiance

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

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

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

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

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

UNFINISHED BUSINESS:

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

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

GRANT DISCUSSIONS:

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

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

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

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

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

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

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

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

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

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

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Energy and Environment Symposium, the attended Gun Show, the Yellow Jacket Auction, constituent calls and emails and congratulated Commissioner Koppenhafer on his 50 year wedding anniversary. **Commissioner Koppenhafer** discussed the attended Gun Show, constituent calls and emails. **Commissioner Candelaria:** discussed the attended Department of Fire Prevention Control meeting and the Town of Dolores Board meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 12:00 p.m.

Clerk _____ April 23, 2024 _____ Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 30, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of April 30, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, April 23, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a continued public hearing is held for a **Petition to the Board of County Commissioners**, for review and determination of a proposed High Impact Permit Application submitted by **Leaf Properties, Inc.**, on property located at 27078 Road N, Dolores, CO consisting of 3.78 acres, more or less, located south of Road N, east of Hwy 145, situated in Section 7, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Douglas Kinsey** was present. **Attorney Andrew Peters** joined the meeting by Zoom. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** did not have additional information for the hearing. After reviewing all the documents presented Commissioner Koppenhafer moved to deny the High Impact Permit application submitted by Leaf Properties, Inc., on property located at 27078 Road N, Dolores, CO consisting of 3.78 acres. Second by Commissioner Lindsay. With two votes in favor by Commissioners Koppenhafer and Lindsay and one vote against by Commissioner

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

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a High Impact Permit, submitted by **Ute Mountain Ute Tribe**; agent: **Heather McDaniel** with **Horrocks Engineers**, on property located at 158 Hwy 160-491, Cortez, CO consisting of 4.28 acres, more or less, located south of Road A, east of Hwy 160-491, situated in Section 12, Township 34N, Range 17W, N.M.P.M

Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 2 Lot Minor Subdivision and AR3-9 & AR10-34 Rezoning submitted by **Braden Jones**, agent: **Erick Ireland**, on property located at 38511 Road H, Mancos, CO, consisting of 26.29 acres, more or less, located east of Hwy 160, north of Road H, situated in Section 36, Township 36N, Range 14W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

DISCUSSION: Cortez City Clerk, Linda Smith, Deputy City Clerk, Donna Murphy, and from the County Clerk & Recorder's office, Election Deputies, **Danielle Wells,** and **Diana Smith** met with the Commissioners to discuss the recently held Municipal elections and the coordinated efforts to conduct such elections. (See attached)

WATER ISSUES: Ken Curtis, Director of the **Dolores Water Conservation District** was not available to meet with the Commissioners.

VETERANS SERVICE: Interim Veteran Service Officer, Rick Torres met with the Commissioners to give an update on the Veteran's Service Department. Officer Torres reported that the current hours of operation were 8:00 a.m. – 3:30 p.m., that he had updated his certifications, they are averaging 12 clients a day, he has attended 7 outreach events, discussed his attendance at a meeting with the 3 local commanders and a prepaid National Association of County Veteran Services Training opportunity. A discussion was held related to the Veterans Officer hiring process, the required candidate qualifications, applicant interviews or a possible extension to the application deadline.

UNFINISHED BUSINESS:

APPOINTMENT: Administrator Anderson presented a letter of interest from **Jenna Harmon** to be appointed to the **Arriola Cemetery Board**. Commissioner Lindsay moved to appointment Jenna Harmon, to the Lewis Arriola Cemetery Board for a term of 6 years. Second by Commissioner Koppenhafer and carried. (See Attached)

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

The Colorado Department of **Public Health and Environment Contract Amendment #2, Original Contract #2023*0441, Air Quality Contract** in the amount of \$36,755.00, between the Board of County Commissioners of Montezuma County and the Colorado Department of Public Health and Environment was presented for approval. Commissioner Lindsay moved to

authorize the Chairman to sign the DocuSign for the Colorado Department of Public Health, agreement #2, amendment contract 2023*0441 AMD#2. Second by Commissioner Koppenhafer and carried. (See attached)

The Public Health, Montezuma County Grant Application Submission Form for the **Bureau of Justice Assistance Grants** for the **Community Intervention Program (CIP)** was presented for approval. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission form for the Community Intervention Program, for 10-1-24 to 9-30-27, in the amount up to \$550,000.00 reimbursement. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support, addressed to the **U.S. Bureau of Reclamation Water Resources and Planning Office** Attn: **Ms. Irene Hoiby** related to the **City of Cortez's WaterSmart Planning & Project Design Grant** was presented for approval. Commissioner Lindsay moved to sign the letter of support for the Cortez's WaterSmart Planning & Project Design Grant. Second by Commissioner Koppenhafer and carried. (See attached)

LETTER OF SUPPORT: Vice President, Ron Serabia from the **4 Corners Rifle & Pistol Club**, met with the Commissioners to present for approval, a letter of support addressed to the **Colorado State Land Board** concerning the Outdoor Rang Lease. Commissioner Koppenhafer moved to sign the letter of support concerning the 4 Corners Rifle & Pistol Club's Outdoor Range Lease with the Colorado State Land Board. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A proposal from **Pitney Bowes**, for the purchase of new postage machines at the County Annex III and Administration buildings was presented for approval. Administrator Anderson gave an overview of the proposal. Commissioner Lindsay moved to purchase the postage machines in the amount of \$16,438.90. Second by Commissioner Koppenhafer and carried. (See attached)

CONTRACT: Attorney MacLaren presented for approval, the **Community Intervention Program (CIP)** contract between **Montezuma County** and **AXIS** along with the **CIP** contract between **Montezuma County** and the **Cortez Fire Protection District**. Commissioner Lindsay moved to sign the Community Intervention Program contracts with Axis Health and Cortez Fire Protection District. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Resolution #5-2024, a Resolution Pertaining to the Submission to the Registered Qualified Electors of Montezuma County, of a Question Authorizing the Imposition of a **Public Safety Sales Tax** for the Purpose of Funding the **Montezuma County Sheriff's Office**, the **Montezuma County Jail**, and **Montezuma County's Drug Task Force**. Commissioner Koppenhafer moved to approve a Resolution Pertaining to the Submission to the Registered Qualified Electors of Montezuma County, of a Question Authorizing the Imposition of a Public Safety Sales Tax for the Purpose of Funding the Montezuma County Sheriff's Office, the Montezuma County Jail, and Montezuma County Drug Task Force, Resolution #5-2024. Second by Commissioner Lindsay and carried. (See attached)

CONTRACT: The **Con-Sy Inc.** Agreement for the **Landfill Cell 5 Construction Project** was presented for approval, by Attorney MacLaren. Commissioner Lindsay moved to sign the agreement dated the 30th day of April 2024, by and between Montezuma County and Con-Sy Inc. for the Montezuma County Landfill Cell 5 Construction. Second by Commissioner Koppenhafer and carried. Commissioner Lindsay moved to authorize Landfill Superintendent Mel Jarmon to sign the Notice to Proceed. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell, presented for approval a Special Event liquor license application for the **Montezuma County Fair Board**, event to be held at the Montezuma County Fairgrounds 30100 Hwy 160 Cortez Co., scheduled July 26, 2024 through August 3, 2024. Commissioner Lindsay moved to approve the liquor license Special Event permit for the Montezuma County Fair Board, to be held at the Montezuma County Fairgrounds, July 26, through August 3, 2024. Second by Commissioner Koppenhafer and carried. (See attached)

WATER ISSUES: Danny Margoles with the **Mancos Conservation District**, met with Commissioners to give an update. Topics included: watershed management, a draft stream management plan, the Bureau of Reclamation Watersmart grant, a future proposal wildfire ready watershed, the Forestry Program, the Colorado Strategic Wildfire Action Program, the Wildfire Adaptive Partnership, the Colorado Soil Health Program, education outreach, a letter of opposition to the Supplemental Water Supply Plan, and defensible space work.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the attendance and a presentation at the Middle School Career Fair, civil cases and transactional and contract reviews.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported that he had been doing document research, worked on the Public Safety Sales Tax, reported that the Administration building elevator will be out of commission for a time, discussed the attended CCI legislative meeting, HB-24-1454 and HB-21-1110, the potential property tax initiatives and Initiative #50.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** Reported on the attended Cortez City Council meeting, reminded the public of the scheduled electric outage tonight, and the attended Region 9 meeting.

Commissioner Koppenhafer discussed review of legislative water bills.

Commissioner Candelaria: discussed the attended CCI legislative Zoom meeting and the Monday Workshop.

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

CORRESPONDENCE: The following correspondence was read and noted: Email from **Carla Hendrickson**. Email from Dolores Water Conservation District, Director, Ken Curtis.

MEETING ADJOURNED: 10:15 a.m.

Clerk

April 30, 2024

Chairman

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Rezoning Application from AR10-34 to INDHZ & High Impact Permit & Special Use Permit Application, submitted by **Northwest Pipeline, LLC**, agent: **Stephan Knubel**, on property located at 24970 Road 18, Pleasant View, CO, consisting of 11.88 acres, more or less, located south of Road BB, east of Road 18, situated in Section 10 Township 38N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Knubel joined the meeting by Zoom. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to deny the proposed Rezoning Application for the heavy industrial zoning and pass the High Impact Permit & Special Use Permit Application, submitted by Northwest Pipeline, LLC, at 24970 Road 18, Pleasant View Co. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley and from **Montezuma Water Company, Steve Bowman** met with the Commissioner to present for approval of a Variance Application, submitted by **Montezuma Water Company**, on property located at 27666 Road T, Dolores, CO, consisting of 12.17 acres, more or less, located south of Road T, east of Hwy 145, situated in Section 19, Township 37N, Range 15W, N.M.P.M. Commissioner Lindsay moved to approve the variance application, submitted by Montezuma Water Company, on property located at 27666 Road T, Dolores. Second by Commissioner Koppenhafer and carried. (See attached)

Director, Haley presented for signatures of a Mylar of a Subdivision Amendment & Boundary Line Adjustment of Lot 2 of the **Lynch 2 Lot Minor Subdivision**, submitted by **Paul Abate**, on property located at 14587 Road 29.75, Dolores, CO, consisting of 21.44 acres, more or less, and of the Redwood Single Lot Development, submitted by **Kelley Shepherd**, on property located at 14499 Road 29.6, Dolores, CO, consisting of 4.60 acres, more or less, both located south of Hwy 184 and east of Road 28, situated in Section 33, Township 37N, Range 15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

PUBLIC LANDS:

Canyon of the Ancients National Monument Manager, Ray O'Neal was not available to report.

UNFINISHED BUSINESS:

LODGERS TAX COMMITTEE: During the Monday Workshop, **Committee Chairman, Lee Cloy Committee Secretary, Brian Bartlett**, along with members **Lana Kelly** and **Kathy Zubrzycki** met with the Commissioners to give the recommendations for the Lodger's Tax Fund Disbursements. Commissioner Lindsay moved to accept the recommendations of the Montezuma Lodgers Tax Committee for the disbursements in the amounts shown. Second by Commissioner Candelaria and carried. (See attached).

DISCUSSION: During the Monday Workshop, **County Grant Coordinator, Robert Dobry** met with the Commissioners to discuss the Montezuma County Grant Application for **the Public Health- CIP Bureau of Justice Assistance – PACT Promoting Access to Crisis Team** Grant. Commissioner Lindsay moved to approve the Montezuma County Grant Application Submission Form, up to the amount of \$400,000.00, for the Public Health’s CIP, Community Intervention Program. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: During the Monday workshop **Landfill Manager, Mel Jarmon** presented a quote for a proposed purchase of a new strapper for the Landfill baler. Commissioner Lindsay moved to approve the bid from **Accent Wire Tie** in the amount of \$45,029.00 for the baler at the Montezuma County Landfill. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The discussion related to a citizen’s request for a proposed 3 way stop at the intersection of County Roads P and Road 25 was postponed.

: Clerk Percell reported that **Cortez Cemetery Board** member **Donnie Tanner** wished to be released and that a letter of interest had been received from **Gary Unrein** to be appointed to the Board. Also presented were letters received from **Howard Kaime** and **ED Rice** to be reappointed to the Board. Commissioner Lindsay moved to appointment Howard Kaime, Ed Rice and Gary Unrein, to the Cortez Cemetery Board for terms of 6 years, and release Donnie Tanner from his position. Second by Commissioner Candelaria and carried. (See Attached)

INTERGOVERNMENTAL AGREEMENT: Clerk Percell presented for approval an amended Intergovernmental Agreement (IGA) between the Montezuma County Clerk & Recorder and the Town of Dolores, related to the 24 hour ballot drop box. The drop box has been moved from the demolished building, to the new Dolores Town hall location on 601 Central Ave. Dolores Co. 81323. Commissioner Lindsay moved to approve the amended IGA for the Dolores drop box. Second by Commissioner Candelaria and carried. (See attached)

REQUEST FOR PROPOSAL (RFP): The **2024 Contractor Herbicide Applicator, Noxious Weeds**, request for proposal (RFP) was presented by Administrator Anderson during the Monday Workshop. The Board was in agreement to move forward with the Request for Proposal. (See attached)

DISCUSSION: During the Monday Workshop, **Board of Social Services Director, Kelli Hargraves** met with the Commissioners to present for approval the Montezuma County Grant Application Submission Form in the amount of \$11,100.00, for the **LOR Foundation’s Adult & Aging Specialist** grant related to the part-time **AmeriCorps Member**. Commissioner Lindsay moved to approve the Grant Application for Social Services, to the LOR Foundation for an Adult & Aging Specialist, in the amount of \$11,100.00. Second by Commissioner Candelaria and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE: Clerk, Percell presented for approval a liquor license renewal application for **G Whil Liquors LLC**, DBA **G Whil Liquors** located at 24001 Road G.2, Cortez, Co.

Commissioner Lindsay moved to approve the retail liquor, license renewal application for G Whil Liquors, located at 24001 Road G.2, Cortez. Second by Commissioner Candelaria and carried. (See attached)

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

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren reported that he had received the signed contracts for the CIP Program. He also discussed the attended CIP Stakeholders meeting and gave an update on the Ironwood case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended CIP Stakeholders meeting, the Emergency CCI Legislative Property Tax meeting, a road repair on County Road K.3 and Hwy 491, the beginning of the 2025 Budget discussions, the America the Beautiful grant application, day to day operations and time spent on document research. Administrator Anderson discussed the Veterans Service Officer interviews and reported that the position has been offered and accepted by **Ashley Garrett**.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** Discussed the Veterans Service Officer interviews, the Emergency CCI Legislative Property Tax meeting and the 12 Hours of Mesa Verde Event. **Commissioner Candelaria:** discussed the Senate Bill #24-233, the Residential Assessment Rate, the Veterans Service Officer interviews and the attended Dolores Town Council meeting. **Commissioner Koppenhafer** discussed the attended Mancos Town Council meeting.

EXECUTIVE SESSION Pursuant to Attorney MacLaren’ s suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Candelaria and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the property titles to Elected Officials and the airport hangar lease. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

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

CORRESPONDENCE: The following correspondence was read and noted: Email from **Dolores Water Conservation District Director, Ken Curtis**

MEETING ADJOURNED: 11:25 a.m.

Clerk

May 14, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 21, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 21, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of May 21, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, May 14, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: No public comment was made.

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

DISCUSSION: Landfill Manager, Mel Jarmon presented for discussion an amendment to the Cell 5 Excavation bid quote from **CON-SY Inc.** It was the recommendation of Manager Jarmon, to terminate the contract with CON-SY Inc. Commissioner Lindsay moved to terminate the contract out at the Landfill, for Cell 5, not to exceed \$63,000.00 in cost, and includes the County retaining the liner. Second by Commissioner Koppenhafer and carried. (See attached)

UNFINISHED BUSINESS:

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

The **Montezuma County Public Health Department - 2024 Colorado WIC Local Agency Application Grant**, in the amount of \$123,524.00. Commissioner Koppenhafer moved to accept the Montezuma County Grant Application Submission Form for the Public Health Department, 2024 Colorado WIC Local Agency Application. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Public Health Department – Core Immunization Contract Amendment #1 2025*0038**, in the amount of \$45,788.00. Commissioner Koppenhafer moved to accept the Montezuma County Grant Application Submission Form, Public Health for the CDPHE Core Immunization Contract Amendment #1 2025*0038, in the amount of \$45,788.00. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Clerk & Recorder – Colorado Secretary of State 2024 Election Improvement Grant**, in the amount of \$35,940.53. Commissioner Koppenhafer moved to accept the Montezuma County Grant Application Submission Form, for the Clerk elections, 2024 Election Improvement Grant, in the reimbursement amount of \$35,940.53. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Ironwood case and the CDPHE site visit the Ironwood property.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended Crisis Intervention Program meetings, and reported that he will be out of office to attend his son’s award ceremony.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the April 2024 Accounts Payable Expenditure Reports in the amount of \$3,492,107.52. Commissioner Lindsay moved to approve the financials for April 1 through April 30th, 2024 for Montezuma County, in the amount of \$3,492,107.52. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** Reported on the attended Cortez City Council meeting, discussed the attended Republican Lincoln Day Dinner event, constituent discussions and National EMS Week.

Commissioner Koppenhafer discussed the Triple A Board meeting, reported that the Director’s position will be posted soon, and mentioned the scheduled Mancos Town Council meeting.

Commissioner Candelaria: discussed the attended Enterprise / Montezuma County Fleet Analysis meeting, the Ironwood property site visit, the National Hospital week luncheon, the OREC Outdoor Recreation Industry Office plan analysis given during the Monday Workshop, an update on the Spruce Creek Fire and the Facebook page for the San Juan National Forest.

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

CORRESPONDENCE: The following correspondence was read and noted: The Outdoor Recreation Industry Office (OREC) Plan and the First Quarter Financial update.

MEETING ADJOURNED: 9:27 a.m.

Clerk

May 21, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday May 23, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN, CANDELARIA opened the special meeting of May 23, 2024 with the Pledge of Allegiance.

EXECUTIVE SESSION Pursuant to Attorney MacLaren’s suggestion, Commissioner Koppenhafer moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Candelaria and carried. Included in the session will be; Commissioners Candelaria, and Koppenhafer, Commissioner Lindsay by phone, Administrator Anderson, Attorney MacLaren, Landfill Manager, Mel Jarmon and Clerk Percell. Topics for the executive session were legal advice on the Cell 5 Excavation contract from **CON-SY Inc.** Commissioner Koppenhafer moved to exit the executive session, seconded by Commissioner Candelaria and carried. (See attached)

DISCUSSION: Landfill Manager, Mel Jarmon presented a corrected price for the Cell 5 excavation contract from **CON-SY Inc.** The corrected price included a guaranteed maximum of \$1,438,233.13. Commissioner Koppenhafer moved to accept the change order for the Landfill Cell 5 contract, to increase the amount of the contract for the construction of the cell to \$1,438,233.13. Second by Commissioner Lindsay and carried. (See attached)

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

MEETING ADJOURNED: 9:27 a.m.

County Clerk May 23, 2024

Chairman

Application, submitted by Margaret Johnson Gaddis Estate; on property located at 40752 Road J, Mancos, CO, consisting of 69 acres. 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 review and determination regarding a proposed High Impact Permit Amendment Application to High Impact Permit #622, submitted by **Empire Electric Association, Inc;** agent: **Christopher Snyder**, on property located at 23999 Road L.4, Cortez, CO, consisting of 36.98 acres, 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. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Lindsay recused himself from the proceedings. Agent, Snyder was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed High Impact Permit Amendment Application to High Impact Permit #622, submitted by Empire Electric Association, Inc; agent: Christopher Snyder, on property located at 23999 Road L.4, Cortez, consisting of 36.98 acres. 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 review and determination of a proposed Subdivision & AR3-9 Rezoning Application, submitted by **Harvey & Sharon Hackett** and **Ted & Shauna Gray**, on property located at TBD Road H, Cortez, CO, consisting of 41.32 acres, more or less, located south of Road H, east of Road 27, situated in Section 4 Township 35N, Range 15W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hackett was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Warren Gaspar**. 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 Subdivision & AR3-9 Rezoning Application, submitted by Harvey & Sharon Hackett and Ted & Shauna Gray, on property located at TBD Road H, Cortez, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley along with **Assistant, Jane S. Duncan** presented for signatures of a High Impact Permit & Special Use Permit, submitted by **Northwest Pipeline, LLC, agent: Stephan Knubel**, on property located at 24970 Road 18, Pleasant View, CO, consisting of 11.88 acres, more or less, located south of Road BB, east of Road 18, situated in Section 10 Township 38N, Range 17W, N.M.P.M.

Director, Haley along with **Assistant Duncan** presented for signatures of a Variance submitted by **Montezuma Water Company**, on property located at 27666 Road T, Dolores, CO, consisting of 12.17 acres, more or less, located south of Road T, east of Hwy 145, situated in Section 19, Township 37N, Range 15W, N.M.P.M.

Director, Haley along with Assistant Duncan presented for signatures of a Mylar for a 2 Lot Moderate Subdivision submitted by **Andrew & Danyell Lahmann**, on property located at 17593 Hwy 145, Dolores, CO, consisting of 16.93 acres, more or less, located east of Hwy 184, north of Hwy 145, situated in Section 17, Township 37N, Range 15W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **Lori York, Susan Kennetz Carolyn Lucas, Melani Filener, Paulette Gasner** and **Allen Maez**.

UNFINISHED BUSINESS:

The **Montezuma County Clerk & Recorder, Kim Percell** presented a proposed Intergovernmental Agreement (IGA) between Montezuma County and the Montezuma County Clerk & Recorder related to the County question that will be included on the 2024 November General Election ballot. Commissioner Koppenhafer moved to approve the Intergovernmental Agreement and appoint Travis Anderson as the designated Election official. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the **Dan Hoch** non-compliant A/R property on Road L was tabled to another time.

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

The **Montezuma County Sheriff's Office (BJA) Bureau of Justice Assistance Bulletproof Vest Partnership Program**, in the total amount of \$14,220.00 with matching funds \$7,110.00. Commissioner Lindsay moved to approve the BJA Bulletproof Vest Partnership Program grant application, in the amount of \$14,220.00. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Sheriff's Office Colorado Judicial Department, 24/25 Court Security Cash Fund Grant Award** in the amount of \$65,000. Commissioner Koppenhafer moved to sign the 2024 - 2025 Court Security Cash Fund Grant Award of \$65,000. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Coroner's, CDPHE Overdose Data in Action 2024-2025 grant**, in the amount up to \$45,000.00. Commissioner Lindsay moved to approve the CDPHE Colorado Department of Public Health and Environment, Overdose Data in Action 2024-2025 grant application, in the amount up to \$45,000.00. The motion was seconded by Commissioner Koppenhafer and carried. (See attached)

The **Montezuma County Public Health Department** and (CDPHE) Colorado Department of Public Health and Environment, **Office of Public Health Practice, Planning and Local Partnership** grant application, in the amount of \$203,630.00. Commissioner Koppenhafer moved to approve the CDPHE Office of Public Health Practice, Planning and Local Partnership grant application submission form, in the amount of \$203,630.00. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Public Health Department 2024 & 2025 (OEPR) Office of Emergency Response and Preparedness** grant in the amount of \$52,944.00. Commissioner Lindsay moved to authorize the Chairman to sign the OEPR grant 24-25, Department of Public Health and Environment. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** gave an update on the Ironwood case, discussed the Leaf Properties complaint, and reported that the County Attorney Conference was scheduled next week.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed the attended CCI Conference, HB21-1110 and a break out session related to work force.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended CCI Conference, networking with the other Colorado Commissioners the scheduled Ute Mountain Rodeo and the Shoshone hydroelectric power plant water rights.

Commissioner Lindsay discussed the attended CCI Conference, new tax laws, Amendment 50 and the possible Amendment 108, the attended Legion Memorial Day breakfast and a letter received from the Nick Fergis, and the Interstellar Alliance Social Experiment Group.

Commissioner Candelaria: discussed the attended CCI Conference, the attended Western District meeting, the National Monument, a BLM presentation and orphan property lots, new tax laws, Amendment 50 and the possible Amendment 108.

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

CORRESPONDENCE: The following correspondence was read and noted: letter from the **Nick Fergis**, and the **Interstellar Alliance Social Experiment Group**.

MEETING ADJOURNED: 10:11 a.m.

Clerk

June 4, 2024

Chairman

properties at issue in the subdivision application. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination a proposed 3 Lot Minor Subdivision & AR3-9 Rezoning Application submitted by **Rocky Wilson**, on property located at 12880 Road 31, Mancos, CO, consisting of 37.03 acres, more or less, located east of Road 29, north of Hwy 160, situated in Section 10, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Wilson was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed 3 Lot Minor Subdivision & AR3-9 Rezoning Application submitted by Rocky Wilson, on property located at 12880 Road 31, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures a Mylar for a Subdivision Amendment and AR3-9 Rezoning to Lot C of the **Crooked Cottonwood Subdivision**, submitted by **Gary Ellson**, on property located at TBD Road 32.75, Mancos, CO, consisting of 24.08 acres, more or less, located west of Road 33, north of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

GRANT DISCUSSIONS: Robert Dobry, County Grant Coordinator, met with the Commissioners to discuss the following Montezuma County Grant Applications: During the Monday Workshop **IT Director, Jim McClain** met with the Commissioners to present for approval, the **Department of Homeland Security, Emergency Management State (DHSEM) State / Local Cybersecurity grant – CrowdStrike Falcon**, in the total amount of \$70,000.00. Commissioner Koppenhafer moved to approve the Grant Application Submission form to the Department of Homeland Security, Emergency Management State / Local Cybersecurity grant – CrowdStrike Falcon application, in the amount of \$70,000.00. Second by Commissioner Lindsay and carried. (See attached)

During the Monday Workshop **Sheriff Nowlin** presented the **Colorado Trusted Interoperability Platform Grant, OAJJA Behavioral Health Information and Data Sharing Grant** in the amount of \$20,000.00. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form for the OAJJA Behavioral Health Information and Data Sharing Grant, in the amount of \$20,000.00, with no match. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support, addressed to Meg Taylor Vice president Rocky Mountain Health Plans related to the support of RMHP's BH ASO proposal, strategy and

commitments was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for Rocky Mountain Health Plans support of their proposed strategy and commitments. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to discuss the purchase of a pothole truck for the Road & Bridge Department. Commissioner Lindsay moved to approve and accept the bid from **Hellman Chevrolet**, Delta Colorado, in the amount of \$41,900.00, for the 2018 Ford F350, for the Road & Bridge pothole truck. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The discussion related to the **Rules Pertaining to Licensure of Ground Ambulance Services** was tabled to a later date.

DISCUSSION: During the Monday Workshop a discussion was held related to the **Authorized Signature Sheet** for the **CDBG Calkins Commons – Finance/Legal**. Commissioner Lindsay moved to authorize the Chairman, Commissioner Candelaria to sign the Signature Sheet for the Colorado Department of Local Affairs Division of Housing, for funds, for the Calkins Commons. Second by Commissioner Koppenhafer and carried. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren’s suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Planning Director, Haley and Clerk Percell. Topics for the executive session were legal advice on cleanup options for the Ironwood facility. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave an update on the Ironwood case and reported on the attended County Attorney Conference. Topics discussed included: accessibility in House Bill 21-1110, House Bill 24-1454, Treasurer’s Deeds, new legislation, a legislative update, Senate Bill 24-212, unfunded mandates, and a tribute to former County Attorney **Bob Slough**.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** reported that he had been very busy with meetings, including the CIP Program meeting and a meeting held with the Town Administrator of Dolores.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the postponement of the Triple A meeting, the attended Ute Mountain Roundup Rodeo, the scheduled Montezuma Valley Irrigation meeting and a scheduled Southwest Water Conservation District meeting.

Commissioner Lindsay reported that he would be attending the scheduled Cortez City Council meeting.

Commissioner Candelaria: discussed the Ute Mountain Roundup Rodeo and the Departmental reports presented during the Monday Workshop.

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

CORRESPONDENCE: The following correspondence was read and noted: the Emergency Manager’s Monthly Situation Report, the Colorado Department of Transportation Report, and the Montezuma County Fairgrounds June 2024 report. (See attached)

MEETING ADJOURNED: 10:31 a.m.

Clerk June 11, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 18, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 18, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of June 18, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, June 11, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

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

Director, Haley along with **Assistant, Duncan** presented for signatures of a High Impact Permit Amendment to High Impact Permit #622, submitted by **Empire Electric Association, Inc;** agent: **Christopher Snyder**, on property located at 23999 Road L.4, Cortez, CO, consisting of 36.98 acres, 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.

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

RESOLUTION: Resolution #6-2024, a resolution granting and delegating signatory authority for **Calkins Commons Housing Project**, was presented for approval. Commissioner Koppenhafer moved to approve Resolution #6-2024, a resolution granting and delegating signatory authority for Calkins Commons Housing Project, to Travis Anderson the County Administrator. Second by Commissioner Lindsay and carried. (See attached)

GRANT DISCUSSIONS: Robert Dobry, County Grant Coordinator, met with the Commissioners to discuss the following Montezuma County Grant Applications: The Montezuma County Grant Application Submittal Form for the Montezuma County **Public Health's, Colorado Department of Human Services, Diaper Program Grant** in the amount of \$55,039.05. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission form for the Public Health Department, for the Diaper Program, reimbursement of \$55,039.05, with no matching funds attached. Second by Commissioner Lindsay and carried. (See attached)

ORDINANCE: Ordinance #1-2024, an ordinance permitting the lawful possession of firearms in Government Buildings owned by Montezuma County was presented for approval. Commissioner Koppenhafer moved to approve Ordinance #1-2024, an ordinance permitting the lawful possession of firearms in Government Buildings owned by Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, the scheduled Executive Session and the Ironwood cleanup discussion, would be tabled to a future meeting.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren reported that he and Public Health Director, Bobbi Lock had been working on the policies and procedures for the Ambulance Local Authorization, and reported that the Resolution would be presented next week. Attorney MacLaren also discussed the Leaf Properties Complaint.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported that he had been working on budgets and job descriptions for available positions.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** reported on the attended Cortez City Council meeting, discussed constituent emails related to the P&Z public hearings, recent vehicle accidents on South Broadway and the current fire dangers.

Commissioner Koppenhafer discussed the attended Southwest Water Conservation Board meeting and the Mancos Burro Festival event.

Commissioner Candelaria: discussed the attended Southwest TPR meeting, and gave an overview of the Public Lands report given during the Monday Workshop.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:21 a.m.

Clerk

June 18, 2024

Chairman

The Montezuma County Grant Application Submittal Form for the reimbursement of the **Search and Rescue, (CPW) Colorado Parks and Wildlife Keep Colorado Wild County Allocation SAR** and the lump sum **CPW End of Year funding – SAR** was presented for approval. A discussion was held related to a 2% administration fee. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission form, two different ones, the (CPW) Colorado Parks and Wildlife, County allocation for the Search and Rescue, and the other one for Colorado Parks and Wildlife, end of year funding for Search and Rescue. Second by Commissioner Lindsay and carried. (See attached)

The Montezuma County Grant Application Submission Form for the **Public Health's (SWORD) Southwest Opioid Response District's, Montezuma County Community Intervention Program** in the amount of \$77,548.00 was presented for approval. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form from the Public Health for the Montezuma County Community Intervention Program, from Southwest Opioid Response District's, in the lump sum of \$77,548.00. Second by Commissioner Lindsay and carried. (See attached)

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

RESOLUTION: Resolution #7-2024, a Resolution Declaring Montezuma County's Intent to Require Ambulance Services to Obtain a "Local Authorization to Operate" prior to operating within the County's jurisdiction. Commissioner Koppenhafer moved to approve resolution #7-2024, a resolution declaring Montezuma County's intent to require ambulance services to obtain a "Local Authorization to Operate" prior to operating within the County's jurisdiction. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Leaf Properties lawsuit and the Ironwood case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the Benefits Committee meeting, SRS Title 3 funding, the Enterprise meeting and the Broad Band issues with the 2210 Group. Administrator Anderson reported that one of the MOCO vehicles had been in an accident and that (PIO) Public Information Officer **Vicki Shaffer** had received a letter from the Gunnison County Office of Emergency Management for her "outstanding service" on the bridge issue. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the recent rain storms received within the County. **Commissioner Lindsay** reported that he would be attending the scheduled Cortez City Council meeting, reminded everyone that it is Election Day and discussed the attended Empire Election Annual meeting. **Commissioner Candelaria:** reported that the budget process discussions had begun, and discussed the cancellation of the Party in the Park due to rain, the Monster Truck Show event,

the attended Dolores Town Board meeting, the Monday Workshop and reminded everyone to vote.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:38 a.m.

Clerk

June 25, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 2, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of July 2, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, June 25, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: No public comment was made.

SPECIAL EVENT LIQUOR LICENSE: Chief Deputy Clerk, Malinda Fuller presented for approval a Special Event liquor license application for the **Mancos Valley Summer Brewfest**. The event is scheduled for August 17, 2024 from 1:00 p.m. to 9:00 p.m. The discussion was postponed until the July 9th meeting. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: The discussion related to the **Fixed Route Service Feasibility Study** was continued to a later date. (See attached)

DISCUSSION: The discussion related to the **Data Use with Chestnut Health Systems Agreement (JBBS Grant)** was postponed to the July 9th meeting. (See attached)

DISCUSSION: During the Monday Workshop a discussion was held related to the **Asphalt / Blade Patching Project** along with the proposed **Road Project Agreement between Montezuma, County and the USDA Forest Service San Juan National Forest.** Commissioner Koppenhafer moved to approve the Road Project Agreement between Montezuma, County and the USDA Forest Service San Juan National Forest. Second by Commissioner Lindsay and carried. (See attached)

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

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed 2025 Department budget presentations, Private Activity Bond information, Title 3 funding, CIP fund reallocations, and discussions with County Administrators related to the costs for collective bargaining.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Mancos Town Board meeting. **Commissioner Lindsay** reported on the attended Cortez City Council meeting. **Commissioner Candelaria:** discussed budget presentations, the attended Housing Authority meeting, the attended Energy Conference, gave an overview of the Monday Workshop, a meeting with the Emergency Manager, Title 3 funding and the SRS funds.

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

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

CORRESPONDENCE: The following correspondence was read and noted: the Southwest Health System's Care Close to Home presentation.

MEETING ADJOURNED: 9:21a.m.

Clerk

July 2, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 9, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of July 9, 2024 with the Pledge of Allegiance

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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment Application to Lot 1 of the Ireland Subdivision and AR3-9 Rezoning submitted by **Braden Jones**, on property located at 38511 Road H, Mancos, CO, consisting of 20.41 acres, more or less, located east of Hwy 160, north of Road H, situated in Section 36, Township 36N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Jones was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Erick Ireland**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed Subdivision Amendment Application to Lot 1 of the Ireland Subdivision and AR3-9 Rezoning submitted by

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

PLANNING: Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures, a Mylar for a Subdivision Amendment of Lot B of the Wyatt West Ranch Subdivision & Boundary Line Adjustment, submitted by **C&G Slice of Life, LLC**, on property located at 13968 Road 42, Mancos, CO, consisting of 28 acres, more or less, and **Johnny & Mabelle Stinson**, on property located at 13750 Road 42, Mancos, CO, consisting of 62 acres, more or less, both located north of Hwy 160 and west of Road 42, situated in Section 2, Township 36N, Range 13W, N.M.P.M

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Moderate Subdivision & AR3-9 Rezoning Application, submitted by **David Kimble & Falena Hunter**, on property located at TBD Road H, Cortez, CO, consisting of 14.72 acres, more or less, located south of Road H, east of Road 25, situated in Section 2 Township 35N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Kimble was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the 2 Lot Moderate Subdivision & AR3-9 Rezoning Application, submitted by David Kimble & Falena Hunter, on property located at TBD Road H, Cortez, CO, consisting of 14.72 acres, more or less. Seconded by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson mentioned administrative functions and budget discussions.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell discussed the recently held June Primary and a statutory recount for the HD58 Republican Candidates race.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed High Impact Permit Application, submitted by **Montezuma Water Company; agent: Steve Bowman**, on property located at 27666 Road T, Dolores, CO, consisting of 12.17 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19 Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Bowman was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed High Impact Permit Application, submitted by Montezuma Water Company; agent: Steve Bowman, on property located at 27666 Road T, Dolores. Second by Commissioner

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

DISCUSSION: During the Monday Workshop **Maintenance Supervisor, Dustin Sattler** met with the Commissioners to present proposals for the replacement of the HVAC unit at Annex III. Commissioner Lindsay moved to accept the bid from **Winair Company**, in the amount of \$6394.28, plus the addition of the rental of a crane. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: During the Monday Workshop **Road & Bridge Equipment Manager, Shane Higman** presented the 2024 vehicles for sale list. The vehicles will be listed on the <https://www.publicsurplus.com> and will be available for purchase.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment and AR3-9 Rezoning Application to Lots 3 & 4 of the **Lost Canyon Estates Subdivision**, submitted by **Chris Robertson & Joanie Allencastre**; agent: **Bill Stanley**, on properties located at 30076 & TBD Road S.6, Dolores, CO, consisting of 0.32 acres, more or less & 0.56 acres, more or less, both located east of Hwy 184, south of Road S.6, situated in Section 22, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Stanley was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed Subdivision Amendment and AR3-9 Rezoning Application to Lots 3 & 4 of the Lost Canyon Estates Subdivision, submitted by Chris Robertson & Joanie Allencastre; agent: Bill Stanley, on properties located at 30076 & TBD Road S.6, Dolores. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

DISCUSSION: Administrator Anderson gave an overview of the discussion held during the Monday workshop related to the (PAB) **Private Activity Bond Allocation**. No formal action was taken at this time. (See attached)

DISCUSSION: During the Monday Workshop **Road Superintendent, Rob Englehart** presented for approval, the **Challenge Cost Share Agreement** between **Montezuma, County** of, and the **USDA Forest Service San Juan National Forest**, related to the **Ormiston and Beaver Rim** gravel pits. Commissioner Koppenhafer moved to approve Forest Service Agreement #24-CS-11021300-029, Challenge Cost Share Agreement between Montezuma, County and the USDA Forest Service, for the Ormiston Point pit and the Beaver Rim gravel pit, aggregate crushing. 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 of a proposed 2 Lot Moderate Subdivision & AR3-9 Rezoning Application, submitted by **Barbara Benavidez, LeAnn Siglin & Kenneth Gallegos**, on property located at 14852 Road 29, Dolores, CO, consisting of 11.84 acres, more or less, located

south of Road 29, west of Road 29.75, situated in Section 33, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Benavidez and Ms. Siglin were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Lindsay moved to continue the Public Hearing to July 23, 2024, at 9:15 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC HEARING: No public hearing was held. The application of a proposed High Impact/Special Use Permit Application for a proposed **Organic Biochar Facility**, submitted by **Palaterra-USA, LLC**; agent: **Rolfe Schwenninger**, located at 27930 & 27736 Road T, Dolores, CO, consisting of 19.62 & 45.48 acres respectively, more or less, located west of Hwy 145, south of Road T, situated in Section 19, Township 37N, Range 15W, N.M.P.M. was **WITHDRAWN** by the applicant. (See attached)

PUBLIC COMMENT: Public comment was made by **Roy Gettier, Dean Valdez, Ingrid Ward, Melisa Valdez, Julia Anderson, Ty Koppenhafer, Colleen Edwards, and Sheila Wheeler.**

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** discussed the JBBS grant with a modification to the data agreement and gave an update on the Leaf Properties lawsuit.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the July 4th holiday and the scheduled Cortez City Council meeting.

Commissioner Koppenhafer discussed constituent phone calls related to the Weed Program.

Commissioner Candelaria: discussed property owner land stewardship, budget presentations, gave an overview of the Monday Workshop, and the attended Dolores Trustee Meeting, then discussed the Commissioner’s responsibilities to follow Colorado Statute.

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

CORRESPONDENCE: The following correspondence was read and noted: Proposed 2024 Road Map Changes, the June 2024 Montezuma County Office of Emergency Management Monthly Situation Report.

MEETING ADJOURNED: 10:31 a.m.

Clerk

July 9, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 23, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of July 23, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, July 9, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: The public hearing scheduled for review and determination of a proposed Subdivision Amendment & AR3-9 Rezoning Application to Lot #1 of Clarence Williams 2 Lot Minor Subdivision submitted by **Robert Williams**; **agent: Darryl Dempsey**, on property located at 24499 Road G.1, Cortez, CO, consisting of 21.54 acres, more or less, located east of Hwy 160/491, north of Road G, situated in Section 3, Township 35N, Range 16W, N.M.P.M., was re-noticed and scheduled for July 30, 2024.

PLANNING: Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Zoning Variance Application, submitted by **Bill F. Ragland & Sons**, on property located at TBD Hwy 184, Dolores, CO, consisting of 156.99 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 3, Township 37N, Range 16W, N.M.P.M., and **Stoner Top, Inc.**, on property located at 23966 Hwy 184, Dolores,

CO, consisting of 15.68 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M. Mr. Ragland was present. Commissioner Lindsay moved to postpone this for one week from today, at 9:20 a.m. Second by Commissioner Koppenhafer and carried. (Tabled to July 30, 2024 at 9:20 am) (See attached)

PLANNING: Director, Haley along with **Assistant, Duncan** presented for discussion and approval of a Boundary Line Adjustment Application, submitted by **Bill F. Ragland & Sons**, on property located at TBD Hwy 184, Dolores, CO, consisting of 156.99 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 3, Township 37N, Range 16W, N.M.P.M., and **Stoner Top, Inc.**, on property located at 23966 Hwy 184, Dolores, CO, consisting of 15.68 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M. Tabled to the July 30th meeting. (See attached)

PLANNING: Director, Haley along with **Assistant, Duncan** presented for discussion and approval of a Setback Variance Application, submitted by **Barbara Benavidez, LeAnn Siglin & Kenneth Gallegos**, on property located at 14852 Road 29, Dolores, CO, consisting of 11.84 acres, more or less, located south of Road 29, west of Road 29.75, situated in Section 33, Township 37N, Range 15W, N.M.P.M. Commissioner Lindsay moved to approve the variance application, submitted by Barbara Benavidez, LeAnn Siglin and Kenneth Gallegos, on property located at 14852 Road 29, Dolores. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding of a proposed 2 Lot Moderate Subdivision & AR3-9 Rezoning Application, submitted by **Barbara Benavidez, LeAnn Siglin & Kenneth Gallegos**, on property located at 14852 Road 29, Dolores, CO, consisting of 11.84 acres, more or less, located south of Road 29, west of Road 29.75, situated in Section 33, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Benavidez and Ms. Siglin were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed 2 lot moderate subdivision and AR3-9 rezoning application, submitted by Barbara Benavidez, LeAnn Siglin and Kenneth Gallegos, on property located at 14852 Road 29, Dolores, CO. Seconded by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a High Impact Permit, , submitted by **Montezuma Water Company**; agent: **Steve Bowman**, on property located at 27666 Road T, Dolores, CO, consisting of 12.17 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19 Township 37N, Range 15W, N.M.P.M.

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for a 3 Lot Minor Subdivision & AR3-9 Rezoning submitted by **Rocky Wilson**, on

property located at 12880 Road 31, Mancos, CO, consisting of 37.03 acres, more or less, located east of Road 29, north of Hwy 160, situated in Section 10, Township 36N, Range 15W, N.M.P.M

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

RESOLUTION: Attorney MacLaren presented the **Montezuma County Local Improvement District Resolution #2023-1, (Upper Road 42).** Commissioner Koppenhafer moved to approve the Resolution for the Montezuma County Local Improvement District #2023-1, Upper Road 42, Montezuma County Colorado, local improvement district organized and existing under the constitution and the laws of the State of Colorado. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

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

UNFINISHED BUSINESS:

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a Festival Permit application from the **Mancos Brewing Company LLC.**, located at 484 E. Frontage Road Mancos, Co. 81328, for the **Mancos Valley Summer Brewfest** event. The event is scheduled for August 17, 2024 from 1:00 p.m. to 9:00 p.m. Commissioner Koppenhafer moved to approve the Festival Permit application for the Mancos Brewing Company, Brewpub license, at 484 E. Frontage Road Mancos, Co. for August 17, 2024. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The proposed **2024 Secure Rural Schools (SRS)** funds distribution in the amount of \$218,182.44 was presented for approval. The 25% school distribution included; Montezuma Cortez Re-1 in the amount of \$38,002,79, the Dolores School District Re-4A in the amount of \$9573.22 and the Mancos School District Re-6 in the amount of \$6969.60. The remaining 75%, for a total of \$163,363.83 will be for Montezuma County. Commissioner Lindsay moved to distribute the Secure Rural Schools funding as presented. Second by Commissioner Koppenhafer and carried. (See attached)

APPOINTMENT: Administrator Anderson presented a letter of interest from **Kimberly A. Martin** to be reappointed to the **Lewis Cemetery Board**, for a 6 year term. Commissioner Koppenhafer moved to appoint Kimberly A. Martin back to the Lewis Community Cemetery Board. Second by Commissioner Lindsay and carried. (See Attached)

GRANT DISCUSSIONS: Robert Dobry, County Grant Coordinator, met with the Commissioners to discuss the **2024 Election Improvement / Election Security Grant** award in the amount of \$23,581.92. Commissioner Lindsay moved to approve the signature of the Election Security Grant. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: During the Monday Workshop **Maintenance Supervisor, Dustin Sattler** met with the Commissioners to present proposals for the replacement of the HVAC unit at Annex I in the amount of \$19,233.84. Commissioner Lindsay moved to approve the bid from **Winair**, for the grant amount, for the HVAC at Annex I. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** discussed civil cases, the Leaf Properties lawsuit an attended appeals hearing for an unemployment benefits determination and discussed the re-allocation of the (PAB) Private Activity Bonds.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** discussed 2025 Department budget presentations, educational discussions, meetings related to the CIP program, the SWORD grant funds and scheduled Finance Director Interviews.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the May 2024 Accounts Payable Expenditure Reports in the amount of \$4,094,249.75. (See attached)

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the June 2024 Accounts Payable Expenditure Reports in the amount of \$4,074,405.41. Commissioner Lindsay moved to approve the May and June payables for 2024. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Fair Board meeting, the scheduled Pancake Benefit Breakfast for the Hurst Family, appreciation for the Fair Board volunteers, the scheduled Cortez City Council meeting and the scheduled Region 9 meeting.

Commissioner Koppenhafer discussed the attended Town of Mancos meeting, an update on the new Marshalls' office, the scheduled Mancos Days event and the scheduled County Sales Tax discussion to be held at the Mancos Library.

Commissioner Candelaria: discussed the attended NACO conference, a scheduled Biochar facility tour, the attended quarterly Tri-City Board to Board meeting, constituent discussions, and the attended Dolores Trustee Meeting.

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

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

MEETING ADJOURNED: 10:14 a.m.

Clerk July 23, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 30, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of July 30, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, July 23, 2024 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment & AR3-9 Rezoning Application to Lot #1 of Clarence Williams 2 Lot Minor Subdivision submitted by **Robert Williams; agent: Darryl Dempsey**, on property located at 24499 Road G.1, Cortez, CO, consisting of 21.54 acres, more or less, located east of Hwy 160/491, north of Road G, situated in Section 3, Township 35N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent Dempsey was present. Planning Director, Don Haley along with Assistant, S. Jane Duncan presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all

the evidence presented Commissioner Lindsay moved to accept the proposed Subdivision Amendment & AR3-9 Rezoning Application to Lot #1 of Clarence Williams 2 Lot Minor Subdivision submitted by Robert Williams; agent: Darryl Dempsey, on property located at 24499 Road G.1, Cortez. Seconded by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Zoning Variance Application, submitted by **Bill F. Ragland & Sons**, on property located at TBD Hwy 184, Dolores, CO, consisting of 156.99 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 3, Township 37N, Range 16W, N.M.P.M., and **Stoner Top, Inc.**, on property located at 23966 Hwy 184, Dolores, CO, consisting of 15.68 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M. Mr. Ragland was present. Commissioner Lindsay moved to grant the variance, submitted by Bill F. Ragland & Sons, on property located at TBD Hwy 184, consisting of 156.99 acres, with the exceptional circumstances of the legacy waste being there and this being incorporated back into the industrial zone. Second by Commissioner Koppenhafer and carried. (See attached)

PLANNING: Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of a Boundary Line Adjustment Application, submitted by **Bill F. Ragland & Sons**, on property located at TBD Hwy 184, Dolores, CO, consisting of 156.99 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 3, Township 37N, Range 16W, N.M.P.M., and **Stoner Top, Inc.**, on property located at 23966 Hwy 184, Dolores, CO, consisting of 15.68 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M. Commissioner Koppenhafer moved to approve the boundary line adjustment application, submitted by Bill F. Ragland & Sons, on property located at TBD Hwy 184, located south of Hwy 184 and east of Road 23.5, to convey to the Stoner Top Property Inc. an additional 5 acres. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC COMMENT: No public comment was made.

NEW BUSINESS:

LETTER OF SUPPORT: Southwest Memorial Hospital Foundation President, Abby Nuetzel met with the Commissioners with a request for a letter of support related to the **Southwest Memorial Hospital Foundation Enterprise Zone Project**. Commissioner Koppenhafer moved to approve the letter of support for the Southwest Memorial Hospital Foundation, for the Enterprise Zone Project Proposal to the Colorado Economic Development Commission. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Road & Bridge Equipment Manager, Shane Higman, met with the Commissioner to discuss the proposed **Enterprise Fleet Management** quote, for a Dodge Durango to be used as a Sheriff's patrol unit. Commissioner Lindsay moved to approve the Sheriff's patrol car lease with Enterprise, plus the up fitting. Second by Commissioner Koppenhafer and carried. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: Maintenance Supervisor, Dustin Sattler, along with **County Grant Coordinator, Robert Dobry** and **Emergency Manager, Jim Spratlen,** met with the Commissioners to discuss the received (FEMA) Federal Emergency Management Agency Grant award for the County's backup generator. Bids received included; **Smith Power** \$177,536.00, **Native Instinct** \$132,087.78 and **Expedia Power Inc.,** \$97,956.16. It was the recommendation to accept the bid from Expedia Power. Commissioner Lindsay moved to approve the purchase of the generators in the amount of \$97,956.16, as per bid by Expedia Power. Second by Commissioner Koppenhafer and carried. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be, Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the **Colorado State Severance Tax.** Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to join Mesa County in the lawsuit against the State of Colorado over the raiding of the Severance Tax fund. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), for legal questions regarding the Lewis Cemetery District. Seconded by Commissioner Koppenhafer and carried. Included in the session will be, Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice related to the **Lewis Cemetery Board.** Commissioner Koppenhafer moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed a received District Court Colorado order pertaining to the Co2 Community Inc. vs the Montezuma County and Assessor case, and gave an update on the Leaf Properties lawsuit.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed completed interviews for the Finance Director and HR Technician positions, the attended stakeholder Community Intervention Program (CIP) meeting, staff budget trainings, the attended Biochar facility tour, a recent Administration Building evacuation, and the attended community Ironwood discussion.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the interviews held for the Area Agency on Aging (AAA) Directors position, the Mancos Days event and the ongoing County Fair.

Commissioner Lindsay discussed the attended Region 9 meeting, the scheduled Balloon Rally, the Mancos Days event and the County Fair.

Commissioner Candelaria: discussed the completed interviews for the Finance Director and HR Technician positions, the attended Fleet Management meeting, the attended Biochar facility tour, and the Monday workshop.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:37 a.m.

Clerk

July 30, 2024

Chairman

Hwy 184 and east of Road 23.5, situated in Section 3, Township 37N, Range 16W, N.M.P.M., and Stoner Top, Inc., on property located at 23966 Hwy 184, Dolores, CO, consisting of 15.68 acres, more or less, located south of Hwy 184 and east of Road 23.5, situated in Section 9, Township 37N, Range 16W, N.M.P.M

Director, Haley along with **Assistant, Duncan** presented for signatures of a Setback Variance, submitted by **Barbara Benavidez, LeAnn Siglin & Kenneth Gallegos**, on property located at 14852 Road 29, Dolores, CO, consisting of 11.84 acres, more or less, located south of Road 29, west of Road 29.75, situated in Section 33, Township 37N, Range 15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

RESOLUTION: **Attorney, MacLaren** presented for approval, **Resolution #8-2024**, a resolution authorizing the County Attorney to sign release to participate in **Global Opioid Settlement** with **Kroeger**. Commissioner Koppenhafer moved to approve Resolution 8-2024 a resolution authorizing the County Attorney to sign release to participate in Global Opioid with Kroger. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday workshop **Public Health Director Bobbie Lock** along with **Assistant Director, Laurel Schafer** presented for approval, the Class B Secure Transportation Service License and Type 2 Secure Transportation Vehicle permits from the Southwest Colorado Mental Health Center dba Axis Health. Commissioner Lindsay moved to approve the Secure Transportation Service License with Southwest Colorado dba Axis Health System. Second by Commissioner Koppenhafer and carried. (See attached)

GRANT DISCUSSIONS: **County Grant Coordinator, Robert Dobry** met with the Commissioners to present for approval the **Colorado Department of Local Affairs 2024 Gaming Impact Grant** application. Commissioner Lindsay moved to approve the Colorado Department of Local Affairs Gaming Grant application. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: **Attorney, MacLaren** presented for discussion, **Resolution #9-2024**, a resolution authorizing litigation against the State of Colorado to challenge provisions of Colorado Revised Statutes related to the Severance Tax Fund. Commissioner Koppenhafer moved to approve Resolution 9-2024 a resolution authorizing litigation against the State of Colorado Revised Statutes related to the Severance Tax Fund. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** discussed Dollar General Litigation, meeting with the D.A. and Don Haley about public nuisance action on some problem properties and a PACKS corporation meeting.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the Emergency CCI property tax initiative and 108 finances.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Koppenhafer discussed attending the County Fair and also thanked the Fair Board.

Commissioner Lindsay discussed attending the County Fair and appreciation of the Board members.

Commissioner Candelaria: Fair Board, attending the Housing Authority and Budget Committee meetings, Initiative 108, Boggy Draw Beat Down and the workshop.

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

CORRESPONDENCE: The following correspondence was read and noted: the Montezuma County Office of Emergency Management’s July 2024 Monthly Situation Report.

MEETING ADJOURNED: 9:28 a.m.

Clerk

August 6, 2024

Chairman

Commissioner Lindsay moved to award the contract for Annex III unit #5 to **Winair**, in the amount of \$15,333.88. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Administrator Anderson presented **Resolution #10-2024**, a resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Montezuma County Administrative Offices. Commissioner Koppenhafer moved to approve Resolution 10-2024, a resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Montezuma County Administrative Offices, in the amount of \$161,038.29. Second by Commissioner Lindsay and carried. (See attached)

COUNTY TREASURER / TRUSTEE: During the Monday Workshop, **County Treasurer, Ellen Black** met with the Commissioner to present the **Schedule of Receipts and Disbursements**, dated 1/1/2024 through 6/30/2024. Commissioner Lindsay moved to accept the Schedule of Receipts and Disbursements in the amount of \$46,162,179.83. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Leaf Property case. Other topics discussed included a hearing decision for an unemployment claim and the terms of service for BOCC appointments to the Housing Board. Attorney MacLaren reported that he would not be available next week.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed Administrative functions. He reported that the Senior Center had been restructured to fall under the Department of Social Services. Other topics discussed included the Assessor Bugg's workshop presentation and the budget discussions.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Southwest Water Conservation District meetings.

Commissioner Candelaria: mentioned budget discussions, the PSST presentation, the Monday workshop presentations and the attended Dolores Town Board meeting.

Commissioner Lindsay discussed the PSST presentation, a reminder related to the first days of school and health precautions, the scheduled Cortez City Council meeting and scheduled construction on Highway 491.

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

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

MEETING ADJOURNED 9:30 a.m.

Clerk

August 13, 2024

Chairman

The State of Colorado Department of Public Health and Environment **Task Order #2025*0253**, for the fiscal year 2025-2026 **Woman Infants and Children (WIC)** contract. Commissioner Lindsay moved to accept the State of Colorado Department of Public Health and Environment, Task Order #2025*0253, in the amount of \$125,620.00. Second by Commissioner Koppenhafer and carried. (See attached)

The State of Colorado Department of Public Health and Environment **Contract Amendment #1**, for the fiscal year 2024-2025 **Public Health Emergency Preparedness** contract. Commissioner Lindsay moved to accept the State of Colorado Department of Public Health and Environment Contract Amendment #1 in the amount of \$52,944.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Emergency Manager, Jim Spratlen met with the Commissioner to present the revised **SRS Title 3, 2024 Budget Proposal**. Commissioner Koppenhafer moved to approve the SRS Budget proposal for 2024, for \$43,636.49, for the Montezuma County Emergency Management equipment. Second by Commissioner Lindsay and carried. (See Attached)

COUNTY ATTORNEY REPORT: Assistant County Attorney, Stephen Tarnowski gave an update on the Mesa County, Colorado State Severance Tax lawsuit.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed Administrative functions, the restructuring of the Senior Center under Social Services, a meeting held with the Hospital's Senior Friends and the proposed Public Safety Sale Tax presentation.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** mentioned constituent conversations related to the proposed Public Safety Sale Tax and the attended Livestock Association Summer Social event. **Commissioner Lindsay** discussed the attended Cattleman's Social event, the attended Cortez City Council meeting and constituent conversations. **Commissioner Candelaria:** discussed the Public Safety Sale Tax presentations and the Governor's scheduled Special Legislative session,

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED 9:23 a.m.

Clerk August 20, 2024

Chairman

Koppenhafer moved to approve the Grant Application Submission form for the Montezuma County Public Health Department Prevention Block Grant Mini Grant, a reimbursement of \$50,000.00, with no matching funds required. Second by Commissioner Lindsay and carried. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission form for the Montezuma County Public Health Department, for the Rise Walk Outreach, in the amount of \$2,532.47, with no cash match needed. Second by Commissioner Lindsay and carried. (See attached)

FINANCIAL AUDIT 2023: During the Monday Workshop **Chris Majors** presented the 2023 Financial Audit. Commissioner Lindsay moved to accept the Audit, year 2023. Second by Commissioner Koppenhafer and carried. (See attached)

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be, Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice related to the **spending authority of elected officials**. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave updates on a Notice of Appeal filed for the Kinder Morgan case, the Weber Canyon / Road 41 lawsuit, the Ironwood Property case, the appeal process for unemployment claims and the Mesa County Severance Tax lawsuit. Attorney MacLaren held a discussion related to the current process for County Road Impact Fee assessments.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson mentioned the midyear expendables report, a scheduled visit from Senator Hickenlooper, the attended ARC of Southwest Colorado meeting, working with Social Services Director Hargraves on the restructuring of the Senior Services, and the attended property tax CCI meetings.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the July 2024 Accounts Payable Expenditure Reports in the amount of \$4,067,411.52. Commissioner Koppenhafer moved to approve the expenditures for July 1, through July 31, 2024, in the amount of \$4,067,411.52. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed constituent conversations and a thank you note he received from the Southwest Cattleman's.

Commissioner Lindsay discussed the attended CCI meetings and the scheduled Cortez City Council meeting.

Commissioner Candelaria: discussed the attended Prescribed Fire Strategy meeting, a monthly DOT Infrastructure call, the CCI meeting related to wildfire insurance, the attended Western

District Meeting, an overview of the Monday workshop, and reported he had missed the Dolores Town Board meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED 10:25 a.m.

Clerk

August 27, 2024

Chairman

oad L.4, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** discussed a public nuisance complaint for a county property.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** reported he had been out of town for the weekend.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination a proposed Single Lot Development and AR10-34 & AR35+ Rezoning Application submitted by **Dwight Chamberlain**; agent: **Keenen Lovett**, on property located at TBD Road G, Cortez, CO, consisting of 65 acres, more or less, located west of Road 21, north of Road G, situated in Section 1, Township 35N, Range 17W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Lovett was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed single lot development with AR10-34 & AR35+ rezoning application submitted by Dwight Chamberlain; agent: Keenen Lovett, on property located at TBD Road G, Cortez, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

NEW BUSINESS:

SALES ROOM LIQUOR APPLICATION: Deputy Clerk, **Jerri Frizzell** presented for approval, an application from **Fenceline Cider**, for a temporary Colorado Liquor Sales Room for the **Montezuma Orchard Restoration Project Social** event, scheduled on October 12, 2024, from 11:00 a.m. to 4:00 p.m., located at 13729 Road 29, Dolores, CO. 81323. Commissioner Lindsay moved to approve the application for Colorado Liquor Sales Room, for Fenceline Cider, for the event to be held at 13729 Road 29. The motion was seconded by Commissioner Koppenhafer and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determining of the official 2024 County Road Map and **Resolution #11-2024**, which includes, but is not limited to, determining a system of primary and secondary county roads, reviewing changes to the road system and specifying a 60-foot right of way for all county roads. The roll was called, the public notice read, and the proceedings were recorded for the record. On behalf of **GIS Manager, Doug Roth, Resource Director, James Dietrich** gave an overview of the proposed changes to the 2024 Official County Road Map and presented Resolution #11-2024 for approval. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing, all the evidence presented Commissioner Koppenhafer moved to approve Resolution #11-2024, an adoption of the 2024 County Road Map, as presented. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: No Public comment was made.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Lindsay had nothing to report.

Commissioner Koppenhafer had nothing related to the County to report.

Commissioner Candelaria: discussed the attended Finance Committee Audit meeting, a Southwest Health System Hospital tour with Senator Hickenlooper and moderating the Senator's Town Hall meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED 10:34 a.m.

Clerk

September 3, 2024

Chairman

moved to accept amendment to Lots 1 & 3 of the Adair Estate Cluster Incentive Planned Unit Development and AR3-9 Rezoning Application submitted by Kenneth & Julie Derrick, on properties located at 19424 Hwy 491 & TBD Road V.3, Lewis. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is for review and determination of a proposed General Planned Unit Development Application and Special Use Permit Application, submitted by **Daniel Quigley**, on property located at 29554 Road N, Dolores, CO, consisting of 40 acres, more or less, located east of Road 29, north of Road M, situated in Section 9, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Quigley was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve a proposed General Planned Unit Development Application and Special Use Permit Application, submitted by Daniel Quigley, on property located at 29554 Road N, Dolores, CO, consisting of 40 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 Amendment to Lot 9 of the Summit Lake West Unit II Subdivision for AR35+ Rezoning Application, Planned Unit Development Application, and Special Use Permit Application, submitted by **Dennis & Laura Williams**, on property located at 35490 Road P.6, Mancos, CO, consisting of 40.20+/- acres, more or less, located south of Hwy 184, west of Road 35.6, situated in Section 33, Township 37N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. **Garron Shaw** and **Michael Parker** made public comment. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed Amendment to Lot 9 of the Summit Lake West Unit II Subdivision for AR35+ Rezoning and deny the Planned Unit Development and Special Use Permit Application, submitted by Dennis & Laura Williams, on property located at 35490 Road P.6, Mancos. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures for a Mylar of a Single Lot Development & AR3-9 Rezoning, submitted by **Harvey & Sharon Hackett and Ted & Shauna Gray**, on property located at TBD Road H, Cortez, CO, consisting of 41.32 acres, more or less, located south of Road H, east of Road 27, situated in Section 4 Township 35N, Range 15W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **Ty Koppenhafer**.

UNFINISHED BUSINESS:

GRANT DISCUSSIONS:

DISCUSSION: Administrator Anderson presented for review and approval the **CHORE Project** and **Salad Bar** for the Senior Center. \$25,000.00 and \$10,000.00 respectively. Commissioner Koppenhafer moved to approve Montezuma County Grant Application Submission form for the Senior Services for the Senior Services Salad Bar in the amount of \$10,000.00 with no cash match, from the LOR Foundation. Second by Commissioner Lindsay and carried. Commissioner Koppenhafer moved to accept Montezuma County Grant Submission Form for Senior Services for the Senior Services CHORE Project through the LOR Foundation, in the amount of \$25,000.00, with no cash match. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Dustin Sattler, Head of Maintenance and **Jim Spratlen**, Emergency Manager presented bids for new generators.

DISCUSSION: Administrator Anderson presented for review and determination the **Colorado Counties, Inc. (CCI) 2025 Legislative Committee Commissioner Designation** form. Commissioner Koppenhafer moved to approve Commissioner Candelaria to be our representative to the legislative Committee Commission Designation Form. Commissioner Lindsay seconded and the motion carried. Commissioner Candelaria moved to appoint Commissioner Lindsay as alternative for the legislative committee. Second by Commissioner Koppenhafer and carried.

DISCUSSION: The Montezuma County Colorado Request for Proposal for Professional Engineering Services September 2024, for the Road & Bridge **Hwy 184 / CR-25 Project** was presented for approval. Commissioner Lindsay moved to approve option 1 of the RFP for road and bridge for the project on HWY 184 and County Road 25. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed HB-24-1413 and the ongoing case with the state of Colorado.

DISCUSSION: Commissioner Koppenhafer moved to sign a Letter of Support for the City of Cortez, MMOF funding request for a project necessary to the infrastructure on the south pedestrian pathway, that is south of Cortez. Second by Commissioner Lindsay and carried. (See attached)

MEMORANDUM OF AGREEMENT: Commissioner Koppenhafer moved to sign a memorandum of agreement to Montezuma County Risk Mapping Assessment and Planning Project, Phase 2 Development. Second by Commissioner Lindsay and carried. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed an attended community grants budget meeting, the completion of the Tabor language for the County Public Safety Sales Tax ballot question, the attended Corporal Spruell's Korean War internment,

the Administrators transfer of the Community Intervention Program to the City of Cortez and an attended Property tax meeting.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Koppenhafer discussed the attended Triple A meeting.

Commissioner Candelaria: discussed attended budget committee meetings, the attended SHSP stakeholder workshop for Region 5, the Monday Workshop and the attended Dolores Town Council meeting.

Commissioner Lindsay discussed the scheduled Cortez City Council meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:42 a.m.

Clerk September 10, 2024

Chairman

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

LETTER OF SUPPORT: A letter of support addressed to **Dr. David Songstad, U.S. Department of Agriculture** related to the SBIR proposal from Heuer Labs, LLC., was presented for approval. Commissioner Koppenhafer moved to sign the Letter of Support for David Songstad, to go to the U.S. Department of Agriculture. Second by Commissioner Koppenhafer and carried. (See attached)

GRANT DISCUSSIONS: County Grant Coordinator, Robert Dobry met with the Commissioners to discuss the following Grants: The Montezuma County Sheriff's Office, **Investing in our Future, Office of Adult and Juvenile Justice Assistance Grant** for reimbursement up to \$90,000.00. Commissioner Koppenhafer moved to sign the Montezuma County Grant Application Submission Form, with project title Investing in our Future, from the Office of Adult and Juvenile Justice Assistance, with no cash match. Second by Commissioner Lindsay and carried. (See attached)

The Montezuma County Sheriff's Office, amendment decision for the **Jail Based Behavior Services Grant**. Commissioner Koppenhafer moved to sign the contract amendment #3, for the Jail Based Behavior Services Grant amendment decision and to authorize the signing of the change on DocuSign. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Emergency Manager, Jim Spratlen along with **Grant Coordinator, Dobry** met with the Commissioners to discuss the Generator Installation bids. Commissioner Lindsay moved to accept the bid from Expedia, for the installation of generators for \$110,635.32. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The Montezuma County Social Services, Colorado Department of Early Childhood Intergovernmental Contract Amendment #4, original contract number 22IHIA170688 was presented for approval. Commissioner Koppenhafer moved to allow the Social Service's Director, Kelli Hargraves to sign the cover page for original contract number 22IHIA170688 as amended. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A discussion was held related to the open Fair Board positions. The Commissioners were in agreement to re-advertise the openings for Board candidates and to postpone the discussion to a future date.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Kinder Morgan case and discussed the proposed Memo of Understanding for a Road G right of way.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed an attended meeting regarding property tax, a scheduled meeting with the City of Cortez related to the Animal Shelter and the attended retirement for Judge Lawrence.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Lindsay discussed the farewell event for Judge Lawrence, the attended open house for the Engineering Firm in the Chamber and the attended Cortez City Council meeting
Commissioner Koppenhafer discussed the attended farewell event for Judge Lawrence, the attended open house for the Engineering Firm and the attended Mancos Town Hall meeting.
Commissioner Candelaria: discussed the attended farewell event for Judge Lawrence, the attended open house for the Engineering Firm and a discussion related to County PILT funding.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:35 a.m.

Clerk September 17, 2024

Chairman

RESOLUTION: Resolution #12-2024 a resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Montezuma County Road and Bridge Department, for the buyout of two motor graders, was presented for approval. Commissioner Koppenhafer moved to approve resolution #12-2024, appropriating additional sums of money to defray expenses in excess of amounts budgeted for Montezuma County Road and Bridge Department, to buy two motor graders that we have leased at the present time, this will increase the capital outlay for the Road & Bridge from \$300,000.00 to \$740,000.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop, **Montezuma County Public Health Director, Bobbi Lock** presented for discussion the **CDPHE Personal Identifying Information Certification**. Commissioner Lindsay moved to not sign the Third Party Entity/ Organization Certification for access to PII through a database or automated network and to not authorize Public Health Director Bobbi Lock to sign. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Also presented during the workshop, the Montezuma County Public Health, **Colorado Department of Early Childhood Intergovernmental Agreement**, contract #CTQAAA2025-1080 GAEQAAA2025-184 25QAAA190676, **Nurse Family Partnership Grant**. Commissioner Koppenhafer moved to approve the State of Colorado Intergovernmental Agreement, contract #CTQAAA2025-1080, Public Health Department, Early Childhood Development. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop, **Fairgrounds Manager, Justin McGuire** met with the Commissioners to discuss the **Indoor Arena East Sidewalk Remove & Replace Project**. The discussion was postponed to a future date.

LETTER OF SUPPORT: A letter of support addressed to Danny Margoles with the Mancos Conservation District, related to the **CWCB Wildfire Ready Watersheds Grant Program** was presented for approval. Commissioner Koppenhafer moved to approve the letter of support, to the Colorado Water Conservation Board Wildfire Ready Watersheds grant program, for the Mancos Conservation District. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to the Bureau of Reclamation Acquisition Management Division, related to the **Upper Basin Environmental Drought Mitigation. (B2E)**. Commissioner Koppenhafer moved to sign the letter of support to the Bureau of Reclamation, for the Southwest Water Conservation Districts, Upper Basin Environmental Drought Mitigation application. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to Danny Margoles with the Mancos Conservation District, related to the **CWCB Wildfire Ready Watersheds Grant Program** was presented for approval. Commissioner Koppenhafer moved to approve the CWCB Wildfire Ready Watersheds Grant Program application, for the Mancos Conservation District, to organize

GIS and special data, and conduct post fire modeling to water resources. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support addressed to, Watershed Program Director, Chris Strum, from the Colorado Water Conservation Board to express support for the development of the **Dolores Watershed Collaborative, Wildfire Ready Action Plan (WRAP)** for the Upper Dolores Watershed. Commissioner Koppenhafer moved to approve the letter of support, for the Dolores Watershed Collaborative application to the Colorado Water Conservation Board, to fund the development of a Wildfire Ready Action Plan, for the upper Dolores Watershed. Second by Commissioner Lindsay and carried. (See attached)

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

LIQUOR LICENSE: Deputy, Frizzell presented for approval, a liquor license renewal application for, **Booze Stop LLC**, located at 18794 Hwy 491, Lewis Co. 81327. Commissioner Lindsay moved to accept the retail liquor license renewal application from **Booze Stop LLC**, located at 18794 Hwy 491, Lewis, CO. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Ironwood Property case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed work on proposed IGA's and MOU's, a scheduled meeting with the Hospital CEO related to a future project, a posted advertisement for Fair Board candidates, the attended Dispatch Accountability meeting and the Coffee with the Commissioner's events. Administrator Anderson reported he was working on the BOCC Board appointment contact list.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the Dispatch Accountability meeting, the Coffee with the Commissioner's event, a scheduled Region 9 meeting, an attended virtual CCI meeting and the scheduled Cortez City Council meeting.

Commissioner Koppenhafer discussed the attended Southwest Water Conservation District meeting.

Commissioner Candelaria: discussed the attended County Department Head / Elected Officials meeting, the Coffee with the Commissioners event, valid County contracts, the Monday Workshop, the attended Dolores Town meeting and reported that none of the Senior Center services have been discontinued.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:41 a.m.

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

Clerk

September 24, 2024

Chairman

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

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave an update on the Ironwood Property case and the Unemployment appeal.

ADMINISTRATOR REPORT: **County Administrator, Travis Anderson** no report given.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the August 2024 Accounts Payable Expenditure Reports, with a grand total amount of \$4,202,742.34. Commissioner Lindsay moved to approve the August Financials in the amount of \$4,202,742.34. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council and Region 9 meetings. **Commissioner Koppenhafer** discussed the attended barbeque at the Kevin Mc Comb property. **Commissioner Candelaria:** mentioned an Osprey Fall 2024 Breast Cancer Prevention Partners Daylight Backpack that was set up at the back of the Commissioners room, then discussed that October was Breast Cancer Awareness Month. Commissioner Candelaria also addressed a letter received by elected officials from the Interstellar Alliance Social Experiment Group.

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

CORRESPONDENCE: The following correspondence was read and noted: Letter from the Interstellar Alliance Social Experiment Group.

MEETING ADJOURNED: 9:30 a.m.

Clerk

October 1, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 8, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 8, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of October 8, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 1, 2024 as presented. The motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Moderate Subdivision & AR3-9 Rezoning Application submitted by **Johnny & Mabelle Stinson**, on property located at 13750 Road 42, Mancos, CO, consisting of 62 acres, more or less, located north of Hwy 160 and west of Road 42, situated in Section 2, Township 36N, Range 13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. & Mrs. Stinson were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by Johnny

and Mabelle Stinson, on property located at 13750 Road 42, Mancos. Mr. Lindsay's Motion included a requirement that if the water taps become available, the property owner shall purchase three taps, and also a condition that the access easement does not overlay the canal easement. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 5.10-acre Single Lot Development and AR3-9 & A80+ Rezoning Application, submitted by **Colorado Haymakers, Inc;** agent: **Randy Carver**, on property located at 30843 Road L.4 Loop, Mancos, CO, consisting of 134.35 acres, more or less, located east of Road 29, north of Hwy 160, situated in Section 15, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Carver was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Lisa Foster**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve proposed 5.10-acre Single Lot Development and AR3-9 and A80+ Rezoning Application, submitted by Colorado Haymakers, on property located at 30843 Road L.4 Loop, 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 Single Lot Development and Rezoning application, consisting of 3.5 acres, more or less, submitted by **Maness Family Farm, LLC;** agent: **Mark Maness**, on property located at 25080 Road H, Cortez, CO, consisting of 177.29 acres, more or less, located south of Road H, east of Road 25, situated in Section 2, Township 35N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Maness was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the Single Lot Development and Rezoning application, consisting of 3.5 acres, more or less, submitted by Maness Family Farm, LLC; agent: Mark Maness, on property located at 25080 Road H, Cortez, CO, consisting of 177.29 acres. 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 3-acre Single Lot Development & AR3-9 Rezoning Application submitted by **Robert F. Willburn, Jr.;** agent: **John Willburn**, on property located at 6162 Road 38, Mancos, CO, consisting of 275 acres, more or less, located south of Hwy 160 and east of Road 37, situated in Section 11, Township 35N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Willburn was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner

Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed 3-acre Single Lot Development and AR3-9 Rezoning Application submitted by Robert F. Willburn, Jr.; agent: John Willburn, on property located at 6162 Road 38, Mancos. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley along with **Assistant, S. Jane Duncan** presented for discussion and approval of an After-The-Fact Variance Application, submitted by **Laurie Kain**, on property located at 41845 Road J.75, Mancos, CO, consisting of 3.37 acres, more or less, located north of Hwy 160 and east of Road J.75, situated in Section 28, Township 36N, Range 13W, N.M.P.M. Mrs. Kain was present. Commissioner Lindsay moved to accept the After-The-Fact Variance Application, submitted by Laurie Kain, on property located at 41845 Road J.75, Mancos, with the finding of fact that there was a pin missing in the corner, causing this variance be approved. With two votes in favor, from Commissioners Lindsay and Koppenhafer and one vote against from Commissioner Candelaria, the motion carried. (See attached)

Director, Haley along with **Assistant, Duncan** presented for discussion and approval of an Exemption Application, submitted by **Rodney Oliver**, on property located at TBD Road 17, Pleasant View, CO, consisting of 93 acres, more or less, located north of Road AA, east of Hwy 491, situated in Section 8, Township 38N, Range 17W, N.M.P.M. Commissioner Lindsay moved to grant the Exemption Application, submitted by Rodney Oliver, on property located at TBD Road 17, Pleasant View, CO. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC COMMENT: Public Comment was made by Allen Maez.

UNFINISHED BUSINESS:

2025 BUDGET: Administrator Anderson presented the proposed 2025 Budget for inspection. The final public hearing has been scheduled for November 26, 2024 at 9:00 a.m. (See attached)

APPOINTMENTS: Fair Board letters of interest were received from **Amanda Higgins, Bobbie Hunter, Devonne Kingery, Felicia Herrmann, Jim Mitchell, Logan Hindmarsh and Odis Sikes**. Candidate Interviews will be scheduled at a later date. (See attached)

DISCUSSION: During the Monday Workshop, **Fairgrounds Manager, Justin McGuire** presented proposals to remove and replace sidewalks at the Fairgrounds. Commissioner Koppenhafer moved to accept the bid from **Double E Concrete and Construction** for the indoor arena's east sidewalk removal and replacement, of \$18,876.00. Second by Commissioner Lindsay and carried. (See attached)

Fairgrounds Manager, McGuire also presented a proposal from Empire Electric to do a rate change for the Fairground's Arena. Commissioner Lindsay abstained from the vote. Commissioner Koppenhafer moved to authorize Travis Anderson, to sign the agreement to change our services at the Fairgrounds to the General Service Three Phase Rate. Second by Commissioner Candelaria and carried. (See attached)

LETTER OF SUPPORT: Administrator Anderson presented for approval, a letter of support addressed to **Estavan Vega**, Colorado State Forest Service, related to the support of the **Dolores Watershed Collaborative** application to the **Colorado State Forest Services Forest Restoration & Wildfire Risk Mitigation Capacity Building Program**. Commissioner Koppenhafer moved to sign the letter of support for the Dolores Watershed Collaborative application to the Colorado Forest Services Forest Restoration & Wildfire Risk Mitigation Capacity Building Program. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop, **Assessor, Leslie Bugg** presented for discussion a proposed **Mill Levy Public Information Form**. Commissioner Lindsay moved to approve the Mill Levy Public Information Form, pursuant to 39-1-125 C.R.S. Second by Commissioner Koppenhafer and carried. (See attached)

GRANT DISCUSSIONS: County Grant Coordinator, Robert Dobry met with the Commissioners to discuss the following Grant: the **Emergency Food and Shelter Program** for the **Senior Services Department**. Commissioner Koppenhafer moved to approve the Grant Submittal Application Form, for the Social Services, Senior Services, for food service of the Montezuma County Emergency Food and Shelter Program, a lump sum of \$10,000.00. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop **IT Director, Jim McClain** presented for signatures the **SpyGlass Snapshot Audit Agreement**. Commissioner Koppenhafer moved to sign the agreement between Montezuma County and SpyGlass Snapshot Audit. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday workshop, **CSU Extension Director, Emily Lockard** met with the Commissioners to give a report and to present the proposed **Montezuma County Extension Advisory Committee Bylaws**. Commissioner Koppenhafer moved to pass the Montezuma County Extension Advisory Committee Bylaws, as presented. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren reported that the Appointed Board Members training is scheduled for Tuesday, October 15, 2024 at 6:00 p.m.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended meeting with the Dolores Senior Center, reported that he was working with the City of Cortez on a joint Noxious Weeds Advisory Committee, had several finance related reviews, announced the resignation of the (VSO) Veterans Service Officer, reported he is working on an intergovernmental agreement (IGA) between PCC and the BOCC, attended a CTSI training and the Friday CCI legislative session.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended Town Hall meeting in Pleasant View and discussions related to solar farms.

Commissioner Lindsay discussed the attended Town Hall meeting in Pleasant View and announced a Farm Bureau Candidate Forum was scheduled to be held at the County Annex on October 9th at 6:00 p.m. and reported he would be attending the scheduled Cortez City Council meeting.

Commissioner Candelaria: mentioned the attended Friday Zoom meeting with CCI to discuss proposed 2025 legislation.

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

CORRESPONDENCE: The following correspondence was read and noted: the Emergency Management’s Monthly Situational Report.

MEETING ADJOURNED: 10:38 a.m.

Clerk

October 8, 2024

Chairman

UNFINISHED BUSINESS:

DISCUSSION: There was no action taken for the **Aspen Wood Products Inc.** request for a Tax Abatement, since a decision regarding the abatement was reached on Monday.

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

DISCUSSION: The **Colorado Parks and Wildlife Keep Colorado Wild, Backcountry Search and Rescue County Allocation Grant Award** was presented for approval. Commissioner Lindsay moved to authorize the Chairman to sign the budget allocation for the Backcountry Search and Rescue County Grant Award. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The proposed **Hazard Mitigation Plan Grant** increase request was presented for discussion. No action was taken at this time. (See attached)

DISCUSSION: The **Public Health Department, Emergency Food and Shelter Program (EFSP)** Grant was presented for approval. Commissioner Lindsay moved to approve the Emergency Food and Shelter Program Food Pantry Grant. Second by Commissioner Koppenhafer and carried. (See attached)

LETTERS OF SUPPORT: Administrator **Anderson** presented for approval, letters of support addressed to the **Colorado Broadband Office**, for the following internet service providers **Nimbus Solutions, Farmers Telephone Company, Clearnetworx's, and Emery Telecom**, for their applications seeking Broadband Equity Access and Deployment funding. Commissioner Koppenhafer moved to sign the letters of support for internet service providers seeking broadband Equity Access and deployment funding from the Colorado Broadband Office, Emery Telecom, Nimbus Solutions, Clearnetworx's, and Farmers Telephone Company. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the **Inmate Health Services Renewal** was postponed to a future date.

DISCUSSION: The **VFW** request for use of the Annex I facility was tabled at this time.

APPOINTMENTS: Chairman Candelaria proposed to appoint **Jim Mitchell, Bobbie Hunter, Felicia Herrmann, and Amanda Higgins**, to 4-year terms, along with the appointment of two alternates **Devonne Kingery and Logan Hindmarsh**. Commissioner Lindsay moved to appoint these names to the Fair Board. Second by Commissioner Koppenhafer and carried.

EXECUTIVE SESSION Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be, Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Assistant County Attorney Stephan Tarnowski and Clerk Percell. Topics for the

executive session were legal advice on the Sheriff's budget. Commissioner Koppenhafer moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Unemployment Benefits Case, the Road & Bridge Road 41 fencing project, the training held for Appointed Board Members, an additional training scheduled for November 12, 2024, the Newman jail death case, the Severance Tax lawsuit, the Ironwood case and the Dollar Store case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed administrative duties, the Chicken Creek issue, financial reviews, securing the Landfill range, the attended CIP Transition meeting and the re-posting for the Veterans Service Officer position.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the September 2024 Accounts Payable Expenditure Reports in the total amount of \$3,933,632.08. Commissioner Lindsay moved to approve the payables for the County, in the amount of \$3,933,632.08. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Lindsay discussed the Fair Board interviews and the scheduled Cortez City Council meeting.

Commissioner Koppenhafer discussed the attended Southwest Water Conservation Board meeting and the Chicken Creek land claim.

Commissioner Candelaria mentioned the Fair Board interviews, the Chicken Creek land claim, and attendance at the Colorado Fire Commission meeting.

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

CORRESPONDENCE: The following correspondence was read and noted: The Wildfire Adapted Partnership in Montezuma County.

MEETING ADJOURNED: 10:49 a.m.

Clerk

October 22, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 29, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday October 29, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of October 29, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 22, 2024 as presented. The motion was seconded by Commissioner Candelaria and carried.

PUBLIC COMMENT: Public comment was made by **Sandra Jumper, Eleanor MacFarlane** and **Beth Howell**. (See attached)

UNFINISHED BUSINESS:

RESOLUTION: Resolution #13-2024, a resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Montezuma County Road & Bridge Department, was presented for approval. Commissioner Koppenhafer moved to approve Resolution 13-2024; a resolution appropriating additional funds of money to defray expenses in excess of amounts budgeted for the Montezuma County Road & Bridge Department, to finish the

chip seal project on Road S, the Haycamp road, in the amount of \$30,725.00. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The **Highway 184 and Road 25 Realignment Project** bids were presented for approval. Bids received included: **Bechtolt Engineering** \$145,534.34, **J.R. Engineering** \$183,770.00, **Jones & DeMille Engineering** \$173,300.00 and **SEH Engineering** \$162,900.00. Commissioner Koppenhafer moved to accept the bid for the Highway 184 / Road 25 project to Bechtolt, in the amount of \$145,534.34. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The discussion related to the proposed **Montezuma County / Town of Mancos Intergovernmental Agreement on Cooperative Planning Areas** was postponed to a later date. (See attached)

LETTERS OF SUPPORT: Resource Director, James Dietrich, met with the Commissioners to present for approval a letter of support addressed to the **Colorado Parks and Wildlife, OHV Program Manager**, related to the **CPW Motorized Trail Grant**. Commissioner Koppenhafer moved to sign the letter of support for the Dolores Ranger District Motorized Grant request to the Colorado Parks and Wildlife. Second by Commissioner Candelaria and carried. (See attached)

TRANSFER ORDER: Transfer Order #3-2024, a transfer of \$39,765.00 from the General Fund to the Public Health Fund for the 2024 per capita calculations, was presented for approval. Commissioner Koppenhafer moved to approve order #3-2024, a transfer of \$39,765.00 from the General Fund to the Public Health Fund, for the 2024 per capita calculations. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: Human Resource Technician, Dennis Bugg met with the Commissioners for a discussion and decision related to the **Employee Health Insurance**. Commissioner Koppenhafer moved to approve the United Healthcare bid for the health insurance for County employees, with the OAP Buy Up, the OAP Mid and the HSA 1 plans. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the Dollar General Store case and reported that the Sheriff had been named as a respondent in a conviction challenge case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson was absent from the meeting.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Lindsay was absent from the meeting.
Commissioner Koppenhafer discussed the attended Town of Mancos meeting.
Commissioner Candelaria: discussed the attended Coffee with the Commissioners meeting, the attended Senior Services lunch, the Monday Workshop and the Town of Dolores Meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 9:42 a.m.

Clerk

October 29, 2024

Chairman

Lot #4 of the Bear Pond 4 Lot Moderate Subdivision, submitted by Ronnie & Rachel Hurst on property located at 16361 Road 30.7, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Subdivision Amendment and Rezoning Application, to Lot #3 of the Millard Farms Subdivision, submitted by **Edward & Carrie Jo Comisky**, on property located at 13123 Road 21, Cortez, CO, consisting of 14.66 acres, more or less, located north of Road N, west of Road 21, situated in Section 1, Township 36N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Comisky was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing, all the evidence presented Commissioner Koppenhafer moved to approve the proposed Subdivision Amendment and Rezoning Application, to Lot #3 of the Millard Farms Subdivision, submitted by Ed & Carrie Jo Comisky, on property located at 13123 Road 21, Cortez. 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 discussion and approval of a Setback Variance Application, submitted by **Edward & Carrie Jo Comisky**, on property located at 13123 Road 21, Cortez, CO, consisting of 14.66 acres, more or less, located north of Road N, west of Road 21, situated in Section 1, Township 36N, Range 17W, N.M.P.M. Commissioner Koppenhafer moved to approve the Setback Variance Application, submitted by Ed & Carrie Jo Comisky, on property located at 13123 Road 21, Cortez, CO. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 2 Lot Moderate Subdivision Application submitted by **Loretta Gilbert**, on property located at 17381 Road 24, Dolores, CO, consisting of 8.80 acres, more or less, located west of Road 24, south of Hwy 184, situated in Section 16, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all, the evidence presented Commissioner Koppenhafer moved to approve the proposed two Lot Moderate Subdivision Application submitted by Loretta Gilbert, on property located at 17381 Road 24, Dolores, consisting of 8.80 acres. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

COUNTY ATTORNEY REPORT: **County Attorney, Ian MacLaren** gave updates on the Ironwood case, the Unemployment appeal case and the scheduled Open Meetings training for Special District Board members. Attorney Maclaren gave an overview of his time with the County and offered a thank you to Kelli Hargraves, Shak Powers, Regina Schaak, Steve Tarnowski, Naomi Lennon-Lamke, John Baxter, the Commissioners and Travis Anderson. He

also expressed his appreciation for the opportunity to serve the community in the County Attorney position.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed Single Lot Development and Rezoning Application submitted by **Georgia Aulston**; agent: **Julie Suckla**, on property located at 10791 Road 23, Cortez, CO, consisting of 66.02 acres, more or less, located west of Road 23, south of Road L, situated in Section 20, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Suckla was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the Single Lot Development and Rezoning Application submitted by Georgia Aulston; agent: Julie Suckla, on property located at 10791 Road 23, Cortez. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

UNFINISHED BUSINESS:

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO); Director, Kelli Hargraves met with the Commissioners to discuss the proposed wraps for MoCo vehicles. Director Hargraves requested to table the discussion to the November 19, 2024 meeting. (See attached)

SENIOR SERVICES: Director, Kelli Hargraves met with the Commissioners to present the Montezuma County Grant Application Submission Form for the **HB 24-1211 Senior Services Contingency Funds**, in the amount of \$55,000.00. Commissioner Koppenhafer moved to approve the grant application submission form for the Senior Services, a rolling reimbursement monthly grant payment, of \$55,000.00, with no matching funds. Second by Commissioner Lindsay and carried. (See attached)

VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman along with **Road & Bridge Supervisor Rob Englehart** met with the Commissioners to discuss the 2006 International 7500 4X4 snowplow purchased at the auction and to present a quote from **Transwest Truck** for an additional 2004 International Paystar snowplow. Commissioner Lindsay moved to approve the purchase of the snowplows, one in the amount of \$39,893.00. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The discussion related to the proposed **Intergovernmental Agreement** between the **City of Cortez** and **Montezuma County** for the use of the **Cortez Animal Shelter** by the Sheriff's Office was postponed to the November 19, 2024 meeting. (See attached)

LETTERS OF SUPPORT: A letter of support addressed to the **Institute of Museum & Library Services** in support of the **Montezuma Heritage Museum's** application for an **Inspire!**

Grant for Small Museums, was presented for approval. Commissioner Lindsay moved to sign the letter of support for the Heritage Museum. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY CLERK & RECORDER: County Clerk, Kim Percell gave an update on the ballot return totals for the November 5, 2024 General Election.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson presented for approval **Transfer Order #5-2024**, a transfer of \$148,425.82 from the General Fund to the Senior Citizens Bus Fund, carry over from 2023 Montezuma County Transportation Grants and fees. Commissioner Lindsay moved to approve order #5-2024, a transfer of \$148,425.82 from the General Fund to the Senior Citizens Bus Fund, carry over from 2023 Montezuma County Transportation Grants and fees. Second by Commissioner Koppenhafer and carried. (See attached)

SUPPLEMENTAL BUDGET REQUEST HEARING: From the Montezuma County Sheriff's office, **Undersheriff Tyson Cox, Detective Sgt. John Hargraves, Detention Lt. Vici Pierce, Admin Assistant Finance Kendall Allen, and Admin Supervisor Wanda Martin** met with the Commissioners to discuss the supplemental budget requests for the Sheriff's and LEA accounts. Commissioner Lindsay moved to continue the hearing related to the Sheriff's budget request to November 19, 2024 at 10:00 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Koppenhafer no report given.
Commissioner Lindsay: discussed the scheduled Cortez City Council meeting, the Veterans Day events and the General Election.
Commissioner Candelaria: no report given.

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

CORRESPONDENCE: The following correspondence was read and noted: the Emergency Manager's **Monthly Situational Report**. (See attached)

MEETING ADJOURNED: 10:18 a.m.

Clerk

November 12, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
October 31, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday October 31, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN, CANDELARIA opened the special meeting of October 31, 2024 with the Pledge of Allegiance.

DISCUSSION: Montezuma County Sheriff, Steve Nowlin, County Finance Manager, Faedra Grubb and Grant Writer, Robert Dobry met with the Commissioner to discuss supplemental budget requests for the Sheriffs, Detention and LEA accounts. Commissioner Lindsay moved to continue the hearing for a possible adoption of the amended budget, to November 12, 2024, at 10:00 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

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

MEETING ADJOURNED: 11:41 a.m.

County Clerk October 31, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 19, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 19, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of November 19, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, held on Tuesday, November 12, 2024 as presented. The motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination a proposed 8 Lot Major Subdivision and AR3-9 Rezoning Application submitted by **Kevin & Patricia Hale**; agents: **Jennifer Turner & Rachel Comisky**, on property located at 30655 Road H, Cortez, CO, consisting of 36.05 acres, more or less, located east of Road 27, south of Hwy 160, situated in Section 34, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mrs. Comisky was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Billy Akers, Troy Jaskowski, Brian Davis, Robin Smith, Thomas Comisky, Brittany Martin, Kasey Bell** and **Joann Arutta**. Emails received from **Kenneth Degener, Reid Tobin, Bill Akers, Doug Jennings, Robin Smith, and Troy Jaskowskie** will be included in the record.

Hearing no further public comment that portion of the hearing was closed. After hearing, all the evidence presented Commissioner Lindsay moved to continue the hearing to November 26, 2024 at 9:00 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

PLANNING: Planning Director, Haley along with Assistant, Duncan presented for discussion and approval of a Setback Variance Application, submitted by **Seth Stephens**, on property located at 16105 Road 18, Cortez, CO, consisting of 1.01 acres, more or less, located north of Road S and west of Road 18, situated in Section 21, Township 37N, Range 17W, N.M.P.M. Commissioner Koppenhafer moved to deny the Variance Application, submitted by Seth Stephens, on property located at 16105 Road 18, Cortez. Second by Commissioner Lindsay and carried. (See attached)

Director, Haley along with **Assistant, Duncan** presented for signatures of a Special Use Permit, submitted by **Daniel Quigley**, on property located at 29554 Road N, Dolores, CO, consisting of 40 acres, more or less, located east of Road 29, north of Road M, situated in Section 9, Township 36N, Range 15W, N.M.P.M.

Planning Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar for Subdivision Amendment and Rezoning, to Lot #4 of the Bear Pond 4 Lot Moderate Subdivision, submitted by **Ronnie & Rachel Hurst** on property located at 16361 Road 30.7, Dolores, CO, consisting of 22.58 acres, more or less, located north of Hwy 184, east of Road 30.5, situated in Section 22, Township 37N, Range 15W, N.M.P.M.

SUPPLEMENTAL BUDGET REQUEST HEARING: From the Montezuma County Sheriff's office, **Undersheriff Tyson Cox, Detective Sgt. John Hargraves, Detention Lt. Vici Pierce, Admin Assistant Finance Kendall Allen, and Admin Supervisor Wanda Martin** met with the Commissioners to discuss the supplemental budget requests for the Sheriff's Departments. Commissioner Lindsay moved to continue again the decision on the Sheriff's office supplemental budget, to December 17. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC COMMENT: Public comment was made by **Landan Wilson** and **Shawn Eddy**.

UNFINISHED BUSINESS:

INTERGOVERNMENTAL AGREEMENT: The proposed Intergovernmental Agreement between the **City of Cortez and Montezuma County** for the use of the **Cortez Animal Shelter** by the **Sheriff's Office** was presented for approval. Commissioner Koppenhafer moved to sign the Intergovernmental Agreement regarding the Animal Shelter services, effective on the first day of January 2025, between the City of Cortez and Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: Administrator Anderson presented the Sheriff's Office organizational, financial and budget analysis proposal from **KRW Associates LLC**. Commissioner Koppenhafer moved to accept the proposal for KRW Associates LLC to conduct an organizational financial and budget

analysis at the Montezuma County Sheriff's office. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: A letter addressed to Montezuma County Sheriff Steve Nowlin and the Command staff, related to **vehicle titles** that are held at the Sheriff's Office, was presented for approval. Commissioner Koppenhafer moved to send the letter to Steve Nowlin and Command Staff at the Montezuma County Sheriff's Office, requesting the titles to different vehicles that are in his possession. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussions related to the proposed **Compassionate Leave Policy** and the proposed **2025 Holiday Schedule** were tabled until the next meeting.

DISCUSSION: The **Montezuma County Public Transportation (MCCO)** proposed partial wraps for vehicles, were presented for approval. Commissioner Koppenhafer moved to approve the partial wraps for the MOCO Transportation vehicles, as presented. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Stephen Tarnowski** introduced himself and then gave updates on the Ironwood case, the Dollar Store land use case, the Severance Tax lawsuit, the Unemployment Appeal case, the Sheriff's habeas corpus case and reported that there were several child protection court appearances scheduled at the same time as the BOCC meetings. Attorney Tarnowski and Administrator Anderson will work together to get the job announcement for the Assistant County Attorney position posted.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** presented for approval, **Transfer Order #6-2024**, a transfer from **Senior Citizens Bus Fund (89)** to the **General Fund (001)** for reimbursement of the new Transportation Bus purchased from Davey Coach Sales Inc in the amount of \$106,893.00. Commissioner Koppenhafer moved to approve order #6-2024 a transfer from Senior Citizens Bus Fund to the General Fund for reimbursement of the new Transportation Bus, for \$106,893.00. Second by Commissioner Lindsay and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Lindsay: discussed the attended training and reported on the attended Cortez City Council meeting.

Commissioner Koppenhafer reported on the attended Mancos Town meeting and the attended Southwest meeting.

Commissioner Candelaria: Discussed the attended training of State Statute, Board of County Commissioner absolute funding requirements and the Dolores NCA.

COUNTY CLERK & RECORDER: County Clerk, **Kim Percell** gave an update on the November 5, 2024 General Election.

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

CORRESPONDENCE: The following correspondence was read and noted: the 2024 November Veterans Service Report.

ADJOURNED: 10:40 a.m.

Clerk

November 19, 2024

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 26, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN CANDELARIA opened the meeting of November 26, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, held on Tuesday, November 19, 2024 as presented. The motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: It being the time set aside a continued public hearing is held for review and determination a proposed 8 Lot Major Subdivision and AR3-9 Rezoning Application submitted by **Kevin & Patricia Hale**; agents: **Jennifer Turner & Rachel Comisky**, on property located at 30655 Road H, Cortez, CO, consisting of 36.05 acres, more or less, located east of Road 27, south of Hwy 160, situated in Section 34, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mrs. Comisky was present. **Planning Assistant, S. Jane Duncan** discussed the details of the application and the findings of the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed 8 Lot Major Subdivision and AR3-9 Rezoning Application submitted by Kevin & Patricia Hale; agents: Jennifer Turner & Rachel Comisky, on property located at 30655 Road H, Cortez. Second by

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

PLANNING: Planning Assistant, Duncan presented for presented for signatures of a Mylar for Phase I of the Lake Meadows 19 Lot Major Subdivision and AR3-9 Rezoning Application, submitted by **Mark Cox**; agent: **Andy Cox**, on property located at TBD Road 25, Dolores, CO, consisting of 59.27 acres, more or less, located south of Hwy 184 & Road 25, situated in Section 7, Township 37N, Range 15W, N.M.P.M.

Planning Assistant, Duncan presented for signatures of a Mylar for a 2 Lot Minor Subdivision & AR3-9 & AR10-34 Rezoning submitted by **Calvin Gremmert**, on property located at 38090 Road L.4, Mancos, CO, consisting of 35 acres, more or less, located west of Road 38.5, south of Hwy 184, situated in Section 13, Township 36N, Range 14W, N.M.P.M.

Planning Assistant, Duncan presented for signatures of a Mylar for a Single Lot Development and AR3-9 Rezoning submitted by **Raymond & Patsy Kysar**; agent: **James Kennedy**, on property located at 17184 FS 559, Mancos, CO, consisting of 5 acres, more or less, located north of Hwy 184, west of Forest Service Road 561, situated in Section 14, T.37N, R.13W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by the newly elected **District 58 Colorado House of Representative Larry Don Suckla, Eleanor Macfarlane, Allen Maez and Mike Lynch.**

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

GRANT DISCUSSIONS: County Grant Coordinator, Robert Dobry met with the Commissioners to discuss the Montezuma County Sheriff's 2024 **Gaming Impact Grant Award** in the total amount of \$160,695.00. Commissioner Koppenhafer moved to accept the Colorado Department of Local Affairs award grant in the amount for the judicial part at \$3631.00, the Law Enforcement amount of \$157,064.00 and for the total award amount of a \$160,695.00. Second by Commissioner Lindsay and carried. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen along with **Trent Woods** met with the Commissioner to give an overview of the revised **Emergency Operations Plan**. The plan will be presented for approval during the December 10, 2024 meeting.

DISCUSSION: Administrator Anderson presented for approval, the **2025 Dolores Contract for Law Enforcement Services**. Commissioner Lindsay moved to sign the Law Enforcement contract with the Town of Dolores and the Montezuma County Sheriff's office. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Attorney Tarnowski discussed the proposed contracted services related to specialized legal services for the **Dollar General Land Use** case. Attorney Tarnowski recommended the services of Attorney **Lance Ingalls** from the law firm **Icenogle Seaver Pogue,**

PC. Commissioner Lindsay moved to enter into an agreement with the stipulated law firm, Icenogle Seaver Pogue. Second by Commissioner Koppenhafer and carried.

DISCUSSION: Human Resource Technician, Dennis Bugg met with the Commissioners to present the proposed **2025 Holiday Schedule** for approval. Commissioner Lindsay moved to approve the official County Holiday Schedule for 2025. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Human Resource Technician, Dennis Bugg met with the Commissioners to present the proposed **Compassionate Leave Policy**. Commissioner Koppenhafer moved to accept the Compassionate Leave Policy as presented at this time for Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

COUNTY CLERK & RECORDER: County Clerk, Kim Percell reported that the Post-Election testing for the November 5, 2024 General Election was complete and that the District Certifications had been sent.

COUNTY ATTORNEY REPORT: County Attorney, Stephen Tarnowski discussed the Child Protection Dockets, the posted Assistant County Attorney position, confirmation that the Ironwood judgement had been recorded and a proposed discussion with the Attorney General related to that case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson mentioned Financial and Budget Committee discussions, the Vehicle Title Cleanup project, and discussions with the consulting firm related to the budget analysis project for the Sheriff's Office.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Lindsay: discussed the attended Coffee with the Commissioners meeting, the scheduled Cortez City Council meeting and wished everyone a Happy Thanksgiving.
Commissioner Koppenhafer discussed the attended Coffee with the Commissioners meeting, and wished everyone a Happy Thanksgiving.
Commissioner Candelaria: Discussed the Dolores NCA Zoom meeting, the PILT funding discussion, the Coffee with the Commissioners meeting, a proposed scheduling for night meetings, and the attended Dolores Town Board meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

ADJOURNED: 10:04 a.m.

Clerk

November 26, 2024

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
December 10, 2024**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 10, 2024 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

VICE CHAIRMAN LINDSAY opened the meeting of December 10, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, held on Tuesday, November 26, 2024 as presented. The motion was seconded by Commissioner Lindsay and carried.

County Attorney, Stephen Tarnowski reported that the Public Hearing Notices for the Planning Department were published to begin at both 8:30 a.m. and 9:00 a.m., so to insure that all participants who intended to attend are present, the Planning Department’s Public Hearings would start at 9:00. a.m.

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen along with **Trent Woods** met with the Commissioner to present **Resolution #14-2024**, a resolution adopting the revised **Emergency Operations Plan** for the County of Montezuma, State of Colorado. Commissioner Koppenhafer moved to approve Resolution #14-2024, a resolution adopting the revised Emergency Operations Plan for the County of Montezuma, State of Colorado. Second by Commissioner Lindsay and carried. (See attached)

GRANT DISCUSSIONS: Emergency Manager, Spratlen along with **Mr. Woods** also presented the proposed **Hazard Mitigation Planning Grant**, in the amount of \$115,955.56. Commissioner Koppenhafer moved to approve the Montezuma County Grant application submission form, between the Office of Emergency Management and the Department of Homeland Security Emergency Management (FEMA), in the amount of \$115,955.56. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: On the recommendation from Attorney Tarnowski, the discussion related to the proposed 2025 janitorial services bids, was postponed to next week's meeting.

MEMORANDUM OF UNDERSTANDING: Resource Director, James Dietrich, presented a **Memorandum of Understanding** between the **USDI Bureau of Land Management, Tres Rios Field Office Canyons of the Ancients Nation Monument and Montezuma County, Colorado**, for a pedestrian access trail between the Sand Canyon east parking area and the Lamb House. Commissioner Koppenhafer moved to sign the Memorandum of Understanding between the USDI Bureau of Land Management and Montezuma County, for the pedestrian access trail between the Sand Canyon east parking lots and the Lamb House. Second by Commissioner Lindsay and carried. (See attached)

NOXIOUS WEED DEPARTMENT: Weed Department Manager, James Dietrich met with the Commissioners to present for approval, the 2025 Noxious Weeds Cost Share Program Grant. Commissioner Koppenhafer moved to submit the Montezuma County Grant Application form, with the Colorado Department of Agriculture, for a reimbursement of \$20,000.00, for the Montezuma County Noxious Weed Department. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Stephen Tarnowski discussed the Road 41 case, the Dollar Store case, notification from the Insurance Company that it had been served a lawsuit from a former employee, Child Protection cases and the Assistant County Attorney position.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the Budget update, the attended CCI conference and sessions attended.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell no report given

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Koppenhafer discussed the attended CCI Conference and budget issues.
Commissioner Lindsay: discussed the attended CCI Conference and the scheduled Cortez City Council meeting.
Commissioner Candelaria: was absent from the meeting.

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

RECESS: Vice Chairman Lindsay announced a recess until 9:00 a.m.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Single Lot Development, consisting of 29 acres, more or less, and AR35+ Rezoning Application, submitted by **Clinton & Lee Erin Jones**, on property located at TBD Hwy 491, Lewis, CO, consisting of 67.52 acres, more or less, located east of Hwy 491, north of Road V, situated in Section 6, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Jones were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Lindsay opened the hearing to public comment. Public comment was made by **Allen Maez**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Koppenhafer moved to approve the Single Lot Development, consisting of 29 acres, more or less, and AR35+ Rezoning Application, submitted by Clinton & Lee Erin Jones, on property located at TBD Hwy 491, Lewis, CO. Second by Commissioner Lindsay and carried. Commissioner Lindsay closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 2 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by **Kevin May & Carri Karuhn**; agent: **Keenen Lovett**, on property located at TBD Road S.2, Dolores, CO, consisting of 36.21 acres, more or less, located southwest of Hwy 184, west of Road 30, situated in Section 21, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Lovett was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Lindsay opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Koppenhafer moved to approve the proposed 2 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by Kevin May & Carri Karuhn; agent: Keenen Lovett, on property located at TBD Road S.2, Dolores, CO. Second by Commissioner Lindsay and carried. Commissioner Lindsay closed the hearing at this time. (See attached)

Planning Director, Haley along with **Assistant, Duncan** presented for signatures a Mylar of a 2 Lot Moderate Subdivision & AR3-9 Rezoning submitted by **Johnny & Mabelle Stinson**, on property located at 13750 Road 42, Mancos, CO, consisting of 62 acres, more or less, located north of Hwy 160 and west of Road 42, situated in Section 2, Township 36N, Range 13W, N.M.P.M.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Subdivision Amendment and AR10-34 Rezoning Application, to Lot 9 of the Summit Lake West Unit II Subdivision, submitted by **Dennis & Laura Williams**, on property located at 35490 Road P.6, Mancos, CO, consisting of 40.20+/- acres, more or less, located south of Hwy 184, west of Road 35.6, situated in Section 33, Township 37N, Range 14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Williams were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Lindsay

opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Koppenhafer moved to approve the proposed Subdivision Amendment and AR10-34 Rezoning Application, to Lot 9 of the Summit Lake West Unit II Subdivision, submitted by Dennis & Laura Williams, on property located at 35490 Road P.6, Mancos. Second by Commissioner Lindsay and carried. Commissioner Lindsay closed the hearing at this time. (See attached)

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

CORRESPONDENCE: The following correspondence was read and noted: The November 2024 Emergency Management Situation Report. The Montezuma County Senior Services December 2024 Newsletter. The November 2024 reports from the Coroner, Landfill and Fairground departments. (See attached)

ADJOURNED: 9: 27 a.m.

Clerk

December 10, 2024

Chairman

