

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 7, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 7, 2025 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 January 7, 2025 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, December 31, 2024 as presented. The motion was seconded by Commissioner Lindsay and carried.

PUBLIC COMMENT: Public comment was made by **Eleanor McFarland**.

UNFINISHED BUSINESS:

RESOLUTION: Resolution #1-2025, a resolution authorizing a bank account for the Sheriff's Office for reimbursement of fees was presented for approval. Commissioner Koppenhafer moved to approve Resolution #1-2025, a resolution authorizing a bank account for the Sheriff's Office for reimbursement of fees. Second by Commissioner Lindsay and carried. (See attached)

MEMORANDUM OF UNDERSTANDING: The **Colorado Child Care Assistance Program Memorandum of Understanding**, between the Colorado Department of Early Childhood and the Montezuma County Department of Social Services, was presented for approval.

Commissioner Koppenhafer moved to sign the Memorandum of Understanding, Amendment #2 between the Colorado Department of Early Childhood and the Montezuma County Department of Social Services. Second by Commissioner Lindsay and carried. (See attached)

SENIOR SERVICES: During the Monday workshop, **Senior Service Director, Kelli Hargraves** met with the Commissioner to present the **Senior Services Professional Service Agreement** for a substitute cook. Commissioner Koppenhafer moved to approve the **Professional Service Agreement**, between the **Montezuma County Department of Social Services** and the **Senior Services Center**, to provide work for a contractor and pay \$100.00 a day for a substitute cook. Second by Commissioner Lindsay and carried. (See attached)

Other documents presented for approval, by Director Hargraves included the Montezuma County Grant Application Submission Forms for the **Rocky Mountain Health Plan** and the **Anschutz Family Foundations grant**, both in the amount of \$10,000.00 each. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Form for the Senior Services, in the amount of \$10,000.00 from the Rocky Mountain Health Plan, with no cash match. Second by Commissioner Lindsay and carried. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Form for the Senior Services, the general operating fund, from the Anschutz Family Foundation, in the sum of \$10,000.00, with no cash match. Second by Commissioner Lindsay and carried. (See attached)

MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): During the Monday workshop **Director, Kelli Hargraves** presented for review, the proposed MOCO transportation vehicle wraps. Commissioner Lindsay moved to authorize the MOCO Transportation, to use option #2, for the vehicle wraps for their vans and buses. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Previously approved **Resolution #2-2015:** a resolution in support of renewable energy, was presented for review and discussion. Commissioner Lindsay moved to rescind Resolution #2-2015, and take a balanced approach to all energy sources within Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

ELECTION OF OFFICERS: Organizing the Board of County Commissioners (BOCC) for 2025. Commissioner Lindsay moved to organize the Board for 2025 as presented. Second by Commissioner Koppenhafer and carried. (See attached)

BOCC MEETING SCHEDULE: The 2025 Board of County Commissioner meeting schedule was presented for approval. Commissioner Lindsay moved to approve the 2025 Board of County Commissioners for Montezuma County schedule. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: A discussion was held, related to the proposed resolution, **Instituting Additional Fiscal Controls for the Montezuma County Sheriff's Office**. Commissioner Lindsay moved to table the resolution to a future date. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a renewal application for a Colorado Liquor Retail License Application for **Pleasant View Liquor LLC.**, located at 26060 Hwy. 491 Pleasant View Co. 81331. Commissioner Koppenhafer moved to approve the renewal liquor license application for Pleasant View Liquors LLC., located at 26060 Hwy. 491 Pleasant View. Second by Commissioner Lindsay and carried. (See attached)

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell presented for approval a liquor license renewal application for the **Love's Travel Stop and Country Store Inc.**, located at 7006 Hwy. 160/491 Cortez Co. 81321. Commissioner Koppenhafer moved to approve the Retail License renewal application by Love's Travel Stop and Country Stores Inc., at 7006 Highway 160/491 Cortez CO. Second by Commissioner Lindsay carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Stephen Tarnowski mentioned Child welfare cases, adult support hearings, the Road 41 fence issue, the Dollar Store case, a proposed MOU for the Landfill, a Jail detention early release motion, and research for the Health Department on a stinky pond.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson mentioned end of year clean up, DOLA documents, the attended solar Listening Sessions, follow up with KRW related to the Sheriff Office audit and the CIP Program transition to the Town of Mancos

COUNTY CLERK & RECORDER: County Clerk, Kim Percell no report given.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Koppenhafer mentioned the attended Listening Sessions and meetings scheduled for next week.

Commissioner Lindsay: mentioned the Listening Sessions, the scheduled Region 9 meeting and the Cortez City Council meeting.

Commissioner Candelaria: mentioned the Listening sessions and the beginning of the legislative process.

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

CORRESPONDENCE: The following correspondence was read and noted: the January 2025 newsletters from Montezuma County Senior Services and Veteran Services. The December 2024 Emergency Management Situation Report.

ADJOURNED: 9:20 a.m.

Clerk January 7, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 14, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 14, 2025 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
Danielle Wells, Deputy Clerk

CHAIRMAN CANDELARIA opened the meeting of January 14, 2025 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 7, 2025 as presented. The motion was seconded by Commissioner Lindsay and carried.

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

Director Haley along with Assistant Duncan presented for signatures, a Mylar for a 8 Lot Major Subdivision and AR3-9 Rezoning 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.

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

UNFINISHED BUSINESS:

MEMORANDUM OF UNDERSTANDING: During the Monday workshop **IT Director, Jim McClain** presented the **Memorandum of Understanding between DataSafe Services, LLC** and Montezuma County. The Memorandum of Understanding between DataSafe Services, LLC and Montezuma County was presented for approval. Commissioner Koppenhafer moved to approve the Memorandum of Understanding Amendment between DataSafe Services and Montezuma County dated December 22, 2024. Second by Commissioner Lindsay and carried. (See attached)

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 2024**, completed road projects and a map reflecting said reports. Commissioner Koppenhafer moved to accept the HUTF Road work and Changes for Reporting Year 2024 as presented with a total of 790.49 miles, 248.7 paved, 541.79 unpaved. Seconded by Commissioner Lindsay and carried. (See attached)

Public Health Director, Bobbi Lock presented with a 33 years of service to Montezuma County award.

VEHICLE MAINTENANCE: During the Monday workshop, **Road and Bridge Equipment Manager Manger, Shane Higman**, met with the commissioners to present the Fleet Vehicle Public Auction list to be sold on publicsurplus.com. (See attached).

Shane Higman also presented the proposed vehicle replacement list. Commissioner Lindsay so moved to go with the 2025 Subaru Ascent on the five-year lease for three vehicles. Seconded by Commissioner Koppenhafer and carried. (See attached).

DISCUSSION: Landfill: During the Monday workshop, **Landfill Manager, Mel Jarmon** discussed with the commissioners Landfill bids on alternative daily cover. Commissioner Lindsay moved to accept the bid from Environment Products in the amount of \$22,220 for the landfill top cover. Seconded by Commissioner Koppenhafer and carried.

DISCUSSION: Montezuma County Jail Contract: During the Monday workshop, **Sheriff Steve Nowlin** discussed with the commissioners the **Southern Health Partners Jail Medical Contract**. Commissioner Koppenhafer moved to accept this contract between Southern Health Partners and Montezuma County for the contract period of January 1, 2025 through December 31, 2025 for the jail. Seconded by Commissioner Lindsay and carried. (See attached).

DISCUSSION: HUMAN RESOURCES: Human Resources Assessment and Handbook Review: **Human Resource Technician, Dennis Bugg** presented for review the Human

Resources Assessment and Handbook. Commissioner Koppenhafer moved to allow Commissioner Candelaria to sign this engagement letter with Polsinelli firm to look at the handbook review for county employees. Seconded by Commissioner Lindsay.

APPOINTMENT: Commissioner Candelaria postponed the decision for two weeks for appointing a board member to the **Lebanon Cemetery District** to allow for one week of advertising that the position is open.

NEW BUSINESS:

TRANSFER ORDER: Administrator Anderson presented a **Transfer Order # 1-2025** for Senior Services and Transportation Fund - initial funding of \$50,000. Commissioner Lindsay moved to authorize Transfer Order #1-2025 of Senior Services and Transportation Fund initial funding of \$50,000. Seconded by Commissioner Koppenhafer and carried. (See attached).

COUNTY ATTORNEY REPORT: County Attorney, **Stephen Tarnowski** mentioned working on a MOU for the Landfill, waiting on the court's decision for the Leaf Properties case, the Road 41 issue being resolved to the county's satisfaction, and a few CORA requests.

ADMINISTRATOR REPORT County Administrator, **Travis Anderson** mentioned Road 41 being very well maintained now, KWR associates for 2026 budget processes, a zoom meeting with the Southwest Opioid Response District, discussions about interest in a race track lease, and financial work.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the October 2024 Accounts Payable Expenditure Reports in the amount of \$4,268,887.48 for the month of October 1 through October 31, 2024. Commissioner Lindsay moved to accept the October financials in the amount of \$4,268,887.48. Second by Commissioner Koppenhafer and carried. (See attached)

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the November 2024 Accounts Payable Expenditure Reports in the amount of \$3,988,435.35 for the month of November 1 through November 30th, 2024. Commissioner Lindsay moved to approve the November financials in the amount of \$3,988,435.35. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: Public Health Director, **Bobbi Lock** spoke with the commissioners about communications with the state about providing documentation and reason on why the board decided to not sign the agreement about Personally Identifiable Information concerning state databases. The board authorized Bobbi Lock and Stephan Tarnowski to communicate with the state about the reasons why the board chose not to sign the original agreement.

COUNTY CLERK & RECORDER: County Clerk, **Kim Percell** introduced Deputy Clerk **Danielle Wells**, who she is training to do the minutes for the BOCC meetings.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:
Commissioner Koppenhafer mentioned a meeting with AAA concerning personnel and funding issues that are affecting senior services. Attended a Town of Mancos meeting where a new deputy was sworn in.

Commissioner Lindsay: mentioned city council meetings and the meeting in Mancos.

Commissioner Candelaria: mentioned reports from Natural Resources, Noxious Weed, Building and Grounds, and Vehicle Maintenance departments during the Monday workshop. Travelling town hall held in Mancos discussed concerns with senior funding, roads, and land ease. Congratulations to Commissioners Lindsay and Koppenhafer swearing in to their new terms today. 123 bills on the first day of the legislative session. Upcoming fire commissioner meeting, and a town hall meeting concerning the Wildland Urban Interface (WUI) code on Friday January 17, 2025.

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

ADJOURNED: 12:01pm

Clerk January 14, 2025

Chairman

BOARD OF COUNTY HEALTH: The meeting would reconvene at 1:30 p.m., as the **Board of County Health**.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 21, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 21, 2025 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 (Absent)
Kim Percell, County Clerk
Danielle Wells, Deputy Clerk

CHAIRMAN CANDELARIA opened the meeting of January 21, 2025 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 14, 2025 as presented. The motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: Request for a continuance to February 4 at 9am for review and determination of a proposed 3 Lot Minor Subdivision Application submitted by **Three Rotors Ranches, Inc.**; agent: **Rebecca Lambert**, on property located at 30275 Road S, Dolores, CO, consisting of 40 acres, more or less, located east of Road 30, north of Road S, situated in Section 22, Township 37N, Range 15W, N.M.P.M. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the request of continuance for the Public Hearing. Commissioner Koppenhafer moved to continue this public hearing for Three Rotors Ranches INC until February 4, 2025 at 9am. Commissioner Lindsay seconded and carried.

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

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

AGREEMENT: Finance Manager, Robert Dobry presented a **Master Services Agreement between MGT Impact Solutions LLC and Montezuma County**. Commissioner Koppenhafer moved to sign the Master Services Agreement between Master Services Agreement between MGT Impact Solutions and Montezuma County. Second by Commissioner Lindsay and carried. (See attached)

RESOLUTION #2-2025: Administrator Anderson presented for approval a **resolution designating office hours and annual holiday schedule**. Commissioner Koppenhafer moved to approve Resolution #2, a resolution designating office hours and annual holiday schedule for Montezuma County for 2025. Second by Commissioner Lindsay and carried. (See attached)

RESOLUTION #3-2025: Administrator Anderson presented for approval a **resolution establishing a rate for emergency telephone services**. Commissioner Koppenhafer moved to approve Resolution #3-2025, a resolution establishing a rate for emergency telephone services. Second by Commissioner Lindsay and carried. (See attached)

INTERGOVERNMENTAL AGREEMENT (IGA): Administrator Anderson presented for approval an **Intergovernmental Agreement for Dispatch Services**. Commissioner Lindsay moved to sign the Intergovernmental Agreement for Dispatch Services. Second by Commissioner Koppenhafer and carried. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioners to discuss the **Letter of Support for Statewide Digital Trunked Radio System**. Commissioner Lindsay moved to sign the letter support for the public safety communications trust fund. Second by Commissioner Koppenhafer and carried. (See attached)

NEW BUSINESS:

COUNTY ADMINSTRATOR REPORT: Administrator Anderson mentioned collective bargaining documents being submitted for the Sheriff's department.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell had no updates.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** mentioned a meeting with Southwest Water who were awarded a \$25.6 million grant to help fund multiple water projects in the next 5 years.

Commissioner Lindsay: mentioned attending a city council meeting that discussed liquor licensing, conditional use permits, the IGA dispatch agreement and the highway tax fund.

Commissioner Candelaria: mentioned traveling to Pueblo for a statewide meeting of fire commissioners. At the meeting, the Wildland Urban Interface code, fire mitigation around homes, and home hardening was discussed. He also attended a zoom meeting town hall.

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

ADJOURNED: 9:26 am

Clerk January 21, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
January 28, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday January 28, 2025 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 (Absent)
Danielle Wells, Deputy Clerk

CHAIRMAN CANDELARIA opened the meeting of January 28, 2025 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 21, 2025 as presented. The motion was seconded by Commissioner Lindsay and carried.

PLANNING: Planning Director, Don Haley along with Assistant, S. Jane Duncan presented an **Exemption Amendment Application to RES #P-8-96**, submitted by **Frederick Family Living Trust**; agent: **Jennifer Daves**, on property located at 12025 Road BB, Pleasant View, CO, consisting of 20 acres, more or less, and **3-D Farms**; agent: **Jennifer Daves**, on property located at 12225 Road BB, Pleasant View, CO, consisting of 300 acres, more or less, both located north of Road AA, east of Hwy 491, situated in Section 8, Township 38N, Range 17W, N.M.P.M. Commissioner Koppenhafer moved to approve the Exemption Amendment Application to RES #P-8-96, submitted by Frederick Family Living Trust; agent: Jennifer Daves, on property located at 12025 Road BB, Pleasant View, CO, consisting of 20 acres, more or less; and AR 35+ rezoning to the 38.59 acres adjoining. Second by Commissioner Lindsay and carried.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented an **After-The-Fact Setback Variance Application**, submitted by **Laura Webster**, on property located at 8400 Road 39, Mancos, CO, consisting of 7.82 acres, more or less, located north of Road H and east of Hwy 160, situated in Section 31, Township 36N, Range 13W, N.M.P.M. Commissioner Lindsay moved to table the After-The-Fact Setback Variance Application, submitted by Laura Webster, on property located at 8400 Road 39, Mancos, CO, consisting of 7.82 acres, more or less to next week. Second by Commissioner Koppenhafer and carried.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented an **After-The-Fact Setback Variance Application**, submitted by **Ouida Vincent**, on property located at 10756 Road 26, Cortez, CO, consisting of 3.10 acres, more or less, located south of Road L and east of Road 26, situated in Section 24, Township 36N, Range 16W, N.M.P.M. Commissioner Lindsay moved to table the After-The-Fact Setback Variance Application, submitted by Ouida Vincent, on property located at 10756 Road 26, Cortez, CO, consisting of 3.10 acres, more or less to next week. Second by Commissioner Koppenhafer and carried.

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

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

UNFINISHED BUSINESS:

COMMENT: Resource Director, James Dietrich present draft comments related to critical **Lynx Habitat designations** to the commissioners. Commissioner Koppenhafer moved to sign this letter for the Critical Lynx Habitat designation SW Colorado. FWS-R6-ES-2024-0142. Second by Commissioner Lindsay and carried.

NEW BUSINESS:

COUNTY ATTORNEY REPORT: Attorney Tarnowski discussed the potential unionization of the sheriff's office, the upcoming voting rights bill, and the Ironwood property litigation.

COUNTY ADMINISTRATOR REPORT: Administrator Anderson discussed KRW associates auditing the Sheriff's Department financials, the racetrack lease/contract, a fleet management software update, collective bargaining cost questions, and CCI zoom meetings.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the MVI board meeting and encourages community involvement and commitment. He will be out of town this week at the water congress.

Commissioner Lindsay discussed the MVI board meeting, the complaints of a smell around IFA and the Highland Terrace Subdivision. He has upcoming City Council and a Region 9 meetings.

Commissioner Candelaria discussed the KRW audit of the Sheriff's Department financials; speaking with Lisa Pool to discuss SRS funding; Yes in God's Backyard (YIGBY) organization to shelter individuals in Castle Rock; attended Board to Board to Board meeting; a CCI meeting; MVI meeting; Kristen Tarrin being appointed municipal judge of the Town of Dolores; going to Denver for CCI this week; smell around IFA and the Highland Terrace Subdivision.

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

ADJOURNED: 10:25 am

Deputy Clerk January 28, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 4, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 4, 2025 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 February 4, 2025 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 28, 2025 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 3 Lot Minor Subdivision Application submitted by **Three Rotors Ranches, Inc.**; agent: **Rebecca Lambert**, on property located at 30275 Road S, Dolores, CO, consisting of 40 acres, more or less, located east of Road 30, north of Road S, 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, Lambert 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 of the evidence presented Commissioner Lindsay moved to accept the proposed 3 Lot Minor Subdivision Application submitted by Three Rotors Ranches, Inc.; agent: Rebecca Lambert, on property located at 30275 Road S, Dolores, CO. Second by Commissioner

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

EXECUTIVE SESSION Pursuant to Attorney Tarnowski's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Seconded by Commissioner Koppenhafer and carried. Included in the session will be Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney Tarnowski, Planning Director, Haley, Assistant, S. Jane Duncan and Clerk Percell. Topics for the executive session were legal advice on Land Use Code variance applications. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented an **After-The-Fact Setback Variance Application**, submitted by **Laura Webster**, on property located at 8400 Road 39, Mancos, CO, consisting of 7.82 acres, more or less, located north of Road H and east of Hwy 160, situated in Section 31, Township 36N, Range 13W, N.M.P.M. (See attached)

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented an **After-The-Fact Setback Variance Application**, submitted by **Ouida Vincent**, on property located at 10756 Road 26, Cortez, CO, consisting of 3.10 acres, more or less, located south of Road L and east of Road 26, situated in Section 24, Township 36N, Range 16W, N.M.P.M. (See attached)

Commissioner Lindsay moved to put the two variance applications on a 60 day forbearance, until April 8, 2025 at 9:00 a.m., to allow the cleanup of the variance language within the Land Use Code. Seconded by Commissioner Koppenhafer and carried.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for General Planned Unit Development and High Impact/Special Use Permit, submitted by **Robbins Family Ranches**; agent: **Brian McLaughlin**, on property located at 9900, 10010 & 10008 Road 43, Mancos, CO, consisting of 32 acres permitted envelope, more or less, located, north of Hwy 160, situated in Section 23, Township 36N, Range 13W, N.M.P.M.

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

PUBLIC COMMENT: Public comment was made by **James R. Myers**.

ROAD & BRIDGE DEPARTMENT: **Road Superintendent, Rob Englehart** met with the Commissioners to give an update. Topics discussed included; the proposed Road 25 and Highway 184 intersection design and build project, the proposed 2025 single layer chip overlay for asphalt maintenance projects, and a proposed purchase of a new boom truck. (See attached)

UNFINISHED BUSINESS:

PUBLIC HEALTH: From the Public Health Department, **Mallorye Bane** the **Montelores Nurse-Family Partnership Program Nurse Supervisor** met with the Commissioners to present the Montezuma County Grant Application Submission Form for the **Colorado Department of Early Childhood (CDEC), Montelores Nurse Family Partnership Program Grant**, in the amount of \$470,000.00. Commissioner Koppenhafer moved to approve the Montezuma County Grant application submission form for the, Montelores Nurse Family Partnership Grant, through the Colorado Department of Early Childhood, in the amount of \$470,000.00, with no match. Second by Commissioner Lindsay and carried. (See attached)

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioners to present the Secure Rural Schools (SRS) Grant Funding Quotes for the purchase of communication equipment. Quotes were received from, **Triple C Communications, Two-Way Communications, Digitcom Electronics** and **Motorola Solutions**. It was the recommendation of Manager Spratlen to accept the Triple C Communications quote. Commissioner Lindsay moved to accept the bid from Triple C, for communications equipment in the amount of \$45,354.00. Second by Commissioner Koppenhafer and carried. (See attached)

CONTRACT / LEASE: Administrator Anderson presented for approval, the proposed three year **Race Track Lease** between Montezuma County and **Brace Motorsports Inc.** Commissioner Koppenhafer moved to approve the Race Track lease between Montezuma County and Glen Brace, Brace Motorsports LLC., for a 3 year period of time, starting in 2025, in the amount of \$15,000.00 per year. Second by Commissioner Lindsay and carried. (See attached)

NEW BUSINESS:

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

LIQUOR LICENSE: Deputy Clerk, Frizzell, presented for approval, a retail 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, doing business as Hilltop Liquors, at 27963 Hwy 184, Dolores. Second by Commissioner Lindsay and carried. (See attached)

LIQUOR LICENSE: Deputy Clerk, Frizzell presented for approval, a retail 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 retail liquor license renewal application for Bubba J's LLC, doing business as Bubba's, at 18806 Hwy 491 Lewis, Co. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney Tarnowski discussed a 2008 oil and gas tax case, the Ironwood property litigation, the death case that occurred at the Jail, litigation from the former Weed Department Director, a scheduled unemployment appeal hearing, a scheduled panel discussion with law students and the child support docket.

COUNTY ADMINISTRATOR REPORT: Administrator Anderson discussed staff corrections to funding issues that relate to the JBBS Grant, Federal Aide funded grants, a meeting with T-Mobile related to Disaster Emergency Communications, Departmental financial adjustments and the CCI legislative Steering Committee meeting.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell discussed the attended Colorado County Clerk's Association (CCCA) Winter Conference.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: Commissioner Koppenhafer reported on the attended Colorado Water Congress meeting.

Commissioner Lindsay reported on the attended Cortez City Council and the virtual Region 9 meetings.

Commissioner Candelaria reported on the attended CCI legislative meeting and the virtual Housing Authority meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

ADJOURNED: 10:50 am

Deputy Clerk February 4, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 11, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 11, 2025 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 February 11, 2025 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 4, 2025 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 Subdivision Amendment and Rezoning Application, to Tract 1 of the Ferguson Subdivision, submitted by **Sharon & David Milholland**, on property located at 17813 Road G, Cortez, CO, consisting of 10.02 acres, more or less, located north of Road G, 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. Agent: Sharon_Milholland 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 accept the proposed subdivision Amendment and rezoning application, to Tract 1 of the Ferguson Subdivision submitted by Sharon & David Milholland, on property located at 17813

Road G. Cortez Co. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed single Lot Development & AR3-9 Rezoning Application, submitted by **Martha Pickens**; agent: **Kyle Roberts**, on property located at 5321 Road 24.5, Cortez, CO, consisting of 60.00 acres, more or less, located north of Road E, west of Road 24.5, situated in Section 15 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: Kyle Roberts 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 & AR3-9 Rezoning application, submitted by Martha Pickens: Agent Kyle Roberts, on property located at 5321 Road 24.5 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, S. Jane Duncan** presented for signatures a Mylar for an Amendment to Lots 1 & 3 of the Adair Estate Cluster Incentive Planned Unit Development and AR3-9 Rezoning submitted by **Kenneth & Julie Derrick**, on properties located at 19424 Hwy 491 & TBD Road V.3, Lewis, CO, consisting of 28.65 acres & 3.05 acres, more or less, both located east of Hwy 491, north of Road V, situated in Section 6, Township 37N, Range 16W, N.M.P.M.

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

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

UNFINISHED BUSINESS:

COUNTY TREASURER / TRUSTEE: During the Monday workshop **Treasurer, Ellen Black** met with the Commissioner's to present the **Schedule of Receipts and Disbursements** for signatures. Commissioner Koppenhafer moved to accept and sign the schedule of receipts and Disbursements. Commissioner Lindsay Second and carried. (See attached)

AGREEMENT: The **Cooperative Wildfire Protection Agreement** was submitted during the Monday workshop by **Sheriff Steven Nowlin**. Commissioner Lindsay moved to accept and sign the Wildlife Protection Agreement. Second by Commissioner Koppenhafer and carried. (See Attached)

CONTRACT: The **Jail Based Behavioral Services Contract** amendment was presented for signatures at the Monday workshop by **Lt. Vicki Pierce** of the Montezuma County Sheriff Office. Commissioner Koppenhafer moved to accept and sign the Jail Based Behavioral Services Contract Amendment. Second by Commissioner Lindsay and carried. (See Attached)

PERMIT: The **Yellow Jacket & Flodine** Range Allotment permits were presented for signatures by James Dietrich. Commissioner Koppenhafer moved to accept and sign The Programmatic agreement between the United States Department of the Interior to fulfill its responsibilities and the Flodine Park grazing, and the Yellow Jacket grazing Allotments in the Canyon of the Ancients National Monument. Second by Commissioner Lindsay and carried. (See Attached)

AGREEMENT: The **Cooperative Planning Intergovernmental Agreement** with the Town of Mancos was presented at the Monday workshop for approval by **James Dietrich**. Commissioner Koppenhafer Moved to sign this Intergovernmental Agreement policy concerning the property planning efforts between Montezuma County and the Town of Mancos. Second by Commissioner Lindsay and carried. (See Attached)

NEW BUSINESS:

LIQUOR LICENSE: Deputy Clerk, Jerri Frizzell, presented for approval a retail liquor license renewal application for **Mancos Brewing Company & Mancos Brewery** Commissioner Lindsay moved to accept the retail liquor license renewal application for Mancos Brewing Company Located at 484 E. Frontage Road in Mancos, Co. 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. **Co-Owner Shiloh Higgins** was present. Commissioner Lindsay moved to approve Retail Liquor License renewal application for Triple H&J INC., doing business as Smitty's Liquors at 10255 Hwy 491, contingent upon the new point of sale system being purchased, also in those contingencies attendance at the liquor licensing class, and an action plan presented to the Clerk's office within a week. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney Tarnowski discussed the posting of the Assistant Attorney Position. He reported that he had not received any additional applications, and he will be attending a panel discussion about practicing law in rural parts of the state with current law students.

COUNTY ADMINSTRATOR REPORT: Administrator Anderson reported he will be traveling to Denver February 19-21 for a CML Conference to discuss Legislative issues. He will continue to monitor the federal grants and revenues. Administration and finance will start to oversee the Sheriff office and budget starting March 1st 2025.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell Introduced Diana Smith Deputy Clerk who is training to do BOCC minutes.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Koppenhafer reported he had attended by zoom the (AAA) Area Agency on Aging for the board of Senior Services. He Attended the Cattleman's Meeting on Saturday.

Commissioner Lindsay He attended the Cattleman's meeting on Saturday, and will be attending the City Council meeting tonight.

Commissioner Candelaria reported on the attended Cattleman's meeting. Attended an interview with the Cortez Journal along with administration discussing legislative briefing. Attended the Housing Authority meeting Saturday, and the Dolores Town Hall meeting.

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

ADJOURNED: 10:07 am

Deputy Clerk February 11, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 18, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 18, 2025 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 February 18, 2025 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 11, 2025 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 2 Lot Minor Subdivision and AR10-34 & AR3-9 Rezoning Application, submitted by **Flame Conley Weinmaster**, on property located at 27980 Road T, Dolores, CO, consisting of 35.85 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19, T.37N, R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent: **Flame Conley Weinmaster** was present. **Planning Director, Don Haley**, presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed 2 Lot Minor Subdivision and AR10-34 & AR3-9 Rezoning Application, submitted by Flame Conley Weinmaster, on property located at 27980 Road T, Dolores, Co. Second by Commissioner

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

Planning Director, Don Haley presented for signatures of a Mylar for a Single Lot Development, consisting of 29 acres, more or less, and AR35+ Rezoning, 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.

Planning Director, Don Haley presented for signatures a Mylar for an Amendment to Lots 1 & 3 of the **Adair Estate Cluster Incentive** Planned Unit Development and AR3-9 Rezoning submitted by **Kenneth & Julie Derrick**, on properties located at 19424 Hwy 491 & TBD Road V.3, Lewis, CO, consisting of 28.65 acres & 3.05 acres, more or less, both located east of Hwy 491, north of Road V, situated in Section 6, Township 37N, Range 16W, N.M.P.M.

Planning Director, Don Haley presented for signatures of a Mylar for a 5.10-acre Single Lot Development and AR3-9 & A80+ Rezoning, 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.

PUBLIC COMMENT: Public comment was made by **Mike Lynch** and **Edward Anderson**,

UNFINISHED BUSINESS:

CONTRACT: During the Monday workshop, the **Assessment Solutions Corporation Oil & Gas contract** was presented for signatures by Montezuma County **Assessor, Leslie Bugg**. Commissioner Koppenhafer moved to accept and sign The Assessment Solutions Corporation Oil & Gas contract. Second by Commissioner Lindsay and carried. (See Attached)

GRANT APPLICATION: The **Colorado Parks & Wildlife Impact Assistance Grant application** was presented for signatures by **Administrator Anderson**. Commissioner Koppenhafer moved to accept and sign The Colorado Parks & Wildlife Impact Assistance Grant in the amount of \$ 2,244.20. Second by Commissioner Lindsay and carried. (See Attached)

LETTER OF SUPPORT: A letter of support addressed to the Colorado Economic Development Commission, c/o Che Sheehan, EZ Program Manager in support of the **Southwest Enterprise Zone Designation** was presented for approval. Commissioner Koppenhafer Moved to sign this letter of support Southwest Enterprise Zone Designation through the Colorado Economic Development commission and Montezuma County. Second by Commissioner Lindsay and carried. (See Attached)

BOARD OF APPOINTMENT: A letter of interest was received by Lee Hill to renew his position on the **Sylvan Cemetery Board**. Commissioner Koppenhafer moved to approve the appointment of Lee Hill to the Sylvan Cemetery Board for a 6year term. Second by Commissioner Lindsay. (See Attached)

GRANT APPLICATION: The **Southwest Health System Community Support Grant** application was presented by **Emergency Manager, Jim Spratlen**. Commissioner Koppenhafer moved to approve the Montezuma Grant application submission form to Southwest Health Systems Community Support 2025 Program in the amount of \$500 with no match. Second by Commissioner Lindsay. (See Attached)

NEW BUSINESS:

COUNTY ATTORNEY REPORT: **Attorney Tarnowski** Reported on his participation of a panel discussion with current law students about opportunities for lawyers outside the metro area. Other topics discussed included: child protection cases, child support cases, the Ironwood property case, and the proposed variances process to the Land Use Code.

COUNTY ADMINSTRATOR REPORT: **Administrator Anderson** reported that he had met with the Sheriff to ensure a smooth Finances transition process, and mentioned a discussion with Senator Hickenlooper related to the proposed Space Command move. Other meetings attended included the unfunded mandates meeting, the TPR (Transportation and Planning Region) meeting and the CCI Bill update meeting.

COUNTY CLERK & RECORDER: **County Clerk, Kim Percell** had nothing to report.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Lindsay Attended the DOLA (Department of Local Affairs) meeting with Administrator Anderson. Attended the City Council meeting last week.

Commissioner Koppenhafer reported he had attended the MVI meeting, the Southwest Conservation Board meeting in Durango, and the Mancos Town meeting.

Commissioner Candelaria Attended with Administrator Anderson, the discussion with Senator Hickenlooper about space command. Attended the TPR (Transportation and Planning Region) meeting in Durango. Attended a meeting with a couple Gentleman with Cortez Cemetery District regarding funding that they have. Attended a workshop with the Montezuma Housing Authority. Attended a meeting Looking (to review) all the Bills to be voted on in Denver later this week. Had a Workshop meeting yesterday and Department Head meeting.

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

ADJOURNED: 9:40 am

Deputy Clerk February 18, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
February 25, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday February 25, 2025 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
Diana Smith, Deputy Clerk

CHAIRMAN CANDELARIA opened the meeting of February 25, 2025 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 18, 2025 as presented. The motion was seconded by Commissioner Lindsay and carried.

Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures a Mylar of a 3 Lot Minor Subdivision submitted by **Three Rotors Ranches, Inc.**; agent: **Rebecca Lambert**, on property located at 30275 Road S, Dolores, CO, consisting of 40 acres, more or less, located east of Road 30, north of Road S, situated in Section 22, Township 37N, Range 15W, N.M.P.M.

Planning Director, Don Haley presented for signatures a Mylar of a Subdivision Amendment and AR3-9 Rezoning 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.

PUBLIC COMMENT: Public comment was made by **Allen Maez, Rebecca Busic, Roy Brown, Mary Dodd, MB McAfee, Karella VerEcke, and Jennifer Magnusen.**

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 approve the Promoting Safe and Stable Families grant request in the amount of 1,611,099.41 Second by Commissioner Koppenhafer. (See attached)

UNFINISHED BUSINESS:

GRANT APPLICATION: The **Edward Byrne Memorial Justice Assistance Grant** request Presented by **Finance Director, Robert Dobry.** Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form for the Montezuma County Sheriff's office, for the Taser upgrade part 2 in the amount of \$161,187.60. Second by Commissioner Lindsay. (See Attached)

GRANT APPLICATION: Presented by **Commissioner, Candelaria** the **State of Colorado Contract Modification Contract, Amendment #5.** Commissioner Koppenhafer moved to approve the Colorado Department of Early Childhood Contract Amendment #5 in the amount of \$200,000 for the fiscal year 2025. Second by Commissioner Lindsay. (See Attached)

COUNTY CLERK & RECORDER: **County Clerk, Kim Percell** presented the **Runbeck DuoAgiles Software & Support** contract for renewal. Commissioner Koppenhafer moved to sign the Service Agreement with Runbeck related to Montezuma County. Second by Commissioner Lindsay. (See Attached)

GRANT APPLICATION: The proposed **Grant Administration and Funding Policy** was presented for approval by **Administrator Anderson.** Commissioner Koppenhafer Moved to approve the Grant Administration and Funding Policy as presented for Montezuma County. Second by Commissioner Lindsay. (See Attached)

NEW BUSINESS:

TRANSFER ORDER: **Finance Manager, Robert Dobry** presented a **Transfer Order #2-2025.** A transfer of \$41,023.40 from the General Fund (001) to Senior Services and Transportation Fund (072) to transfer unexpended Senior Services and Transportation grant funds received into the General Fund in 2024 for to be expended out of the Senior Services and Transportation Fund. Commissioner Lindsay moved to approve Transfer order #2-2025 to transfer funds to Senior Services and Transportation fund. Second by Commissioner Koppenhafer. (See Attached)

TRANSFER ORDER: **Finance Manager, Robert Dobry** presented a **Transfer Order # 3-2025.** Commissioner Lindsay moved to approve Transfer Order #3-2025 to transfer \$15,000.00 from Senior Citizens Bus Fund to the Senior Services and Transportation fund for

reimbursement of wraps for MoCo transportation. Second by Commissioner Koppenhafer. (See Attached)

COUNTY ATTORNEY REPORT: Attorney Tarnowski gave an update on the position of Assistant County Attorney, other topics discussed included he has been in contact with the Attorney's and CDPHE for the Sherriff Sale Action of the Ironwood Property scheduled to go to sale this Thursday, and the Child Protection Docket, along with two different trial dates.

COUNTY ADMINSTRATOR REPORT: Administrator Anderson reported that he attended the CCI conference last week, attended a session at the Capitol. Spoke with Senator Caitlin regarding unfunded mandates. Starting the County budget process with the directive of the Commissioners, has sent out the packets to all Departments and elected officials.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell had nothing to report.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Lindsay reported he will attend the scheduled Cortez City Council meeting, and discussed an e-mail received from **Sarah Pretzer**, letter will be given to County Clerk Kim Percell for inclusion into the Public Minutes.

Commissioner Koppenhafer reported he will attend the scheduled Mancos Town meeting and Coffee with the Commissioners.

Commissioner Candelaria reported he had attended the CCI conference, where they took position on over 60 bills, the Commissioner also discussed the attended Dolores Town Meeting, will be Traveling to Washington with Administrator Anderson, has a meeting with Congressman Jeff Hurd, attended a meeting with BLM.

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

CORRESPONDENCE: The following correspondence was noted: E-mail received by Commissioner Lindsay from Sarah Pretzer. (See Attached)

ADJOURNED: 9:54 am

Clerk February 25, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 11, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 11, 2025 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 March 11, 2025 with the Pledge of Allegiance.

AGENDA: Chairman Candelaria requested that two additional Road & Bridge items be added to the Agenda. Commissioner Lindsay moved to add the two items to the agenda. Second by Commissioner Koppenhafer and carried.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, February 25, 2025 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 10 Lot Major Subdivision & AR3-9 Rezoning Application submitted by **Elevated Smoke, LLC**, agent: **Cole Clark**, on property located at 7185 Road 25, Cortez, CO, consisting of 35 acres, more or less, located north of Road G, west of Road 25, situated in Section 3, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Clark was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing

to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the 10 Lot Major Subdivision & AR3-9 Rezoning Application submitted by Elevated Smoke, LLC, agent: Cole Clark, on property located at 7185 Road 25, Cortez, CO. Second by Commissioner Lindsay 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 of a 2 Lot Minor Subdivision and AR10-34 & AR3-9 Rezoning, submitted by **Flame Conley Weinmaster**, on property located at 27980 Road T, Dolores, CO, consisting of 35.85 acres, more or less, located south of Road T, west of Hwy 145, situated in Section 19, T.37N, R.15W, N.M.P.M.

Director, Haley along with **Assistant Duncan** presented for signatures, a Mylar of an Exemption Amendment to RES #P-8-96, Amended, submitted by **Frederick Family Living Trust**; agent: **Jennifer Daves**, on property located at 12025 Road BB, Pleasant View, CO, consisting of 20 acres, more or less, and 3-D Farms; agent: Jennifer Daves, on property located at 12225 Road BB, Pleasant View, CO, consisting of 300 acres, more or less, both located north of Road AA, east of Hwy 491, situated in Section 8, Township 38N, Range 17W, N.M.P.M.

Director, Haley along with **Assistant, Duncan** presented a Mylar of a 2 Lot Minor Subdivision and AR10-34 Rezoning, 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.

Director, Haley along with **Assistant, S. Jane** presented a Mylar of a Single Lot Development & AR3-9 Rezoning, submitted by **Martha Pickens**; agent: **Kyle Roberts**, on property located at 5321 Road 24.5, Cortez, CO, consisting of 60.00 acres, more or less, located north of Road E, west of Road 24.5, situated in Section 15 Township 35N, Range 16W, N.M.P.M

PUBLIC COMMENT: Public comment was made by **Allen Maez** and **Denise Hall**

UNFINISHED BUSINESS:

ROAD & BRIDGE: During the Monday Workshop, **Road Superintendent, Rob Englehart** presented for approval, a proposed purchase of a 2007 Mack Granite CV712 4WD S/A Plow/Sander truck through **Roller Auctions** and a quote from **Asphalt Systems Inc., (ASI)** for the County's chip seal project. Commissioner Lindsay moved to approve that the head of the Road Department purchase a bucket truck, within his budget. Second by Commissioner Koppenhafer and carried. Commissioner Koppenhafer moved to approve the project bid from (ASI) **Asphalt Systems Inc., Preservation Products** for the oil, for our chip seal, of \$1,139.00 per ton for the purchase of 458 tons, for the Montezuma County Road Department. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support, addressed to **Congressman Hurd, Senator Bennet** and **Senator Hickenlooper** related to the **Dolores Water Shed Collaborative** wildfire risk reduction was presented for approval. Commissioner Koppenhafer moved to approve the

letter of support for the Dolores Water Shed Collaborative, to reduce wildfire risk, to continue the \$60,000.00 a year in federal funding, through the Farm Bill. Second by Commissioner Lindsay and carried. (See attached)

GRANT APPLICATION: The **Emergency Operations Center Fairgrounds Grant** request was presented by **Emergency Manager, Jim Spratlen**. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form, for the Office of Emergency Management, through the Congressionally Directed Spending, in the amount of \$185,955.00, requested from the grant. Second by Commissioner Lindsay. (See Attached)

GRANT APPLICATION: Emergency Manager, Spratlen also presented for approval, the **Community Animal Response Team Grant** application. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form for the Community Animal Response Team supplies, through the LOR Foundation, for \$5,000.00, with no match. Second by Commissioner Lindsay. (See Attached)

GRANT APPLICATION: during the Monday Workshop, the **CSU Extension Director, Emily Lockard**, presented the proposed **Water Wise Educational Gardens Grant** application for approval. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form for the CSU Extension, for the Water Wise Education Gardens at the public library, through the LOR Foundation, for \$1,725.00, with no match. Second by Commissioner Lindsay and carried. (See Attached)

GRANT APPLICATION: Director, Lockard also presented the proposed **2025 Gardening Classes** grant application for approval. Commissioner Lindsay moved to sign the grant application for the 2025 Gardening Classes, in the amount of \$2,030.00. Second by Commissioner Koppenhafer and carried. (See Attached)

GRANT APPLICATION: County Clerk and Recorder, Kim Percell presented the **Electronic Recording Technology Board** grant application, for approval. Commissioner Koppenhafer moved to sign the Montezuma County Grant Application Submission Form, for Kim Percell, the County Clerk and Recorder, from the Electronic Recording Technology Board, for reimbursement of \$10,924.42. Second by Commissioner Lindsay. (See Attached)

LETTER: Attorney Tarnowski presented for approval, a letter, addressed to the **Colorado Counties Inc.**, in support of the **Amicus Briefing in Colorado Court of Appeals No: 2025CA26**. Commissioner Koppenhafer moved to forward the request for Amicus Briefing, Colorado Court of Appeals No: 2025CA26 for the Colorado Counties Inc. to submit the Amicus Briefing in court of appeals case. Second by Commissioner Lindsay. (See Attached)

MORATORIUM: With the recommendation from Attorney Tarnowski, Commissioner Lindsay moved to set a Public Hearing, to listen to public input on a proposed moratorium of solar regulations within Montezuma County, for April 1, 2025. 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 25, 2025 through August 2, 2025. The Commissioners agreed to table the application until March 25, 2025, to allow the Fair Board to obtain at least one certified officer along with two other security personnel for the event.

COUNTY ATTORNEY REPORT: Attorney, Stephen Tarnowski discussed an update on the Sheriff's sale of the Ironwood Property, the FOP Unionization Election, court appearances for child welfare / support issues, the Dollar Store Land Use case, and working with Planning Director Haley related to Solar development and the creation of variance provisions for the Land Use Code.

COUNTY ADMINSTRATOR REPORT: Administrator, Travis Anderson discussed the trip to Washington DC and the sessions attended. Sessions attended included; Ag and Rural Affairs, Justice and Public Safety, the Colorado Caucus meeting, the Western Interstate Region, Rural Action Caucus and the Congressional Leaders General Session.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell had nothing to report.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** reported he will attend the scheduled Cortez City Council meeting, and stated that e-mails received related to Planning & Zoning applications will be referred to the County Clerk and placed in the Public record.

Commissioner Koppenhafer reported he will attend the scheduled Town of Mancos Board meeting and a scheduled Southwest Water Conservation Board meeting.

Commissioner Candelaria reported on his attendance as a member of the Colorado Delegation on the trip to Washington D.C. and key item discussions with Representative Peterson's assistant Katie Fuller, Representatives Bennett, Neguse, Crank, Crow, Boebert, Evans and Representative Hurd. Commissioner Candelaria also reported on the attended Town of Dolores Board meeting.

CORRESPONDENCE: The following correspondence was noted: Workshop reports from the following departments: **Landfill, Fairgrounds, Emergency Management**, and the **CSU Extension**. The **Senior Services** March 2025 newsletter. E-mails received from Angela Montgomery and Weston Thompson. (See Attached

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

ADJOURNED: 10:00 am

Clerk March 11, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 18, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 18, 2025 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 March 18, 2025 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 11, 2025 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 and AR3-9 & COMZ Rezoning Application submitted by **Jay & Korina Cruzan**, on property located at 26620 Road J, Cortez, CO, consisting of 10 acres, more or less, located south of Road J, west of Road 27, situated in Section 36, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Cruzan was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment, that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to accept the proposed 2 Lot Moderate Subdivision and AR3-9 & Commercial Rezoning Application submitted by Jay & Korina Cruzan, on property located at 26620 Road J, Cortez, with the stipulations from the

Planning and Zoning Commission. 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 of a 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.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed 3 Lot Minor Subdivision Application, submitted by **Kerry Ritland & Faith Szafranski Living Trust**; agent: **Kerry Ritland**, on property located at 15842 Road 30, Dolores, CO, consisting of 40.87 acres, more or less, located west of Road 30.5, south of Hwy 184, situated in Section 27, 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. Ritland 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 Application, submitted by Kerry Ritland & Faith Szafranski Living Trust; agent: Kerry Ritland, on property located at 15842 Road 30, Dolores. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

UNFINISHED BUSINESS:

GRANT APPLICATION: During the Monday Workshop, Sheriff Nowlin presented the Montezuma County Grant Application Submittal Form for the **Colorado (POST) Peace Officers Standards and Training Grant** in the amount \$5,082.00. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form, for the Sheriff's Office, Colorado POST FY26 In-service Training Grant in the amount of reimbursement of \$5,082.00. Second by Commissioner Lindsay and carried. (See Attached)

INTERGOVERNMENTAL AGREEMENT: **Administrator, Travis Anderson** presented for approval the **Montezuma County Law Enforcement Shooting Range Intergovernmental Agreement** between the Montezuma County Board of County Commissioners and **Pueblo Community College**. Commissioner Lindsay moved to enter into an Intergovernmental Agreement with Pueblo Community College for the Shooting Range. Second by Commissioner Koppenhafer and carried. (See Attached)

GRANT APPLICATION: No Commissioner action was required for the Montezuma County Grant Application Submittal Form of the **Hazard Mitigation Planning Grant**.

COUNTY ATTORNEY REPORT: **Attorney, Stephen Tarnowski** discussed his court appearance schedule, a Medicaid appeal issue, working with Planning & Zoning Department, an

update on the Dollar Store Land Use case, and reported that two law students from the DU Sturm College of Law will be participating in the Alternative Spring Break Program in Montezuma County.

COUNTY ADMINISTRATOR REPORT: Administrator, Travis Anderson mentioned received emails related to solar farms, his Zoom attendance to the CCI legislative update meeting. Administrator Anderson reported that the County Landfill would no longer be able to clean up illegal dumpsites within the County.

COUNTY CLERK & RECORDER: County Clerk, Kim Percell no report.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Koppenhafer discussed the attended Town of Mancos Board meeting, a change of that meeting time from 7:00 p.m. to 6:00 p.m. and reported that the Southwest Water Conservation Board meeting had been postponed until this Thursday.

Commissioner Lindsay discussed the attended Cortez City Council meeting and the second reading on the new City Land Use Code.

Commissioner Candelaria discussed the CCI legislative update meeting and the first discussion held during the Monday workshop, on the proposed direction for the Planning & Zoning Commission, as related to the large-scale solar and nuclear blueprint proposal to bring back to the Commissioners.

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

CORRESPONDENCE: The following correspondence was noted: E-mails received from Sally Dziedzic, Del & Pamela Coppinger. (See Attached)

ADJOURNED: 9:33 am

Clerk March 18, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
March 25, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday March 25, 2025 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 March 25, 2025 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 18, 2025 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 Single Lot Development and AR3-9 Rezoning Application, submitted by **L. Chappell, LLC.; agent: Keenen Lovett**, on property located at 16795 Road S, Cortez, CO, consisting of 280 acres, more or less, located west of Road 18, north of Road S, situated in Section 20, Township 37N, 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 and AR3-9 Rezoning Application, submitted by L. Chappell, LLC.; agent: Keenen Lovett, on property located at 16795 Road S, Cortez. Second

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

Planning Director, Haley along with **Assistant, Duncan** presented a request for a three (3) month extension to the Vested Rights for the previously approved 2 Lot Minor Subdivision & Rezoning Application, submitted by previous owners **Justin & Tammy Hooten**, on property located at 26510 Road K.5, Cortez, CO, consisting of 35 acres, more or less, located west of Hwy 145, north of Empire Street, situated in Section 24, T.36N, R.24W, N.M.P.M. The approval date was April 5, 2022 with the three (3) year Vested Rights set to expire April 5, 2025. For the record, the new owners are **Adam and Brittany Bryan**. Commissioner Koppenhafer moved to approve the (3) three month extension to the Vested Rights for the previously approved 2 Lot Minor Subdivision & Rezoning Application, submitted by previous owners Justin & Tammy Hooten, on property located at 26510 Road K.5, Cortez. 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 Subdivision Amendment Application to Lot 3 of the Eagle's Roost 3 Lot Subdivision, submitted by **Morathore, LLC.; agent: Michelle Ingvar**, on property located at 13538 Road 32.4, Mancos, CO, consisting of 6.31 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. Agent Ingvar 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 Application to Lot 3 of the Eagle's Roost 3 Lot Subdivision, submitted by Morathore, LLC.; agent: Michelle Ingvar, on property located at 13538 Road 32.4, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

Director, Haley reported that the draft **Variance Section** to be added to the **Land Use Code** would be posted to the County webpage for public review and that the Public Hearing is scheduled for Tuesday, April 1, 2025 at 9:00 a.m.

PUBLIC COMMENT: No public comment made.

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

UNFINISHED BUSINESS:

LETTER OF SUPPORT: During the Monday Workshop, representing **Southwest Health Systems, Bridgett Jabour** along with **Chief Financial Officer, Adam Conley**, met with the Commissioners to request a letter of support, addressed to **Senators Michael Bennet** and **John Hickenlooper** related to a proposed replacement purchase of a Computed Tomography (CT)

scanner for Southwest Health System Inc. dba Southwest Memorial Hospital. Commissioner Koppenhafer moved to approve the letter of support, addressed to U.S. Senators Bennet and Hickenlooper, for Southwest Health Systems, to get a new CT scanner, to replace the old one. Second by Commissioner Lindsay and carried. (See attached)

COST SHARE APPLICATION: During the Monday Workshop **Weed Department Manager, James Dietrich** presented for approval, the **2025 Montezuma County Weed Program Cost-Share Application**. Commissioner Lindsay moved to approve the Noxious Weed Department Cost-Share Application. Second by Commissioner Koppenhafer and carried. (See attached)

GRANT APPLICATION: Also during the Monday Workshop, **Manager, Dietrich** presented the Montezuma County Grant Application Submittal Form for the **Colorado Parks & Wildlife Habitat Partnership Program Gant** in the amount \$10,000.00. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form, for the Noxious Weed Department, through the Colorado Parks & Wildlife in the amount \$10,000.00 with no cash match. Second by Commissioner Lindsay and carried. (See attached)

COUNTY ATTORNEY REPORT: **Attorney, Stephen Tarnowski** discussed the FOP Unionization Election, his court appearance schedule continued work with the Planning & Zoning Department, and the two law students from DU Law that are participating in the Alternative Spring Break Program in Montezuma County.

COUNTY ADMINSTRATOR REPORT: **Administrator, Travis Anderson** discussed a service award and scheduled special event for the retiring Veterans Officer, **Rick Torres**, a meeting held with **La Plata County Administrator, Chuck Stevens**, a proposed HR software, the departmental fee structures and budget discussions. Administrator Anderson also reported that **Road and Bridge Supervisor, Rob Englehart** would be retiring and that the position will be posted.

COUNTY CLERK & RECORDER: **County Clerk, Kim Percell** discussed new legislation, related to Document filing fees and reported that at all County Clerk Offices will change to a flat fee, effective July 1, 2025. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Lindsay mentioned constituent discussions and the scheduled Cortez City Council meeting.

Commissioner Koppenhafer mentioned constituent discussions and the scheduled Town of Mancos Board, Southwest Water Conservation Board and the Water meetings.

Commissioner Candelaria mentioned budget discussions, attendance to the Orly Lucero services, the attended Dolores Town Board meeting, the Coffee with the County meeting and scheduling evening meetings, and traveling town hall meetings.

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

CORRESPONDENCE: The following correspondence was noted: Email from **Patty Coen**.

ADJOURNED: 9:42 am

Clerk March 25, 2025

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 1, 2025**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 1, 2025 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 April 1, 2025 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to accept the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, March 25, 2025 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 the addition of a **Variance and After-the-Fact Variance** section to the County Land Use Code. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the proposed additional section to the Land Use Code. **County Attorney, Stephen Tarnowski** reviewed the definitions of the addition to Section 9104 to the Land Use Code, the list of criteria for the Board of Adjustment and the fees associated with the variance application. Commissioner Candelaria 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 accept the addition of a Variance and After-the-Fact Variance section to the Montezuma County Land Use Code, as presented. Second by Commissioner Lindsay and

carried. Attorney Tarnowski will present a resolution, to adopt this update to the Land Use Code. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: Public comment was made by **Allen Maez, Lori Mott and Laurie Hall**. (See attached)

UNFINISHED BUSINESS:

APPOINTMENTS: During the Monday Workshop, **Extension Director, Emily Lockard** presented a letter of interest from **Abdel Berrada** to be reappointed to the **CSU Extension Advisory Committee**. Commissioner Lindsay moved to reappoint Abdel Berrada to the Extension Advisory Committee. Second by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Resolution #4-2025, a Resolution of Montezuma County, Colorado, adopting a General Fund Reserve Policy was presented by the **Montezuma County Finance and Budget Manager, Robert Dobry**. Commissioner Koppenhafer moved to approve Resolution #4-2025 a resolution of Montezuma County, adopting a General Fund Reserve policy. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop, **Assessor Leslie Bugg** along with Attorney Tarnowski discussed the finalization of a 2012 land exchange with the **Dunn Living Trust** at Hwy 184 and Road 23. No action was taken at this time. Attorney Tarnowski will present a new resolution at a future meeting. (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 25, 2025 through August 2, 2025. Commissioner Lindsay moved to accept the Special Event liquor license application for the Montezuma County Fair Board, event to be held at the Montezuma County Fairgrounds, 30100 Hwy 160 Cortez. Second by Commissioner Koppenhafer and carried. (See attached)

SPECIAL EVENT LIQUOR LICENSE: Deputy Clerk, Frizzell presented 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, 30100 Hwy 160 Cortez Co., from June 12, 2025 through June 14, 2025. Commissioner Koppenhafer moved to approve the Special Events application for a liquor license, for the Ute Mountain Round Up Rodeo, at 30100 Hwy 160 Cortez. Motion was seconded by Commissioner Lindsay and carried. (See attached)

LIQUOR LICENSE RENEWAL: Deputy Clerk, Frizzell presented a liquor license renewal for **Echo Basin Ranch LLC**, located at 43747 Road M, Mancos. Commissioner Lindsey moved to accept the retail liquor license renewal application for Echo Basin LLC., located at 43747 Road M, Mancos. Second by Commissioner Koppenhafer and carried. (See attached)

TRANSFER ORDER: Finance and Budget Manager, Robert Dobry presented **Transfer Order #4-2025**, a transfer \$38,446.05 from the General Fund (001) to Senior Services and Transportation Fund (072) to transfer Travelers Insurance reimbursement funds received into general fund (\$29,287.10 check #98900314, \$22,816.97 check#98781274, \$1,000 check #99043536 net \$14,658.02 paid out in 2024) to pay for MoCo transportation bus repair. Commissioner Lindsay moved to approve Order #4-2025, a transfer \$38,446.05 from the General Fund to Senior Services and Transportation Fund. Second by Commissioner Koppenhafer and carried. (See attached)

TRANSFER ORDER: Manager, Dobry presented **Transfer Order #5-2025**, a transfer \$6,000,000 from the General Fund (001) to Capital Fund (055) for future capital expenditures. Commissioner Koppenhafer moved to approve Order #5-2025, a transfer \$6,000,000 from the General Fund to Capital Fund for future capital expenses. Second by Commissioner Lindsay and carried. (See attached)

TRANSFER ORDER: Manager, Dobry presented **Transfer Order #6-2025**, a transfer \$1,000,000 from the General Fund (001) to Contingency Fund (054) to provide for expenditures caused by an act of God, or the public enemy, or some contingency that could not have been reasonably foreseen at the time of adoption of the budget (CO Rev Stat § 30-25-107). Commissioner Lindsay moved to approve Order #6-2025, a transfer \$1,000,000 from the General Fund to Contingency Fund, to provide for expenditures caused by an act of God, or the public enemy, or some contingency that should not have been reasonably foreseen at the time of adoption of the budget. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney, Stephen Tarnowski gave updates on the scheduled Sheriff's sale of the Ironwood property, the Kelroy Newman case. the FOP Unionization Election, the DU law students Alternative Spring Break Program in Montezuma County and his court appearance schedule.

COUNTY ADMINISTRATOR REPORT: Administrator, Travis Anderson discussed, public service issues addressed at the Fairgrounds, the Magchloride distribution program, JBBS grant funds, posting of the job description for the Road Superintendent position, the redevelopment of the Teen Maze, reimbursements for expenses provided for the CIP Program funding, a proposed HR software purchase, the attended Collective bargaining FOP Unionization Election, a Sheriff's Deputy that was involved in a vehicle accident, and the CCI emergency CDPHE funding meeting related to the discontinuation of the COVID Funds.

PAYABLE EXPENDITURE REPORT: Administrator, Travis Anderson presented for approval, the January 2025 Accounts Payable Expenditure Reports in the amount of \$4,369,336.89. Commissioner Koppenhafer moved to approve the payables for January 1, 2025 through January 31, 2025 in the amount of \$4,369,336.89. Second by Commissioner Lindsay and carried. (See attached)

PAYABLE EXPENDITURE REPORT: Administrator, Travis Anderson presented for approval, the December 2024 Accounts Payable Expenditure Reports in the amount of

\$3,760,570.84. Commissioner Koppenhafer moved to accept the payables for December 1, 2024 through December 31, 2024, in the amount of \$3,760,570.84. Second by Commissioner Lindsay and carried. (See attached)

PAYABLE EXPENDITURE REPORT: Administrator, Travis Anderson presented for approval, the February 2025 Accounts Payable Expenditure Reports in the amount of \$3,714,918.98. Commissioner Koppenhafer moved to accept the payables for Montezuma County for February 1, 2025 through February 28, 2025 in the amount of \$3,714,918.98. Second by Commissioner Lindsay and carried. (See attached)

COUNTY CLERK & RECORDER: County Clerk, Kim Percell no report.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included:

Commissioner Lindsay reminded constituents that the Commissioners do not comment or review anything related to upcoming Planning issues. Other topics discussed included the attended Cortez City Council meeting, the Monday Workshop and Social Media posts.

Commissioner Koppenhafer reported that the previously scheduled Town of Mancos Board meeting had been cancelled and gave an overview on the attended, Southwest Water Conservation Board meetings.

Commissioner Candelaria mentioned the attended CDPHE funding meeting, the collective bargaining FOP Unionization Election, a cost benefit analysis for all departments, and the required majority or unanimous votes for all Board decisions.

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

CORRESPONDENCE: The following correspondence was noted: the April 2025 Senior Services Newsletter, and an email from David R. Ross.

ADJOURNED: 10:10 a.m.

Clerk April 1, 2025

Chairman