

COUNCIL WORKSHOP/SPECIAL MEETING
TUESDAY, MAY 28, 2019
Dinner will be served at 5:30 p.m.

CALL TO ORDER

- A. 5:30 p.m., Dinner will be Served
- B. 5:45 p.m., Council will view CIRSA Video
'In the Scope of Your Authority'
- C. 6:05 p.m., Public Works Department Update
 - Recycling Update
 - Backflow Funding(Director of Public Works Phil Johnson)
- D. 6:35 p.m., Discussion on Solar for Kennel and Golf Maintenance Building (Regular Agenda Item 7b.)
(Director of General Services Rick Smith)
- E. 7:00 p.m., Discussion on Purchase of Ditch Bank Property
from Fred Torres (City Manager John Dougherty)
- F. 7:20 p.m., General Council Discussion
- G. For Your Information
 - 1. Montezuma County Minutes of April 30 and May 7, 2019

ADJOURN

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
April 30, 2019**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday April 30, 2019 at the courthouse in Cortez, Colorado, there were present:

Keenan Ertel, Chairman
Larry Don Suckla, Vice Chairman
Jim Candelaria, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, ERTEL opened the meeting of April 30, 2019 with the Pledge of Allegiance.

MINUTES: Commissioner Suckla moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 23, 2019 as amended. Motion was seconded by Commissioner Candelaria and carried.

PUBLIC COMMENT: **Ann Bowler** discussed the proposed broadband tower. **Galen Larson** discussed job promotion opportunities within Montezuma County and the 2nd Amendment.

LANDFILL: **Rachel Ablen** from the **Landfill** gave a monthly report which included the 2019 Landfill budget spread sheet. Topics discussed with the report included; the subgrade excavation for the new cell project, the tire shredding program, coordination with Empire Electric for Earth Week and the engineer design for the deceased animal pit. (See attached)

IT: **IT Director, Jim McClain** along with **Visionary Broadband, Vice President, Justin Davis** met with the Commissioners to present for signatures, a **Surface Use Agreement** between Visionary Broadband and Montezuma County to install a tower on County land. Topics of the discussion included; a site survey at the Landfill, the language of the agreement, the size of the tower, possible leased sections of the tower, combining the 2 proposed towers, connectivity for

the Landfill and dead spots within the county, flight patterns at the airport, the structure of the towers, infrastructure support, tower ownership, a Sheriff's Department repeater placed on the tower and the time frame for the completion of the project. Commissioner Candelaria moved to accept the Surface Use Agreement with Visionary Broadband a Colorado Corporation. Second by Commissioner Suckla and carried. (See attached)

LIQUOR LICENSE: Deputy Clerk, Malinda Fuller presented special event liquor license applications for **Schroeder Colorado Inc., DBA Eagle Claw Trading Post**, 4321 S US Hwy 160/491, Cortez, CO and a liquor license renewal for **Echo Basin Ranch** located at 43747 Road M, Mancos, CO 81328. Commissioner Candelaria moved to accept the retail liquor license renewal application for Eagle Claw Trading Post and Liquor Store located at 4321 S US Hwy 160/491, Cortez, CO and a retail liquor license renewal application for Echo Basin Ranch located at 43747 Road M, Mancos, CO. Second by Commissioner Suckla and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter discussed the proposed 2019-2020 Court Security Grant, the Road 41 lawsuit and a letter sent to Senator Bennet, regarding the CORE Wilderness Act. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the formal scoping period for the Transportation Alternatives Plan, a Montezuma County Recreational Advisory Committee (MCRAC) meeting scheduled May 2, 2019 at 6:00 p.m., an attended meeting with Dolores Water Conservation District and the Forest Service regarding reservoir operations and the Aquatic Nuisance Species Program, a proposed Governor tour within Montezuma County, the proposed parking lot at the Landfill for access to BLM lands, the County engagement with State Historic Preservation Office (SHPO) process for rerouting trails out at Phil's World, funding for fencing that had been burnt during the required back burn of the Plateau Fire and the resignation of a Montezuma County Recreational Advisory Committee member.

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers discussed the new Bi-weekly pay conversion project.

COUNTY COMMISSIONER REPORT:

Commissioner Ertel discussed an attended meeting at the Unlimited Learning Center with Senator Bennet's representative, Ms. Wolf, regarding programs and funding for the Center's educational programs and the proposed release of the 5 Wilderness Study Areas

Commissioner Suckla discussed his participation in the Mancos Hoedown Auction, a proposed BOCC field trip to review some of the Montezuma School to Farm projects, Senate Bill 19-81, C.R.S. Article 24-65.1 and mental health services provided to Montezuma County by AXIS Health.

Commissioner Candelaria discussed the attended meeting with Region 9, mile markers for the Dolores, Norwood Road, the Cortez City Council meeting and a luncheon attended with the Dolores Seniors.

PUBLIC COMMENT: **Gala Pock** discussed the inclusion of the local Hospital with the discussion of **AXIS Mental Health services**. **M.B. McAfee** discussed the **AXIS Mental Health issue** and the inclusion of **Vern Heath** within the discussion. **Lisa Henry** discussed the recent **Youth Service meeting** and the mental health issues within the county. **Tom Seymour** discussed the **AXIS Mental Health issue** and his support of the **Broadband tower**. **Dexter Gill** discussed the **Mental Health issue**, **Senate Bill 19-81**, the **Broad Band tower** and the **Core Wilderness Act letter**.

CORRESPONDENCE: The following correspondence was read and noted: Email from **Joe Slaughenhaupt** regarding **County term limits**, (See attached)

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

MEETING ADJOURNED: 11:00 a.m.

Clerk April 30, 2019

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 7, 2019**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 7, 2019 at the courthouse in Cortez, Colorado, there were present:

Keenan Ertel, Chairman
Larry Don Suckla, Vice Chairman
Jim Candelaria, Commissioner of Deeds
Shalako Powers, County Administrator
John C. Baxter, County Attorney
Kim Percell, County Clerk

CHAIRMAN, ERTEL opened the meeting of May 7, 2019 with the Pledge of Allegiance.

MINUTES: Commissioner Candelaria moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated April 30, 2019 as amended. Motion was seconded by Commissioner Suckla and carried.

PUBLIC COMMENT: **Greg Kemp** discussed the Court Security Deputies assigned to the Combined Court House.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination of a proposed AR10-34 Rezoning request and Single Lot Development Application submitted by **Patsy Simmons**, **Agent: Kathy Stone** on property located at 25409 Road H, Cortez, CO, consisting of 21.16 acres, more or less, located on the north side of Road H, west of Road 25.1 situated in S.35 T.36N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Representative Agent, Ernie Maness** was present. **Planning Director, Don Haley** with **Assistant, S. Jane Duncan** gave an overview of the application. Commissioner Ertel opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Ertel requested the findings from the Planning and Zoning Commission. Planning Assistant, Duncan reported the

vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Suckla moved to approve the ARI0-34 rezoning request and single lot development application submitted by Patsy Simmons, Agent: Kathy Stone on property located at 25409 Road H, Cortez, CO, consisting of 21.16 acres, more or less, located on the north side of Road H, west of Road 25.1 situated in S.35 T.36N, and include the correction of the location to East of Road 25.1. Second by Commissioner Candelaria and carried. Commissioner Ertel 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 AR3-9 Rezoning request for a 5 acre, more or less, Subdivision Application submitted by **Sam Manganaro, Agent: Ernie Maness**, for a Single Family residence on property located at 14984 Road 31, Mancos, CO, located north of Road R, east of Road 31, situated in S.35, 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 Ernie Maness was present. **Planning Director, Don Haley with Assistant, S. Jane Duncan** gave an overview of the application. Commissioner Ertel opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Ertel requested the findings from the Planning and Zoning Commission. Planning Assistant, Duncan reported the vote was unanimously in favor of approval from the Planning and Zoning Commission. After hearing all the evidence presented, Commissioner Candelaria moved to accept the proposed AR3-9 rezoning request for a 5 acre, more or less, subdivision application submitted by Sam Manganaro, Agent: Ernie Maness, for a single family residence on property located at 14984 Road 31, Mancos, CO. Second by Commissioner Suckla and carried. Commissioner Ertel closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for reviewing and determining a proposed High Impact Permit and Special Use Permit submitted by **Horizon Tower, Agent: Shelly Neace**, for the purpose of developing a new wireless telecommunication facility and 100 foot monopole tower, on property located at 6991 Road 24.3, Cortez, CO, consisting of 4.42 acres, more or less, located south of Road G, west of Road 24.3, situated in S.10 T.35N., R.16W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Horizon Tower, Agent, Shelly Neace was present and gave an overview of the application. Commissioner Ertel opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Candelaria moved to continue the Public Hearing to May 28, 2019 at 2:00 p.m. Second by Commissioner Suckla and carried. Commissioner Ertel closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a continuation of a public hearing is held for review and determination of recommendations to be made to the Board of County Commissioners regarding an Commercial Rezoning request and High Impact Permit Application submitted by **Jared Hansen & Karen Becker** for the purpose of operating a dog breeding facility on property located at 30773 Road V.6, Dolores, CO, located north of Road V.6, west of Road 31, situated in S.3, T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Jared Hansen and Karen Becker were present. **Planning Director, Don Haley with Assistant, S. Jane Duncan** gave an overview of the

application. Commissioner Ertel opened the hearing to public comment. Public comments were made by **Mary Kramer** and **Steve Nowlin**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented, Commissioner Suckla moved to approve a commercial rezoning request and high impact permit application submitted by **Jared Hansen & Karen Becker** for the purpose of operating a dog breeding facility on property located at 30773 Road V.6, Dolores, CO,. Second by Commissioner Candelaria and carried. Commissioner Ertel closed the hearing at this time. (See attached)

Director, Haley with **Assistant, Duncan** presented for signatures a Final Plat for a proposed Boundary Line Adjustment submitted by **Fredrick & Mila Brown**, agent: **Kelly Weyand** and **Don & Liz Tozer**, on properties located at 4032 Road G & 4960 Road G, Cortez, CO, located south of Road G, situated in S.32, T.36N., R.19W., N.M.P.M.

ROAD DEPARTMENT: Road Superintendent, Rob Englehart presented the road and bridge schedule for the dates of May 1, 2018 through May 17, 2018. Superintendent Englehart gave an overview of the type of work scheduled for each crew. Other topics discussed included; mile markers for county roads, chip seal projects, prepping for pavement, pavement patching, culvert repairs, an **Elam Construction** paving project calendar, road striping, the **Alkali Bridge** project, flooding at Spring Creek, the move to the Armory Building, a proposed pave patch project for House Creek and the BLM access parking lots at Roads L, M and Sand Canyon. (See attached)

FAIRGROUNDS: Fairgrounds Manager, Larry Copeland gave his monthly report which included the year to date numbers for income of \$31,144.99 and attendance at 17,305. A discussion was held regarding past and future events scheduled at the Fairgrounds. Other topics discussed included; the LED light conversion project, the card lock system, a stolen dump truck, and the stage used for local graduations. (See attached)

MONTEZUMA COUNTY SEARCH AND RESCUE: Training Officer, Erin Walker met with the Commissioners to make a request of funding in the amount of \$4,191.00 for a Swiftwater Response boat. Topics discussed included; the boat equipment list, the rescue equipment list, response times, the average number of swiftwater rescues within the County, boat storage options, swift water rescue training, throwback training and deployment points along the Dolores river. Commissioner Suckla moved to authorize the purchase of a swiftwater response boat in the amount of \$4191.00, through miscellaneous funds, contingent upon coordination with the Dolores Fire Department and an in the water deployment time of fifty minutes or less. Second by Commissioner Candelaria and carried. (See attached)

SHERIFF'S OFFICE: Sheriff, Steven Nowlin and **Wanda Martin** met with the Commissioners to present for approval the **2019-2020 Courthouse Security Grant Application** and the **2019 Gaming Grant Application**. Commissioner Candelaria moved to approve the application grant for the request of funds for personnel services in the amount of \$244,612.47 for the Security Grant. Second by Commissioner Suckla and carried. Commissioner Suckla moved to approve the request to apply for the Gaming Impact Grant in the amount of \$123,793.00 for the Sheriff's Department for 2019. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ATTORNEY REPORT: Attorney John Baxter reported that Montezuma County had received a favorable ruling on the 2009 Kinder Morgan, Board of Assessment Appeals order.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the Montezuma County Recreation Advisory Committee meeting regarding road access through Sage Hen, the Paths to Mesa Verde FLAP grant application, the Rangeland Stewardship meeting and the proposed 2019 Colorado Wilderness Act. Director Dietrich presented for approval a letter of support for the delisting of the gray wolf, addressed to Don Morgan, Chief Branch of Delisting and Foreign Species. Commissioner Suckla moved to approve the letter of support for the delisting of the gray wolf. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ADMINISTRATOR REPORT: Administrator, Shak Powers presented invitations to the Montezuma County Historical Society public fund raising kick off scheduled May 11, 2019. Administrator Powers presented for approval, a letter of support regarding the renovation of the Calkins Historical Building, addressed to Terri Wheeler at the Housing Authority of Montezuma. Commissioner Suckla moved to approve the letter of support to the Montezuma County Housing Authority for the renovations of the Calkins Historic building and the new construction for the 42 residential units in Cortez Co. Second by Commissioner Candelaria and carried. Other topics discussed included the cancellation of the May 21, 2019 Board of County Commissioner Meetings. (See attached)

ACCOUNTS PAYABLE: Administrator Powers presented the March 2019 Accounts Payable Reports for approval. Commissioner Candelaria moved to approve the March Payables in the amount of \$832,330.89. Second by Commissioner Suckla and carried. (See attached)

COUNTY COMMISSIONER REPORT:

Commissioner Ertel no report.

Commissioner Suckla no report.

Commissioner Candelaria discussed the digitization of county records.

Chairman Ertel announced the adjournment of the meeting for the DINNER break.

Chairman Ertel announced the meeting would reconvene

DISCUSSION: Axis Health System, Chief Executive Office, Bern Heath and Director of Public Relations, Haley Leonard met with the Commissioners to discuss the Axis Integrated Health System. Mr. Heath gave an overview of the services and the structure of Axis Health System. Topics of the discussion included; service to five counties in Southwest Colorado, current Montezuma County employees, 2018 crisis assessment statistics, uncompensated care, current grant funding used on salaries, types of grant funding, requirements of awarded grants, an inpatient wing in Cortez, the Acute Treatment Unit, behavioral health sites, jail transition programs, detox services, substance abuse groups, the crisis team response times, transportation to the Durango facility, State Hospital transports, the Mobile Crisis Unit within Montezuma County, education and trainings of services provided, funding from Montezuma County, the

Tele-video unit, a Crisis Therapist and the Crisis line phone numbers. Crisis phone numbers are; Local 970-247-5245 and the State 884-493-8255. (See attached)

DISCUSSION: Southwest Basin Round Table, Chairman, Mike Preston, Montezuma County Representative, Ed Millard along with Southwest Water Conservation District, Board Member, Don Schwindt met with the Commissioners to discuss the Drought Contingency Plan and Demand Management for the Colorado western slope. Topics discussed included; the Colorado River Compact, the Upper Colorado River Basin Compact, the Colorado River Basin Project Act, Interim Guidelines, Drought Contingency Plans for the Lower and Upper Basins, the Upper Basin Demand Management Program, the role of the Southwest Basin Round Table, Planning Efforts for Drought in the Colorado River Basin, Equal Representation by all basins, storage reservoirs, public education, opportunities to protect our interests, preemptive curtailment, a Voluntary / Temporary and Compensated program, a proposed County Contingency plan, the Inter Basin Compact Commission, power generating levels for Lake Powell, the Colorado Water Conservation Board, the 2007 interim guidelines, the Colorado Water Congress meeting, improved efficiencies in water management, alternative ideas and current defenses. (See attached)

PUBLIC COMMENT: Public comments regarding the Axis Health System discussion were made by the Veterans Justice Outreach Officer, Bob Sanders, M.B. McAfee and Public Health Director, Bobbie Lock. Public Comments regarding the Drought Contingency and Demand Management discussion were made by Dolores Water Conservation District Manager, Ken Curtis and Montezuma Valley Irrigation Board Member, Greg Black.

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 8:45 p.m.

Clerk May 7, 2019

Chairman