

**COUNCIL WORKSHOP/SPECIAL MEETING
TUESDAY, JULY 13, 2021
5:45 p.m**

Councilmembers will meet at 5:45 p.m., at Parque de Vida to take group picture.

CALL TO ORDER

- A. 6:30 p.m., Thank You to Montezuma County Clerks for Work on City's Elections (City Clerk Linda Smith)
- B. 6:35 p.m., Introduction of New City Employees
Scott Miller, Recreation Center Maintenance Tech 1
Ivana Kibel, Assistant Pool Manager
(Director of Parks and Recreation Dean Palmquist)
- C. 6:45 p.m., Discussion on Quotes for NACE Inspection RFQ
(Regular Agenda Item 7a.)
(Director of Public Works Phil Johnson)
- D. 7:00 p.m., General Council Discussion
- E. For Your Information
 - 1. Dolores Water conservancy District Minutes and Agenda
 - 2. Montezuma County Board Of Commissioners Minutes of June 15 and 21, 2021

ADJOURNMENT of Worksession at 7:15 p.m.

**Dolores Water Conservancy District/
Dolores Water Conservancy District Water
Activity Enterprise
Board of Directors' Meeting
Regular Meeting**

July 8, 2021

7:00 p.m.

**DWCD July 2021 Regular Board Meeting
Thu, Jul 8, 2021 7:00 PM - 11:00 PM (MDT)**

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/405782069>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 405-782-069

DWCD Water Activity Enterprise

7:00 p.m.—Call to Order...

Bruce Smart – President

Introduction of Guests

Approval of Minutes (7:05)

June 10, 2021 - Enterprise Meeting

Approval of May '21 Financial Statement and June '21 Bills (7:10)

Operations & Maintenance Report – Rob Walker (7:20)

Status of System Operations / Current O&M Work

Water Management Report – Ken Curtis (8:00)

1. Water Accounting

Adjourn DWCD Water Activity Enterprise Board Meeting (8:05)

DWCD Board Meeting

8:05 p.m.—Call to Order...

Bruce Smart – President

Approval of Minutes (8:15)

Regular Meeting – June 10, 2021

Executive Session – June 10, 2021

Approval of May '21 Financial Statement and June '21 Bills (8:20)

Agency Reports

1. Bureau of Reclamation... Robert Stump (8:30)
2. Division of Water Resources— Marty Robbins (8:35)
3. T/H Committee... Godwin Oliver (8:40)
4. MVIC – Brandon Johnson (8:45)

General Managers Report/Decision Items ... Ken Curtis (9:30)

1. Board to Board – 7:00 PM July 20 @ DWCD
2. 2021 CWC Summer Conference, Steamboat, August 24 – 26
3. DWCD Board Workshops – Scheduling of Dates & Times
4. Colorado River Compact Issues, Drought Contingency Planning, Demand Management – Ongoing Work on Policy/Strategy Framework (Update)
5. SWBRT BIP Update (Discussion)
6. Legislation Update – Federal & State including NCA (Discussion)
7. Drought Related Updates and Issues (Discussion/Decision)
8. Future Allocations / System Capacity / Water Supply (Decision)

Legal Report - (9:45)

MVIC 87.3 CFS Water Rights Filing (Update)

Totten Sale (Discussion)

DWCD Participation in WQCC Rule 31 Water Quality Standards

Water Rights Protection & Supply Discussion involving legal advice and/or negotiations subject to Executive Session

Executive Session Concerning Matters of Negotiation – C.R.S. §24-6-402(4) (e) and Conference with Attorney - C.R.S. §24-6-402(4)(b) – (10:15)

Actions (if any) - (Decision) (10:15)

Other DWCD Business – Next Meeting, August 12, 2021, 7:00PM

Adjourn DWCD Board Meeting (10:15)

MINUTES
Regular Meeting
May 13, 2021

CALL TO ORDER Bruce Smart, President, called the meeting to order at 7:03 PM

ROLL CALL Bruce Smart, President
Don Schwindt, Secretary-Treasurer
Godwin Oliver, Director
Wes Wilson, Director
Sheldonna Z. Ives, Director-Via Teleconference
Glen Fish, Director
Ken Curtis, General Manager
Rob Walker, Maintenance Supervisor-Via Teleconference
Eric Sprague, DWCD Engineering Tech
Lisa Jordan, Office Administrator
Adam Reeves, Attorney- Via Teleconference
Robert Stump, Bureau of Reclamation - Via Teleconference

INTRODUCTION OF GUESTS Via Telephone/Teleconference

Brandon Johnson, General Manager, MVIC; Ed Millard, Montezuma County/IBCC/SWBRT; Rich Landreth, City of Cortez; Steve Garchar, Dolores County Commissioner; Tony Tanner, FS Irrigator

MINUTES

APPROVAL OF THE MINUTES

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE APRIL 8, 2021 ENTERPRISE MEETING.

MOTION: WES WILSON
SECOND: GLEN FISH
MOTION CARRIED UNANIMOUSLY.

FINANCIAL STATEMENTS

Godwin asked about the Superior Alarm payment. Ken explained that the Cortez Office fire alarm system was old and having problems and was replaced by Gary Croke, DWCD's Electrician, with materials and programming help by Superior.

Don asked if we had gotten any snow out of the Weather Modification. Ken stated that we have received a little, but it is relative to the storms that were available and there were only a couple of big storms. Don stated that he is looking at the amount of money spent on Weather Modification versus this year's water supply. Ken explained that DWCD is the fiscal agent for our area which covers all the way to Wolf Creek. Glen asked if \$40K was the price on Weather Modification. Ken stated that the total cost for the year is approximately \$250K. SWCD matches local funds. The state of Colorado with Lower Basin contributes about \$130K and New Mexico contributes \$20K for the two eastern programs. DWCD puts in about \$17K. DWCD also receives 5% overhead for administration of the funds. Glen stated that the reason he asked is because he was asked at the Montezuma Water Company board meeting if DWCD was paying \$40K for a flyover. Ken stated that we aren't paying for the LIDAR flights, a separate program, which are covering both the Dolores and the Animas watersheds above 10,000 feet. Ken stated that we have heard that the cost of the flights, four total, is around \$400K. Ken explained that the State is the fiscal agent for the LIDAR project. DWCD is also handling the NCAR WRF-Hydro forecasting project administration which

O&M REPORT – Rob reported the following:

Pumping Plants – All of the pumping plants are pressured up and ready for the season. Staff installed the final three fixed-speed pumps at Fairview last week.

Laterals – Staff repaired a new leak in the Dove Creek 30" main lateral northwest of the plant and then a 30" lateral at Cahone. A new 4" Full Service box and an M&I have been installed in Fairview and we have five more M&I's to install throughout the project in the next two weeks.

Canals – All of the canals were full on May 3rd and Kirk Swope has started spraying the canal ROWs. Frank has been working on prairie dog control on THC.

PMSC (Programmable Master Supervisory Control) – The Control Room Operators are on their irrigation season schedule and calibrating control systems as required. They're also training on fiber repair.

Power Plants – Lane Electric has finished their work on the McPhee Power Plant generator and is scheduled for re-installation by the end of May, depending on irrigation start-up operations. Lane Electric has agreed to store the generator at their facility until we're ready for it.

Towaoc Power Plant is up and running at 85 CFS. There was a problem with the sleeve valve sticking last week but staff has been working with Robert Stump on a valve exercise schedule to try and remedy the problem and keep it sediment free. The valve is operating normal now.

Great Cut Intake Channel dredging – We met with Woods Canyon Archaeological for permitting today. Staff has been working with SRS Crisafulli, the dredge company in Montana, on the dredge rental schedule. We would like to start dredging the intake channel after the lake elevation peaks and falls to 6,866, which is predicted to be in mid-July. Due to Crisafulli's rental schedule, we may have to start at the end of June, which will work with the lake elevation, but we might be in the shut-down operations for irrigation. Either way, we'll make it work. Robert is working on all of the necessary paperwork for the required permit.

WATER MANAGEMENT REPORT

Water Accounting – Ken presented the Airborne Snow Observatories Inc. (ASO) Acquisition Report for Dolores. Ken stated that this is an experiment to look at snow volume to help water supply runoff. These experimental flights started in California. More recently CWCB has funded flights in the Rio Conejos. Denver Water has had flights on the Blue River watershed. The Gunnison has also volunteered to be part of the experimental flights in past years. Ken is working with a study group from around Colorado on possibly getting regular statewide flights. As mentioned earlier the cost we heard for two basins above 10,000 feet, Dolores and Animas, was \$400K. The working group would like to perform approximately 16 flight areas across the state. Ken stated that this is detailed data collection performed by laser and it is an evolving technology that may move to satellites in a generation. Most of the report is based on data presentation that they used in California. One of our goals is to evaluate the reporting we want. The basic data collection technology remains the same but can be presented in different forms. Ken stated that we would be interested in the data gathered from Sharktooth and Black Mesa sub-basins because of the aspect. Ken stated that hopefully the working group can work with ASO to customize the information we want. Ken stated that they spend a lot of time talking about snow density, so there will need to be field work to get good density information relative to each flight. Ken stated that ASO dug a hand pit for density and used data from the SNOTEL's for their snow densities. After the first flight ASO had a debriefing for the local users. They did say they had problems with the "snow free data" and have committed to a fixed cost with CWCB. Ken noted that this is the direction we need to go in as this data will evolve and eventually it will probably look like Weather Modification regarding funding.

recognized the shortage we contacted CPW about changing releases. CPW worked with the BOR to sweep the March water into April before they make it down to 5cfs. Don asked how we documented that for future understanding. Ken stated that right now it is in notes and emails, there is nothing signed and Robert Stump has the Operating Plan. Don stated that he is comfortable with that answer but would like a little more legal documentation for the future. Ken stated that something more formal is appropriate. 7) Ken stated that in May UF&RE is turning down of weekends. 8) MVIC is starting to get over 300 cfs consistently. 9) MVIC filled up the Totten exchange and call water is storing now. 10) Dove Creek Canal does not have significant use yet, between the cool weather and lack of water the irrigators are holding off starting up. 11) Ken noted that quite a bit of Narraguinnep water is still sitting in McPhee. 12) The forecast continues to drop much like 2020 noting that the worst runoff years on record were 2002, 1977 & 2018 with about 50 KAF. The next worst year was 2013 with mid-80's of runoff. This year will likely be in the bottom four worst years. Ken noted that the mountains did get some precipitation as there is new snow on the Black Mesa SNOTEL. Ken stated that hopefully the ASO flight will be performed May 14th and there will be new data soon. 13) Ken stated that the FSA allocation is currently at 1.5" (1.6" at Hovenweep) per allocated acre and most of the machinations will be with the pools. UF&RE allocation is a little over 2,400 AF with the equivalent factor and some Class A shares.

Penalty for FSA Irrigator Overuse – Staff has discussed a potential penalty based on past overuse during years of shortage. At the Farmer's Advisory Committee and the Special Board meeting several irrigators recommended that a penalty would be a good idea. Ken proposed some parameters for WY 2021 that if the Board directs will be implemented this year. Ken noted that he expects it may be modified in future years given experience or changed conditions. We may ultimately add this practice to a permanent policy in the future or use only as needed given specific water supply conditions.

Staff looked at both percentages and fixed amounts of error above the total pool allocation to provide a grace buffer before the overuse penalty is charged. Given that pools can run from 4 acres to over 1,000 acres, a straight percentage varies widely, from miniscule, effectively zero, to a significant measurable amount of over use. A 4 acre parcel is effectively a lawn & garden tap and only has a 0.5 AF pool. If we allowed a 2% error buffer, it would be 0.01 AF (3,258 gallons, 3.5 hours at 15gpm). Alternatively, a 1,000 acre pool would have a 125.0 AF pool and a 2% error buffer of 2.5 AF. We also don't want to effectively just increase everyone's supply by the buffer amount. Pools are still being put together and many smaller parcels will not be turned on this year, but some may still run at low flows along the lines of a lawn & garden delivery.

After discussions with the field staff, Ken settled on a fixed amount, that is in steps based on allocated acres in a pool.

A 2% error on 100 allocated acres:

100 acres x 1.5"/acre x 1 foot / 12 inches = 12.5 AF x 2% = 0.25 AF; 200 acres = 0.5 AF; 300 acres = 0.75 AF; 400 acres = 1.0 AF

We thought an absolute maximum buffer of 1.0 AF should and could be managed within pools given end meter targets. There is also some proportion to the size of what must be managed, yet even on the small parcels they have a monitoring responsibility. Given 0.25 AF = 81,457 gallons and they are using at slower rates, it should be controllable. Staff will be monitoring and cease deliveries when allocations are reached.

For all pools less than 100 acres, allow 0.25 AF buffer beyond final pool allocation before overuse penalty is applied. Move up in increments to 1.0 AF, then cap. Any usage within the buffer zone is charged at \$23.10/AF per the current delivery charge after the rate change.

Allocated Acres in Pool	Grace Buffer to penalty
< 100 acres	0.25 AF
100 – 200 acres	0.50 AF
200 – 300 acres	0.75 AF
300 - 400 acres	1.0 AF
400+ acres	1.0 AF

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 15, 2021**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday June 15, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

CHAIRMAN, CANDELARIA opened the meeting of June 15, 2021 with the Pledge of Allegiance.

MINUTES: Commissioner Stevenson moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 1, 2021 as submitted. Motion was seconded by Commissioner Lindsay and carried. Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated June 11, 2021 as submitted. Motion was seconded by Commissioner Stevenson and carried.

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for regarding a proposed Solar Photovoltaic Electricity Generating Project submitted by **Shawn & Kathy Wells, Glen Wells & Empire Electric Association Keith Cole; Agent.** Cortez Solar 2, LLC, on property located at 11501 Road 24, 11551 Road 24 & 23999 Road L.4, Cortez, CO, consisting of 67.69 acres, 37.27 acres, & 36.98 acres, more or less, all located north of Road L, west of Hwy 491, situated in Section 16, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record.



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

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination a proposed General Planned Unit Development and Rezoning Application submitted by **Paul and Dana Weyand, Agent: Jason Carruth**, on property located at 11187 Hwy 145, Cortez, CO, consisting of 99.39 acres, more or less, located south of Road M, west of Hwy 145, situated in Section 13, T.36N, R.16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Jason Carruth was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve General Planned Unit Development and Rezoning Application for Paul and Dana Weyand, Agent: Jason Clarruth on property located at 11187 Hwy 145, Cortez, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and a proposed Commercial Rezoning (COMZ) for a proposed Planned Unit Development request submitted by **Jay & Virginia Collier, Agent Justin Collier**, on property located at 18667 Hwy 145, Dolores, CO, consisting of 3.06 acres, more or less, located on the east of Dolores, north of Hwy 145, situated in S.12 T.37N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. After hearing all the evidence presented Commissioner Lindsay moved to forward and approve the request for their vested rights for another 60 days. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination for a proposed Common Lot Line change within **The Forks Subdivision**, submitted by **Darrell Jiles**, on properties located at 25046 Road 38.1 & TBD Road 38.1, Dolores, CO, both consisting of 1.10 acres, more or less, located east of Road 38.1, south of Hwy 145, situated in Section 1, T.38N, R.14W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Darrell Jiles was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning

Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented. Commissioner Stevenson moved to approve the common Lot Line adjustment within The Forks Subdivision submitted by Darrell Jiles, on properties located at 25046 Road 38.1, Dolores, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination a proposed Subdivision Amendment Application, submitted by **Russell & Marsha Hindmarsh Trust, Agent: Maness & Associates**, on property located at 28339 Road N, Dolores, CO, consisting of 4.06 acres, more or less, located north of Road N and west of Road 28, situated in S.5, T.36N., R.15W., N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ernest Manness was present. **Planning Director, Don Haley** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed Subdivision Amendment Application submitted by Russell & Marsha Hindmarsh Trust, Agent Maness & Associates property located at 28339 Road N, Dolores, CO Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

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

& 26980 Road H, Cortez, CO. Second by Commissioner Stevenson and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

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

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

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

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

PUBLIC HEALTH DEPARTMENT: Public Health Director Bobbie Lock presented for approval, the following contract renewals. The first contract is the Immunization Contract for the fiscal year starting July 1, 2021 through June 30, 2022 in the amount of \$9,766.00. Commissioner Stevenson moved to approve the signing of Contract Amendment #4 with the Colorado Department of Public Health. Second by Commissioner Lindsay and carried. The second contract is for the Emergency Preparedness Contract for fiscal year starting July 1, 2021 through June 30, 2022 for \$116,740.00. Commissioner Lindsay moved to sign the Contract Amendment #3 with the Colorado Department of Public Health for Emergency Preparedness. Second by Commissioner Stevenson and carried. (See attached)

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

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

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

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

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

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

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

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

COUNTY SHERIFF'S MONTHLY REPORT: Sheriff Steven Nowlin met with the Commissioners to give his monthly report which included; Calls for May 2021, Traffic stops, and domestic violence, DUI's, suicides and attempted suicides number are all up. Jail numbers and transport numbers plus the costs for this. Break down of arrests for May 2021. Three different budgets for approval; 1st, The NRA Range Grant starting July 1, 2021 for \$1,556.00, 2nd grant starting July 1, 2021 for \$10,163.00 for Range Improvement and the 3rd The Battle Grant, which is and auto theft grant and will be paying for 2 Licenses Plate readers, in the amount of \$51,964.00 Commissioner Candelaria accepted the grants in the respective amounts of

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\$1,556.00, \$10,163.00 and \$51,964.00. **Sheriff Nowlin** requested that the fire ban be reinstated as of 6:00am June 16, 2021. Commissioner Stevenson moved to accept **Resolution No. 7-2021** a resolution re-imposing a fire ban effective 6:00am June 16, 2021. Second by Commissioner Lindsay and carried. **Sheriff Nowlin** also discussed the pedestrian and bike trail in Dolores, CO. Intergovernmental agreement for dispatch services throughout Montezuma and Dolores Counties, Colorado, including federal agencies and appointing someone to represent Montezuma County on the Dispatch Accountability Committee was discussed and postponed until June 29, 2021. (See attached)

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

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

UNFINISHED BUSINESS: A discussion was held regarding the distribution of the **PILT** and **Secure Rural Schools** Funding. Commissioner Lindsay moved to distribute the remaining 50% of the Secure Rural Schools funds to Early Childhood Development through the destination of Imagination Library in the amount of \$78,475.20. Second by Commissioner Stevenson and carried. Whether or not to allow the Department of Social Services the use of property for an outside breakroom. Commissioner Stevenson moved to allow the Department of Social Services the use of the property for an outside breakroom. Second by Commissioner Lindsay. Review of the bids for the construction of the outside break area at 109 W. Main St., Cortez, CO. Commissioner Lindsay moved to award the bid to Advanced Machining & Welding in the amount of \$14,228.19. Second by Commissioner Stevenson and carried. Commissioner Candelaria overviewed the Emails from Rob Englehart, Road and Bridge Department, regarding the 168 tons materials previously approved for the BLM parking lots. Rob's recalculations came up with 380 plus or minus and now the request was for 400 tons of gravel for the County Road N parking lot. Commissioner Lindsay moved approve the contribution of up to 400 tons of gravel to the BLM for the parking lot at the West end of County Road N. Second by Commissioner Stevenson and carried. Commissioner Stevenson moved to allow Rob Englehart, Road and Bridge Superintendent, to sale 3000 tons of chips to Steve Davis, Road and Bridge Superintendent with Dolores County for their Chip and Seal project for the year 2021. Second by Commissioner Lindsay and carried. Land fill AC Bid was sent back out for bid. (See attached)

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

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

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

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

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 3:21 p.m.

Clerk

June 15, 2021

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
June 21, 2021**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Monday June 21, 2021 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

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

EXECUTIVE SESSION: Pursuant to Commissioner Candelaria's suggestion, Commissioner Lindsay moved to go into executive session for a discussion of personnel matters under C.R.S. 24-6-402 (4) (f), and to include Commissioners Candelaria, Lindsay and Stevenson, Administrator Powers, Clerk Percell and Ian MacLaren, seconded by Commissioner Stevenson and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedures regarding a personnel matter. Commissioner Stevenson moved to go out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

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

MEETING ADJOURNED: 3:30 p.m.

County Clerk June 21, 2021

Chairman

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

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

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

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

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

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

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

Planning Director, Don Haley presented for discussion and approval a proposed Boundary Line Adjustment Application, submitted by **Keenan and Beverlee Ertel**, on property located at 11510 Road 26, Cortez, CO, consisting of 15.47 acres, more or less and **Ertel Ranches, LLC**, on property located at 26780 Road M, Cortez, CO, consisting of 247.72 acres, more or less, both located south of Road M and east of Road 26, situated in Section 13, T.36N, R.16W, N.M.P.M.

Commissioner Lindsay moved to approve the boundary line adjustment, submitted by Keenan and Beverlee Ertel, on property located at 11510 Road 26, Cortez. Second by Commissioner Stevenson and carried.

PUBLIC COMMENT: No public comments were made.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CORRESPONDENCE: The following correspondence was read and noted:

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

MEETING ADJOURNED: 11:20 a.m.

Clerk

June 22, 2021

Chairman