

**COUNCIL WORKSHOP/SPECIAL MEETING  
TUESDAY, AUGUST 24, 2021  
7:00 p.m.**

CALL TO ORDER

- A. 7:00 p.m., Interviews for Board of Adjustment and Appeals
  - Katrina Weiss
  - Alan Rolston
  
- B. 7:15 p.m., General Council Discussion
  
- C. For Your Information
  - 1. Ride of the Ancients Gravel Grinder Information
  - 2. Dolores Water Conservancy District Agenda and Minutes
  - 3. Planning and Zoning Commission Meeting of July 6, 2021
  - 4. Montezuma County Board Of Commissioners Minutes of July 27 and August 3, 2021

**ADJOURNMENT of Worksession at 7:20 p.m.**

Katrina Weiss  
617 Gerald's Way  
Cortez, CO 81321  
970-565-3032  
[katrina@insure4corners.com](mailto:katrina@insure4corners.com)

August 11, 2021

Linda Smith  
City Clerk  
City of Cortez  
109 W Main St.  
Cortez, CO 81321

Dear Linda,

I would like to submit my name for an appointment to the Board of Adjustment and Appeals. My business and residence are both located within the city limits.

The experience I have before becoming a State Farm Agent, is a great match for this position. I was the Environment Director for the City of Hobbs, New Mexico, for 5 years. During my tenure there, I participated in annexation projects, as well as created a Condemnation Program for dilapidated buildings. Additional duties included supervising the Code Enforcement Division, so we made great strides cleaning up and beautifying the City. I also oversaw Hobbs Beautiful, which was a volunteer, grant funded, organization that cleaned up illegal dump sites and worked with the City to create ordinances to improve the aesthetics of the city. As far as education, I have a Master's Degree in Criminal Justice, and also have the professional designations of Retirement Income Certified Professional (RICP) and Chartered Leadership Fellow (CLF).

My reason for seeking this position is to help create and pursue a vision for Cortez that will improve economic development. Cortez has so much to offer but it is crucial that there is a five, ten, and even twenty year plan for our community to protect, but also attract new business and community members. If you have any questions or would like to set up an interview, please call me at 970-565-3032. Thank you!



Katrina Weiss



Linda Smith <lsmith@cityofcortez.com>

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## Board of Adjustments

1 message

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**Alan Rolston** <atrolston@gmail.com>  
To: lsmith@cityofcortez.com

Wed, Aug 11, 2021 at 1:59 PM

Dear Cortez City Council members:

I am interested in the Board of Adjustments vacancy and feel that my business background in conjunction with my municipal experience would be useful on this board.

I am a Montana native and hold a BA degree in History from the University of Montana. I was a Public Works Director in Montana and owned and operated a retail agri-business for twenty years. I moved to Colorado twenty years ago. I was the water superintendent for Edgemont Metro District for five years until I retired. I also served on the Mancos Town Council for a short period. (2013-2014).

I have lived in Cortez for four years and I feel that it is my time to give back to the community. Thank you for considering me for this position.

Respectfully,

Alan Rolston

# Ride of the Ancients Gravel Grinder

## Summary Report 2021: Inaugural Year

### ROTA metrics:

Held on June 26, Ride of the Ancients Gravel Grinder 2021 (ROTA) drew 128 entries, 88 men and 40 women, from the states of Arizona, California, Colorado, New Mexico, Oregon, Texas, Utah and Washington D.C. 42% rode the 95-mile loop, 58% the 30-mile.

Riders rode a wide variety of bikes. Although ROTA was a ride and not a race, every entry was chip timed and cash awards were given for the first, second and third finishers by gender in the 95-mile loop, and the first finishers by gender in the 30-mile route.

Post event, each rider received a free beer from Dolores River Brewery served in the biergarten. Food trucks joined arts, crafts, children's activities and assorted booths in the Local Market adjacent to the start/finish of the ride. Ed Kabotie and the 'Yoties, a Hopi Reggae band from Second Mesa, played before and after awards were given.

### Rider testimonials:

"This ride surpassed all of my expectations with amazing volunteers, trails, views, energy and attention to detail. I really hope there will be another ROTA's next year and I have already started my training." - Joe C, Denver CO

"That was a great ride and a great event and a great cause. Hope you continue it." - Antoinette M., Lafayette CO

"It was great and everyone I spoke with after the event agreed that it was awesome. I can't tell you how many people spoke of the positive "vibe" of the event." - Andy F., Durango CO

### Leadership and Finances:

ROTA was organized and managed by three individuals: Ashley Carelock, professional cyclist; Diane McBride, Southwest Colorado Canyons Alliance; and, Susan Thomas, Trail of the Ancients Scenic Byway. Each one contributed an average of 15 hours per week, February through June for a total of 300 VOLUNTEER hours each. Ride of the Ancients came within \$750 of covering its expenses with revenues this first year but, thanks to the generosity of our sponsors, we have approximately \$5,000 in seed money toward next year's Ride. In addition to our own time, ROTA benefited from donated time from 45 volunteers @ 4 hours each.

Lessons learned:

Advertising needs to cast a much wider net to reach more people, i.e. cyclists who then become entries. The pandemic compressed our time frame significantly – we could not reliably start planning and preparation until February of this year. That was very late in the process, which then needed more aggressive advertising to compensate. The start-up budget was a limitation. Next year, we must have a far stronger presence on Facebook, cycling sites, group lists and the cycling industry.

ROTA would be strengthened with a small number of major sponsors, versus the community-wide outreach we did this year. Outdoor recreation and/or cycling manufacturers, prominent local businesses, tourism or cycling organizations, local foundations and grantors, a government source – all might be candidate sponsors.

Volunteers' duties need to be reviewed and adjusted relative to the actual experience on the ground, so that their time is better utilized.

Partnerships with organizations that have similar missions and programs would spread leadership and make the Ride more full-bodied. Efforts to build these partnerships need to start immediately. Associated events for families depend on extra players.

The entry cap should be reconsidered and increased slightly for a second year.

Similarly, ROTA was a ride this year – not a race – although all entries were chip timed. Should that continue, or should it become an official race? Many factors are involved with this decision, and our inclination is to confirm the logistics of the event before enlarging the scope to a race.

For second year planning purposes, we are scheduling ROTA again on the last Saturday in June. In the future, the date may have to be re-evaluated: the Mancos half marathon is also held on the final weekend in June (cancelled in 2021 due to COVID), as well as possible other community events. A thorough review of local events that coincide with ROTA is critical to establishing a permanent date.

**LATE BREAKING NEWS: On July 30, ROTA was awarded \$5,000 from Lodger's Tax toward hosting of the Ride in 2022!**

**Dolores Water Conservancy District/  
Dolores Water Conservancy District Water  
Activity Enterprise  
Board of Directors' Meeting  
Regular Meeting  
August 12, 2021  
7:00 p.m.**

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**DWCD August 2021 Regular Board Meeting  
Thu, Aug 12, 2021 7:00 PM - 11:00 PM (MDT)**

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

<https://global.gotomeeting.com/join/487720701>

**You can also dial in using your phone.**

**United States (Toll Free): [1 877 309 2073](tel:18773092073)**

**United States: [+1 \(646\) 749-3129](tel:+16467493129)**

**Access Code: 487-720-701**

**DWCD Water Activity Enterprise**

7:00 p.m.—Call to Order...

Bruce Smart – President

Introduction of Guests

Approval of Minutes (7:05)

July 8, 2021 - Enterprise Meeting

Approval of June '21 Financial Statement and July '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. Introduction of Ben Harclerode
2. Water Accounting (Decision)

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 – July 8, 2021

Executive Session – July 8, 2021

Approval of June '21 Financial Statement and July '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 August 17 @ DWCD
2. 2021 CAWA Ag Water Summit, Winter Park, December 9 – 10 (Decision)
3. DWCD Board Workshops – Scheduling of Dates & Times (Decision)
4. Set Hearing for Delinquent FSA Accounts (Decision)
5. Colorado River Compact Issues, Drought Contingency Planning, Demand Management – Ongoing Work on Policy/Strategy Framework (Update)
6. SWBRT BIP Update (Discussion)
7. Legislation Update – Federal & State including NCA (Discussion)
8. Drought Related Updates and Issues (Discussion/Decision)
9. Future Allocations / System Capacity / Water Supply (Decision)

Legal Report - (9:45)

MVIC 87.3 CFS Water Rights Filing (Update)

Totten Sale (Discussion)

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, September 9, 2021, 7:00PM

Adjourn DWCD Board Meeting (10:15)

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**MINUTES**  
Regular Meeting  
June 10, 2021

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**CALL TO ORDER** Bruce Smart, President, called the meeting to order at 7:01 PM

**ROLL CALL** Bruce Smart, President  
Simon Martinez, Vice 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 – Via Teleconference  
Gina Espeland, Admin Assistant Accounting  
Adam Reeves, Attorney  
Robert Stump, Bureau of Reclamation

**INTRODUCTION OF GUESTS Via Telephone/Teleconference**

Ed Warner, Bureau of Reclamation, Tom Fowlds, Bureau of Reclamation; Brandon Johnson, General Manager, MVIC; Ed Millard, Montezuma County/IBCC/SWBRT; Rich Landreth, City of Cortez; Abdel Berrada, Full Service Irrigator; and Steve Garcher, Dolores County Commissioner

**MINUTES**

**APPROVAL OF THE MINUTES**

**MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE MAY 13, 2021 ENTERPRISE MEETING.**

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

**FINANCIAL STATEMENTS**

Glen asked if Western Weather was the LIDAR ASO flights. Ken stated no that they are the WM cloud seeders.

**MOTION: TO APPROVE THE APRIL '21 FINANCIAL STATEMENT AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.**

**O&M: AP/CHECK #39460-39509 & PR/CHECK #124638-124662**  
**\$174,927.06**

**MOTION: GLEN FISH**  
**SECOND: SIMON MARTINEZ**  
**MOTION CARRIED UNANIMOUSLY.**



end of the season. Our current plan is to store water at Dove Creek, Ruin Canyon and on Reach 1.

We'll start canal maintenance once we shut down Great Cut. The canal downstream of Fairview will be reshaped and tire mats added. We'll also be mucking the canal from Fairview back to Great Cut.

We've ordered some industrial pipe wrap made from an epoxy coating and a fiberglass wrap for quicker and stronger lateral pipe repair. We are fabricating a test situation with all of the different pipe types we have in the field. It can be used on asbestos pipe and concrete pipe. We're building sections of pipe that will be purposely damaged, wrapped with the Pow-R Wrap and pressurized to 200 psi and observed for a few days. If the test is successful, we will start using the wrap on repairs during the season and we'll also start reinforcing areas that haven't failed yet but are of concern.

## **Power Plants**

Gary talked with Lane Electric today and replacing the MPP generator is scheduled for the end of June. We will have the new roof hatch installed right after the generator. The installation of the McPhee Power Plant generator has been postponed due to Lane Electric's schedule and we are in no hurry.

Towaoc Power Plant averaged 115 CFS.

## **Great Cut Intake Channel dredging**

We've been meeting with the BOR and Woods Canyon Archaeological Consultants about the permits and field work required for our dredging operation permit. We have meetings set up next week with Woods. Crews will go out Tuesday with the boat and sound the sloughs. We want a better idea of how deep it is. Top of slough is at 6858 and we know it doesn't go all the way across. Robert and Ken have been pushing for a quick turnaround and we hope to start dredging the first week in August. The outcome of the archaeological study and required permits will determine which of our plans we act on to avoid archaeological sites. We want to leave the discharge material in the lake. They will ship the dredge out on a semi-trailer that cannot be backed into the channel. We will transfer to another trailer that will take it to McPhee boat ramp and launch. We don't want to back the trailer off of 6850, the bottom of ramp. House Creek boat ramp may be longer and lower and we are also looking at the end of Road X depending on lake elevation. Road X would be by the channel. More meetings come up soon.

Last week we lost power on South Canal for 3 days Sunday at 3 AM. Pleasant View and Sandstone went down and it was underground powerline. It was just upstream of Sandstone 1800' section of line and our crew exposed the splices in that section and they looked great. WAPA was leery of cutting it open, and wanted to keep testing the line. With Ken's approval we contacted Empire and told WAPA's Montrose supervisor that we didn't have a week to do testing. Empire ran a new line 1800 feet and did the tie in for us and WAPA was on site the whole time and were up and running Tuesday night at 9pm. Rob commended Empire on their expertise and quick response. There will be a lot more discussion, gathering notes and time spent on it. Ken will discuss with Rob Manders in Montrose on costs. Rob will keep everyone updated.

## **WATER MANAGEMENT REPORT**

**Water Accounting** – Ken stated that he was not going through the inches and block summary that were mailed out. The pools don't make sense because of the flexible leasing allowed this year. Ken had a packet to hand out of other water information. Runoff is still not set so we continue to update the water summaries. The next is the fish pool of downstream release rates. The changes will be important to include in the year end summary. These electronic files are where the information is stored and we might need to do something different to document the changes. The chart on the Great Cut intake channel, is a profile line and we have checked in past years and it doesn't go all the way across the channel and have verified it before, but may not be precise. It does have the potential to cause problems at the end of the year, especially to MVIC deliveries through Great Cut. We will probably end up closer to the 70% exceedance versus the 90%. Rob's crew will go out Tuesday to define the high point and verify the extent.

PLANNING AND ZONING COMMISSION

REGULAR MEETING

TUESDAY, JULY 6, 2021

1. The regular meeting was called to order in-person at 6:30 p.m. The meeting was opened with the Pledge of Allegiance. Commission members present were Chairperson Robert Rime, Vice-Chairperson Rebecca Levy, Lance McDaniel, and Stephen Candelaria. City staff present included City Planner Tracie Hughes, Associate Planner Neva Connolly, City Manager, Drew Sanders, Mayor Mike Lavey, Director of Public Works Phil Johnson, and Deputy City Clerk Cheryl Lindquist. There were no citizens in the audience.
2. Commissioner Candelaria moved that the minutes of June 1, 2021, be approved. Commissioner McDaniel seconded the motion, and the vote was as follows:

Levy	Candelaria	McDaniel	Rime
Yes	Yes	Yes	Yes

3. BUSINESS OF THE COMMISSION

- a. County Development review of a request from an Amendment of the Lichliter 2 Lot Moderate Subdivision on Property located at 25695 Road M in Montezuma County within the Three Mile Urban Influence Area. City Planner Tracie Hughes stated the City Master Streets Plan does not extend to this area of the county so therefore the request complies with the Master Streets Plan.

With no further discussion, Commissioner Candelaria made the motion to direct the Chair to sign the plat for the subdivision plat amendment as requested by Julian Martinez, for property located north of Road M and west of Road 26, within the Three Mile Urban Influence Area, with Signature Block #1 for compliance with the Master Streets Plan. Commissioner McDaniel seconded the motion, and the vote was as follows:

Levy	Candelaria	McDaniel	Rime
Yes	Yes	Yes	Yes

- b. County Development review of a Proposed Subdivision Amendment Application to the Empire Electric North Broadway Subdivision, submitted by Rob Pope and Russell

Bauer, located at 761 N. Broadway, on Property in Montezuma County within the Three Mile Urban Influence Area.

Associate City Planner Neva Connolly stated the applicants are applying to split the existing lot into two lots at the city/county boundary. The portion of the project within the city is also being reviewed for compliance with the City of Cortez Land Use Code and will be presented to City Council for approval later in July. Lot 2 is Commercial Highway and will remain so for the proposed Lot 2a. The access easement has been extended to include Lot 2b, but it is not clear if the Colorado Department of Transportation Access Permit has been or will need to be amended for the new lot. The City Master Streets Plan does not extend to this area; the subdivision therefore complies with the Master Streets Plan.

Commissioner McDaniel was concerned as this area of Broadway Avenue. is one of the worst intersections in the city and will this add traffic? Also, does this need to be zoned Heavy Industrial or can it be regular Industrial? Commissioner Levy asked if it should be zoned public utilities? Although she is glad to see this action clean up the city/county boundary line. Associate Planner Connolly said she will reach out to the county and Empire Electric regarding these questions.

Commissioner McDaniel made a motion for Staff to send the comment to City Council and the County asking about traffic issues with egress and a zoning recommendation to change from heavy Industrial to regular Industrial. Commissioner Levy seconded with the vote as follows:

Levy	Candelaria	McDaniel	Rime
Yes	No	Yes	No

The motion failed.

Commissioner Levy re-structured the motion directing Staff to send comments to the City Council and County voicing the Commission's concerns regarding the traffic egress impact and for zoning reconsideration from heavy Industrial to regular Industrial. Commissioner McDaniel seconded and the vote was as follows:

Levy	Candelaria	McDaniel	Rime
Yes	No	Yes	Yes

Commissioner Candelaria made the motion for the Chair sign the plat for the subdivision plat amendment as requested by property owners Rob Pope and Russell Bauer, for property located at 761 North Broadway, within the Three Mile Urban Influence Area, with Signature Block #1 for compliance with the Master Streets Plan.

Commissioner Levy seconded and the vote was as follows:

Levy	Candelaria	McDaniel	Rime
Yes	Yes	Yes	Yes

4. CITIZEN PARTICIPATION – none

5. P & Z DISCUSSION ITEMS-

a. Master Street Plan Update

City Planner Tracie Hughes reported on the public outreach meetings held in person to discuss the Master Streets Plan in June for the public to review the plan and provide comments. Stating the meetings were well noticed and Commissioners were in attendance, but with only a total of four citizens attending. The meetings were well thought out with map stations and posters of the plan policy text for the public to review. Although questions were asked, no comments provided at the meetings were relevant to the Master Streets Plan. City Planner Hughes stated there are a few minor edits and formatting changes to be done to the plan policy text, but the Commission has indicated they would like an adoption hearing on August 3, 2021 unless there are further changes or concerns. Public Notice will be posted 15 days before the hearing. Posts will be on Facebook, City of Cortez website, the Public Record Clerk & Records office, and City Hall's doors.

6. FYI

a. Building Permits for June 2021

7. OTHER ITEMS OF BUSINESS- Commissioner McDaniel had a question for Director of Public Works Johnson regarding grey water turnouts. Commissioner McDaniel asked if an ordinance from Montezuma County was necessary for the City to allow for grey water turnouts. Director Johnson replied that since the City has their own water the county does not need to approve. Commissioner McDaniel asked if grey water turnouts would be a Planning & Zoning project with Director Johnson answering it would follow the building code and would need to be presented to City Manager Sanders.

8. PREVIOUS BUSINESS - none

9. ADJOURNMENT OF REGULAR MEETING

Commissioner McDaniel moved that the meeting be adjourned at 7:15 p.m.  
Commissioner Candelaria seconded the motion, and the vote was as follows:

Levy	Candelaria	McDaniel	Rime
Yes	Yes	Yes	Yes

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Robert Rime, Chairperson

ATTEST:

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Cheryl K. Lindquist, Deputy City Clerk

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
July 27, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday July 27, 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
- Ian MacLaren, County Attorney
- Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of July 27, 2021 with the Pledge of Allegiance.

**MINUTES:** Commissioner Lindsay moved to approve the minutes of the Proceedings of the Board of Commissioners Montezuma County, Colorado dated July 19, 2021 and July 20, 2021 as presented. Motion was seconded by Commissioner Stevenson and carried.

**PUBLIC HEARING: PUBLIC HEARING:** It being the time set aside a continued public hearing is held for review and determination 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 had previously recused himself from this hearing. Cortez Solar 2 representative, **Gavin Berg** was present. **Planning Director, Don Haley with Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Breen Mc Comb, Jody Hubbs, Kathy Topper**

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

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

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

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

**NOXIOUS WEED DEPARTMENT:** **Weed Department Manager, Bonnie Loving** met with the Commissioners to present, **Noxious Weed Right of Entry Resolution #11-2021**. Commissioner Lindsay moved to approve Noxious Weed Resolution #11-2021. The motion was seconded by Commissioner Stevenson and carried. Manager Loving made a request to amend the June 2021, expirations dates for Right of Entry Resolutions, #1-2021, #2-2021, #4-2021 and to extend the expiration date to November 1, 2021. Commissioner Lindsay moved to extend

resolutions #1-2021, #2-2021 and #4-2021 for the County Noxious Weed Program, until November 1, 2021. Second by Commissioner Stevenson and carried. (See attached)

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

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

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

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

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

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

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

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

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Stevenson** discussed constituent phone calls, the attended Denver

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

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

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

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

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

**BOARD OF EQUALIZATION:** It being the time set aside the following Board of Equalization appeal was heard. The proceedings were recorded for the record. The appeal is from **Keith Clem** on account #R013004. The petitioner, Keith Clem was not present. **Assessor, Leslie Bugg** discussed the petition for appeal and the process of valuation of said land. After hearing the evidence presented, Commissioner Stevenson moved to accept the evaluation on account #R013004, the adjusted value of \$195,679.00, as residential. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Clerk

July 27, 2021

\_\_\_\_\_  
Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
August 3, 2021**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 3, 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  
Ian MacLaren, County Attorney  
Kim Percell, County Clerk

**CHAIRMAN, CANDELARIA** opened the meeting of August 3, 2021 with the Pledge of Allegiance.

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

**PLANNING: Planning Director, Don Haley** with **Assistant, S. Jane Duncan** presented for signatures of a Mylar for a General Planned Unit Development, Phase I, 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.

**Director, Haley** with **Assistant Duncan** presented an application for a Boundary Line adjustment / Agreement for Jessica Lenhardt. Commissioner Stevenson moved to accept the application for a boundary adjustments for Jessica Lenhardt, 12461 Road 44 Mancos Co. Second by Commissioner Lindsay and carried (See attached)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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Clerk

August 3, 2021

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Chairman