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**CORTEZ CITY COUNCIL  
WORKSESSION/SPECIAL MEETING  
TUESDAY, JANUARY 10, 2023  
6:45 p.m.**

**CALL TO ORDER**

- A. 6:45 p.m., Presentation on City of Cortez Website (Director of Parks and Recreation Creighton Wright, Director of Community and Economic Development Rachael Marchbanks, and IT Manager Shay Allred)
- B. 7:10 p.m., Council General Discussion
- C. For Your Information
  - a. Minutes for the Board of Commissioners, Montezuma County, Colorado for December 6, 2022.
  - b. Special Meeting Minutes for the Board of Commissioners, Montezuma County, Colorado for December 15, 2022.
  - c. Minutes for the Board of Commissioners, Montezuma County, Colorado for December 20, 2022.
  - d. Minutes for the Board of Commissioners, Montezuma County, Colorado for December 27, 2022.

**ADJOURNMENT of Worksession.**



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

01/10/2023

Agenda Item: 1. C. a.

MEMO TO: Honorable Mayor and City Council

FROM: DONNA MURPHY, DEPUTY CITY CLERK

SUBJECT: Minutes for the Board of Commissioners, Montezuma County, Colorado for December 6, 2022.

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**Attachments**

BOCC Minutes 12.06.2022

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
December 6, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 6, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

**CHAIRMAN, CANDELARIA** opened the meeting of December 6, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes for the Board of County Commissioners, Montezuma County, for November 29, 2022 and the Special Meeting on November 30, 2022, as presented. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a General Planned Unit Development, Special Use Permit and Rezoning Application submitted by **Jeremy & Rebecca Gardner**, on property located at 27256 Road P, Dolores, CO, consisting of 6.60 acres, more or less, located south of Road P, east of Hwy 145, situated in Section 6, T.36N, 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** reported that the applicant requested that the hearing be rescheduled to January 31, 2023. Commissioner Lindsay moved to continue the General Planned Unit Development, Special Use Permit and Rezoning Application submitted by Jeremy & Rebecca Gardner, on property located at 27256 Road P, Dolores, continued to January 31<sup>st</sup> of 2023. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a proposed 5 Lot Moderate Subdivision and Rezoning Application, submitted by **Mark Lowe Investments, LLC**, on property located at TBD Road 32, Mancos, CO, consisting of 35.23 acres, more or less, located south of Road P, east of Road 32, situated in Section 1, T.36N, R.15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lowe 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 Koppenhafer moved to approve the proposed 5 Lot Moderate Subdivision and Rezoning Application, submitted by Mark Lowe Investments, on property located at TBD Road 32, Mancos, CO, consisting of 35.23 acres. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Haley** presented for signatures a Mylar for a 10 Lot Major Subdivision & Rezoning Application, submitted by **Wes & Rebecca Jones**, on property located at TBD Road 26, Dolores, CO, consisting of 35.81 acres, more or less, located south of Hwy 184, west of Road 26, situated in Section 11, T.37N, R.16W, N.M.P.M.

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

**CSU EXTENSION OFFICE: Extension Director, Emily Lockard** along with **Western Region Director, Eric McPhail** met with the Commissioners. Mr. McPhail introduced himself and gave an overview of his background. Other topics discussed included; the 4-H position, BOCC appointments to the **Advisory Committee**, the January 19-21 2023 **Annie's Project** event, the **Rocky Mountain Seed Alliance** and the **Heritage Grain Guidebook**, the **2023 4-H Enrollment**, enrollment fees and a January 12, 2023 scheduled **Grazing Management Workshop**. (See attached)

**VEHICLE MAINTENANCE: Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to give a monthly report. Manager Higman gave an overview of the 2022 report of units to be re-serviced, the sold or pending sell units and the purchased fleet units. (See attached)

**GROUNDS AND BUILDINGS: Maintenance Supervisor, Dustin Sattler** met with the Commissioner to give a monthly report. Supervisor Sattler presented for review and determination the 2023 Janitorial Services bids. The recommendations for the 2023 janitorial services included; **Superior Services LLC** in the amount of \$42,000.00 to clean the Administration Building, **Taylor Betts** in the amount of \$23,349.96 for the Annex I Building, **Superior Services LLC** in the amount of \$21,000.00 for the Annex III building, **Monica's Cleaning Service LLC** in the amount of \$ 70,740.00 for the Montezuma County Combined Courts building, and the Sheriff, in the amount of \$ 12,000.00, MOCO in the amount of \$1,920.00 and the Road and Bridge in the amount of \$3,360.00 buildings to **C.A.R.E.**, for a total amount of \$174,369.96. Commissioner Lindsay moved to award the janitorial services to the named and outlined businesses on the graph as presented. Second by Commissioner

Koppenhafer and carried. Other topics discussed included; the Annex III basement offices project, the Cooler and Freezer projects, HVAC filter changes, a gate battery replacement at the Combined Court building, kitchen hood inspections and the Fairground Bathroom Facility project. (See attached)

#### **PUBLIC LANDS:**

**Canyon of the Ancients National Monument Manager, Ray O'Neal** introduced **Jim Michaels**, the acting **Bureau of Land Management Field Manager** for **Tres Rios**. Manager Michaels discussed; the announcement of the Field Manager position, winter closures for recreational areas, a temporary closure of the **Mud Springs** parking area and a property owners concern regarding a parking lot for the **Aqueduct Trail System**.

**Canyon of the Ancients National Monument Manager, Ray O'Neal** discussed the **Painted Hand Project**, a temporary closure for a floor rehabilitation project at the Center, the scheduled **Stanton Englehart** special exhibit and the **Yellow Jacket** and **Flodine** grazing allotments.

**Forrest Service District Ranger, Derek Padilla** met with the Commissioners to give updates on various subjects. Topics discussed included; the **Beaver Rim Gravel Pit**, controlled pile burns, the **Dolores Recreation Access Environmental Assessment**, proposed projects for the **Boggy Draw Trail System** and the **Dolores Norwood Road**, parking lot and restroom facilities projects, a proposed Boggy Draw trail width expansion project, signage for the **Little Bean Canyon**, the **Schedule A Agreement** and needed road repairs on the Dolores Norwood Road.

**GIS MAPPING: GIS Manager, Doug Roth** and **Mapping Specialist, Nolan Notah** met with the Commissioners for a monthly report. Topics discussed included; a proposed signage project for the Canyon of the Ancients National Monument and the process / proposals for the **2023 Commissioner Redistricting Project**. (See attached)

#### **UNFINISHED BUSINESS:**

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** presented for approval, the **Local Share Commitment Letter for the Montezuma County COOP Generator Project**, total amount of \$170,486.40. Commissioner Koppenhafer moved to sign the Local Share Commitment Letter for the Montezuma County COOP Generator Project. Second by Commissioner Lindsay and carried. (See attached)

**COUNTY CLERK & RECORDER: County Clerk, Kim Percell** met with the Commissioners to present the 2023 election equipment proposals. Proposals included; a **Dominion Voting Systems, Inc.**, Second Amendment to the voting system and Managed Services Agreement and a **Clear Ballot** Master Service Agreement. Commissioner Lindsay moved to pick up the Dominion Refresh for elections, the Second Amendment to the voting system and Managed Services Agreement by and between Dominion Voting Systems, in Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

**RESOLUTION: Resolution #15-2022**, a resolution increasing **Tire Fees** at the Montezuma County Landfill, was presented for approval. Commissioner Koppenhafer moved to approve Resolution #15-2022, a resolution increasing the tire fees at the Montezuma County Landfill. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION: Administrator, Anderson** discussed the previously approved **Homesfund** support request. Homesfund has requested that the Board pass a Resolution containing a no excessive force policy. A proposed Resolution was included within the Homesfund packet. Attorney MacLaren recommended that the resolution not be signed. The Commissioners were in agreement to not take action regarding the proposed Resolution at this time. (See attached)

**DISCUSSION:** A discussion was held regarding the proposed **John Deere Lease / Buyout Plan** for the **Road and Bridge Department**. Commissioner Lindsay moved to accept the John Deere 772 Blades lease buyout plan in the amount of \$290,000.00, out of the Road and Bridge Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the NCA draft testimony that will be presented to Congress, as part of the NCA bill adoption. Commissioner Koppenhafer moved to support the NCA testimony as far as the National Conservation Area for the Lower Dolores River, as being presented to the Senate. Second by Commissioner Lindsay and carried.

**RESOLUTION: Public Health Director Bobbie Lock** met with the Commissioners to present **Resolution #16-2022**, a resolution of the Board of County Commissioners of Montezuma County, Colorado adopting the Montezuma County **Policy and Procedures Regarding Secure Transportation Services**. Commissioner Koppenhafer moved to approve resolution #16-2022, a resolution of the Board of County Commissioners of Montezuma County, adopting the Montezuma County Policy and Procedures Regarding Secure Transportation Services. Second by Commissioner Lindsay and carried (See attached)

**DISCUSSION: County Administrator, Travis Anderson**, presented the **Notice of Budget 2023**, for the record. It may be reviewed by the public at the Administration office and on the County website. The budget will be considered at the regular December 27, 2022 Commissioner meeting. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) and to include Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding ongoing litigation on the Road 41 case. Commissioner Lindsay moved to come out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren** discussed civil cases along with document and contract reviews. Other topics discussed included; the completed Child Protection jury trial, handled by **Assistant County Attorney, Stephen Tarnowski**.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed end of year reports, mill levies, reviews of the previous water damage to the Annex I building, the attended United Way meeting, the Homesfund discussion, and a discussion with ACCA regarding BOCC department head appointments.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** reported that he would be attending the scheduled Southwest Water meeting. **Commissioner Lindsay** congratulated the **Realtors Association** for the successful Parade of Lights. **Commissioner Candelaria** also discussed the Parade of Lights, the attended Statewide Transportation Advisory Committee (STAC) meeting the scheduled TPR meeting, TAP funding and the Services for Deputy Janz.

**MOTION TO ADJOURN:** was made by Commissioner Lindsey, seconded by Commissioner Koppenhafer and carried.

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

**MEETING ADJOURNED: 11:30 a.m.**

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Clerk

December 6, 2022

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Chairman



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

01/10/2023

Agenda Item: 1. C. b.

MEMO TO: Honorable Mayor and City Council

FROM: DONNA MURPHY, DEPUTY CITY CLERK

SUBJECT: Special Meeting Minutes for the Board of Commissioners, Montezuma County, Colorado for  
December 15, 2022.

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**Attachments**

BOCC Special Meeting Minutes 12.15.2022



**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
December 15, 2022**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a scheduled special meeting of the Board of Commissioners, Montezuma County, Colorado, held on Thursday December 15, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

**VICE CHAIRMAN, LINDSAY** opened the meeting of December 15, 2022 with the Pledge of Allegiance.

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

**2023 MILL LEVY CERTIFICATION: County Administrator, Travis Anderson** presented for approval **Resolution #17-2022**. A resolution levying General Property Taxes for the year 2022 to help defray the costs of government for Montezuma County Colorado for the year 2023 budget. Commissioner Koppenhafer moved to approve Resolutions #17-2022, setting the mill levies for the General Fund, Social Services and the Road and Bridge Department as presented. Second by Commissioner Candelaria and carried. **Administrator, Anderson** presented for approval **Resolution #18-2022**. A resolution levying general property taxes for the year 2022 to help defray the costs of the Law Enforcement of Montezuma County, Colorado for the 2023 budget. Commissioner Koppenhafer moved to approve Resolution #18-2022, for the Law Enforcement Authority mill levy at 1.45282. Second by Commissioner Candelaria and carried. (See attached)

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

**MEETING ADJOURNED: 3:07 p.m.**

\_\_\_\_\_  
County Clerk      December 15, 2022

\_\_\_\_\_  
Chairman



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

01/10/2023

Agenda Item: 1. C. c.

MEMO TO: Honorable Mayor and City Council

FROM: LINDA SMITH, CITY CLERK

SUBJECT: Minutes for the Board of Commissioners, Montezuma County, Colorado for December 20, 2022.

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**Attachments**

County Minutes for Dec. 20, 2022

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
December 20, 2022**

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 20, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

**CHAIRMAN, CANDELARIA** opened the meeting of December 20, 2022 with the Pledge of Allegiance

**MINUTES:** Commissioner Koppenhafer moved to approve the minutes for the Board of County Commissioners, Montezuma County, for Tuesday, December 6, 2022, the minutes from the Special Meeting on Thursday, December 15, 2022, and also those held on Monday, December 5, 2022. Motion was seconded by Commissioner Lindsay and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review on the proposed **2023 Budget** for Montezuma County. Any interested elector may submit objections either verbally or in writing. Written objections will be read into the record for the Board of County Commissioner's Public Hearing on Tuesday, December 20, 2022, followed by the adoption of the budget on Tuesday, December 27, 2022. The roll was called, the public notice read, and the proceedings were recorded for the record. **Administrator Anderson** gave an overview of the County Budget adoption process. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. Commissioner Lindsay moved to put on the agenda, and move forward the 2023 Budget for

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

**PUBLIC HEARING:** It being the time set aside a public hearing is held for review and determination of a General Planned Unit Development, Special Use Permit and AR35+ Rezoning Application submitted by **Elevated Smoke, LLC, agent: Cole Clark**, on property located at 7231 Road 25, Cortez, CO, consisting of 35 acres, more or less, located north of Road G, west of Road 25, situated in Section 3, T.36N, R.16W, N.M.P.M. (this is a petition to come before the Board of County Commissioners). The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Clark 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. Public comment was made by **Jim Dickinson, Cheryl Dean, Trent Carver, Kristy Ross, Greg & Emiko South, Wendell Fry, Mike Lynch, Dave Dove, Sharon Goodall, Jody Lamb, Allen Maez, Stephanie Fry, Rick Meredith and Chris Callister**. Hearing no further public comment that portion of the hearing was closed. Emails received included; **Lewis McInnes, Wendell Fry, Jimmy Williams and Lynn Stuckman**. After hearing all the evidence presented Commissioner Lindsay moved to deny the application, siting sections 1201 and 1201.2 of the Land Use Code. Second by Commissioner Koppenhafer and with two votes in favor from Commissioners Lindsay and Koppenhafer and one vote against from Commissioner Candelaria the motion carried. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING:** **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented for signatures an Exemption Resolution & Mylar, submitted by **Rodney & Crystal Daves**, on property located at TBD Hwy 491, Pleasant View, CO, consisting of 9.51 acres, more or less, located west of Hwy 491, north of Road DD, situated in Section 25, Township 39N, Range 18W, N.M.P.M.

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

**COUNTY SHERIFF:** **Sheriff, Steven Nowlin** met with the Commissioners to give his monthly report which included the **Calls for Service Report, the Jail Report, the Year to Date Transport Report, the Perdiem and Cost for Travel Report, the Total Monthly Inmate Report, the Monthly Arrests Report, the Dolores County Billing Report, the City of Cortez Billing Report, the DOC Holds Report, the November Operational Expense Report and the Monies Paid to the General Fund Report**. Other topics discussed included, VIN inspections, stolen vehicles, vehicle registrations, air tags and the detention center refrigerator and freezer. (See attached)

**Sheriff Nowlin** presented for approval, **Resolution R513 Series 2022**, the proposed contract for law enforcement services between the **Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores**. Commissioner Koppenhafer moved to approve Resolution R513 Series 2022, the 2023 contract for law enforcement services between the Montezuma County Board of County Commissioners, the Montezuma County Sheriff's Office and the Town of Dolores, in the amount of \$220,000.00. Second by Commissioner Lindsay and carried (See attached)

**COUNTY CORONER: Coroner, George Deavers** met with the Commissioners to give the **November 2022** monthly case numbers and the **Year Totals to Date** report. Topics discussed included; coroner cases, hospice deaths, motor vehicle accident deaths, suicides, overdose deaths, fentanyl deaths, homicides, autopsies and the total income from autopsies. (See attached)

**DISTRICT ATTORNEY: District Attorney, Office Manager, Clarisa Feully** met with the Commissioners to give a monthly report. Topics discussed included; the implementation of a new discovery system, defense reporting, State Patrol body cams, report management systems, an increase in work load, the newly hired attorney and the **Opioid Infrastructure Funding Grant** application.

**EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen** met with the Commissioner and gave a monthly update. Manager Spratlen presented for discussion and review; the **Monthly Situational Report**. Topics within the report that were discussed included; the drought disaster, economic development, water, sheltering, **Red Cross** help with local house fires, State revised statistics for COVID, the avian influenza, the **Emergency Manager Performance Grant**, the **Emergency Operations Plan**, the **Hazard Mitigation Plan**, the **Generator Gant 90/10**, a review of all MOU's, MMA's and IGA's, saw mills and wood products, training and drills, Emergency Manager Certification renewals, the attended **Crisis Management Training**, the scheduled **Colorado Emergency Manager's Association Conference**, the **2023 -2025 Training and Exercise Plan** and the end of the year reports. Manager Spratlen reported that he had official approval of his **Emergency Operations Center Manager Certification**. (See attached)

**COMMUNITY INTERVENTION PROGRAM (CIP): Emergency Manager, Jim Spratlen**, met with the Commissioners to give an update on the Community Intervention Program. Topics discussed included; quarterly reporting, the 2023 budget, a rollover of 2022 funding to the 2023 budget, the 2023 contracts, the **Behavioral Health Grant** and the **Secure Transportation Program License**.

**CORTEZ FIRE PROTECTION: CORTEZ FIRE PROTECTION: Chief, Charlie Borden.** No report given.

**DISCUSSION:** Administrator Anderson presented for approval the **ClearGov Service Order**. Commissioner Koppenhafer moved to approve the ClearGov set up services and ClearGov Subscription Services from January 1, 2023 to December 31, 2025. Second by Commissioner Lindsay and carried. (See attached)

**DISCUSSION:** A discussion was held regarding the proposed **MOCO 2023 Faster Grant Agreement #23-HTR-ZL-00056/491003092**, in the amount of \$24,000.00. Commissioner Lindsay moved to approve the Faster Grant Agreement for MOCO, the Agreement #23-HTR-ZL-00056/491003092. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** The discussion regarding the proposed **CDPHE – Montezuma County Landfill Contract Agreement** was postponed to the next meeting.

## **UNFINISHED BUSINESS:**

**LIQUOR LICENSE:** Deputy Clerk, Jerri Frizzell presented for approval a liquor license renewal for the, **Westview RV Resort**, located at 12092 Hwy 145, Dolores, Co., mailing address P.O. Box 483 Cortez Co. 81321. Commissioner Lindsay moved to approve the liquor license renewal for Westview RV Park. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Administrator Anderson presented the results from the 2023 Holiday Schedule employee survey and the proposed Montezuma County **2023 Holiday Schedule** for approval. Commissioner Lindsay moved to approve the Montezuma County Official County Holidays for 2023. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** Dustin Sattler met with the Commissioner to discuss the **Janitorial Service** contracts for the Administration Building. The discussion will be continued to the December 27, 2022 meeting.

**CERTIFICATION LEVIES AND REVENUES:** Administrator, Anderson presented for approval the **Budget Year 2023 Certification of Levies and Revenues** by the Montezuma County Commissioners, to be sent to the State of Colorado. Commissioner Lindsay moved to approve the Certification of Levies and Revenues for Montezuma County, for the year 2023. Second by Commissioner Koppenhafer and carried. (See attached)

**EXECUTIVE SESSION:** Pursuant to Attorney MacLaren's suggestion, Commissioner Lindsay moved to go into executive session for a conference with the attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) for legal advice on potential litigation and to include Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Clerk Percell, seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding potential litigation. Commissioner Koppenhafer moved to come out of executive session, seconded by Commissioner Lindsay and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren discussed the attended NCA Workgroup meetings.

**NATURAL RESOURCES, PLANNING & PUBLIC LANDS:** Resource Director, James Dietrich, met with the Commissioner for a weekly report. Topics discussed included the **Road 14** extension survey work and plat, the **Outdoor Recreation Industry Office (OREC)** RFP respondent evaluations, the initial findings for the **Affordable Housing Consultants**, the (GOCO) **Great Outdoors Colorado** meeting, the new **GOCO Centennial Program**, the **Raised Grant** benefit cost analysis, the Mancos side **MMOF** funds notice to proceed, and delays regarding the **OREC Grant**. Director Dietrich presented for approval the (CWPP) **County Wildfire Protection Plan**. Commissioner Lindsay moved to sign the Montezuma County Wildfire Protection Plan. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson discussed the attended CCI conference, Senate Bill #22-238, the Plastic Pollution Reduction Act, Cyber Security and Threats.

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended **Southwest Water Conservation District** meeting, the **CSU Extension** agent interviews, the attended CCI Conference and the attended **Colorado River Water Users Association** meeting. **Commissioner Lindsay** discussed the Planning & Zoning Board interviews and the CCI conference. **Commissioner Candelaria** discussed the attended **Southwest Regional Transportation Committee (TPR)** meeting and the Planning & Zoning Board interviews.

**MOTION TO ADJOURN:** was made by Commissioner Lindsey, seconded by Commissioner Koppenhafer and carried.

**CORRESPONDENCE:** The following correspondence was read and noted: A letter of interest from **Mike Upchurch** to serve on the **Lebanon Cemetery Board**.

**MEETING ADJOURNED: 12:05 p.m.**

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Clerk

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December 20, 2022

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Chairman







CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

01/10/2023

Agenda Item: 1. C. d.

MEMO TO: Honorable Mayor and City Council

FROM: LINDA SMITH, CITY CLERK

SUBJECT: Minutes for the Board of Commissioners, Montezuma County, Colorado for December 27, 2022.

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**Attachments**

BOCC Minutes 12.27.2022

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS  
MONTEZUMA COUNTY, COLORADO  
December 27, 2022**

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF MONTEZUMA    )

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday December 27, 2022 at the Montezuma County Administration building in Cortez, Colorado, there were present:

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

**CHAIRMAN, CANDELARIA** opened the meeting of December 27, 2022 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 Tuesday, December 20, 2022, as presented. Motion was seconded by Commissioner Candelaria and carried.

**PUBLIC HEARING:** It being the time set aside a public hearing is held. The purpose of the hearing is to allow citizens to review and comment on the performance of the County of Montezuma in carrying out their Calkins Commons, which was financed with federal Community Development Block Grant funds provided by the State of Colorado. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Koppenhafer joined the hearing by Zoom. **Executive Director, Terri Wheeler** from the **Housing Authority of Montezuma County**, gave an overview of the project. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. There was no action required. Commissioner Candelaria closed the hearing at this time. (See attached)

**PLANNING: Director, Don Haley** along with **Assistant, S. Jane .Duncan** presented for signatures, a Mylar for a Common Lot Line Change to Lot #s 13 & 15, of the **Rustic Ridge Phase II** subdivision, submitted by **Troy & Lori Mott**, on properties located at 26972 Road T.8 & TBD Road T.8, Dolores, CO, both consisting of 3.50 acres, more or less, both located east of Road 27, south of Road T.8, situated in Section 13, T.37N, R.16W, N.M.P.M.

**Planning & Zoning Commission Appointments:** A letter of intent, to change from the alternate position to a regular Planning and Zoning Commission member was received by **Eddie Mac Taylor**. Commissioner Lindsay moved to appoint Eddie Mac Taylor to a regular position on the Planning and Zoning Commission, to expire 12-2024. Second by Commissioner Koppenhafer and carried. (See attached)

**Planning & Zoning Commission Appointments:** Director Haley's recommendations for one new regular Commissioner and one new alternate included; **Mike Lynch** for the regular member position, at a 3 year term, alternate is **Ted Neergaard** for a 3 year term and to be included on a 3 year waiting alternate list. **Mike Doyle, Trent Bishop** and **Rhonda Tracy**. Commissioner Lindsay moved to appoint, **Mike Lynch** as a regular member of the Planning & Zoning Commission, **Ted Neergaard** as the alternate and the list is with Planning on the 3 to be moved up in case of a vacancy. Second by Commissioner Koppenhafer and carried.

**Planning & Zoning Commission:** Director Haley made a request to increase the pay for each Planning & Zoning Commissioner, per attended meeting to \$100.00. Commissioner Lindsay moved to appropriate the funds to pay the Planning & Zoning Commissioners \$100.00 per meeting. Second by Commissioner Koppenhafer and carried.

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

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

**VETERANS SERVICE: Veteran Service Officer, Sara Kuhn** and **Frank LoBue** 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**, November 2022 was presented for the record. Other topics discussed included; the November 2022 financial report, a review of office activities, statistical data and the indirect income to Montezuma County. (See attached).

**MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): MCCO Manager, Jennifer Morris** met with the Commissioners to give a monthly report. Topics discussed included; the number of year to date rides, the total 2021 ride numbers and staffing.

**SENIOR SERVICES: Director Jonathon G. Parker** met with the Commissioners to give a monthly report on the Senior Services programs. A discussion was held, regarding funding sources. Topics discussed included; a four year strategic plan from (Triple A) **Area on Aging Agency** funding and a discussion on funding with the **Colorado Health Foundation**.

**NEW BUSINESS:**

**DISCUSSION:** Paul Roithmayr from **SamePage Solutions** met with the Commissioners to give an overview of the **Strategic Planning Program**. (See attached)

**DISCUSSION:** Landfill Manager, Mel Jarmon presented for approval, a letter of support addressed to **RREO Grant Selection Committee** regarding the **RFA#41056 Application** for the Montezuma County Landfill to purchase an excavator. Commissioner Lindsay moved to sign the letter of support for the RFA#41056 Application for the Montezuma County Landfill. Second by Commissioner Candelaria and carried. (See attached)

**COUNTY CLERK & RECORDER:** Chief Deputy Clerk / Motor Vehicle Supervisor, **Malinda Fuller** met with the Commissioners to discuss the **Colorado Parks & Wildlife Keep Colorado Wild Pass**. (See attached)

**DISCUSSION:** Attorney MacLaren gave an overview of the **Montezuma County Sleeping Ute Apartments, Agreement for Section 42(m)(2)(D) Determination**. Commissioner Lindsay moved to sign the Agreement for Section 42(m)(2)(D) Determination for the CHFA, Housing Finance Authority. Second by Commissioner Koppenhafer and carried. (See attached)

**UNFINISHED BUSINESS:**

**RESOLUTION #20-2022:** Administrator, Travis Anderson presented **Resolution #20-2022**. A resolution to appropriate sums of money for 2023. Commissioner Lindsay moved to approve Resolution #20-2022, appropriating sums of money for 2023, for Montezuma County in the amount of \$58,677,923.00. Second by Commissioner Koppenhafer and carried. (See attached)

**RESOLUTION #19-2022:** Administrator, Anderson presented **Resolution #19-2022**. A resolution adopting a budget for Montezuma County, Colorado for the calendar year beginning on the first day of January 2023 and ending on the last day of December 2023. Commissioner Lindsay moved to adopt Resolution #19-2022, adopting the budget of Montezuma County. Second by Commissioner Koppenhafer and carried. (See attached)

**DISCUSSION:** The discussion regarding the retention of the **CDPHE – Montezuma County Landfill Contract Agreement** was postponed to a future meeting.

**DISCUSSION:** Maintenance Supervisor, Dustin Sattler met with the Commissioner to discuss the **Janitorial Service** contracts for the Administration Building. The lowest bidder **Superior Services LLC** had declined the 2023 Janitorial Services for the County Administration building. Supervisor Sattler had contacted the next lowest bidders, **Ron** and **Ruth Stockwell** to accept the contract. Commissioner Lindsay moved to approve Stockwell's bid in the amount of \$57,600.00 for the cleaning services. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY ATTORNEY REPORT:** County Attorney, Ian MacLaren reported that he had been in court last week for a Child Protection case.

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

**COUNTY ADMINISTRATOR REPORT:** County Administrator, Travis Anderson presented for approval the following **TRANSFER ORDERS:**

**Transfer Order #7-2022**, a transfer of \$602,464.00 from General Fund (001) to Capital Fund (004) for 2022 Capital expenditures. Commissioner Lindsay moved to approve Order #7-2022, transferring \$602,464.00, from the General Fund to the Capital Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**Transfer Order #8-2022**, a transfer of \$29,527.15 from General Fund (001) to the Bus Replacement Fund (089), carry over from 2021 MOCO grants. Commissioner Lindsay moved to approve Order #8-2022, transferring \$29,527.15, from the General Fund to the Bus Replacement Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**Transfer Order #9-2022**, a transfer \$772,031.92 from LEA Fund (077) to General Fund (001) for LEA expenses from December 19, 2021 through December 17, 2022. Commissioner Lindsay moved to approve Order #9-2022, to transfer \$772,031.92, from the LEA Fund to the General Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**Transfer Order #10-2022**, a transfer \$143,832.20 from Conservation Trust Fund (052) to General Fund (001) for the operation of the County Fairgrounds from December 19, 2021 through December 18, 2022. Commissioner Lindsay moved to approve Order #10-2022, to transfer \$143,832.20, from the Conservation Trust Fund to the General Fund. Second by Commissioner Koppenhafer and carried. (See attached)

**COUNTY COMMISSIONER REPORT:** Topics discussed within the Commissioners reports included: **Commissioner Lindsay**, no report given. **Commissioner Koppenhafer** discussed upcoming water issues. **Commissioner Candelaria**, no report given

**MOTION TO ADJOURN:** was made by Commissioner Lindsey, seconded by Commissioner Koppenhafer and carried.

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

**MEETING ADJOURNED: 10:20 a.m.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
December 27, 2022

\_\_\_\_\_  
Chairman