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CORTEZ CITY COUNCIL
WORK SESSION/SPECIAL MEETING
TUESDAY, SEPTEMBER 12, 2023
7:00 p.m.

CALL TO ORDER

- A. 7:00 p.m., Grant Updates (Grants Administrator Scott Baker and Community and Economic Development Director Rachael Marchbanks)
- B. 7:15 p.m., Council General Discussion
- C. For Your Information
 - a. Minutes for the Board of Commissioners, Montezuma County, Colorado for August 15, 2023
 - b. Minutes for the Board of Commissioners, Montezuma County, Colorado for August 22, 2023

ADJOURNMENT of Work Session.



CITY OF CORTEZ
123 ROGER SMITH AVENUE
CORTEZ, CO 81321

09/12/2023

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 August 15, 2023

Attachments

BOCC Minutes 08.15.2023

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 15, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 15, 2023 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 August 15, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, August 8, 2023 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 regarding a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Jim & Sharon Krater; agent: Keenen Lovett**, on property located at 4303 Road 21, Cortez, CO, consisting of 20 acres, more or less, located west of Road 21, north of Road D, situated in Section 24, Township 35N, Range 17W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Krater and Agent, Lovett were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by Jim & Sharon Krater; on property located at 4303 Road 21, Cortez, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed 3 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Larry & Liana Wright**, on property located at 8435 Road 25, Cortez, CO, consisting of 19.85 acres, more or less, located west of Road 25, north of Road H, situated in Section 34, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. and Mrs. Wright were present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 3 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by Larry & Liana Wright, on property located at 8435 Road 25, Cortez. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

DISCUSSION: The **#24HEA181459, Senior Services, AAA Contract** in the amount of \$142,750.95 and the **Montezuma County Public Transportation (MCCO) AAA Contract** in the amount of \$50,000.00 were presented for approval. Commissioner Koppenhafer moved to sign the contracts for the Senior Services and the Transportation, Contract #24IHEA181459. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Amendment Application to the Jason's Single Lot Development, submitted by **Clay & Sara South**, on property located at 23286 Road T, Dolores, CO, consisting of 3.28 acres, more or less, and **Summer Camp Cattle, LLC**, on property located at TBD Road T, Dolores, CO, consisting of 70.61 acres, more or less, both located east of Road 23, north of Road S, situated in Section 21, Township 37N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Summer Camp Cattle, LLC owner **Sherrie Blackmer** was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Public comment was made by **Roger Baker**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the amendment application to the Single Lot Development, submitted by Clay & Sara South, on property located at 23286 Road T, Dolores. 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 regarding a proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Nelda Jones**, on property located at 31522 Road W, Dolores, CO, consisting of 17.50 acres, more or less, located south of Road W, east of Road 31, situated in Section 2, Township 37N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Ms. Jones was present. **Planning Director, Don Haley** along with **Assistant, S. Jane Duncan** presented the details of the application and

the findings of the Planning and Zoning Commission. Commissioner Candelaria opened the hearing to public comment. Hearing no public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by Nelda Jones, on property located at 31522 Road W, Dolores. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PUBLIC COMMENT: No public comment was made.

COUNTY SHERIFF: Sheriff, Steven Nowlin met with the Commissioners to give his monthly report which included the **July 2023 Calls for Service Report**, and the proposed Sheriff's office **Position / Annual pay grade for 2023**. Other topics discussed included; stolen property crimes, traffic contact and speeding violations, Crimes against persons, two homicide investigations, bonds, an attempted murder investigation, involvement with the CIP Team, a jury conviction for a serious bodily injury assault to a child, a conviction and scheduled sentencing of a second degree murder stabbing, the Jail inmate count, an newspaper article "The Cost of Crime" published in the Cortez Journal and the recently held County Fair event. (See attached)

COUNTY CORONER: Coroner, George Deavers met with the Commissioners to give the monthly report. The **July 2023** reported numbers included; 12 coroner cases, 5 hospice deaths, 4 autopsies, 0 motor vehicle accident, 3 suicides, 0 overdose deaths and 2 homicides. The **Year to date Totals** included; 158 total cases, 90 coroner cases, 68 hospice deaths, 32 autopsies, 4 motor vehicle accident, 10 suicides, 1 overdose deaths and 4 homicides. Other topics discussed included; a request for a secondary backup vehicle for the Coroners Department. (See attached)

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 discussed included: flooding on Road L, lightning fire strikes, the lightning attack report, a quarterly Community Intervention Program (CIP) report, training and drills, the Generator Grant, the All Hazards Grant and the Team Grant. (See attached)

NEW BUSINESS: Sonia Buffington and Madison Mahaffey from the **Probation Department** of the **Twenty-Second Judicial District** met with the Commissioners to discuss the proposed membership of the local **Juvenile Services Planning Committee**. Commissioner Lindsay moved to approve the proposed membership list of the local Juvenile Services Planning Committee. Second by Commissioner Koppenhafer and carried. (See attached)

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to the **Public Health's** presented **Colorado National Collaborative Grant #2020*3672 Amendment #3**. Commissioner Koppenhafer moved to approve the Amendment #3 for the contract, in the amount of \$100,000.00 on one portion and \$32,728.00 on the other portion, to increase the current contract maximum to \$866,512.00. Second by Commissioner Lindsay and carried (See attached)

DISCUSSION: No action was taken related to the **Proposition HH** discussion.

DISCUSSION: The discussion for the Letter of Support request, related to the **Farmers Telephone Capital Project Funds Grant** was postponed to a future date.

DISCUSSION: The discussion related to the request for a secondary/backup vehicle for the Coroner's office will be added to the 2024 Coroner's budget proposal.

DISCUSSION: The discussion related to the proposed Sheriff's purchase of a Chevrolet Tahoe was postponed to a future date.

DISCUSSION: The proposed **Dolores Contract** was not ready to be discussed at this time.

DISCUSSION: Commissioner Koppenhafer gave an overview of the proposed creation of the **Montezuma County Local Improvement District #2023-1, Upper Road 42 Water Association**. Commissioner Koppenhafer moved to set a Public Hearing, on the decision for the Upper Road 42 Water Association, to September 26, 2023 at 9:10 a.m. Second by Commissioner Lindsay and carried. (See attached)

SECURE RURAL SCHOOLS FUNDING: A discussion was held regarding the distribution of the **Secure Rural Schools Funds Allocation**. Commissioner Lindsay moved to approve the 2023 SRS allocation as presented. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, **Ian MacLaren** reported that the **Noland's** Board of Equalization appeal had been filed.

ADMINISTRATOR REPORT: County Administrator, **Travis Anderson** discussed his Zoom attendance to a CCI meeting related to land use, affordable housing and Senate Bill 213.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** gave an overview of the attended Cortez City Council meeting. **Commissioner Koppenhafer** gave an overview of the attended Mancos Town Council meeting and the attended Colorado River Taskforce meeting. **Commissioner Candelaria** discussed an attended Women's Group meeting, the attended TPR meeting, and the attended Dolores Town Council meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:45 a.m.

Clerk

August 15, 2023

Chairman



CITY OF CORTEZ
123 ROGER SMITH AVENUE
CORTEZ, CO 81321

09/12/2023

Agenda Item: 1. C. b.

MEMO TO: Honorable Mayor and City Council

FROM: DONNA MURPHY, DEPUTY CITY CLERK

SUBJECT: Minutes for the Board of Commissioners, Montezuma County, Colorado for August 22, 2023

Attachments

BOCC Minutes 08.22.2023

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
August 22, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday August 22, 2023 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 August 22, 2023 with the Pledge of Allegiance.

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, August 15, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

PUBLIC HEARING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** reported that the application for review and determination of a General Planned Unit Development, 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., had been **withdrawn**. Commissioner Candelaria closed the public hearing.

PLANNING: Planning Director, Don Haley along with **Assistant, S. Jane Duncan** presented for signatures of a Mylar of an Amendment to the Jason’s Single Lot Development, submitted by **Clay & Sara South**, on property located at 23286 Road T, Dolores, CO, consisting of 3.28 acres, more or less, and **Summer Camp Cattle, LLC**, on property located at TBD Road T, Dolores, CO, consisting of 70.61 acres, more or less, both located east of Road 23, north of Road S, situated in Section 21, Township 37N, Range 16W, N.M.P.M..

Director, Haley along with **Assistant, Duncan** presented for signatures of a Mylar of a 2 Lot Moderate Subdivision and AR3-9 Rezoning Application submitted by **Nelda Jones**, on property

located at 31522 Road W, Dolores, CO, consisting of 17.50 acres, more or less, located south of Road W, east of Road 31, situated in Section 2, Township 37N, Range 15W, N.M.P.M..

PUBLIC COMMENT: Public comment was made by **Lenetta Shull**.

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

VETERANS SERVICE: Veteran Service Officer, Frank LoBue met with the Commissioners to give a monthly report. A copy of the **Colorado Division of Veterans Affairs, County Veterans Service Officers Monthly Report**, for July 2023 was presented for the record. Other topics discussed included; the July 2023 financial report, a review of office activities, claim highlights, pending claims, statistical data and the indirect income to Montezuma County. Officer LoBue presented for the record, a copy of the August 2023 Newsletter and reported that the **Montezuma Stand Down for Veterans Event** is scheduled on September 16, 2023 from 9:00 a.m. - 3:00 p.m. (See attached).

SENIOR SERVICES & MONTEZUMA COUNTY PUBLIC TRANSPORTATION (MCCO): Director, Jennifer Morris met with the Commissioners to give a monthly report on both departments. **Senior Services:** Director, Morris gave an update on the Mancos Senior Center remodel project and a proposal to use the Grange during the duration of time that the Center is unavailable. Other topics discussed within the Senior Services report included; the Annex cleaning deposits for county employees, an overview of program funding by (AAA) Agency on Aging and the Dolores Senior Center. Topics discussed with the **MCCO Transit** report included; funding for the new van, an update on the 14 passenger van purchase, the new transportation services to the Town of Rico, monthly ride numbers, public service announcements and staffing.

UNFINISHED BUSINESS:

DISCUSSION: A Letter of Support addressed to the **Colorado Broadband Office, Advance-CPF Grant Program** related to the **Farmers Telephone Capital Project Funds Grant** was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for Farmers Telephone Communications for the Back 40 Project. Second by Commissioner Lindsay and carried. (See attached)

RESOLUTION 17-2023: Attorney MacLaren presented **Resolution 17-2023**, a resolution declaring the intention of the Board of County Commissioners of Montezuma County, Colorado, to create a Local Improvement District within the County, to be designated as **Montezuma County Local Improvement District #2023-1, (Upper Road 42)**, adopting details and specifications therefor, and ordering publication and mailing of notice of hearing to the owners of the property to be assessed for improvements in said District. Commissioner Koppenhafer moved to approve Resolution #2023-17, declaring the intention of the Board of County Commissioners of Montezuma County, Colorado, to create a Local Improvement District within the County, to be designated as Montezuma County Local Improvement District #2023-1, (Upper Road 42), adopting details and specifications therefor, and ordering publication and

mailing of notice of hearing to the owners of the property to be assessed for improvements in said District. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the request for a secondary/backup vehicle for the Coroner's office was held. Commissioner Lindsay moved to keep the secondary vehicle for the Coroner's office. Second by Commissioner Koppenhafer and carried.

IT: IT Director, Jim McClain met with the Commissioners to present for approval, the **Bead Program**, Sign on Letter Calling for Alternatives to Letter of Credit Requirement. Commissioner Lindsay moved to sign the letter regarding the Bead Program. Second by Commissioner Koppenhafer and carried. (See attached)

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included; the attended FEMA Flood Plan Workshop, Fluvial Hazard mapping, the Essential Federal Lands 70% design review for the Paths to Mesa Verde Project, the scheduled stakeholder's Wildfire meeting, the Saulter Vegetation Management litigation, wildfire mitigation, identification of CFLRP areas within Montezuma County, the Community Wildfire Defense Grant and the open project's quarterly reports.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ellis Lewis Land Use case, discussed the attended Fair Board meeting and CORA requests.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported he had been out of town a couple days last week.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the month of July 2023, Accounts Payable Expenditure Reports, in the amount of \$4,812,586.25. Commissioner Lindsay moved to approve the payables in the amount of \$4,812,586.25. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** reported that he had discussions with several constituents related to road striping. **Commissioner Lindsay** discussed the Dolores / Montezuma County's combined campground tour and the scheduled Cortez City Council meeting. **Commissioner Candelaria** discussed the completed blade patch work on 526 Road, the Dolores / Montezuma County's combined campground tour and completed improvement projects at the Fairgrounds.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:15 a.m.

Clerk

August 22, 2023

Chairman