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

CALL TO ORDER

- A. 7:00 p.m., Update from Southwest Health Systems CEO Joe Theine
- B. 7:15 p.m., Council General Discussion
- C. For Your Information
 - a. Minutes for the Board of Commissioners, Montezuma County, Colorado for November 14, 2023, and November 21, 2023.

ADJOURNMENT of Work Session.



CITY OF CORTEZ
123 ROGER SMITH AVENUE
CORTEZ, CO 81321

12/12/2023

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 November 14, 2023,
and November 21, 2023.

Attachments

BOCC Minutes 11.14.2023

BOCC Minutes 11.21.2023

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 14, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 14, 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

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, October 31, 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 High Impact Permit Application submitted by **Raptor Self-Storage, LLC**, on property located at 26304 Road L, Cortez, CO consisting of 3.43 acres, more or less, located south of Road L, east of Road 26, situated in Section 24, Township 36N, Range 16W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Chris Ross** 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 High Impact Permit Application submitted by Raptor Self-Storage, LLC, on property located at 26304 County Road L, Cortez. 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 High Impact/Special Use Permit Application, submitted by **Ramble Outdoors, Inc**, agent for **Benny & Sondra Cordova**, on property located at TBD Road 31, Dolores, CO, consisting of 9.05 acres, more or less, **Conrad & Eva Hover**, on property located at 29485 Road M, consisting of 24.12 acres, more or less, both located north of Road M, west of Road 31, situated in Section 9, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. **Dieter Erdmann** 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 **Dave Dove**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Koppenhafer moved to approve the proposed High Impact/Special Use Permit Application, submitted by Ramble Outdoors, agent for Benny & Sondra Cordova, and Conrad & Eva Hover, on property located at 29485 Road M and TBD Road 31, consisting of 9.05 acres on the Cordova property, and 24.12 acres on the Hover property. 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 4 Lot Moderate Subdivision and Rezoning Application submitted by **Ellis Lewis**, on property located at 14171 Road 36.75, Mancos, CO, consisting of 39.66 acres, more or less, located south and west of Hwy 184, situated in Section 34, T.37N, R.14W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Lewis 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 Lindsay moved to continue Mr. Lewis's public hearing to December 19, 2023 at 9:00 a.m. 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 rescheduled public hearing is held for review and determination of a proposed High Impact/Special Use Permit Application, submitted by **Silvina Guerreiro Moore & Jeremy Moore**, on property located at 7134 Road 41, Mancos, CO, consisting of 3.71 acres, more or less, located south of Hwy 160, east of Road 41, situated in Section 4, T.35N, R.13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Commissioner Koppenhafer recused himself from the hearing. Mr. and Mrs. Moore along with Planning Consultant, **Tiffany Rhodes** 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. Public comment was made by **Dave Dove, Jessica McIntyre, Renee Fiegenbaum, Katie McClure, Nathan McIntyre, Cindy Gray, Craig McClure, Sally Dziedzic, Susan Lisak, Mathew Decker, Mike Nolan, Wesley Rivera, John Davis, Amorina Lee Martinez, Josh Mischke, Jennifer Magnuson, Muchon Obon, Jeffrey Magnuson, Dan Peterson, Marsha Goodwin, Delaney Dillon, Travis Imel, Scott Fowler, Clara Martinez, Sharon Craft, Danette Dillon** and **Ashley Cody Smith**. Emailed comments were received by; **Cynthia Gridley, Leander Gridley, Sarah Decker, Kenneth Decker, Pam Kroll, Marsha Goodwin, Scott Midgley and Christina Swank, K Marie**

Meyer, Debi Durand, Audrey Royem, Jacqueline and Charles Smith, Carolyn Decker–Witt, and Dustin Brown. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented the Commissioners were at an impasse, so the application would die due to the lack of a second and would not move forward. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley along with **Assistant, Duncan** presented for discussion and approval of an After-The-Fact Variance, submitted by **Ashley C. Smith**, on property located at 7348 Road 40.3, Mancos, CO, consisting of 3.79 acres, more or less, located north of Road 40.3, situated in Section 5, Township 35N, Range 13W, N.M.P.M. Commissioner Lindsay moved to approve the After-The-Fact Variance, submitted by Ashley C. Smith, on property located at 7348 Road 40.3, Mancos. Commissioner Lindsay withdrew his motion. Ms. Smith will review other avenues with Empire Electric to address the issues and return at a future date.

Director, Haley along with **Assistant, Duncan** presented for discussion and approval of a Boundary Line Adjustment Application submitted by **The Faucet Company, LLC**, on property located at 24194 Road L, Cortez, CO, consisting of 6.75 acres, more or less, and **Richard McDonald**, on property located at 10801 Hwy 491, Cortez, CO, consisting of 1.40 acres, more or less, both located west of Hwy 491, south of Road L, situated in Section 22, Township 36N, Range 16W, N.M.P.M. Commissioner Lindsay moved to approve the Boundary Line Adjustment Application submitted by The Faucet Company, LLC, on property located at 24194 Road L, Cortez. Second by Commissioner Candelaria and carried. (See attached)

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

DISCUSSION: A discussion was held related to an addition to the **Employee Handbook**. Commissioner Lindsay moved to approve the addition to the Employee Handbook #3.2.4, addressing the deployment of County Employees and their salaries. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The **Montezuma County Fairground’s Racetrack** lease for the 2024 season was presented for review and discussion. Commissioner Lindsay moved to sign the Race Tack lease between Montezuma County and **Julian Garcia, Garcia Motorsports** for the terms within the contract. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: **Sheriff Nowlin** met with the Commissioners to discuss the presented **Montezuma County Sheriff’s Office Position / Annual Pay Grade 2023**. Commissioner Koppenhafer moved to approve the Montezuma County Sheriff’s Office position pay grade proposal as presented today. Second by Commissioner Candelaria and carried. (See attached)

NEW BUSINESS:

NOTICE of the 2024 BUDGET: The Budget Committee: Administrator Anderson, Commissioner Candelaria and **Chief Finance Officer, Faedra Grubb** met with the Commissioners and gave a summary of the proposed 2024 Budget. Topics discussed included;

Road & Bridge, Public Health, Social Services, the Capital Fund, capital projects for next year, Landfill, ETA, the Lodgers Tax, Conservation Trust and the LEA. (See attached)

COUNTY GRANT COORDINATOR: Grant Coordinator, Robert Dobry no report given.

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the attended Board of Assessment Appeal Hearing and gave an update on the Ironwood case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed meetings with the City of Cortez to work on unified projects, budgetary aspects of checks and balances for 2025, an attended meeting with the Sheriff and the Southwest Hospital, the attended Weed Advisory Board meeting, a special legislation meeting to discuss property tax relief, a scheduled special meeting for CCI and a proposed Safety Sales Tax.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** was not available to report. **Commissioner Koppenhafer** reported on the attended Colorado River Task Force meeting and reported that the NCA would be up for a vote in the Senate. **Commissioner Candelaria** discussed the attended Montezuma Leadership Presentation, the Weed Advisory Board meeting and the attended Dolores Town Board meeting.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 2:50 p.m.

Clerk November 14, 2023

Chairman

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
November 21, 2023**

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday November 21, 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 November 21, 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, November 14, 2023 as presented. Motion was seconded by Commissioner Lindsay and carried.

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

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. The **Memo of Understanding between Montezuma County and Powers County** was presented for approval. Commissioner Koppenhafer moved to sign the Memo of Understanding between Powers County and Montezuma County Board of Commissioners, for the child welfare hotline connection center. Second by Commissioner Lindsay and carried. (See attached)

PUBLIC HEALTH: **Public Health Director Bobbie Lock** met with the Commissioner to give a monthly report. Topics discussed included: the **Long Term Care Program** move to

Community Connections, a financial request for cubicles, scheduled interviews, the proposed change to the **WIC Program**, the **Community Intervention Program**, the **Congressional Direct Spending Grant** and staffing.

VETERANS SERVICE: Veteran Service Officer, Frank LoBue was not available to report.

EMERGENCY MANAGEMENT: Emergency Manager, Jim Spratlen met with the Commissioner and gave a monthly update. Manager Spratlen presented the **Monthly Situational Report** for discussion and review. Topics discussed included: highway closures and the main street water break, planning updates, grants, training and drills, the **Community Involvement Expo** event, scheduled for December 14, 2023 and emergency management radios. (See attached)

NEW BUSINESS:

SOUTHWEST HEALTH SYSTEMS: (CEO) Chief Executive Officer, Joe Theine met with the Commissioners to give an update on the local hospital. Topics discussed included: completed Website updates, National Healthcare Challenges, staffing challenges, an increase in labor expense, staff turnover comparisons, Colorado Rural Workforce Environmental Scan, legislative activity, how to attract community members to receive care locally, building on healthcare workforce partnerships, additions, changes and recruiting of Providers, the SHS Board appointments, replacement of primary care providers, Senior Care and a scheduled fund raising event. (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 and Clerk Percell. Seconded by Commissioner Koppenhafer and carried. Topics for the executive session were legal tactics of negotiation, legalities and procedure regarding the Mesa Sky Improvement District. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

RESOLUTION: Resolution #23-2023, a resolution amending Montezuma County Resolution #22-2023, which formed, created and established a Local Improvement district for the chip sealing of County Road 26.1 Loop, serving the Mesa Sky Estates Subdivision was presented for approval. Commissioner Lindsay moved to approve resolution #23-2023, a resolution amending Montezuma County Resolution #22-2023, which formed, created and established a Local Improvement District for the chip sealing of County Road 26.1 Loop, serving the Mesa Sky Estates Subdivision. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren discussed the findings of the Board of Assessment Appeal Hearing, gave an update on the Ironwood case and discussed the Fair Board civil rights complaint.

PAYABLE EXPENDITURE REPORT: Administrator Anderson presented for approval, the October 2023 Accounts Payable Expenditure Reports in the amount of \$4,803,481.48.

Commissioner Koppenhafer moved to approve the financials for Montezuma County Board of Commissioners, for the month of October 1, through October 31, 2023, in the total amount of \$4,803,481.48. Second by Commissioner Lindsay and carried. (See attached)

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed stake holder meetings held after Proposition HH failed, possible adjusted budgets from preliminary findings, state assessments, a reduction of the assessment rate, County revenues and County services.

NATURAL RESOURCES, PLANNING & PUBLIC LANDS: Resource Director, James Dietrich, met with the Commissioners to give his weekly report. Topics of the discussion included: a landowner's pending BLM permit for Horse Tours in the Canyon of the Ancients National Monument, the (DWARF) Dolores Watershed and Resilient Forrest Coordination Collaborative, the CFLRP Collaborative, the Saulter EA and an update on the Paths to Mesa Verde Project. (See attached)

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** discussed the attended Cortez City Council and Dispatch meetings. **Commissioner Koppenhafer** reported on the attended Colorado River Task Force and the Colorado Ag Water Alliance meetings. **Commissioner Candelaria** discussed the attended Emergency CCI tax and finance steering committee meeting, the Ironwood site visit, the Monday E911 Board meeting and county compliance to statures public notices.

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

CORRESPONDENCE: The following correspondence was read and noted:

MEETING ADJOURNED: 10:57 a.m.

Clerk

November 21, 2023

Chairman