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CORTEZ CITY COUNCIL
WORK SESSION/SPECIAL MEETING
TUESDAY, MAY 28, 2024

No Workshop shall be held this evening.

A. For Your Information

- a. Minutes for the Board of Commissioners, Montezuma County, Colorado for May 14, 2024.



CITY OF CORTEZ
123 ROGER SMITH AVENUE
CORTEZ, CO 81321

05/28/2024

Agenda Item: 1. A. 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 May 14, 2024.

Attachments

BOCC Minutes 05.14.2024

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
MONTEZUMA COUNTY, COLORADO
May 14, 2024

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

At a regular meeting of the Board of Commissioners, Montezuma County, Colorado, held on Tuesday May 14, 2024 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 May 14, 2024 with the Pledge of Allegiance

MINUTES: Commissioner Koppenhafer moved to approve the Proceedings of the Board of County Commissioners of Montezuma County, for Tuesday, April 30, 2024 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 3 Lot Minor Subdivision and AR10-34 Rezoning Application, submitted by **Margaret Johnson Gaddis Estate**; agent: **Keenen Lovett**, on property located at 4052 Road J, Mancos, CO, consisting of 69 acres, more or less, located east of Road 39, south of Road J, situated in Section 32, Township 36N, Range 13W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Lovett was present. **Planning Director, Don Haley** noted that the address on the public notice was incorrect and should be 40752 Road J. Because the address was incorrect on the public notice it was recommended by Attorney MacLaren to allow time for an amended notification to be sent out to the adjoining property owners. Commissioner Lindsay moved to continue the hearing to June 4th at 9:00 a.m. Second by Commissioner Koppenhafer and carried. (See attached)

PUBLIC HEARING: It being the time set aside a public hearing is held for review and determination regarding a proposed Rezoning Application from AR10-34 to INDHZ & High Impact Permit & Special Use Permit Application, submitted by **Northwest Pipeline, LLC**, agent: **Stephan Knubel**, on property located at 24970 Road 18, Pleasant View, CO, consisting of 11.88 acres, more or less, located south of Road BB, east of Road 18, situated in Section 10 Township 38N, Range 17W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Agent, Knubel joined the meeting by Zoom. **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 deny the proposed Rezoning Application for the heavy industrial zoning and pass the High Impact Permit & Special Use Permit Application, submitted by Northwest Pipeline, LLC, at 24970 Road 18, Pleasant View Co. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley and from **Montezuma Water Company, Steve Bowman** met with the Commissioner to present for approval of a Variance Application, submitted by **Montezuma Water Company**, on property located at 27666 Road T, Dolores, CO, consisting of 12.17 acres, more or less, located south of Road T, east of Hwy 145, situated in Section 19, Township 37N, Range 15W, N.M.P.M. Commissioner Lindsay moved to approve the variance application, submitted by Montezuma Water Company, on property located at 27666 Road T, Dolores. Second by Commissioner Koppenhafer and carried. (See attached)

Director, Haley presented for signatures of a Mylar of a Subdivision Amendment & Boundary Line Adjustment of Lot 2 of the **Lynch 2 Lot Minor Subdivision**, submitted by **Paul Abate**, on property located at 14587 Road 29.75, Dolores, CO, consisting of 21.44 acres, more or less, and of the Redwood Single Lot Development, submitted by **Kelley Shepherd**, on property located at 14499 Road 29.6, Dolores, CO, consisting of 4.60 acres, more or less, both located south of Hwy 184 and east of Road 28, situated in Section 33, Township 37N, Range 15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

PUBLIC LANDS:

Canyon of the Ancients National Monument Manager, Ray O'Neal was not available to report.

UNFINISHED BUSINESS:

LODGERS TAX COMMITTEE: During the Monday Workshop, **Committee Chairman, Lee Cloy Committee Secretary, Brian Bartlett**, along with members **Lana Kelly** and **Kathy Zubrzycki** met with the Commissioners to give the recommendations for the Lodger's Tax Fund Disbursements. Commissioner Lindsay moved to accept the recommendations of the Montezuma Lodgers Tax Committee for the disbursements in the amounts shown. Second by Commissioner Candelaria and carried. (See attached).

DISCUSSION: During the Monday Workshop, **County Grant Coordinator, Robert Dobry** met with the Commissioners to discuss the Montezuma County Grant Application for **the Public Health- CIP Bureau of Justice Assistance – PACT Promoting Access to Crisis Team** Grant. Commissioner Lindsay moved to approve the Montezuma County Grant Application Submission Form, up to the amount of \$400,000.00, for the Public Health’s CIP, Community Intervention Program. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: During the Monday workshop **Landfill Manager, Mel Jarmon** presented a quote for a proposed purchase of a new strapper for the Landfill baler. Commissioner Lindsay moved to approve the bid from **Accent Wire Tie** in the amount of \$45,029.00 for the baler at the Montezuma County Landfill. Second by Commissioner Candelaria and carried. (See attached)

DISCUSSION: The discussion related to a citizen’s request for a proposed 3 way stop at the intersection of County Roads P and Road 25 was postponed.

APPOINTMENT: Clerk Percell reported that **Cortez Cemetery Board** member **Donnie Tanner** wished to be released and that a letter of interest had been received from **Gary Unrein** to be appointed to the Board. Also presented were letters received from **Howard Kaime** and **ED Rice** to be reappointed to the Board. Commissioner Lindsay moved to appointment Howard Kaime, Ed Rice and Gary Unrein, to the Cortez Cemetery Board for terms of 6 years, and release Donnie Tanner from his position. Second by Commissioner Candelaria and carried. (See Attached)

INTERGOVERNMENTAL AGREEMENT: Clerk Percell presented for approval an amended Intergovernmental Agreement (IGA) between the Montezuma County Clerk & Recorder and the Town of Dolores, related to the 24 hour ballot drop box. The drop box has been moved from the demolished building, to the new Dolores Town hall location on 601 Central Ave. Dolores Co. 81323. Commissioner Lindsay moved to approve the amended IGA for the Dolores drop box. Second by Commissioner Candelaria and carried. (See attached)

REQUEST FOR PROPOSAL (RFP): The **2024 Contractor Herbicide Applicator, Noxious Weeds**, request for proposal (RFP) was presented by Administrator Anderson during the Monday Workshop. The Board was in agreement to move forward with the Request for Proposal. (See attached)

DISCUSSION: During the Monday Workshop, **Board of Social Services Director, Kelli Hargraves** met with the Commissioners to present for approval the Montezuma County Grant Application Submission Form in the amount of \$11,100.00, for the **LOR Foundation’s Adult & Aging Specialist** grant related to the part-time **AmeriCorps Member**. Commissioner Lindsay moved to approve the Grant Application for Social Services, to the LOR Foundation for an Adult & Aging Specialist, in the amount of \$11,100.00. Second by Commissioner Candelaria and carried. (See attached)

NEW BUSINESS:

LIQUOR LICENSE: Clerk, Percell presented for approval a liquor license renewal application for **G Whil Liquors LLC**, DBA **G Whil Liquors** located at 24001 Road G.2, Cortez, Co.

Commissioner Lindsay moved to approve the retail liquor, license renewal application for G Whil Liquors, located at 24001 Road G.2, Cortez. Second by Commissioner Candelaria and carried. (See attached)

LIQUOR LICENSE: Clerk, Percell presented a liquor license renewal application for **Schroeder Colorado Inc., DBA Eagle Claw Trading Post & Liquor Store**, located at 4321 S US Hwy 160/491, Cortez, CO. Commissioner Lindsay moved to approve the liquor license renewal application, for Eagle Claw Liquor located at 4321 South, US 160, Cortez. Second by Commissioner Candelaria and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren reported that he had received the signed contracts for the CIP Program. He also discussed the attended CIP Stakeholders meeting and gave an update on the Ironwood case.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended CIP Stakeholders meeting, the Emergency CCI Legislative Property Tax meeting, a road repair on County Road K.3 and Hwy 491, the beginning of the 2025 Budget discussions, the America the Beautiful grant application, day to day operations and time spent on document research. Administrator Anderson discussed the Veterans Service Officer interviews and reported that the position has been offered and accepted by **Ashley Garrett**.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Lindsay** Discussed the Veterans Service Officer interviews, the Emergency CCI Legislative Property Tax meeting and the 12 Hours of Mesa Verde Event. **Commissioner Candelaria:** discussed the Senate Bill #24-233, the Residential Assessment Rate, the Veterans Service Officer interviews and the attended Dolores Town Council meeting. **Commissioner Koppenhafer** discussed the attended Mancos Town Council meeting.

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). Seconded by Commissioner Candelaria and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren and Clerk Percell. Topics for the executive session were legal advice on the property titles to Elected Officials and the airport hangar lease. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

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

CORRESPONDENCE: The following correspondence was read and noted: Email from **Dolores Water Conservation District Director, Ken Curtis**

MEETING ADJOURNED: 11:25 a.m.

Clerk May 14, 2024

Chairman