

**PLEASE VIEW THE LIVE STREAMED CITY COUNCIL MEETINGS ON THE CITY'S WEB SITE:
[City-Council-Live-Stream](#)**

**CORTEZ CITY COUNCIL
WORK SESSION/SPECIAL MEETING
TUESDAY, JUNE 25, 2024
5:15 p.m.**

CALL TO ORDER

- A. 5:15 p.m., Interview of three applicants for City Boards/Commissions
- B. 5:30 p.m. - 7:25 p.m., Joint Worksession with Planning and Zoning Commission and City Council on Draft Land Use Code
- C. 7:25 p.m., Council General Discussion
- D. For Your Information
 - a. Minutes for the Board of Commissioners, Montezuma County, Colorado for June 4, 2024 and June 11, 2024.

ADJOURNMENT of Work Session.



CITY OF CORTEZ
123 ROGER SMITH AVENUE
CORTEZ, CO 81321

06/25/2024

Agenda Item: 1. D. 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 June 4, 2024 and June 11, 2024.

Attachments

BOCC Minutes 06.04.2024

BOCC Minutes 06.11.2024

Application, submitted by Margaret Johnson Gaddis Estate; on property located at 40752 Road J, Mancos, CO, consisting of 69 acres. 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 review and determination regarding a proposed High Impact Permit Amendment Application to High Impact Permit #622, submitted by **Empire Electric Association, Inc;** agent: **Christopher Snyder**, on property located at 23999 Road L.4, Cortez, CO, consisting of 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 recused himself from the proceedings. Agent, Snyder 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 Koppenhafer moved to approve the proposed High Impact Permit Amendment Application to High Impact Permit #622, submitted by Empire Electric Association, Inc; agent: Christopher Snyder, on property located at 23999 Road L.4, Cortez, consisting of 36.98 acres. Second by Commissioner Candelaria 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 review and determination of a proposed Subdivision & AR3-9 Rezoning Application, submitted by **Harvey & Sharon Hackett** and **Ted & Shauna Gray**, on property located at TBD Road H, Cortez, CO, consisting of 41.32 acres, more or less, located south of Road H, east of Road 27, situated in Section 4 Township 35N, Range 15W, N.M.P.M.. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Hackett 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 **Warren Gaspar**. Hearing no further public comment that portion of the hearing was closed. After hearing all the evidence presented Commissioner Lindsay moved to approve the proposed Subdivision & AR3-9 Rezoning Application, submitted by Harvey & Sharon Hackett and Ted & Shauna Gray, on property located at TBD Road H, Cortez, CO. Second by Commissioner Koppenhafer and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Don Haley along with **Assistant, Jane S. Duncan** presented for signatures of a High Impact Permit & Special Use Permit, 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.

Director, Haley along with Assistant Duncan presented for signatures of a Variance 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.

Director, Haley along with Assistant Duncan presented for signatures of a Mylar for a 2 Lot Moderate Subdivision submitted by **Andrew & Danyell Lahmann**, on property located at 17593 Hwy 145, Dolores, CO, consisting of 16.93 acres, more or less, located east of Hwy 184, north of Hwy 145, situated in Section 17, Township 37N, Range 15W, N.M.P.M.

PUBLIC COMMENT: Public comment was made by **Lori York, Susan Kennetz Carolyn Lucas, Melani Filener, Paulette Gasner** and **Allen Maez**.

UNFINISHED BUSINESS:

The **Montezuma County Clerk & Recorder, Kim Percell** presented a proposed Intergovernmental Agreement (IGA) between Montezuma County and the Montezuma County Clerk & Recorder related to the County question that will be included on the 2024 November General Election ballot. Commissioner Koppenhafer moved to approve the Intergovernmental Agreement and appoint Travis Anderson as the designated Election official. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: The discussion related to the **Dan Hoch** non-compliant A/R property on Road L was tabled to another time.

GRANT DISCUSSIONS: **Robert Dobry, County Grant Coordinator**, met with the Commissioners to discuss the following Montezuma County Grant Applications:

The **Montezuma County Sheriff's Office (BJA) Bureau of Justice Assistance Bulletproof Vest Partnership Program**, in the total amount of \$14,220.00 with matching funds \$7,110.00. Commissioner Lindsay moved to approve the BJA Bulletproof Vest Partnership Program grant application, in the amount of \$14,220.00. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Sheriff's Office** Colorado Judicial Department, **24/25 Court Security Cash Fund Grant Award** in the amount of \$65,000. Commissioner Koppenhafer moved to sign the 2024 - 2025 Court Security Cash Fund Grant Award of \$65,000. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Coroner's, CDPHE Overdose Data in Action 2024-2025 grant**, in the amount up to \$45,000.00. Commissioner Lindsay moved to approve the CDPHE Colorado Department of Public Health and Environment, Overdose Data in Action 2024-2025 grant application, in the amount up to \$45,000.00. The motion was seconded by Commissioner Koppenhafer and carried. (See attached)

The **Montezuma County Public Health Department** and (CDPHE) Colorado Department of Public Health and Environment, **Office of Public Health Practice, Planning and Local Partnership** grant application, in the amount of \$203,630.00. Commissioner Koppenhafer moved to approve the CDPHE Office of Public Health Practice, Planning and Local Partnership grant application submission form, in the amount of \$203,630.00. Second by Commissioner Lindsay and carried. (See attached)

The **Montezuma County Public Health Department 2024 & 2025 (OEPR) Office of Emergency Response and Preparedness** grant in the amount of \$52,944.00. Commissioner Lindsay moved to authorize the Chairman to sign the OEPR grant 24-25, Department of Public Health and Environment. Second by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood case, discussed the Leaf Properties complaint, and reported that the County Attorney Conference was scheduled next week.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson discussed the attended CCI Conference, HB21-1110 and a break out session related to work force.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the attended CCI Conference, networking with the other Colorado Commissioners the scheduled Ute Mountain Rodeo and the Shoshone hydroelectric power plant water rights.

Commissioner Lindsay discussed the attended CCI Conference, new tax laws, Amendment 50 and the possible Amendment 108, the attended Legion Memorial Day breakfast and a letter received from the Nick Fergis, and the Interstellar Alliance Social Experiment Group.

Commissioner Candelaria: discussed the attended CCI Conference, the attended Western District meeting, the National Monument, a BLM presentation and orphan property lots, new tax laws, Amendment 50 and the possible Amendment 108.

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

CORRESPONDENCE: The following correspondence was read and noted: letter from the **Nick Fergis**, and the **Interstellar Alliance Social Experiment Group**.

MEETING ADJOURNED: 10:11 a.m.

Clerk

June 4, 2024

Chairman

properties at issue in the subdivision application. 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 a proposed 3 Lot Minor Subdivision & AR3-9 Rezoning Application submitted by **Rocky Wilson**, on property located at 12880 Road 31, Mancos, CO, consisting of 37.03 acres, more or less, located east of Road 29, north of Hwy 160, situated in Section 10, Township 36N, Range 15W, N.M.P.M. The roll was called, the public notice read, and the proceedings were recorded for the record. Mr. Wilson 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 Koppenhafer moved to approve the proposed 3 Lot Minor Subdivision & AR3-9 Rezoning Application submitted by Rocky Wilson, on property located at 12880 Road 31, Mancos, CO. Second by Commissioner Lindsay and carried. Commissioner Candelaria closed the hearing at this time. (See attached)

PLANNING: Director, Haley along with **Assistant, Duncan** presented for signatures a Mylar for a Subdivision Amendment and AR3-9 Rezoning to Lot C of the **Crooked Cottonwood Subdivision**, submitted by **Gary Ellson**, on property located at TBD Road 32.75, Mancos, CO, consisting of 24.08 acres, more or less, located west of Road 33, north of Road P, situated in Section 1, Township 36N, Range 15W, N.M.P.M.

PUBLIC COMMENT: No public comment was made.

UNFINISHED BUSINESS:

GRANT DISCUSSIONS: Robert Dobry, County Grant Coordinator, met with the Commissioners to discuss the following Montezuma County Grant Applications: During the Monday Workshop **IT Director, Jim McClain** met with the Commissioners to present for approval, the **Department of Homeland Security, Emergency Management State (DHSEM) State / Local Cybersecurity grant – CrowdStrike Falcon**, in the total amount of \$70,000.00. Commissioner Koppenhafer moved to approve the Grant Application Submission form to the Department of Homeland Security, Emergency Management State / Local Cybersecurity grant – CrowdStrike Falcon application, in the amount of \$70,000.00. Second by Commissioner Lindsay and carried. (See attached)

During the Monday Workshop **Sheriff Nowlin** presented the **Colorado Trusted Interoperability Platform Grant, OAJJA Behavioral Health Information and Data Sharing Grant** in the amount of \$20,000.00. Commissioner Koppenhafer moved to approve the Montezuma County Grant Application Submission Form for the OAJJA Behavioral Health Information and Data Sharing Grant, in the amount of \$20,000.00, with no match. Second by Commissioner Lindsay and carried. (See attached)

LETTER OF SUPPORT: A letter of support, addressed to Meg Taylor Vice president Rocky Mountain Health Plans related to the support of RMHP's BH ASO proposal, strategy and

commitments was presented for approval. Commissioner Koppenhafer moved to sign the letter of support for Rocky Mountain Health Plans support of their proposed strategy and commitments. Second by Commissioner Lindsay and carried. (See attached)

DISCUSSION: During the Monday Workshop **Road & Bridge Equipment Manager, Shane Higman** met with the Commissioners to discuss the purchase of a pothole truck for the Road & Bridge Department. Commissioner Lindsay moved to approve and accept the bid from **Hellman Chevrolet**, Delta Colorado, in the amount of \$41,900.00, for the 2018 Ford F350, for the Road & Bridge pothole truck. Second by Commissioner Koppenhafer and carried. (See attached)

DISCUSSION: The discussion related to the **Rules Pertaining to Licensure of Ground Ambulance Services** was tabled to a later date.

DISCUSSION: During the Monday Workshop a discussion was held related to the **Authorized Signature Sheet** for the **CDBG Calkins Commons – Finance/Legal**. Commissioner Lindsay moved to authorize the Chairman, Commissioner Candelaria to sign the Signature Sheet for the Colorado Department of Local Affairs Division of Housing, for funds, for the Calkins Commons. 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). Seconded by Commissioner Koppenhafer and carried. Included in the session will be; Commissioners Candelaria, Lindsay and Koppenhafer, Administrator Anderson, Attorney MacLaren, Planning Director, Haley and Clerk Percell. Topics for the executive session were legal advice on cleanup options for the Ironwood facility. Commissioner Lindsay moved to go out of executive session, seconded by Commissioner Koppenhafer and carried. (See attached)

COUNTY ATTORNEY REPORT: County Attorney, Ian MacLaren gave an update on the Ironwood case and reported on the attended County Attorney Conference. Topics discussed included: accessibility in House Bill 21-1110, House Bill 24-1454, Treasurer’s Deeds, new legislation, a legislative update, Senate Bill 24-212, unfunded mandates, and a tribute to former County Attorney **Bob Slough**.

ADMINISTRATOR REPORT: County Administrator, Travis Anderson reported that he had been very busy with meetings, including the CIP Program meeting and a meeting held with the Town Administrator of Dolores.

COUNTY COMMISSIONER REPORT: Topics within the Commissioners reports included: **Commissioner Koppenhafer** discussed the postponement of the Triple A meeting, the attended Ute Mountain Roundup Rodeo, the scheduled Montezuma Valley Irrigation meeting and a scheduled Southwest Water Conservation District meeting.

Commissioner Lindsay reported that he would be attending the scheduled Cortez City Council meeting.

Commissioner Candelaria: discussed the Ute Mountain Roundup Rodeo and the Departmental reports presented during the Monday Workshop.

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

CORRESPONDENCE: The following correspondence was read and noted: the Emergency Manager’s Monthly Situation Report, the Colorado Department of Transportation Report, and the Montezuma County Fairgrounds June 2024 report. (See attached)

MEETING ADJOURNED: 10:31 a.m.

Clerk June 11, 2024

Chairman