

**Dolores County
Board of County Commissioners**

February 1, 2021

A regular meeting of the Dolores County Board of County Commissioners was held at the Public Service Center in Dove Creek, Colorado on February 1, 2021. Present for the meeting were Chairperson Floyd Cook, Vice Chair Julie Kibel, Commissioner Steve Garchar, Attorney Dennis Golbricht, County Administrator Margret Daves and Deputy Clerk to the Board Jody Gardner.

The meeting began with everyone reciting the Pledge of Allegiance.

Guests

Community Voice Representatives Ronda Lancaster and Anita Fernandez, Chamber of Commerce Representative Kendra Cook, Road and Bridge Supervisor Steve Davis, Mapping and Addressing Specialist Amber Fisher, Social Services Director Malynda Evans, DC Treas, Senior Services Director Julie Bingham, Kinder Morgan Representative Chris Millican, Dove Creek Press Owner Kathleen Keesling, Air Products Site Manager Michael Jordan, San Juan County Utah Road and Bridge Supervisor Todd Adair, Prisma LLC Representative David Newton, Clayton Campbell and Rebekah Morris, Public Health Nurse Mary Randolph, Dolores County School Representatives Ty Gray and Shane Baughman, HR and Finance Specialist Lenore Johnson

Payroll for January 29, 2021

The following is a list of total payrolls by Department:

County Commissioners:	\$7,726.58	7 Employees		
Commissioner Other	\$194.63		1 Part Time	
County Clerk:	\$3,100.20	3 Employees		
County Treasurer:	\$2,769.84	2 Employees		
County Assessor:	\$4,050.18	4 Employees		
GIS:	\$1,187.25	1 Employee		
County Maintenance:	\$1,414.98	1 Employee		
County Sheriff:	\$14,701.56	10 Employees	1 Part Time	
County Coroner:	\$371.30	1 Employee		
EMA:	\$2,152.70	1 Employee		
Extension:	\$755.22	2 Employees		
DCTV:	\$1,501.12		7 Part Time	
Veterans Office:	\$480.22		1 Part Time	
Senior Services:	\$8,534.00	3 Employees	12 Part Time	
Health & Nurse:	\$3,831.75	2 Employees		1 Temp
Mandatory Weed:	\$2,058.41	2 Employees	1 Part Time	
R&B Administration Other:	\$23,423.22	19 Employees	1 Part Time	
Social Services:	\$6,545.87	5 Employees	1 Part Time	
TOTAL:	\$81,699.21	63 Employees	21 Part Time	1
Temp				

Agenda

Commissioner Garchar made a motion to accept the agenda with the addition of a discussion with San Juan County Road and Bridge Department, a Private Driveway Plowing discussion and an Executive Session.

Commissioner Kibel seconded the motion.

All three Commissioners voted in favor of the motion.

Minutes

Presented for approval were the End of the Month BOCC minutes from January 27, 2021.

Commissioner Garchar made a motion approving the minutes listed above.

Commissioner Kibel seconded the motion.

All three Commissioners voted in favor of the motion.

Expenditures

Commissioner Garchar made a motion approving the expenditures.

Commissioner Kibel seconded the motion.

All three Commissioners voted in favor of the motion.

Official County Road Map and Road Inventory Approval:

Mapping and Addressing Specialist Amber Fisher presented for annual approval of the County Road Map and County Road Inventory. Ms. Fisher stated that no changes had been made from the previous year.

Commissioner Kibel made a motion approving the County Road Map.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Commissioner Kibel made a motion approving the County Road Inventory.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Social Services Update

Social Services Director Malynda Evans presented for approval the Record of Proceedings through January 5, as well as the Reconciliation Statement and Budget versus Expenditures for December 1-31, 2020.

Commissioner Kibel made a motion approving the above-mentioned documents.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Director Evans said her office is open to the public by appointment.

Private Drive Plowing Discussion

From time to time during the winter months, the County has historically provided emergency snow removal for private driveways in exigent circumstances. Such circumstances can occur when ambulances or other emergency vehicles need access, or when an elderly or disabled person is at risk, or for other emergency situations. Due to concerns over liability and increased requests for plowing, the County is restating its policy that private driveway plowing shall be limited to exigent situations only. Such determinations shall be left to the Road and Bridge Superintendent. The plowing of any private driveways shall not be authorized unless specifically deemed appropriate on a case by case basis by the Road and Bridge Superintendent.

A list of local contractors that provide snow plowing services was assembled and will be shared with the public. The local contractors will be contacted for rates.

Social Services does provide assistance for any open Adult Protections Services cases. Senior Services also has some funding available. Emergency Manager Keesling will investigate possible funding sources to also assist those in need of the assistance with services.

Commercial Truck Route Discussion

Kinder Morgan Representative Chris Millican and Air Products Site Manager Michael Jordan were present to discuss truck routes within the County. Land Development Agreements list the current routes available to both entities. County Road 15 is the designated truck route. County Road R is an emergency route only available if Road 15 is shut down. Alternate routes were discussed such as Road 15 to Road T for access to Highway 491.

Semi's making right-hand turns on to Highway 491 were discussed with visibility being an issue in certain locations. To mitigate that danger, trucks are allowed to use Road T for 491 access from CR 15.

County Road R has received one layer of chip seal. A second layer is slated for application in 2022. Attorney Golbricht mentioned that if either entity wanted to contribute to the second layer of chip seal before 2022 then the County could make that project happen sooner, and that route may be opened up to the subject trucks.

Road Discussion with San Juan County Utah.

San Juan County Utah's new Road and Bridge Supervisor Todd Adair was present to introduce himself and to discuss snow plowing maintenance. For many years the Dolores County Road crew plowed both Bug and Cedar Point roads as they were easier to access from the Colorado side. In December 2019, the Counties implemented an Intergovernmental Agreement. Dolores County would continue to provide maintenance to Cedar Point and San Juan County would maintain Bug Point.

After discussion, Mr. Adair made a request on behalf of San Juan County for Dolores County to add Bug Point to its snow-plowing route under the terms of the IGA. The BOCC agreed. Mr. Adair will provide a follow-up email with the specific routes.

Newton/Campbell Cease and Desist Hearing

David Newton, Clayton Campbell and Rebakah Morris were present for a hearing on a possible violation of the County OWTS regulations related to a previously approved temporary septic system. The system was inspected by Jones and Demille Engineering Services on April 3, 2019 and approved on a temporary basis until June 2020. The temporary system had an above-ground 500 gallon tank/vault. By June of 2020, a permanent system was to have been installed and then again inspected for final approval. Due to various reasons the permanent system was not installed. The residents allegedly were living elsewhere and recently moved back and began using the expired temporary system. According to testimony by Sherriff Wilson, the tank/vault from the temporary system had been removed and replaced with a 50-gallon drum. Mr. Clayton confirmed that fact and also stated that he had installed an unpermitted grey water sand system. Mr. Campbell stated that he would like time to complete a permanent permitted system. Mr. Newton or an entity controlled by him is the property owner of record. The septic permit was pulled under his business name in care of him. Allowance of the current non-permitted system does not comply with OWTS Regulation 43 Septic Standards. Mr. Newton requested that the previous permit be abandoned, as he does not intend nor wish to have the system completed. Mr. Newton stated that Mr. Campbell was a squatter on the property with no rights.

Executive Session

Attorney Golbricht requested an Executive Session pursuant to CRS 24-6-402(4)(b) for privileged attorney client discussion regarding possible litigation matters. The BOCC entered into an Executive Session at 1:27 pm and ended the session at 2:02 p.m. Mr. Golbricht stated that it was his opinion that the matters were privileged communications and therefore no recording or minutes would be kept. After discussion in an Executive Session the Board of Health reconvened with the following decision:

Commissioner Kibel made a motion to issue a Cease and Desist order for the current system to both Mr. Newton and Mr. Campbell. Mr. Campbell shall be allowed to put a porta-john in place within 7 days that may be used for up to 120 days. The porta-john must contain all effluence and grey water. The porta-john must be serviced as needed and at least once per month. Receipts for servicing must be provided to the County. During that 120 period, Mr. Campbell may seek a permit for a OWTS with the County, but must provide proof of record ownership of a portion of the property sufficient to support the system. After 120 days with a porta-john, Mr. Campbell must either have a permitted and approved system in place, or cease using the residence. The parties were urged to seek attorneys to resolve the ownership/use issue on the property. Mr. Newton objected to the placement of a porta-john on the property.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Executive Session

Attorney Golbricht requested an Executive Session pursuant to CRS 24-6-402(4)(b) for privileged attorney client discussion in regards to possible litigation. The BOCC entered into an Executive Session at 10:17 am and ended the session at 11:53 am.

Commissioner Cook closed the meeting.

Floyd L. Cook

Chair to the Board of County Commissioners

Josy Lindner

Deputy Clerk
to the Board of County Commissioners

