

**Dolores County
Board of County Commissioners**

February 22, 2022

A regular meeting of the Dolores County Board of County Commissioners was held at the Public Service Center in Dove Creek, Colorado on February 22, 2022. Present for the meeting were Commission Chair Floyd Cook, Vice Chair Julie Kibel, Commissioner Steve Garchar, Attorney Dennis Golbricht, County Administrator Margaret Daves and Deputy Clerk to the Board Jody Gardner.

The meeting began with everyone reciting the Pledge of Allegiance.

Guests

Community Voice Representative Ronda Lancaster, Resident Dan Johnson, CSU Extension Agent Gus Westerman, Region 9 Representatives Laura Lewis Marciano and Heather Otter, 22nd Judicial Court District Attorney Matt Margeson, HR Director Lenore Johnson, EMS Director Keith Keesling, Mapping and Addressing Director Amber Fisher, Deputy Assessor Amber Blackmore, DC Clerk, Extension, Senior Services Director Julie Bingham, Forest Service Representative Derek Padilla, Bureau of Land Management Representative Connie Clementson, American West Homes Representative Wes Jones and Road and Bridge Supervisor Steve Davis

Payroll for February 15, 2021

The following is a list of total payrolls by Department:

County Commissioners:	\$8,822.30	7 Employees		
Commissioner Other	\$704.39		1 Part Time	
County Clerk:	\$3,098.79	3 Employees		
County Treasurer:	\$2,861.29	2 Employees		
County Assessor:	\$3,943.64	4 Employees		
GIS:	\$1,265.56	1 Employee		
County Maintenance:	\$1,764.38	1 Employee	1 Part Time	
County Sheriff:	\$15,088.63	11 Employees	2 Part Time	
County Coroner:	\$420.77	1 Employee		
EMA:	\$1,121.90	1 Employee		
Extension:	\$2,385.95	2 Employees		1 Temp
DCTV:	\$1,551.43		4 Part Time	
Veterans Office:	\$374.59		1 Part Time	
Fair Board:	\$41.56			1 Temp
Senior Services:	\$10,092.23	3 Employees	10 Part Time	
Health & Nurse:	\$3,003.88	2 Employees		
Mandatory Weed:	\$2,164.47	2 Employees	1 Part Time	
R&B Administration Other:	\$23,431.91	19 Employees		
Social Services:	\$8,740.59	6 Employees	2 Part Time	
TOTAL:	\$90,878.26	65 Employees	22 Part Time	2 Temp

Proceedings to the BOCC Meeting on February 22, 2022

Agenda

Commissioner Kibel made a motion to accept the agenda.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Minutes

Presented for approval were the End of the Month meeting minutes from January 31, 2022 and the regular meeting minutes from February 7, 2022.

Commissioner Kibel made a motion to accept the above-mentioned minutes.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Expenditures

Commissioner Kibel made a motion approving payment of the expenditures.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Road and Bridge Pickup Bid Opening

The Road and Bridge Department received three bids for a new 2022 4x4 1/2-ton crew cab pickup from local dealerships.

Steve Keetch Motors submitted a bid in the amount of \$ 35,500.00 for a Chevrolet pickup.
Martin's Dove Creek Implement submitted a bid in the amount of \$45,188.00 for a Ford F150 pickup.
TruWest Auto submitted a bid in the amount of \$40,466.00 for a Dodge Tradesman pickup.

Commissioner Kibel made a motion to accept the bid from Steve Keetch Motors.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Community Block Development Grant (CDBG) Public Hearing

A Community Block Development Grant was applied for in the amount of \$225,000.00 to assist with the possible purchase of a public health building. The exact grant award date is still pending. County Administrator Margret Daves and CSU Extension Agent Gus Westerman worked diligently to prepare the grant in a short three-week time frame to meet the submittal deadline. Mr. Westerman is fairly optimistic that the County will be awarded the grant. All requirements were met, including a 50% match by the County.

Commissioner Cook opened the meeting up to the public for comment. No one was present in person or on zoom that wished to comment. Commissioner Cook closed the public hearing.

Region 9 County Performance Report

Region 9 Representatives Heather Otter and Laura Lewis Marchino were present to share the Region 9 County Performance Report. The purpose of the report is to capture activities, services and resources deployed by Region 9 in partnership with Dolores County and communities on an annual basis. The Region 9 Economic Development District of Southwest Colorado Inc. (Region 9) is a nonprofit, 501 (c) 6 public private partnership that promotes and coordinates economic and community development efforts throughout southwest Colorado. Region 9 covers five counties, ten municipalities and the two Native American Tribes in Colorado (Ute Mountain Ute and Southern Ute). Incorporated in 1989, Region 9 is led by a 26-member board of directors; 17 from local governmental jurisdictions and 9 from the private sector. Region 9 is a Colorado State Data Center local affiliate, and provides reliable, unbiased, and timely regional socio-economic data to citizens and policymakers

District Attorney Staff Update

District Attorney Matt Margeson was present to share details regarding staff changes within the DA's office.

HR Issue and Possible Executive Session

Attorney Golbricht requested an executive session pursuant to CRS-24-6-402(4)(b) for the purpose of receiving legal advice from counsel regarding a potential personnel issue. It was Golbricht's opinion that the matter constituted privileged attorney client information, therefore no recording or minutes would be kept. The Board entered into an Executive Session at 11:10a.m. The Executive Session ended at 11:26 a.m. No action was taken as a result of the Executive Session.

Outside of the meeting room, Attorney Golbricht asked a County employee if they would prefer to have a discussion in executive session or on the record regarding that person's employment. The employee chose to have the discussion in an executive session.

Attorney Golbricht requested an Executive Session pursuant to CRS 24-6-402 4(f)(I) to discuss a personnel issue. Due to the nature of the discussion a recording will be kept for 90 days and then destroyed. The Board entered into an Executive Session with the employee at 11:28am. The Executive Session ended at 12:05 pm.

Commissioner Kibel made a motion to replace the Senior Services Director, as a result of the Executive Session.

Commissioner Cook seconded the motion.

Both Commissioners voted in favor of the motion.

Commissioner Garchar voted against the motion.

There was discussion regarding an interim director position. A possible suggestion was made by County Administrator Daves. The current employee will be contacted to determine willingness until the position can be filled.

Forest Service Update

USFS District Ranger Derek Padilla shared details regarding the San Juan Wood for Life pilot project between the San Juan National Forest, Chinle Chapter of the Navajo Nation, National Forest Foundation and Weston Backcountry. The project provides tribes with a sustainable source of firewood from forest thinning projects. The firewood being delivered was in a remote part of the district.

The USFS is again pursuing the Small Tract Act with Atlantic Richfield. The sale of the land was initiated last year and then put on hold due to litigation. The FS was recently notified that the litigation does not present any conflict with the sale. Approximately 40 acres was sold to ARCO for the utilization of continued cleanup projects. ARCO and the Town of Rico are working through terms on a trail easement that may impact the sale of 27 acres on the hill. The project results will be determined if there is any opposition to the project during the scoping period.

Bureau of Land Management Update

BLM Tres Rios Field Manager Connie Clementson provided an update on the State Admitting Parcels. A Decision of No Impact was determined. The final Environmental Assessment was completed. The BLM will transfer 1000+ acres to the State Land Board as part of an agreement dating back to statehood. The land transfers will take place over the next several months. There was discussion regarding county roads and right of ways that may be on the parcels being transferred. Research regarding expired rights of way will be done. Everyone will work with the State during the process to mitigate any potential retention issues.

Discussions continued on the Black Snag road and culvert repair. Dolores County changed its proposal in November 2021 and requested an 8' culvert rather than a low water crossing due to maintenance concerns. As a result, BLM indicated that the County would need to get a PE to "sign off" on the culvert proposal for the flows it receives. Dolores County believes the BLM should help cover the costs for that action. However, the BLM has indicated that a low water crossing is likely sufficient for public access purposes. BLM will be going back out to verify what sort of 'crossing' would be sufficient for just the general public but anticipate it will likely be a low water crossing. County Administrator Daves questioned the costs associated with the revisions and if all costs fall upon the County. Ms. Clementson will look into ownership of the road and get back with Ms. Daves.

Commissioner Cook questioned the status of the Disappointment Gravel Pit. Ms. Clementson shared that the BLM is willing to recognize a 5-acre pit so the County can continue to mine this year but before that can happen, the County will need to identify that acreage on a map that depicts the 5 acres they would want to focus gravel extractions from and send that to BLM. BLM will then complete a CatEx and get a mineral contract out to the County to continue mining operations within the 'existing' identified 5 acres.

New Business

Colorado Parks and Wildlife Impact Assistance Program Grant Application Approval: The Assessor's office presented the annual Colorado Parks and Wildlife Impact Assistance Grant Application authorized by CRS 30-25-301 and 302.

The breakdown is as follows:

	<u>Acres</u>	<u>Amount Requested</u>
State Parks	7786	\$2,709.19
State Wildlife Areas	8988	\$6,991.53

Commissioner Garchar made a motion approving Resolution #02-22-01.
Commissioner Kibel seconded the motion.
All three Commissioners voted in favor of the motion.

Resolution #02-22-01: A Resolution authorizing the County Administrator to contract on behalf of the Board of County Commissioners (BOCC) for contracts valued at a maximum of \$20,000.00.

Commissioner Kibel made a motion approving Resolution #02-22-01.
Commissioner Cook seconded the motion.
All three Commissioners discussed the subject of the Resolution. Commissioners Cook and Kibel emphasized the efficiency the authorization would provide. The County Administrator stated her intent to bring any questionable contracts to the BOCC regardless. Commissioner Garchar expressed his position that all contracting should stay with the BOCC.
Commissioners Kibel and Cook voted in favor, with Commissioner Garchar voting against.

Letter of Opposition to Proposed Rule Establishing Administrative Fees for Communication Use: Commissioner Kibel had previously drafted a letter of opposition to the USDA Forest Service's Proposed Rule Establishing Annual Programmatic Administrative Fees for Communications Use Authorization published on December 22, 2021. Commissioner Kibel read the letter for the record with partial highlights mentioned below. Dolores County is very rural. Over sixty-four percent of the land within the County boundaries is held as public lands by the BLM or Forest Service. Currently, County communication equipment is housed on Expectation Tower and North Mountain Tower. The repeaters in use are to provide services for public safety purposes such as by the Fire Departments, Sheriff's Office, Search and Rescue, Ambulance Districts and the County Road and Bridge Department. The BOCC is against implementation of fees that would charge the County or public service agency entities for providing mandated public services. The BOCC feels very strongly that implementation of these fees goes against any working relationships established with the Forest Service in prior years.

Commissioner Garchar made a motion approving the Letter of Opposition to the proposed rule.
Commissioner Kibel seconded the motion.
All three Commissioners voted in favor of the motion.

Consideration and Possible Adoption of a Public Health Building Contract: There was discussion regarding the County's Procurement Policy. Competitive bids are required for large purchases. Comparisons to the chosen structure were sought. Upon consultation with DOLA's Patrick Rondinelli and his consultation with the CDBG Grant Program Manager, there are not many modular manufacturers in the area. Ideally, size and dimensions comparisons from three providers is preferential. Factors such as price, delivery, cost and timing shall be considered. Recognizing that obtaining three bids could be difficult the County considered costs associated with a stick-built building. One quote from a like modular home vendor was received, with a much higher cost estimate quoted. A local contractor provided current cost estimates for a stick-built building, which also came in at a higher amount.

Commissioner Kibel made a motion approving an exemption from the County Procurement Policy due to the limited number of comparable manufacturers in the area, the timeliness of the delivery and the overall cost of the modular, it's installation and setup, as well as granting County Administrator Daves to proceed with finalizing the contract documents.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Old Business

Dollar General LDA Review and Possible Approval: Attorney Golbricht shared details regarding negotiations with final details of the Vaquero DC Partners/Dollar General LDA including the design plan, road plan and engineered septic plan.

Commissioner Kibel made a motion to sign the LDA as presented.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Possible Implementation of a County Wide Sales Tax Discussion: A workshop will be held to answer community questions and share information regarding the possible implementation on Monday, February 28, 2022 at the Public Service Center at 6p.m.

Commissioner Cook adjourned the meeting.


Deputy Clerk to the Board of County Commissioners


Chair to the Board of County Commissioners

