

**Dolores County
Board of County Commissioners**

June 21, 2021

A regular meeting of the Dolores County Board of County Commissioners was held at the Courthouse in Dove Creek, Colorado on June 21, 2021. Present for the meeting were Commission Chairperson Floyd Cook, Vice Chair Julie Kibel and 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

22nd Judicial District SB94 Coordinator/Case Manager Bryan Kelley, Subdivision Applicant Corey Veach, Bureau of Land Management Tres Rios Field Office Manager Connie Clementson and Shawn SWD PAO, Community Voice Representative Ronda Lancaster, Dove Creek Press Owner Kathleen Keesling, Chamber of Commerce Representative Kendra Cook, Mapping and Addressing Director Amber Fisher, DC TREAS, Assessor Berna Ernst, Subdivision Exemption Applicant Barbara Mate Mendoza, Property Owner Buddy Banks, West Fork Fire Representative Tommy Jones and Kevin Lovett, Septic Inspector Jeff Carhart and Road and Bridge Supervisor Steve Davis

Payroll for June 15, 2021

The following is a list of total payrolls by Department:

County Commissioners:	\$7,761.93	6 Employees		
Commissioner Other	\$1,368.20		1 Part Time	
County Clerk:	\$3,100.20	3 Employees		
County Treasurer:	\$2,769.84	2 Employees		
County Assessor:	\$4,152.58	4 Employees	1 Part Time	
GIS:	\$1,206.83	1 Employee		
County Maintenance:	\$1,511.95	1 Employee	1 Part Time	
County Sheriff:	\$13,681.77	10 Employees	1 Part Time	
County Coroner:	\$371.30	1 Employee		
EMA:	\$1,275.87	1 Employee		
Extension:	\$2,745.53	2 Employees	1 Part Time	
Veterans Office:	\$480.22		1 Part Time	
Senior Services:	\$9,694.93	3 Employees	12 Part Time	
Health & Nurse:	\$2,840.46	2 Employees		
Mandatory Weed:	\$2,541.49	2 Employees	1 Part Time	
R&B Administration Other:	\$21,648.79	18 Employees	1 Part Time	
Social Services:	\$7,324.39	6 Employees	1 Part Time	
TOTAL:	\$84,476.28	62 Employees	21 Part Time	0 Temp

Agenda

Commissioner Garchar made a motion to accept the agenda with the addition of a Safety Circuit Rider discussion and a possible End of the Month meeting schedule change discussion.
Commissioner Kibel seconded the motion.
All three Commissioners voted in favor of the motion.

Minutes

There were no minutes presented for approval.

Expenditures

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

Juvenile Services Membership Approval

Bryan Kelley was present to discuss the reappointment of active members for the proposed Juvenile Services Membership Agreement. Pursuant to Colorado Revised Statutes 19-2-211, the Board of County Commissioners shall recommend individuals to serve on a local juvenile services planning committee that shall be appointed by the chief judge of the judicial district. The agreement is renewed every two years. There was discussion regarding the need for a representative from the Dolores County School District. A person was suggested and will be contacted by Mr. Kelley.

Commissioner Kibel made a motion approving the proposed membership Juvenile Services Membership.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Cottonwood Ranch Proposed Subdivision Discussion

Corey Veach was present to discuss a proposed change to the existing Cottonwood Ranches Subdivision. Mr. Veach would like to subdivide some of the existing 35+ acre parcels into smaller 12+ acre parcels. As part of the review process the BOCC shall review the sketch plan and make recommendations that are then passed on to the Planning Commission with comments within 90 days.

Attorney Golbricht discussed the issue of emergency services and the lack of access during winter due to no maintenance. Also discussed was compliance with county permits and regulations, such as with septic.

A guided field trip will be scheduled with the BOCC. A workshop with the BOCC and Planning Commission is scheduled for Monday, June 28, 2021 at 6:00pm in the Commissioners meeting room.

West Fork Fire Building Bid Opening

Three sealed bids were received for a 60x60x16 pre-engineered metal building including excavation, foundation, plumbing and overhead doors. Alternate bids for electrical, framing and plumbing to finish the interior were also provided.

West Fork Fire Representatives Tommy Johnson and Kevin Lovett were present for the bid opening. A tentative meeting was scheduled to further discuss the bids the next day. The meeting was then postponed until the Department of Local Affairs could be contacted regarding the grant that will partially fund the project.

Mendoza Preliminary Subdivision Exemption Request

Barbara Mate Mendoza was present to request a 10-acre Subdivision Exemption from two parcels totaling approximately 47 acres. The existing three-acre parcel will be joined with the larger parcel granting access to the property farther off the county road. Discussion took place regarding the existing home site and the installed septic system and setbacks from the proposed property lines, as well as right of ways. Septic Inspector Jeff Carhart will visit the site upon review of the septic file and its layout.

Commissioner Kibel made a motion granting a Preliminary Subdivision Exemption subject to confirmation that only two lots would exist upon the final plat and with confirmation that the existing septic would be within the proposed property lines.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

The applicant was directed to schedule a second meeting with the BOCC upon receipt of the plat to obtain final approval.

Inspector Carhart confirmed upon inspection that the septic would be contained upon the proposed parcel.

Young/Davis Septic Cease and Desist Hearing

The Commissioners closed as the BOCC and opened as the Board of Health at 11:37 a.m. to discuss the Young/Davis septic located at 12910 Road 9.4 Dove Creek, CO. Inspector Carhart shared pictures from a recent site visit. The landowners and tenants have failed to comply with guidance provided on the March 30th site visit in which Inspector Carhart granted a 90-day compliance time frame. An application has yet to be provided to the County. The landowner sent a receipt confirming the purchase of a water tank that has been set in a trench at the site. Inspector Carhart said that the water tank was not set on level ground and would collapse if the hole surrounding the water tank was backfilled. Inspector Carhart said the attempted install of the water tank as opposed to a septic tank did not meet Regulation 43 standards. Also mentioned was the fact that the previously used outhouse had been buried. A makeshift outhouse is currently being used. Outhouses are illegal unless post 2014 when Regulation 43 standards were adopted.

Proceedings to the Board of County Commissioners Meeting on June 21, 2021

Commissioner Kibel made a motion issuing an immediate Cease and Desist for use of the illegal septic system.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Attorney Golbricht drafted a Cease-and-Desist letter to be mailed via certified mail to the property owner and a second copy to be hand delivered letter to the property occupants.

Forest Service Update

USFS Derek Padilla was not able to attend the meeting due to a previously scheduled field trip. An email was sent sharing that the final Salter Environmental Assessment and the Draft Decision Notice would be released on Wednesday, June 23.

BLM Update

Bradfield Water Right of Way Discussion: The area was walked with an inner-disciplinary team. Possible alternatives were discussed, including a Straighter shorter route which would be cheaper to build. It was noted that the profile from previous road was barely visible. Shared access with Montezuma County was discussed. Road and Bridge Supervisor Steve Davis will look at the proposed alternate routes and let Ms. Clementson know of the best route.

Road T.5 Road Reclamation: Ms. Clementson said the BLM is in the reclamation plan process and needs to know what the County would like to have happen with the road. Commissioner Cook said the County does not want to see the road reclaimed as it is a good place for public access. Road and Bridge Supervisor Steve Davis said the fire department uses the road and well pad turn around as a fire access to the Canyon of the Ancients. Commissioner Garchar likes the BLM's proposal #4 but would like to modify it to extend the County Right of Way to include the additional half mile of road to the well pad, plus the well pad acreage for camping as access for nearby hiking and rock climbing.

Supervisor Davis will look into costs for road upgrades if the County were to assume responsibility for the road. A proposal will be presented within two months for compliance review with the Resource Management Plan. The BLM's Ray O'Niel will be contacted to plan a site visit field trip.

Rim Timber Sale/ Ragland Right of Way Discussion: An on-going request from Mr. Ragland for a right of way access across BLM to remove timber from his property has been researched in depth. Confusion existed, due to a misunderstanding, in house with the BLM right of way request, as it was thought to have been a right of way request for a home site. Details are pending; currently a right of way is being sought for a 3-5 year right of way for the timber removal.

Fasi Letter (Newton/Prisma LLC) Discussion: Ms. Clementson said the BLM has received a request for a fire break as well as an access route to private property and would like to know the County's stance on the situation. Attorney Golbricht provided a brief update regarding the parties involved. There is a pending foreclosure on the property. The County intends to see how that plays out to be able to work with the actual landowner of record.

New Business

Dunton Hot Springs Liquor License Approval: The Dunton Hot Springs liquor license renewal application was presented for approval. Sheriff Don Wilson was previously contacted and had no issues or concerns with the entities license being renewed.

Commissioner Kibel made a motion approving the liquor license application renewal for Dunton Hot Springs.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

2021 fees are waived at the County and State level due to COVID-19 hardships on businesses.

The application will be forwarded on to the State for their approval.

Stage 1 Fire Ban Approval: On June 16, 2021, Sheriff Don Wilson implemented a Stage 1 fire ban for all of Dolores County.

Commissioner Kibel made a motion approving the implementation of the Stage 1 Fire Ban.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

End of the Month Meeting Date Change: Commissioner Garchar suggested that the End of the Month meeting be changed to Monday on the last week of the month as opposed to the actual last day of any given month or the last Thursday of the month if the last day of the month falls on a Friday or over the weekend. Ms. Daves mentioned that having the meeting on a set Monday would not allow for payroll or bills to be signed as they would not be processed that far in advance. Also, stated was that the meeting dates are set at the County Reorganization Meeting held annually in January and would not be able to be changed until the next reorganization. Commissioner Kibel mentioned the reasoning for the End of the Month meeting with Department Heads that came to fruition years before Mr. Garchar's having been an elected official.

Old Business:

Safety Circuit Rider Discussion: Commissioner Garchar referenced a recent email regarding the Safety Circuit Rider Program offered in part through CDOT. Mr. Garchar does not want to miss an opportunity for a second opinion on evaluating crash data on local county roads.

Commissioner Cook does not want to bind the County to something that could potentially cost hundreds of thousands of dollars to mitigate. He feels that the Road and Bridge Department does an excellent job of providing safe and maintained roads in Dolores County for its constituents. Commissioner Kibel asked about specific areas of concern as she was unaware of any high accident locations on County roads. Attorney Golbricht voiced concern over potentially receiving an opinion of a dangerous condition that the County cannot afford to fix, therefore, basically forcing the County's hand.

Proceedings to the Board of County Commissioners Meeting on June 21, 2021

Commissioner Garchar mentioned a recently attended San Miquel County meeting where some possibly problematic signage was discussed, specifically with "Children at Play" signs that he feels should be replaced with speed limit signs. Also mentioned were "Dangerous Intersection" signs. Commissioner Cook likes the awareness and forewarning that the mentioned signage provides.

Commissioner Cook adjourned the meeting.



Chair to the Board of County Commissioners



Deputy Clerk to the Board of County Commissioners



The seal is circular with a dotted border. The outer ring contains the text "DOLORES COUNTY" at the top and "COLORADO" at the bottom, separated by a star on the right. In the center, the word "Seal" is written in a stylized font.