

**Dolores County  
Board of County Commissioners**

**July 19, 2021**

A regular meeting of the Dolores County Board of County Commissioners was held at the Courthouse in Dove Creek, Colorado on July 19, 2021. Present for the meeting were Chair 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**

Dove's Nest Manager Brandi Curtis, Montezuma County Resiliency Project Representative Rachael Marchbanks, Montezuma County Administrator Shak Powers, Property Owner Kenneth Vance and Creed McCaslin, Senator John Hickenlooper's Representative Helen Katich, Sheriff Don Wilson, Road and Bridge Supervisor Steve Davis, Mapping and Addressing Director Amber Fisher, Chamber of Commerce Representative Kendra Cook, Dove Creek Press Owner Kathleen Keesling, Axis Health Systems, Louise Johnson, Residents Dan and Neta Johnson, Community Voice Representative Anita Fernandez, Region 9 Representative Dan Fernandez, CSU Extension Agent Gus Westerman, San Juan National Forest Service District Ranger Derek Padilla, Bureau of Land Management Tres Rios Field Office Manager Connie Clementson and Canyon of the Ancients Representative Ray O'Neil, Director of Federal Broadband Engagement Teresa Ferguson, USDA General Field Representative Brad Claisen, and Emery Telecom CEO Jared Anderson

**Payroll for July 15, 2021**

The following is a list of total payrolls by Department:

County Commissioners:	\$7,718.10	6 Employees		
Commissioner Other	\$1076.85		1 Part Time	
County Clerk:	\$3,079.27	3 Employees		
County Treasurer:	\$2,769.84	2 Employees		
County Assessor:	\$4,050.18	4 Employees		
GIS:	\$1,206.83	1 Employee		
County Maintenance:	\$1,414.98	1 Employee		
County Sheriff:	\$13,852.12	10 Employees	2 Part Time	
County Coroner:	\$371.30	1 Employee		
EMA:	\$1,006.17	1 Employee		
Extension:	\$1,718.48	2 Employees	1 Part Time	
DCTV:	\$415.57		1 Part Time	
Veterans Office:	\$480.22		1 Part Time	
Fair Board:	\$155.14			1 Temp
Senior Services:	\$7,850.12	2 Employees	12 Part Time	
Health & Nurse:	\$2,840.11	2 Employees		
Mandatory Weed:	\$2,420.51	2 Employees	1 Part Time	1 Temp
R&B Administration Other:	\$23,876.44	19 Employees		
Social Services:	\$7,249.45	6 Employees	1 Part Time	
<b>TOTAL:</b>	<b>\$83,551.68</b>	<b>62 Employees</b>	<b>20 Part Time</b>	<b>2 Temp</b>

**Agenda**

Commissioner Garchar made a motion to accept the agenda.  
Commissioner Cook 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 June 30, 2021. Commissioner Cook abstained as he had not been able to attend that meeting.

Commissioner Garchar made a motion approving the minutes.  
Commissioner Kibel seconded the motion.  
Both 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.

**Dove's Nest Mill Levy Increase Discussion**

Dove's Nest Representative Brandy Curtis was present to discuss the need for an increase of funding for daily operations at the Dove's Nest. With increasing costs, the mandated minimum wage increases and decreasing revenue from the current mil levy, the Dove's Nest is concerned about the future of the entity. The Quality-of-Life mil levy is a unique fund that serves private non-profit services. Dove's Nest, the Senior Center and the Rico Center are the three entities that the Dolores County mil levy specifically calls out for funding assistance. After discussion, Ms. Curtis was directed to visit with the other entities involved. ARP funds were also discussed as a temporary funding alternative. Grant funding was also mentioned as an option that could be pursued.

**Resiliency Project Update and Opioid Settlement Discussion**

Montezuma County Administrator Shak Powers handed out two packets. The Colorado Allocations MOU was dispersed according to population over an eighteen-year time period with approximately 10% dispersed annually of the \$1,876,798.78. Discussed was the possibility of pooling the resources with the five southwest Colorado counties. Also mentioned was the need to appoint one County as the financial administrator. The Colorado Regional Opioid Intergovernmental Agreement was also shared and discussed as it will need signed soon.

Resiliency Project Representative Rachel Marchbanks discussed the need for a consultant by September and some in person meetings to establish a plan. The major focus is on housing and business retention and expansion as well as diversifying County income. An MOU was shared via email this morning that will be reviewed.

### **Vance Subdivision Exemption Preliminary Approval**

Dolores County Property Owner Kenneth Vance was present to request a Preliminary Subdivision Exemption on approximately 13 acres on Road H. The request is for three subdivision parcels that will all be over 3 acres. All three lots are accessible from the county road; however, the center parcel will have an easement for access over one of the other parcels due to the topography. Rental cabins will be constructed on each parcel.

Commissioner Kibel made a motion approving the Preliminary Subdivision Exemption.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

### **Senator Hickenlooper's Office Update**

Senator Hickenlooper's Representative Helen Katich shared some information from his current activities; including a Bill to have Cooperatives seen as businesses. The second Bill is to have Indigenous presence be recognized on SBA. The third Bill requests that renewable energy companies have access to grants.

Also discussed was the Western Health Care Alliance partnership, the Commerce Committee implementation of broadband in Southwest Colorado that works directly with the FCC with an emphasis on the push for rural telecom that integrates dollars that access federal funds and finally, the Space and Science Committee which is still gathering information at this point.

There is an Infrastructure package that is being sponsored by a bipartisan group of 11 republicans and 10 democrats. Included in the infrastructure plan are western waters, dams, sewage systems, water storage and fighting for rural water.

Commissioner Cook discussed a local issue regarding irrigated farmers that are not getting paid for loss from NAP insurance through USDA. Some have waited 3 years for payments.

### **Emery Telecom Update**

Emery Telecom CEO Jared Anderson, Director of Federal Broadband Engagement Teresa Ferguson and USDA General Field Representative Brad Claisen joined to answer questions and provide an update on the project. The Empire Electric pole agreement is in place. Bi-weekly calls are being conducted on the permitting process at this point. Answers should be in this week regarding the environmental and cultural aspects effected by the project. Next will be the construction bid process for the Colorado side of the project. That should take approximately two weeks, thereafter, the bid will be awarded allowing initial construction to begin in October. The project installation from Monticello to Dove Creek will take approximately wight weeks. Home and business installations will begin next spring.

A press release will be shared this fall and a public meeting will be held in the spring. A monthly update will be held on the second BOCC meeting of the month moving forward.

**Road 11.2 Discussion (Possible Executive Session)**

Attorney Golbricht suggested an executive session pursuant to CRS 24-6-402(4)(b) for the purpose of providing legal advice concerning a potential litigation issue related to road 11.2. It was Golbricht's opinion that the matter constituted privileged attorney client information therefore no recording or minutes would be kept.

Commissioner Kibel made a motion approving the executive session at 11:30am.

Commissioner Garchar seconded the motion.

All Commissioners voted in favor of the motion.

The executive session ended at 11:56am with no action taken.

**Forest Service Update**

San Juan National Forest Service District Ranger Derek Padilla said the Salter Environmental Assessment is out for objection. The objection period will close early in August.

Commissioner Garchar asked about the feed on the grazing allotments. Mr. Padilla said the feed was not an issue. The availability of water in stock ponds was currently more of an issue.

Commissioner Garchar asked about the fire restrictions and obedience with that law. Mr. Padilla said a few fires were found after the fact, but no citations have been issued. The Forest Service will be evaluating the fire restrictions due to recent rains and are considering lifting the bans.

Administrator Daves reported that there were four fallen trees across Forest Service Road 534L. Mr. Padilla said he would let his team know.

**BLM Update**

Bureau of Land Management Tres Rios Field Office Manager Connie Clementson and Canyon of the Ancients Representative Ray O'Neil were present. Ms. Clementson discussed the Road and Bridge access and use to the Dolores River application and issues that held up processing the application. Ms. Clementson believes that everything has finally cleared up and is pushing for access this year.

The lumber mill in Montrose was awarded the Stoner Top logging timber sale project. Mr. Ragland was notified of the project.

The BLM will decide on possibly lifting the fire ban situation of their lands later today.

Commissioner Kibel discussed the mowing at the Bradfield Bridge Campground area. The County has historically mowed the area. Last year, the BLM mowed as they had purchased a tractor. The County will stay in touch when Cabin Canyon day use facility being is mowed to offer mowing services if needed.

Box Elder campground has historically been used as the location for the Bluegrass Jamboree. Due to recent BLM upgrades to the facility this spring that location no longer met their needs. Possible alternative locations were discussed and will be researched.

**Nonbinding Marijuana Referendum Discussion/Decision  
Resolution #07-21-02**

Discussion and public comment regarding the addition of a nonbinding marijuana referendum ballot measure took place.

The purpose of the ballot measure is to better serve the constituents of Dolores County by gathering information.

Commissioner Kibel made a motion approving adding the Nonbinding Marijuana Referendum to the November 2021 ballot as set forth in Resolution #07-21-02.

Commissioner Cook seconded the motion.

Both Commissioners voted in favor of the motion.

Commissioner Garchar opposed the Resolution.

**New Business**

**Groundhog Liquor License Application Renewal Approval:**

Sheriff Wilson was previously contacted and had no issues or concerns regarding the liquor license renewal.

Commissioner Garchar made a motion approving renewal of the Groundhog Liquor License application.

Commissioner Kibel seconded the motion.

All three Commissioners voted in favor of the motion.

**Approval of Treasurer's Semi-Annual Report:**

Commissioner Kibel made a motion approving the Treasurer's Semi-Annual Report.

Commissioner Garchar seconded the motion.

All three Commissioner's voted in favor of the motion.

**Southwest Basin Roundtable Appointment:**

Commissioner Garchar made a motion appointing Dagan Chadd as the new Southwest Basin Roundtable Representative.

Commissioner Kibel seconded the motion.

All three Commissioners voted in favor of the motion.

**Fund Transfer Resolution #07-21-03:** The Dolores County Treasurer made a request to Transfer Funds from the Search and Rescue Fund to the General Fund in the amount of \$13,000.00

Commissioner Garchar made a motion approving Resolution #07-21-03.

Commissioner Kibel seconded the motion.

All three Commissioners voted in favor of the motion.

**Ormiston Fund Resolution #07-21-04:** The Board of County Commissioners received a request for the distribution of funds from the Clara Ormiston Trust Fund. It was found that the applicant qualified as determined by the conditions of the Ormiston Trust Fud for \$1,000.00 for cancer treatment.

Commissioner Kibel made a motion approving Resolution #07-21-04.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

**West Fork Fire Facility Lease Agreement:** discussed the of a draft West Fork Fire 99-year lease. West Fork Fire would be responsible for all costs associated with the building and utilities.

Commissioner Kibel made a motion approving sharing the West Fork Fire Lease Agreement with the West Fork Fire Department.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

#### **Old Business**

**Execution of Engineering Contract (Possible Executive Session):** Attorney Golbricht discussed the details of a contract with local Engineer Craig Wickstrom. Mr. Wickstrom will assist with septic inspections as needed, as well as possible other projects.

Commissioner Kibel made a motion approving the contract with Craig Wickstrom Engineering.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

#### **Executive Session**

**Road A Fence Discussion/Decision:** Attorney Golbricht suggested an executive session pursuant to CRS 24-6-402(4)(b) for the purpose of providing legal advice concerning a potential litigation issue related to road A. It was Golbricht's opinion that the matter constituted privileged attorney client information therefore no recording or minutes would be kept.

No action was taken.

*Proceedings to the Board of County Commissioners End of the Month Meeting on July 19, 2021*

Commissioner Cook adjourned the meeting.

  
Deputy Clerk to the Board of County Commissioners

  
Chair to the Board of County Commissioners

