

**Dolores County
Board of County Commissioners**

December 20, 2021

A regular meeting of the Dolores County Board of County Commissioners was held at the Public Service Center in Dove Creek, Colorado on December 20, 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

Dolores County Residents Neil Jones, Duane and Cherrie Garchar, Mark Coffey and Ernie Williams. Dolores County Mapping and Addressing Director Amber Fisher, DC Treas, Extension, Senior Services Director Julie Bingham, Community Voice Representative Ronda Lancaster, Vaquero Ventures Representatives, Camden Miller, Brennan and Curtis Rowe, Dolores Canyon Solar/JUWI Representatives Dave Kimmitt, Brian McGee, Greg Bunce and Bryan Lohoff

Payroll for December 15, 2021

The following is a list of total payrolls by Department:

County Commissioners:	\$7,819.14	6 Employees		
Commissioner Other	\$778.53		2 Part Time	
County Clerk:	\$2,970.73	3 Employees		
County Treasurer:	\$2,798.03	2 Employees		
County Assessor:	\$3,700.31	4 Employees		
GIS:	\$1,206.83	1 Employee		
County Maintenance:	\$1,414.98	1 Employee		
County Sheriff:	\$14,191.94	11 Employees	2 Part Time	
County Coroner:	\$352.50	1 Employee		
EMA:	\$1,106.25	1 Employee		
Extension:	\$1,303.14	2 Employees		
DCTV:	\$1,272.65		4 Part Time	
Veterans Office:	\$480.22		1 Part Time	
Fair Board:	\$51.72			1 Temp
Senior Services:	\$8,944.40	3 Employees	11 Part Time	
Health & Nurse:	\$3,069.22	2 Employees		1 Temp
Mandatory Weed:	\$2,039.46	2 Employees	1 Part Time	
R&B Administration Other:	\$23,075.56	19 Employees	1 Part Time	
Social Services:	\$8,200.60	6 Employees	2 Part Time	
TOTAL:	\$84,776.21	64 Employees	24 Part Time	2 Temp

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 public hearing meeting minutes from November 16, 2021 as well as the regular meeting minutes from December 6, 2021.

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

Continuation of the Vaquero Ventures/Dollar General Public Hearing

The Vaquero Ventures/Dollar General Public Hearing continuation was opened. Vaquero Ventures Representative Camden Miller shared the details of the proposed project.

Commissioner Garchar asked several questions regarding staffing, parking, fencing and corporate policies.

Commissioners Kibel and Cook both expressed concern over the posted speed limits and turning lanes. There was not a CDOT representative at the meeting to answer questions. The current CDOT application had not been shared with the County prior to the public hearing. Approval of the CDOT application was preferred by the BOCC prior to making a final determination.

Commissioner Cook opened the hearing to the public.

Neil Jones voiced concern regarding the Right of Way if the running surface was increased to 24' from the current 18' on Road 8.2. A fence and gate were requested along his property to prohibit the public from entering.

Commissioner Garchar made a motion to continue the Public Hearing to January 3, 2022 at 9:30am.
Commissioner Kibel seconded the motion.
All three Commissioners voted in favor of the motion.

2022 Dolores County Budget Public Hearing

Commissioner Cook opened the public hearing. There was no one present or on Zoom that had comments or questions. Commissioner Cook closed the 2022 Budget Public Hearing.

Continuation of the Dolores Canyon Solar Public Hearing

Commissioner Cook opened the Dolores Canyon/JUWI Public Hearing LDA continuation discussion. Attorney Golbricht reminded everyone that the hearing was continued from December 6 as the Thanksgiving Holiday did not allow adequate time for final LDA preparations.

Since the Public Hearing the applicant has provided proposed documents to Attorney Golbricht with redline adjustments exchanged between the parties. Attorney Golbricht presented a final, potentially agreeable LDA and supporting ancillary documents including the decommissioning plan, road plan and financial security parent plan to the BOCC for review.

The BOCC had previously requested that special attention be paid to the decommissioning plan and financial security. The applicant proposed they be allowed to use a parent guarantee in place of a bond that would mirror that allowed by Tristate. The applicant will provide the parent guarantee during the construction phase, that will drop off until year 15 then pick up again through year 35.

The CPW fence height adjustment and the corridor configuration requests were agreed to. The applicant offered a cash contribution to CPW to assist with benefiting the wildlife affected by the project. The monies will stay in Dolores County. CPW's Brian McGee thanked the applicant. Golbricht clarified on the record that the contribution was not a County requirement for approval, and pointed out some other specific revisions:

-Jurisdictional issues regarding parent guarantee issues only will be handled in La Plata County State Court, with all other disputes heard in Dolores County District Court.

-The applicant brought forward and will address the issue of runoff and erosion by submitting a plan in the near future.

-If construction takes longer than 24months the County is entitled to additional funds for road mitigation.

Commissioner Kibel had no questions, however, wished to thank JUWI for addressing the compensatory mitigation request with CPW. The act was not required by the County. CPW's Representative Brian McGee said he felt that the wildlife would benefit from the arrangement.

Dwayne Garchar commented that he was thankful that the contribution to CPW would stay in Dolores County. Cherrie Garchar thanked everyone involved for their time and efforts. There were no comments from Zoom attendees.

Commissioner Kibel made a motion approving the LDA and accompanying ancillary documents.

Commissioner Cook seconded the motion.

Both Commissioners voted in favor of the motion.

Kenneth Vance Final Subdivision Exemption Approval

A three-parcel plat map along with Resolution #10-21-02 were presented for approval. Mr. Vance was unable to attend the meeting, however, was available via phone. ROW width requirements in our Subdivision Exemption Policy were discussed.

Commissioner Kibel made a motion approving the final subdivision plat map and Resolution #10-21-02. Commissioner Garchar seconded the motion. All three Commissioners voted in favor of the motion.

Mr. Vance will sign the plat upon his return to the area over the holidays.

Barbara Mate Final Subdivision Exemption Approval

Barbara Mate was present with the signed and notarized plat map from the current co-owner Joaquin Mendoza. There was discussion regarding the DWCD irrigation water line on the parcel to be sold.

Commissioner Kibel made a motion approving the final subdivision plat map and Resolution #09-21-03. Commissioner Garchar seconded the motion. All three Commissioners voted in favor of the motion.

BLM Update

BLM Tres Rios Field Manager Connie Clementson was unable to join.

New Business

Resolution #12-21-03: A Resolution appointing Sheriff Don Wilson as a Representative to the Cortez Fire Protection District Dispatch Accountability Committee.

Commissioner Kibel made a motion approving Resolution #12-21-03. Commissioner Garchar seconded the motion. All three Commissioners voted in favor of the motion.

Resolution #12-21-04: Social Services Director Evans requested approval of Resolution #12-21-04 regarding 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 Fund, for a \$1,000.00 distribution.

Commissioner Kibel made a motion approving Resolution #12-21-04. Commissioner Garchar seconded the motion. All three Commissioners voted in favor of the motion.

Proceedings to the Board of County Commissioners Meeting on December 20, 2021

Appointment of Southwest Water Conservation District Representative: Dagan Chadd presently serves as Dolores County’s appointee to the SWCD Board of Directors. Mr. Chadd’s current position will expire in early February 2022, after he has served out the remainder of Doug Stowe’s term. Mr. Chadd is willing to continue to serve on the SWCD Board of Director’s as a resident and property owner of Dolores County.

Commissioner Kibel made a motion appointing Dagan Chadd to the SWCD Board of Directors.
 Commissioner Garchar seconded the motion.
 All three Commissioners voted in favor of the motion.

Letter of Budget Transmittal: Notice was given that the 2022 Dolores County proposed budget was submitted to the Dolores County Commissioners. A copy was filed in the Commissioner’s office available for public inspection. A public hearing for the budget adoption was set on December 20, 2021 at a regular meeting of the BOCC. The mill levy certified to the BOCC is 27.867 mills for general operating purposes, subject to statutory limitation: -0- mills for G.O. bonds: 0.146 mills for refund and abatement. Based on an assessed valuation of \$113,594,096 the total property tax revenue is \$3,182,106.00.

<u>Assessed Valuation</u>	<u>Budget</u>	<u>Property Revenue</u>	<u>Mills</u>
\$113,594,096	General	\$1,910,311	16.817
\$113,594,096	Road & Bridge	\$454,376	4.00
\$113,594,096	Contingency	\$68,156	.600
\$113,594,096	Social Services	\$210,149	1.850
\$113,594,096	Library	\$113,594	1.000
\$113,594,096	Operation Quality of Life	\$408,936	3.600
\$113,594,096	Tax Abatements	\$16,584	0.146
	TOTAL	\$3,182,106	28.013

The Dove Creek Mandatory Weed Control District/Dove Creek Pest Control District has their own separate board of Directors, but their budget has been included with the Dolores County budget and is filed separately with the State.

<u>Assessed Valuation</u>	<u>Budget</u>	<u>Property Revenue</u>	<u>Mills</u>
\$89,742,773	Mandatory Weed	\$117,652	1.311

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

Adopt 2022 Budget Resolution # 12-21-05: A Resolution summarizing expenditures and revenues for each fund and adoption of the budget for Dolores County, Colorado for the calendar year beginning on the first of January 2022 and ending on the last day of December 2022.

Commissioner Kibel made a motion approving Resolution #12-21-05 Adopting the 2022 Budget.
 Commissioner Garhar seconded the motion.
 All three Commissioners voted in favor of the motion.

Proceedings to the Board of County Commissioners Meeting on December 20, 2021

Declaration: Authorizing Commission Chair Floyd Cook to sign a true and accurate copy of the adopted 2022 budget of the County of Dolores.

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

2022 Budget Message for Dolores County: important information regarding the 2022 budget including the budgetary basis of accountings modified accrual basis.

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

Resolution #12-21-06 to Appropriate Sums of Money: A Resolution appropriating sums of money to the various funds and spending agencies, in the amounts and for the budget as set forth below for the County of Dolores, Colorado, for the 2022 budget.

<u>Fund</u>	<u>Total Expenditure</u>
General Fund	\$6,026,722
Road & Bridge Fund	\$3,653,000
Social Services Fund	\$2,120,325
Contingent Fund	\$5,000
Conservation Trust Fund	\$10,000
Library Fund	\$189,883
Clara Ormiston	\$10,000
Senior Services	\$631,655
Mandatory Weed	\$289,347
Public Health	\$442,474

Commissioner Kibel made a motion approving Resolution #12-21-06.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Budget Certification: Deputy Clerk to the Dolores County Board of County Commissioners certifies that the 2022 approved Budget is truly copied from the record of the proceedings of the Board of County Commissioners for said Dolores County, now held in office.

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

Resolution #12-21-07 to Set Mill Levy's: A Resolution Levying Property Taxes for the Year of 2021, to help defray the costs of Government for Dolores County, Colorado, for the 2022 budget year.

Commissioner Kibel made a motion approving Resolution #12-21-07.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Resolution #12-21-08 to Set Mill Levy's for Tax Abatement: A Resolution Levying Property Taxes for the Year of 2021, to help defray the costs of Government for Dolores County, Colorado, for the 2022 budget year.

Commissioner Kibel made a motion approving Resolution #12-21-08.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-09: The Dolores County Treasurer made a request to Transfer Funds from the General Fund to the Pioneer Senior Center Fund in the amount of \$25,000.00.

Commissioner Kibel made a motion approving Resolution #12-21-09.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-10: The Dolores County Treasurer made a request to Transfer Funds from the Capitol Construction Fund to the Social Services Fund in the amount of \$50,000.00.

Commissioner Kibel made a motion approving Resolution #12-21-10.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-11: The Dolores County Treasurer made a request to Transfer Funds from the Conservation Trust Fund to the General Fund in the amount of \$7,139.66.

Commissioner Kibel made a motion approving Resolution #12-21-11.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-12: The Dolores County Treasurer made a request to Transfer Funds from the Fair Sponsorships Fund to the General Fund in the amount of \$15,300.00.

Commissioner Kibel made a motion approving Resolution #12-21-12.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Proceedings to the Board of County Commissioners Meeting on December 20, 2021

Fund Transfer Resolution #12-21-13: The Dolores County Treasurer made a request to Transfer Funds from the Yellow Jacket Orchard Fund to the General Fund in the amount of \$2,313.41.

Commissioner Kibel made a motion approving Resolution #12-21-13.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-14: The Dolores County Treasurer made a request to Transfer Funds from the Colorado Health Foundation Fund to the Public Health Fund in the amount of \$10,606.01.

Commissioner Kibel made a motion approving Resolution #12-21-14.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-15: The Dolores County Treasurer made a request to Transfer Funds from the 4-H Livestock Fund to the General Fund in the amount of \$1,178.41.

Commissioner Kibel made a motion approving Resolution #12-21-15.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-16: The Dolores County Treasurer made a request to Transfer Funds from the Grants Fund to the General Fund in the amount of \$4,419.94.

Commissioner Kibel made a motion approving Resolution #12-21-16.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-17: The Dolores County Treasurer made a request to Transfer Funds from the UPS Fund to the General Fund in the amount of \$886.53.

Commissioner Kibel made a motion approving Resolution #12-21-17.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Fund Transfer Resolution #12-21-18: The Dolores County Treasurer made a request to Transfer Funds from the DCTV Fund to the General Fund in the amount of \$657.53.

Commissioner Kibel made a motion approving Resolution #12-21-18.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Proceedings to the Board of County Commissioners Meeting on December 20, 2021

Fund Transfer Resolution #12-21-19: The Dolores County Treasurer made a request to Transfer Funds from the Search and Rescue Grant Fund to the General Fund in the amount of \$11,838.57.

Commissioner Kibel made a motion approving Resolution #12-21-19.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Letter of Support for Direct Communications Grant Request for Broadband in the Town of Rico: A letter of support on behalf of Direct Communications in their pursuit of financial support to improve internet speed, reliability and accessibility in the Town of Rico, Dolores County, Colorado was requested.

Commissioner Kibel made a motion approving signing the letter of support for Direct Communication's application to the Broadband Fund for the vital infrastructure.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor of the motion.

Old Business

Clifford Baker Gravel Storage Contract Revision Discussion: A gravel storage contract made effective January 1, 2022 between Clifford Baker of Cahone, Colorado and Dolores County was again discussed. The property owner requested that the amount be increased. The BOCC discussed the acreage involved as well as the contract term.

Commissioner Kibel made a motion approving the increase contract amount.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor.

Executive Session

There was no executive session.

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 double-line border. The outer ring contains the text "DOLORES COUNTY" at the top and "COLORADO" at the bottom, separated by two stars. In the center, the word "Seal" is written in a stylized font.