

**MEETING MINUTES
Dolores County
Board of County Commissioners**

July 18, 2022

A regular meeting of the Dolores County Board of County Commissioners was held at the Public Service Center in Dove Creek, Colorado on July 18, 2022. Present for the meeting were Commission 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

Road and Bridge Supervisor Steve Davis, Town of Dove Creek Manager Dagan Chadd, Property Owners Sue Springmeyer, Sidney Knuckles, DCTreas, Extension, Mapping and Addressing Representative Amber Fisher, DCTV and Chamber of Commerce Representative Kendra Cook, Sheriff Don Wilson, Code Enforcement Officer Miranda Elliot, Public Health Director Tracey Beanland, HR and Finance Lenore Johnson, Assessor Berna Ernst, Senior Services Director Alisa Schultz, CSU Extension Agent Gus Westerman, BLM Tres Rios Field Officer Connie Clementson, DWCD Manager Ken Curtis and SFS District Ranger Derek Padilla

Payroll for July 15, 2022

The following is a list of total payrolls by Department:

County Commissioners:	\$ 8,711.48	7 Employees		
County Clerk:	\$ 3,098.79	3 Employees		
County Treasurer:	\$ 2,861.29	2 Employees		
County Assessor:	\$ 4,504.01	4 Employees		1 Temp
GIS:	\$ 1,265.56	1 Employee		
County Maintenance:	\$ 1,473.48	1 Employee		
County Sheriff:	\$15,580.42	11 Employees	2 Part Time	
County Coroner:	\$ 420.77	1 Employee		
EMA:	\$ 1,202.13	1 Employee		
Extension:	\$ 1,918.82	2 Employees		1 Temp
DCTV:	\$ 691.58		1 Part Time	
Veterans Office:	\$ 374.59		1 Part Time	
Fair Board:	\$ 277.05			1 Temp
Senior Services:	\$ 9,932.45	2 Employees	16 Part Time	
Health & Nurse:	\$ 3,003.88	2 Employees		
Mandatory Weed:	\$ 2,843.74	2 Employees	1 Part Time	1 Temp
R&B Administration Other:	\$24,488.22	19 Employees	1 Part Time	
Social Services:	\$ 8,801.83	6 Employees	2 Part Time	
TOTAL:	\$91,450.09	64 Employees	24 Part Time	4 Temp

Proceedings to the BOCC July 18, 2022 Meeting

Agenda

Commissioner Kibel made a motion to accept the agenda with the addition of an old business discussion regarding the OWTS Inspector position.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Minutes

Presented for approval were the regular BOCC minutes from the June 21, 2022 meeting.

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 payment of the expenditures.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor of the motion.

Road Discussions

Commissioner Kibel voiced her frustration with a recent request of the Road and Bridge department by Commissioner Garchar. Road and Bridge Supervisor Steve Davis was asked to inspect a farm field access road. The farmer that requested the maintenance, via Commissioner Garchar, has access to his field from an alternative route. Road and Bridge Supervisor Steve Davis checked on the status of the road and reported that the condition was passable and acceptable. A culvert will need cleaned out. The road is on the County's Schedule A list and does not receive winter maintenance. There is no outlet. Ms. Kibel's frustrations stemmed from the lack of communication with the landowners along both sides of the roads and the possible removal of the no winter maintenance road signage. Commissioner Cook is the liaison over the Road and Bridge Department, and he had not been contacted.

Commissioner Cook shared that MVI's Manager Brandon Johnson had been contacted regarding the requested application of mag chloride along the dam road access at Groundhog. Attorney Golbricht stated that Mr. Johnson was not in favor of applying mag chloride due to environmental runoff concerns. Commissioner Garchar said that he had also visited with Mr. Johnson and that he was told that the road belongs to the County and is ours to do with as we wish. The mag chloride application was requested by Groundhog Store owner Bonnie Candelaria at the expense of the county.

Cahone property owner Sidney Knuckles was present to discuss the process involved with vacating a County road. Mr. Knuckles currently owns the property along both sides of road 11.3 in its entirety. The road does not access any other parcels as it dead ends at an unused gravel mining site. Mr. Knuckles has a contract to sell the property along one side of Road 11.3. The potential purchasers would prefer that the general public not be able to freely access the private property. The proposed property being sold has been surveyed. The Road and Bridge Department did not have any concerns with vacating the road.

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Attorney Golbricht said the request to vacate must be in writing. Notification to property owners adjoining the road must be given and a public hearing must be held per CRS 43-2-303. As the only adjoining property owner, Mr. Knuckles waived the required ten-day notice. A letter requesting the vacancy was drafted and signed by Mr. Knuckles. The BOCC agreed to hold a public hearing on July 28, 2022.

Board of Health/Town of Dove Creek Property Discussion

Commissioner Cook closed the BOCC meeting and opened as the Board of Health. Sheriff Don Wilson, Town Manager Dagan Chadd and Code Enforcement Officer Miranda Elliot requested assistance from the BOH for a residence within the Town of Dove Creek that has received multiple complaints at the local level as well as through the Colorado Department of Public Health at the state level. Reports have consisted of dead animals, trash, animal and human feces, and repulsive odors. The town board has been aware of the issue. Due to health and safety concerns, the property was boarded up during a vacancy. Documentation was kept by the town code enforcement officer. No citations were made per advice from the town attorney. During the vacancy the property was transferred to a new owner. As part of the property transfer the previous owner was allowed to again reside at the residence with the stipulation that the property must be cleaned up. The residence does not have electricity, water or sewer. The previously installed boards were removed to allow natural light for cleaning, however, that cleaning has apparently not occurred. A site visit will be conducted on July 22, 2022 to determine if the property is inhabitable. Public Health Nurse Tracey Beanland will participate in the site visit. The BOH stated that they support the Town and their clean-up efforts. Neighboring property owners Sue Springmeyer and Steve Davis commented on the situation and thanked everyone involved for addressing the issue.

Senior Services Landscape Bid Review

Senior Services Director Alisa Schultz presented two bids that were received outside of the prior advertised RFP and failed bid process.

Alexander Excavation submitted a bid for phase one in the amount of \$38,950.00. Phase two was bid at \$85,876.00, for a combined total of \$124,826.00

A1 Affordable Landscaping submitted a single bid for both phase one and phase two in the amount of \$140,175.00. The bid included a built-in contingency in the amount of \$15,00.00 to accommodate price fluctuations.

The Senior Services budget has \$13,000.00 available for landscape expenditures. There was discussion regarding available funding. Proceeding with only phase one was considered. A bid was not awarded. Both bidders will be contacted to review possible alternatives. The discussion will be continued at the July 28, 2022 end of the month meeting.

Senior Advisory Board Recommendation Letter: A letter requesting the appointment of Donna Brackett to the Senior Advisory Board was reviewed.

Commissioner Kibel made a motion accepting the board recommendation.

Commissioner Garchar seconded the motion.

All three Commissioners voted in favor.

DCTV Discussion

CSU Extension Agent Gus Westerman joined via zoom from Grand Junction to provide an update for DCTV. The equipment that was damaged a year ago May from the lightening strike and improper grounding has been replaced. The program has been operating in limp mode over the last year by using You Tube channel for broadcasts. Live broadcasts will be possible by the time school begins. Manager Kendra Cook has kept the DCTV news and information feed going and is working on live broadcasts.

In accordance with terms in the newly signed tower contract with Farmers Telephone, a tower inspection is forthcoming.

Board of Health/Martinez OWTS Compliance Issue Discussion

Commissioner Cook closed as the BOCC and opened as the BOH. Mr. Martinez was present as well as were two tenants. The BOH discussed the addition of the mobile home that has been added to an existing mobile home and whether a single-family dwelling exists or if the classification is now that of multiple dwellings. OWTS standards are set for a single-family dwelling. The tenants verified that no septic tie-ins have been implemented with the addition of the second mobile home. The OWTS application on file and approved system was designed and installed for a two-bedroom, one bath single family dwelling. The tenants confirmed there are three bedrooms and eleven occupants. Mr. Martinez questioned Regulation 43 standards and argued that based on the limited amount of water hauled and used that the existing system does not need to be upgraded. It was explained that Regulation 43 standards are based off the number of bedrooms not the amount of water used. Mr. Martinez requested that he be able to hire retired engineer Cap Allen for an appropriate design with all aspects considered. The BOH agreed to hold the current cease and desist order in abeyance and allow Mr. Martinez a ten-day window to acquire an engineered design. No determination was made by the BOH regarding the definition of a single-family dwelling in this situation.

BLM Update

The Gunnison Sage Grouse Resource Management Plan Amendment (RMPA) news release was shared. Public comments are welcome through August 22. Open houses will be held in person in Dove Creek and Gunnison, with two additional virtual open houses. Dates will be shared. Tres Rios and Canyon of the Ancients critical habitat plans will be both be amended. A Cooperating Agency request was shared for the RMPA.

Forthcoming will also be a Big Game RMPA and a cooperating agency request.

Continued stock piling of gravel will not be allowed at the Black Snag Pit. The location is used for emergency helicopter landing. Road and Bridge Supervisor Steve Davis will be asked to find an alternative location for the gravel.

Commissioner Kibel requested assistance at the Bradfield Bridge swimming hole with trash issues. Ms. Clementson will request "pack it in, pack it out" signage be posted.

USFS Update

Possible grant funding sources for maintenance along the Dolores/Norwood were shared between the Pete Merkel and Attorney Golbricht. Road and Bridge Supervisor Steve Davis had requested that details for returning the Dolores/Norwood road easement back to the Forest Service. Mr. Padilla said that it is a fairly easy process with a letter requesting relinquishment of the easement. The Forest Service would then rescind the easement and jurisdictional authority would revert back to the FS. The FS does not consider itself a public road agency. They maintain roads for management of the forest. This road is not a huge issue as the County does not offer winter maintenance of the road, in the same way that the FS does not offer winter maintenance for its roads during the winter.

Telluride's Mountain Village is interested in a land exchange with the FS for a housing project. A formal request has not been made at this time.

Discussions are being held with Montezuma County regarding an easement with the FS on the Dolores/Norwood road.

At an industry meeting with Aspen Wallwood, they stated that they are starting to cut. Mr. Padilla was unsure if hauling had begun. The County has a hauling permit with Aspen Wallwood.

Commissioner Kibel mentioned the flooded walking path at the Cabin Day Use Facility. The FS was contacted to assist with removal of the sand.

DWCD Update

DWCD Manager Ken Curtis and Ben provided a water update at McPhee Reservoir. An increase in the full-service allocations had been made. The irrigation water is projected to be shut off towards the middle to the end of August. Most full-service users have used approximately 60% at this stage in the season. The volume of water at the end of the irrigation season is projected to be similar to the level at the same time last year.

Muscle infestations were discussed. At this time, the muscles have not been detected at McPhee.

Local farmer Jeremy Redshaw was appointed as the area representative to the DWCD board and will be active beginning August 1, 2022

Mr. Curtis questioned the status of the solar project. Issues moving forward with international restrictions have halted the construction, however, JUWI is still within the LDA operating window.

Proceedings to the BOCC July 18, 2022 Meeting

New Business

County Wide Sales Tax Ballot Measure Resolution #07-22-03: A Resolution concerning proposal for the authorization and implementation of a countywide sales tax of 2.9% upon the sale at retail of tangible personal property and the furnishings of certain services, authorizing a ballot issue at the November 2022 election to enact a sales tax in the County of Dolores and certifying the ballot title.

Commissioner Kibel made a motion approving Resolution #07-22-03.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor.

County Wide Lodging Tax Ballot Measure Resolution #07-22-04: A Resolution providing for the submission to the registered, qualified electors of unincorporated Dolores County and the Town of Dove Creek, Colorado, a question authorizing the levy of a lodging tax of 2% on the rental fee, price, or other consideration paid or charged for the leasing, rental, sale or furnishing of a room or accommodation for a short term period in order to provide for tourism advertising and marketing, childcare and affordable housing for local workers, and expenditures for facilitating and enhancing of visitor experience, said question to be submitted at the election to be held November 8, 2022.

Commissioner Kibel made a motion approving Resolution #07-22-04.
Commissioner Garchar seconded the motion.
All three Commissioners voted in favor.

Semi-Annual Treasurer's Report:

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

Public Hearing for Possible Enactment of Resolution #07-22-05: Attorney Golbricht presented Resolution #07-22-05 regarding the implementation of a moratorium on the Creation of Tire Structures within Dolores County. Discussion ensued regarding a potential fence like structure surrounding a 4+acre parcel in the County with an estimated 14-16,000 tires to be used. The resolution would allow a six-month period to investigate the possible dangers and issues surrounding the use of waste tires in construction projects, including fencing. Regulations could be put into effect.

Commissioner Kibel made a motion approving the adoption of Resolution #07-22-05.
Commissioner Cook seconded the motion.
Commissioners Cook and Kibel voted in favor. Commissioner Garchar voted against the motion.

Commissioner Garchar does not think that the creation of one tire structure within the county warrants a moratorium.

Proceedings to the BOCC July 18, 2022 Meeting

County Tax Informational Letter Approval: Commissioner Kibel drafted an informational mailout letter with County financial details to assist with informing taxpayers of a sales tax.

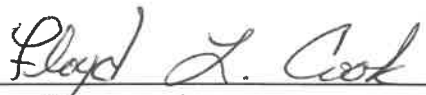
Commissioner Cook made a motion approving the letter and the costs associated with the mailout. Commissioner Kibel seconded the motion. All three Commissioners voted in favor.

Old Business

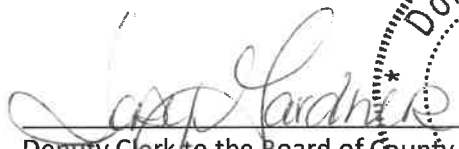
Septic Inspector Discussion: Discussion regarding the need for a replacement septic inspector was had. A possible solution would be to request revisions to the County's OWTS Regulation 43 operating standards. The discussion was postponed and will be added to the August 1, 2022 agenda.

Commissioner Kibel: Shared a request of the Public Health Director to no longer require janitorial services or a separate IT provider. Staff will address cleaning needs. The County's IT contractor will be used.

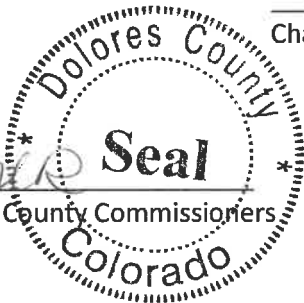
Commissioner Cook adjourned the meeting.



Chair to the Board of County Commissioners



Deputy Clerk to the Board of County Commissioners



The seal is circular with a dotted border. The text "Dolores County" is written along the top inner edge, and "Colorado" is written along the bottom inner edge. In the center, the word "Seal" is written in a bold, serif font, flanked by two small asterisks.