

MEETING MINUTES
Dolores County
Board of County Commissioners
March 18, 2024

A regular meeting of the Dolores County Board of County Commissioners was held at the Dolores County Courthouse in Dove Creek, Colorado on March 18, 2024. Present for the meeting were Commission Chair Steve Garchar, Vice Chair Linda Yellowman, Attorney Dennis Golbricht – via Zoom, County Administrator Margret Daves, and Deputy Clerk to the Board Shayla Oliver.

The meeting began with everyone reciting the Pledge of Allegiance.

Guests

In Person – Road and Bridge Supervisor Steve Davis, Road and Bridge Shop Foreman Denny Beanland, Public Health Director Tracey Beanland, EMS Director Keith Keesling, and Public Health Environmental Health/ Septic Inspections Specialist Julie Kibel

Zoom – Craig Wickstrom

Phone In - Aaron Gibbs

Payroll for March 14, 2024

The following is a list of total payrolls by Department:

County Commissioners:	\$ 8,064.95	6 Employees		
County Clerk:	\$ 3,030.12	3 Employees		
County Treasurer:	\$ 2,525.34	2 Employees		
County Assessor:	\$ 4,409.47	4 Employees		
GIS:	\$ 1,267.35	1 Employee		
County Maintenance:	\$ 1,428.74	1 Employee	1 Part Time	
County Sheriff:	\$ 14,405.86	10 Employees	1 Part Time	
County Coroner:	\$ 459.93	1 Employee		
EMA:	\$ 1,434.52	1 Employee		
Extension:	\$ 2,087.32	2 Employees	1 Part Time	
DCTV:	\$ 898.67		3 Part Time	
Veterans Office:	\$ 600.27		1 Part Time	
Fair Board:	\$ 00.00			1 Temp
Senior Services:	\$ 9,947.07	2 Employees	13 Part Time	
Health & Nurse:	\$ 5,833.77	3 Employees		
Mandatory Weed:	\$ 2,094.15	2 Employees		
R&B Administration Other:	\$ 23,835.35	18 Employees		
Social Services:	\$ 16,143.98	6 Employees	3 Part Time	
TOTAL:	\$98,466.86	64 Employees	22 Part Time	1 Temp

Agenda

EMS Director Keith Keesling requested addition of Tri-State donation letter request.

Commissioner Cook made a made a motion to accept the agenda with the added discussion of the Tri-State Donation letter.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Expenditures

Commissioner Cook made a made a motion to accept the Expenditures.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Minutes

The January 31, 2024 Regular Meeting Minutes were presented for approval, Commissioner Yellowman noted a “be” that should be deleted in the flood plain regulation motion. Commissioner Yellowman also noted that in the February 5th Minutes under the DeEtta Johnson Subdivision approval motion the words “made a” was printed twice.

Commissioner Cook made a made a motion to approve the above-mentioned minutes with the correction of the grammatical errors.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Road and Bridge Water Tanker Bid Opening/Steve Davis

Dolores County Road & Bridge Department put out a Public Notice for an invitation to bid on a 1997 United Built Semi-Tank Trailer. Sealed bids had to be received no later than 4:00 p.m., March 14, 2024, and would be opened during the March 18, 2024 Regular BOCC Meeting. One bid was received in the amount of \$8,500.00.

Commissioner Cook made a motion to accept the bid of \$8,500.00.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Mr. Davis said he had no new updates.

Senior Service Van Bid Opening

Dolores County Senior Services put out a Public Notice for an invitation to bid on the 2003 Ford Windstar. Sealed bids had to be received no later than 4:00 p.m. March 14, 2024 and would be opened on March 18, 2024 at the regular meeting of Dolores County Commissioners. One Bid was received in the amount of \$730.00.

Commissioner Cook made a motion to accept the bid of \$730.00.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

Board of Health

Commissioner Cook made a motion at 9:30 a.m. to close out of the BOCC meeting and to open as the the Board of Health for a public hearing regarding a possible OWTS failure.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

Commissioner Garcher opened the public hearing to address a potential Cease and Desist Order due to a failing OWTS on the property known as 51778 HWY 491 Cahone, Co 81320. The notice for the public hearing was hand delivered on March 14, 2024 to the owner of the property, the Church of the Only Begotten Son C/O Aaron Gibbs and to the tenant Nicole Smith. Mr. Gibbs appearing for the hearing via telephone. Ms. Smith did not appear.

Sheriff Wilson had previously visited the property on a search warrant for animal removal. During his visit he found possible OWTS concerns that prompted the need for the Dolores County Environmental Health Inspector to do an OWTS compliance visit. Julie Kibel, the Dolores County Environmental Health Inspector, sent notice she would be doing a site visit of the property to inspect the OWTS on March 12, 2024. The notice was delivered by the DC Sheriff's Office.

The site visit was conducted by Ms. Kibel and engineer consultant Craig Wickstrom. The visit raised numerous concerns, as explained by Ms. Kibel and Mr. Wickstrom. The OWTS appears to be a cesspool or some form of tank, which may not be eligible for repair. There was no lid for the septic system, and there are large piles of dirt on top of the septic system which causes surface restriction. An RV parked in the back yard is using a 5-gallon bucket to catch wastewater. All issues found are in violation of Regulation 43. Craig Wickstrom, Wickstrom Engineering, LLC joined the public hearing via Zoom; he inspected the property with Ms. Kibel. Mr. Wickstrom is in agreement with all the issues and violations found on the property. The property sits adjacent to the Cahone Post Office, which potentially causes a public health hazard. Ms. Kibel and Mr. Wickstrom stated that a Cease and Desist Order is necessary until the system has been repaired or replaced. The Cease and Desist Order will provide 30 days to the owner or occupant to bring the system to compliance. Mr. Gibbs is currently incarcerated and has not been on the property for over a month. Mr. Gibbs had questions regarding previous inspections and actions, which were unknown fully by the County Inspector. Mr. Gibbs stated he knew that the lid needed to be replaced, and he wasn't sure about the dirt piles, as he hasn't been there for over a month. He stated the system is a cesspool, and thought the system was grandfathered in. Ms. Kibel explained the updated Regulation 43 rules and regulations, and that a cesspool is not in compliance. Mr. Gibbs stated the RV was using a certified rv waste carrying module. He did not state where it was being deposited. Mr. Gibbs did state that he agrees the system does need to be replaced. He asked the BOH to allow him a variance of extra time of at least 60 days due to him being incarcerated. Mr. Gibbs would like to get the OWTS pumped out and assess repair/replacement options provided by a licensed engineer. A Cease and Desist Order would allow 30 days to follow the procedure and replace or repair

the OWTS or stop all further use. The Cease and Desist would also require Mr. Gibbs to obtain a repair permit within 48 hours.

Commissioner Cook made a motion to issue a Cease and Desist Order that allows 30 days to remedy the problem with no extension of time.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Ms. Kibel will send copies of the pictures and information gathered to Mr. Gibbs.

Mr. Gibbs will need to obtain a repair permit from Dolores County, pump the OWTS, get an engineered repair or replacement design, build the system, and get final inspections to be fully in compliance and halt the Cease and Desist Order.

The BOH meeting closed at 10:21 AM

USFS Update/Nick Mustoe

Nick Mustoe USFS Field Manager joined the meeting to update the BOCC on current happenings involved with Dolores County and surrounding areas.

- The USFS has 10,000 acres prepped for prescribed burns. They will most likely not get all those burned but they are prepped and ready. The two areas affecting Dolores County are North of McPhee Reservoir, and the area off the Cottonwood Road by Westfork.
- Commissioner Cook questioned the Beaver Rim Pit, the availability to share with Montezuma County, and what steps do the two counties need to approve a joint pit. Mr. Mustoe said he will look into what is needed and get back with the BOCC.

New Business

Underfunded Courthouse Grant Project Manager Contract: The Underfunded Courthouse Grant requested and funded a Project Manager to perform oversight of document production to get from the current design level to final document design, as well as work with the County Administrator and the BOCC for coordination of the solicitation of Architectural firms. A RFQ was published for this position. Craig Wickstrom/Wickstrom Engineering, LLC submitted a proposal. Dolores County has worked with Mr. Wickstrom on many occasions, and he currently has a master contract with the County for OWTS inspection assistance. Attorney Golbricht has prepared an updated Engineering Services Agreement as well as an addendum for the Engineering Services Agreement regarding the Underfunded Courthouse Project 2024.

Commissioner Yellowman made a motion to approve the Engineering Services Agreement and the Engineering Services Agreement Addendum for the Courthouse Project 2024.

Commissioner Cook seconded the motion.

All three Commissioners voted in favor of the motion.

Resolution #03-24-03: A Resolution declaring Dolores County as a Non-Sanctuary County as to Uninvited and/or Illegal Immigrants.

Commissioner Yellowman made a motion to approve Resolution #03-24-03 a Resolution declaring Dolores County as a Non-Sanctuary County as to Uninvited and/or Illegal Immigrants.

Commissioner Cook seconded the motion.

All three Commissioners voted in favor of the motion.

Funds Transfer Resolution: A Resolution to transfer funds from the General Fund to the Public Health Fund in the amount of \$100,000.00.

Commissioner Cook made a motion to approve Resolution #03-24-03 transferring funds from the General Fund to the Public Health Fund.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Letter of Opposition to the Appointments to the Colorado Parks and Wildlife Commission: The Colorado Parks and Wildlife Commission has three positions open which will be picked and appointed by Governor Polis. Dolores County BOCC feels the appointees are biased against rural Communities needs and would like to submit a Letter of Opposition stating their position.

Commissioner Cook made a motion to approve the Letter of Opposition to the Appointments to the Colorado Parks and Wildlife Commission.

Commissioner Yellowman seconded the motion.

All three Commissioners voted in favor of the motion.

Tri-State Donation Request/EMS Director Keith Keesling: EMS Director Keith Keesling presented to the BOCC a donation request letter for \$3,500.00 to help fund the Tri-State Fire Convention which will be hosted by Rico Fire District this year. Every year the BOCC gives Rico Fire a \$2,000.00 donation. Recently the BOCC donated \$2,000.00 to the Dove Creek Ambulance District. There are other EMS Operations within Dolores County so there was discussion of available funds for others and equal donation amounts.

Commissioner Yellowman made a motion to donate \$3,000.00 to the Rico Fire District to help fund the Tri-State Fire Convention.

There was not a second, there was more discussion about where the money comes from, and equal donations given by the BOCC. Commissioner Cook questioned whether the donation would be helping the community as a whole or solely the department. Commissioner Yellowman stated that we need to take each request case by case, with equal donations not being a determining factor. She stated that the full request should be given. Public Health Director Tracey Beanland offered to include \$1,000.00 from Public Health if the BOCC would donate the other \$2,000.00.

Commissioner Yellowman amended her motion to donate \$2,000.00 to the Rico Fire District to help fund the Tri-State Fire Convention along with Public Health providing \$1,000.00 for a total of \$3,000.00.

Commissioner Cook seconded the motion.

All three Commissioners voted in favor of the motion.

Commissioner Garchar adjourned the meeting.

Chair to the Board of County Commissioners

Deputy Clerk to the Board of County Commissioners