

MEETING MINUTES
Dolores County
Board of County Commissioners
August 5, 2024

A regular meeting of the Dolores County Board of County Commissioners was held at the Dolores County Courthouse, Dove Creek, Colorado on August 5, 2024. Present for the meeting were Commission Chair Steve Garchar, Vice Chair Linda Yellowman, Commissioner Floyd Cook, Attorney Dennis Golbright, 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 –Sheriff Don Wilson, Social Services Director Malynda Evans, DC Clerk Lana Hancock, DC Environmental Inspector Julie Kibel, Public Health Director Tracey Beanland, Eric Stiasny, and Nicole Smith

Zoom – Aaron Gibbs, Paula Steward, and Matt Schiff

Agenda

Commissioner Cook made a motion to accept the agenda.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

Expenditures

Commissioner Cook made a motion to accept the Expenditures.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

Minutes

Presented for approval were the June 11, 2024 Expenditure Meeting minutes, June 17, 2024 Regular Meeting minutes, and the July 8, 2024 Regular Meeting minutes.

Commissioner Cook made a motion to approve the above-mentioned meeting minutes with the wording changes.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

Social Services Update/Malynda Evans

Social Services Director Malynda Evans presented for approval the Record of Proceedings for August 5, 2024, as well as the financial documents through June 2024.
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Commissioner Yellowman made a motion approving the above-mentioned documents.
Commissioner Cook seconded the motion.
All three Commissioners voted in favor of the motion.

Ms. Evans let the BOCC know that the State is going paper free and will be picking up all paper files. Notice was also given to the BOCC that there would be an employee going on leave so Ms. Evans will be hiring a part-time employee to cover that person while out.

Board of Health Public Hearing

Commissioner Cook made a motion to close as the BOCC and open as the Board of Health at 10:13AM

Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

Mr. Aaron Gibbs owner of property located at 51778 HWY 491 Cahone, Co 81324 and tenant Nicole Smith attended the hearing at their request to address the penalty assessment for violation of the Cease and Desist Order regarding the faulty septic system. The Cease and Desist was issued due to lack of an appropriate cover system, as well as the placement of large mounds of dirt over the system, preventing its operation. Also, there was an RV onsite being used by Ms. Smith as a permanent living quarters not connected to the system, but dumping black water via buckets and other receptacles into the open lid of the system. The engineer, Craig Wickstrom previously stated the system was not designed for such ancillary RV use. At a Public hearing on March 18, 2024, Mr. Gibbs and Ms. Smith were ordered to obtain an OWTS Repair Permit from Dolores County within 48 hours and retain a licensed engineer to assist in assessing the system and determining with the County appropriate remedial measures. Within 30 days, Mr. Gibbs and Ms. Smith were required to repair the deficiencies in the OWTS or Cease and Desist using the OWTS. On May 6, 2024 Mr. Gibbs and Ms. Smith were notified that the BOH had determined that they had not complied with the Cease and Desist order and a fine of \$50.00 per day would commence. Upon receiving the letter, Mr. Gibbs and Ms. Smith requested this Public Hearing on the fine assessment. Ms. Smith provided to the BOCC a receipt from a septic pumping company proving she had the RV pumped rather than dumping it in the faulty OWTS. Ms. Smith also stated she is working towards fixing the septic system lid. There was discussion regarding acceptable lengths of time between RV pumps, as well as a 10-day grace period for the lid repair.

Commissioner Cook made a motion to leave the Cease and Desist in affect for no use of the OWTS on the property, The RV can remain on the property as long as all affluence is contained in the RV and pumped every two months or when full whichever happens first. The toilet in the building will be removed to ensure no use. The lid shall also be repaired within 10 days with a follow-up inspection to be allowed by the DC Environmental Inspector. So long as all these conditions are met, there will be no fines assessed.

Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

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Commissioner Cook made a motion to close out of the BOH and reopen as the BOCC.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

JUWI/Dolores Canyon Solar Request for Longer Working Hours

The Dolores Canyon Solar LDA states that a typical work week during construction of the project shall consist of Monday through Friday 7AM to 7PM. Dave Kimmett solar project manager has requested a modification to allow work Monday through Saturday 7:00AM to 7:00PM. The BOCC believes it should ask the opinions of the landowners in a half mile radius prior to granting any such request. It will be up to JUWI to contact all landowners within a half mile radius of the project to inform them of their request as well as the scheduling of a Public Hearing on August 19, 2024. Verification of mailings will be required.

Rico Trails Alliance CDO Grant/ Darrall Huber

Darral Huber with the Rico Trails Alliance attended the meeting to request help from Dolores County to apply for the Revitalize Mainstreet Grant from CDOT. The grant funding would go towards building a bridge across the river in Rico. The Rico Trails Alliance has been working on this project for many years and feels this will be the final component to finish the project. The bridge will be on private property but maintained by the Town of Rico, however the property location is outside the Rico Town limits. CDOT is requesting Dolores County to apply for the grant rather than the Town of Rico. More information needs to be gathered, no decisions were made.

Continued County Road N Rico/ Matt Schiff

Matt Schiff previously met with the BOCC regarding County Road N in Rico. Mr. Schiff bought a mining claim that is accessed by County Road N. In the previous meeting Mr. Schiff discussed the size of the ROW, Road maintenance repairs he felt were unnecessary and issues related to how the County gained ownership of the road. There were no requests or decisions at that time. Mr. Schiff attended the meeting to request a maximum 40' ROW with no setbacks from the driveway. The BOCC requested Mr. Schiff send a detailed drawing of what and how he will build on the property. No decisions were made.

New Business

CCJRA Resolution #08-24-01: A Resolution updating the County CORA and CCJRA Policy and fee requests.

Commissioner Cook made a motion to approve Resolution #08-24-01 updating the County CORA and CCJRA Policies and fees.
Commissioner Yellowman seconded the motion.
All three Commissioners voted in favor of the motion.

GUSG: Karelia VerEecke will set up a public meeting in the evening to discuss the updates regarding the Gunnison Sage Grouse policies and plan.

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Fall Creek Land Sale: Dunton Hot Springs is looking to sell its Fall Creek property to the USFS. They are asking for a letter of support from Dolores County. The BOCC will meet with them. No Decisions were made.

Letters of Support to the BLM for the Disappointment Pit Expansion project and to the USFS for the new decontamination station.

Commissioner Yellowman made a motion to approve the letters of support to the BLM and the USFS for their upcoming projects.

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

Approved September 16, 2024