

**Proceedings of the Dolores County board of
County Commissioners
July, 19, 2010
Rico Colorado**

A regular meeting of the board of County Commissioners was held in the Courthouse in Rico Colorado, 2 Commercial Street, July 19, 2010. Present for the meeting were Chairperson of the Board, Julie Kibel, Commissioners Doug Stowe and Ernie Williams. Also present for the meeting was, Margret Daves, Commissioner Secretary, Dennis Golbricht, County Attorney, and Judy Woods, County Intern.

Guests

Mike England, Rico Town Manager, Barbara Betts, Town Mayor, Linda Yellowman, Town Clerk, Erin Johnson, & Kim Jones.

Pledge

The meeting was started by everyone standing and saying the Pledge of Allegiance.

Minutes

Minutes from the meeting of July 12, 2010 were read. Commissioner Stowe made a motion to accept those minutes. Commissioner Williams seconded the motion. All three Commissioners voted yes.

Agenda

Commissioner Stowe wanted to add to the agenda: Cahone speed limit sign, & hazmat cleanup information to the agenda under unfinished business.

Meetings and information

Commissioner Stowe said he attended the Town board meeting to discuss the senior center/community center. He said after much discussion, this issue died because of a lack of a second, he said the Town decided that they will not participate in this project.

Commissioner Stowe explained some of the issues that they were concerned about. The major concern seemed to be where the center would be placed. The Town and the county had discussed putting the building at Weber Park, which could have been a workable issue. The Town had several other issues they were concerned about.

Commissioner Williams said he has been attending several meeting on the Dolores River Corridor, he said they have recently had a field trip with the Montrose County side. He said he is on the legislative committee, and he said there will be a larger working group meeting on the 26th of July. He explained to the Rico residence some of the issues that they have been working on.

He said we don't want to see Federal regulations come down that would restrict our water rights.

Commissioner Williams asked Barbra Betts about the Geothermal project they are working on. She said they have done numerous tests to prove up the resources, and make sure the faults are where the maps say they are. She said there are no conclusions as yet and she said they are testing the water also.

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She said this at no cost to Rico, and this is a study/ testing center for Colorado, & the team that is doing the research. She said they are very excited about it. She said there is a possibility of having a small educational testing center here in the future.

Commissioner Kibel said she and Commissioner Stowe attended a meeting for the Care and Share program. She said they are food providers which will help us get it here but we have to order it and distribute it once it is here. She said we have a couple of people from churches that will help and also STUD (students taking action against underage drinking). She said they feel like this is a project that needs to have someone on staff full time to do this work.

Commissioner Williams said he feels like Care and Share are getting paid to do this, but the majority of the work is falling on us.

Commissioner Kibel said with our unemployment level at 18% it is a very needed service. We will continue to discuss this issue.

Commissioner Kibel said she went to a follow up meeting on the Coordination seminar.

She said this is in BLM and Forest Service language. She said Montezuma County, San Miguel, and San Juan County have all joined in.

Dennis Golbricht, County Attorney, said he has researched this and he feels like it is definitely gaining momentum and has some validity to it. He said there are statutes that require coordination between the local government, and the Federal & State Government. He said that means they are supposed to come to us and coordinate issues with us before projects commence.

He said a resolution passed by the counties should state you will coordinate with us prior to projects commencing. Then the county is supposed to pass this resolution on to all entities.

Dennis said the question is do we want to take the stance that we want them to coordinate with us on every single project. He said he likes the notion, but we need to be careful because if do this, we need to be ready for this to be an ongoing project. He said he likes the notion, but it will be a lot of work. He said the travel management plans are a perfect example.

Commissioner Kibel said Canyon of the Ancients is also a good example, & she said she knows if we do this it will be more work. She said she thinks it is a great tool for the smaller counties.

Dennis said he agrees, but is worried about having the manpower to work on this. Commissioner Kibel said there would be advisory groups who would do a lot of the leg work.

Dennis said there is nothing in the Federal statute that states you have to declare you are a coordinating county. He said if there were a project that we were concerned about, we could write a letter stating that they have not complied with the statute about coordinating with us, and we demand that they do.

He said it is the difference between hitting them in the head with a hammer, and picking your fights.

Commissioner Kibel said she understands that, but she thinks it would be better to busy and have them come sit down with us and discuss issues, rather than having to go over them at a public meeting with a deadline.

Dennis said a benefit to this is you are supposed to be ahead of the public. We will participate in the creation of this before it goes out to the public.

Commissioner Kibel said the two travel management plans going on right now have huge economic impacts on our county. She said they should have sat down with us and done a study on that before they submitted those plans to the public.

Dennis suggested they think about it, & he said he thinks it is a valid tool.

Commissioner Kibel said 2/3 of our county is public lands. She said we have a lot of issues that we look at besides, public use or recreation, it is livelihood for a lot of people.

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Dennis said another thing they need to think about is do we have the budget to go up against the feds when they don't listen to us.

Mike England said they have a cooperating agreement with the Forest Service.

Commissioner Stowe said his understanding was that they would have to honor any coordination already in effect.

Dennis said there are a couple of test cases and they have been successful.

Barbra Betts, Rico Town Mayor, said the travel management plan for Rico was overturned and she said she feels like they did listen. She said she thinks that we did have some power.

Commissioner Kibel said we don't want to battle every issue, but we need to be able to when necessary.

Commissioner Williams said the law says we will be a coordinating county. We don't have to do a resolution. He said he wants us to be careful and not cause any undo issues for the Dolores River NCA and all the work they have done on this issue.

Dennis suggested we add something about this to our Land Use Code.

Rico Cemetery District

Erin Johnson was here to discuss the Rico cemetery district. She said in 1995 a district was considered, but died before it went to a ballot vote.

She said the cemetery is owned by 5 different parties, & that it will need fencing, & ongoing maintenance.

She said this needs to be formalized and ran like a business.

She said the first thing we need to do is start a District, which would mean the Commissioners need to appoint a board. Erin said she has several people interested in being on that board.

She said they would ask for 1 mill on the ballot which would give them about \$10,000 for operating costs.

Commissioner Williams said he is glad to see this being done.

There was some discussion on the by-laws and the number of board of directors. She would like to see it changed from 3 board members to 5. Dennis Golbricht, County Attorney, read a statute that states that it should be three. Erin said she would research that more.

Erin said this needs to be set up so that it is a free standing entity.

She said three directors were appointed by the board of County Commissioners in 1995, and they did establish a set of by-laws.

The tape recorder ran out of tape space at this time. There will no recording from this point on.

She said they will be looking for monies from other sources also & will be eligible to apply for grants.

Commissioner Williams made a motion to appoint Jen Nunnly for a 2 year term, Erin Johnson for a 6 year term and , Genevieve Yellowan for a 4 year term. Commissioner Stowe seconded the motion. All three Commissioners voted yes.

Erin asked if they could get some help with voter registration. Commissioner Kibel said she would ask LaRita our County Clerk.

Erin thanked the Commissioners and will get the ballot information to Dennis our County Attorney.

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Old Business

Cahone Speed limit sign

Commissioner Stowe said we did get some info on the speed limit sign, like the one coming into Dove Creek. He said at the last meeting we had, the Cahone residents wondered how much one like that would cost, & thought maybe it would help curb the speed in Cahone. He said it would cost about \$10,000 for the sign and the electricity to get it installed. The Commissioners discussed who would pay for a sign like that. No answers were forthcoming. They said they would let the Cahone residents know at the next meeting we have.

Hazmat Cleanup

Commissioner Stowe said he has been doing some research on a hazmat cleanup for our end of the County. He asked Mike England how their cleanup went. Mike said it went very well. Commissioner Stowe asked him how much it cost the team to come down here and do the cleanup. Mike said about \$500. Commissioner Stowe explained that several years ago an air quality fine in the amount of \$37,798.00 was paid, to Dolores and Montezuma County to be used on this type of a project. He said we are looking at possibly doing this next August. He asked Mike if they would be interested getting on board with us. Mike said one of the reasons they did it here was because of CDOT's rules on transporting hazardous waste. The estimated cost quote from Clean Harbor is for \$25,000.00 the majority of this would be in Montezuma County. Judy Woods, County Intern got some quotes for us, & she said we could charge the people for dropping off their items. Or we could come up with the total cost of this. Commissioner Stowe said he is on the water shed committee, & they are very interested in being on board with this, & they could obtain grants to help pay for this. He said there is a lot of money available to help with this. Mike England said the whole cleanup for the Town of Rico was about \$1100 or \$1200.00. Commissioner Stowe said we would like to do this where there would be no cost to the citizens. We will continue working on this.

Personnel Policy

The personnel policy has been sent to Dennis, the County Attorney. His secretary will be doing a final proofread on this.

Paradox Community Trust

Commissioner Williams said Paul Major wants to have another meeting with him on August 5. He said he will call him.

New Business

Resolution to Transfer funds

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After our auditor has been here he told us we needed to do a transfer of funds from the General Fund to the Public Health Fund to make it balance for 2009.

Commissioner Stowe made a motion to approve resolution # 07-10-03 to transfer funds from the general fund to the public health fund in the amount of \$7715.63.

Commissioner Williams seconded the motion. All three Commissioners voted yes.

Planning Commission appointment

The Commissioners had a letter from Joe Hoey Sr. wishing to remain on the Planning Commission for another term. Commissioner Stowe made a motion to reappoint Joe Hoey Sr. to the Planning Commission. Commissioner Williams seconded the motion. All three Commissioners voted yes.

Region 9 Telecommunications

Region 9 has received telecommunications grant. The Commissioners asked Rico their feelings. Mike England said he has met with Ed Morlin, and some others about this issue. He said they had several questions that have not been answered. It would cost the Town of Rico \$25000.00. Right now they are waiting for answers. Mike said he met with Farmer's telephone who will be putting in a fiber optic line soon.

Commissioner Williams said if we spend county wide tax money it is supposed to help the whole county not just certain ones.

We have a bill from Region 9 for a portion of our share of this. Commissioner Kibel wants to table paying this until we get more information.

Commissioner Williams asked Mike how they feel about the Council of Governments. Mike said he has some concerns.

GIS-Website

Commissioner Kibel said Berna Ernst, County Assessor brought her some information concerning our website. She would like to see us include on the website so people would be able to pull up their homes. This would cost \$3500 from Westphall Associates, who does all the parcel changes for the assessor's office now.

Judy Woods, County Intern, said this would not be on our county website. It would have to be something different.

Commissioner Williams said he doesn't want to see money spent in two different areas.

We will look into this more.

The Commissioners are looking into getting a networking server for the courthouse. Judy Woods has been researching this issue.

She said she has a friend who is a computer tech. He gave her a couple of things to discuss with the commissioners.

Dennis said that servers can be wireless. We will check with Farmers, and possibly a couple of others. We will do more research.

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FYI

Barbra Betts, Rico Town Mayor, said she has been driving all over Colorado and has seen signs saying “tax relief vote yes on 60, 61, & 101”. She wondered if the county is doing anything to help educate the people on this issue.

Commissioner Williams said we can’t use tax dollars to sway a vote. He said we have put some info in the paper.

Commissioner Kibel said CCI will be doing a mailing on this issue.

Commissioner Stowe said at the CCI winter conference they addressed this issue.

We will be watching this closely.

Concerning the records retention policy, Dennis asked what if we have done anything more on this. We have not, so we need to add this to the agenda.

Dennis asked about Mike about their three mile plan. Mike said they are still working on it.

Dennis asked about the septic plan. We will do a workshop on August 16.

Dennis wants to put the medical marijuana issue back on the agenda and would like to see the commissioners make a decision on whether they will put it on the ballot.

They asked Rico about this. Barbara Betts, Town Mayor said they haven’t discussed it as a board, but did put a moratorium on for a year.

Dennis said he looked at the deed on the property we just purchased. Our concern was that the deed says Dolores County Commissioners. Dennis said he thinks the deed is o.k. and does not need to be changed.

Adjourn

There being no further business, Commissioner Williams made a motion to adjourn the meeting.

Commissioner Stowe seconded the motion. All three Commissioners voted yes.

The meeting was adjourned at 12: 10P.M.

Chairperson of the Board of County Commissioners

LaRita Randolph

Clerk

Clerk to the Board of
County Commissioners

