

**Proceedings of the Dolores County board of  
County Commissioners  
April 20, 2015**

A Regular meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado April 20, 2015. Present for the meeting was Chairman of the Board, Julie Kibel and Commissioners Ernie Williams and Doug Stowe. Also present for the meeting was Lorraine Hancock, Deputy Clerk to the Board, Dennis Golbricht, County Attorney, and Margret Daves, Special Projects Manager.

**Guests**

Doug Funk, Dove Creek Press, Tim Rossiter, River Rim Tear Drops, David Cressler, Dolores County Resident, Steve Davis, Road and Bridge Supervisor, Connie Clementson, BLM, Amber Fisher, GIS, Clint Cressler, Dolores County Resident, Larry Johnson, Dolores County Resident, Josiah Forkner, Social Services Director, Padilla, US Forest Service, Heather Musclew, US Forest Service, Sheriff Martin Martin, Dolores County Sheriff.

**Pledge**

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

**Approval of Minutes**

Commissioner Williams made a motion to accept the Minutes from April 6, 2015.  
Commissioner Stowe seconded the motion. All three commissioners voted in favor.

**Agenda**

Commissioner Stowe made a motion to approve the agenda.  
Commissioner Williams seconded the motion. All three commissioners voted favor.

**Approval of Payroll & Bills**

Commissioner Williams made a motion to accept the payroll and bills.  
Commissioner Stowe seconded the motion. All three commissioners voted in favor.

The following is a list of total payroll by Department:

County Commissioners:	\$5,763.47	6 Employees	
County Commissioner Other	230.87		1 Part Time
Transfer Station	328.11		1 Part Time
County Clerk:	2,483.94	3 Employees	
County Treasurer:	2,134.74	2 Employees	
County Assessor:	3,012.35	3 Employees	1 Part Time
GIS:	981.61		2 Part Time
County Maintenance:	1,255.46	1 Employee	1 Part Time
Traffic Enforcement	1,162.81	1 Employee	
County Sheriff:	8,064.40	6 Employees	4 Part Time
County Coroner:	360.31	1 Employee	
EMA/EMS:	567.78		1 Part Time
Extension:	439.01	1 Employee	1 Part Time
DCTV:	1,214.83		5 Part Time
Veterans Office:	480.22		1 Part Time
Senior Services:	6,357.75	2 Employee	13 Part Time
Health & Nurse:	2,499.63	2 Employees	
Mandatory Weed:	1,065.61	2 Employees	1 Part Time
Admin Other:	18,183.96	18 Employees	1 Part Time
Social Services	<u>3,027.16</u>	3 Employees	
<b>TOTAL</b>	<b>\$59,614.00</b>		

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**Meetings and Information**

Commissioner Kibel said we had a volunteer ambulance workshop and they went over their timelines for getting on this falls special election ballot. She also attended a AAA training meeting and a Senior Advisory Meeting that both went very well. She also met with DCDC and they will have a special meeting and will get back to the commission about the Bio Diesel Plant.

Commissioner Williams said that he has had a few NCA meetings and a water lawyer will be giving a legal review in May. He also attended a small Miner's Association meeting and they had questions on the sage grouse.

Commissioner Stowe said that Margret and Rick met with the Montezuma County VA officer and they discussed options to transport Veterans. He said that if we transport any Montezuma County Veterans it will be a wash because they have been transporting some of Dolores County's Veterans.

Margret Daves, Special Projects Manager said that Todd Parisi, EMS/EMA taught a First Aid training course for the entire court house last week and it went very well.

Steve Davis, Road and Bridge Supervisor said that one of the tanks for the fossil water still has perotain in it. He might have to get a company to come and remediate the tank. He also said that he needs a landing and a step for the tank and Jerry Carhart has exactly what he needs for \$600.00. He will also check with Belt Salvage and go with the cheapest landing and step. He also said that there might be another tank available for the Cahone area.

**Volunteer Ambulance Workshop**

The Commissioners held a workshop with the Volunteer Ambulance Service.

**Subdivision Exemption- Marti Spitzer**

The County received a subdivision exemption application from Jerry Huskey, Dolores County Resident who wants to subdivide 10 acres from an 80 acre parcel. The Commissioners gave preliminary approval at a previous meeting and an application has been filed; the commissioners are waiting for the survey to be complete.

**River Rim Teardrops Subdivision Exemption**

The County received a subdivision exemption application from Tim Rossiter who wants to subdivide 3 acres from a 39.48 acre parcel to expand his business. The Commissioners gave preliminary approval at a previous meeting and the survey has been completed. They presented the Mylar and Dennis prepared the resolution.

Tim said that this will allow him to expand his business. He said that his business will be featured in the Country Living magazine.

Dennis said that from a legal perspective, everything is on track.

Commissioner Stowe made a motion to approve Resolution # 04-15-03 the Subdivision Exemption for Tim Rossiter.

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

**County Road Signs- Theft and Vandalism**

Amber Fisher, GIS and Steve Davis, Road and Bridge Supervisor were here to discuss theft and vandalism of county road signs. Steve said that there has been a lot of damage happening county wide to road signs. Steve suggested writing something on the county signs defining the law.

Commissioner Kibel said that we need to let the public know how much this costs the county and asked the newspaper reporter to write an article in the paper.

Margret showed an example of a sign that has the legalities stated on it.

There was discussion on this and the commissioners decided to post a notice in the paper.

Margret suggested taking the notice to the school as well.

Steve will also have the signs made up stating the law.

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**Letter of Support**

The Montezuma Land Conservancy is applying for a capacity funding grant and the Dolores County Board of County Commissioners drafted a letter of support for the Montezuma Land Conservancy and their efforts in preserving Gunnison sage-grouse habitat in Dolores County.

Commissioner Williams made a motion to sign the letter of support.

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

**ATV/Fossil Water**

**ATV Usage**

David Cressler, Dolores County Resident was here to discuss ATV usage on county roads as well as the use of Fossil Water on county roads for dust suppression. He said that he wants the county to legalize the use of ATV and UTV's on the county roads. He said that we are the only county who has not legalized this.

Commissioner Kibel said that if we start with regulations we may create a huge enforcement issues. Right now agricultural people are allowed to use the ATV's for farm use. She said she met with Montezuma County and they have quite a few laws surrounding this issue.

There was discussion on this.

Sheriff Martin said that if you license your ATV's they are not under the motor vehicle statutes a motor vehicle. In Montezuma County, they have designated roads that the ATV's can travel on. Up here we can't designate roads because of the farmers that use the ATV's for farm use.

Commissioner Williams said that we have always been the least restrictive as we can.

Dennis said that to clarify, it is not legal to ride ATV's on county roads in Dolores County.

Sheriff Martin said you can legally use an ATV as long as it is being used for farm work as an implement of animal husbandry.

**Fossil Water**

David was concerned about the testing of the fossil water which will be used on county roads for dust mitigation.

Commissioner Williams said that CDPHE has signed off on using fossil water and they have set the criteria and this water must meet certain specs. He said that David will need to take up any issues with CDPHE or the distributors. This project has been in the works for 3 years and we buy this just like we do with mag chloride.

Commissioner Stowe said that Commissioner Williams brought this idea up because of the price savings versus mag chloride.

There were questions about processes involved to clean up the reclaimed water.

Commissioner Williams said that we don't want to put the county at risk.

David asked about the longevity and Commissioner Williams said that it is comparable to mag chloride.

The commissioners thanked David for coming in.

**Planning Grant 5304**

Nita Purkat, Senior Services Director said she received the planning grant from CDOT. She discussed this with Dennis and he said that it looks great and we should go ahead with the RMP. She will be sending this to several consultants. She will also do a procurement authorization that she will bring to the commission. She said this should be a good process to go through.

Commissioner Williams made a motion that Commissioner Kibel can sign the Planning Grant 5304 after the procurement authorization arrives.

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

She said that they can also start the procurement of a new vehicle.

She also said that her trip to Washington, D.C. went well. The bill that they are working on is the reauthorization of the transportation bill. They are trying to work on a 5-6 year reauthorization but do not have the funding.

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**Cresto Ranch/Dunton Hot Springs Liquor License Renewal**

The commissioners had a liquor license renewal for Dunton Hot Springs and Cresto Ranch. Sheriff Martin said he hasn't had any problems with them.

Commissioner Stowe made a motion to approve the liquor licenses.

Commissioner Kibel seconded the motion. All three commissioners voted in favor.

**Resolution #04-15-02**

The County Treasurer made a request to transfer \$31,890 from the Dolores County VA Transportation Grant to the Dolores County General Fund.

Commissioner Stowe made a motion to sign resolution #04-15-02.

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

**Davis Lawsuit**

Dennis said that the Davis Lawsuit has been settled through mediation and everything has been resolved.

**Rico Center Update**

Nicole Pieterse, Rico Center will be giving an update during the May 4, 2015 regular Commissioners meeting in Rico, Colorado.

**Sage Grouse**

No updates.

**Sattley Gravel Pit**

Margret said that Mr. Sattley was concerned about leasing the ground for more than 5 years to the county for a gravel pit.

Commissioner Williams said that we will be investing a lot into this pit and 5 years will not be very good payback.

There was discussion on this.

Commissioner Kibel will call Mr. Sattley and explain the investment that the county would make and discuss a longer lease.

**Maintenance Update**

Steve Stiasny, Maintenance Supervisor received a bid for the window in the Clerk's office for \$3,100 or a cheaper window for \$1,500. The commissioners gave permission to go with the half price window.

**Land Swap/Gravel Pit**

Dennis said that the surveyors said that it looks like there was decent gravel out there and that there is some clean up that will be taken care of. He said that there may be some issues with the permitting. A closing should be set soon.

**Dolores Fire Protection District**

Dennis drafted a letter to send to the property owners on the West Fork of the Dolores River stating that they are not in a fire district. This letter also included sample pricing of what services might cost depending on what issues might arise.

There was discussion on the letter.

The commissioners agreed that if the Dolores Fire protection District likes the draft can they move ahead with sending the letters to the residents of the West Fork of the Dolores River.

**Underfunded Grant- Court Clerk**

No updates; Margret will look into this.

**RBSC Workshop**

The commissioners held a workshop on the Road and Bridge/Senior Center building.

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**Social Services**

Josiah Forkner, Social Services Director was here to present the Social Services Minutes from March.

Commissioner Stowe made a motion to accept the minutes.

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

Commissioner Stowe made a motion to accept the financials from December from Social Services.

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

Josiah said that the state had their audit and said that the staff is doing a great job. The state granted an additional \$5,000 in funds for the hotline so we might be seeing new items going into the office. He discussed the HB1451 and said that the state is cutting the funding in half and he will have a finance meeting with the IOG. He would like to donate any additional money left in their budget to the Dolores County School. The commissioners gave Josiah permission to go forward with his plans to donate to the school district.

**Ormiston Resolution #04-15-04**

The Commissioners had a Clara Ormiston Fund Resolution to sign. It has been approved by Josiah Forkner, Social Services Director.

Commissioner Williams made a motion to sign Resolution # 04-15-04.

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

**BLM/Forest Service**

***Land Analysis-Grazing Management***

***Tenderfoot C & H Allotment***

Derek Padilla and Heather Musclew, US Forest Service were here to discuss Glade Rangeland Management Analysis. Heather presented a map on the allotments that they are analyzing. She discussed the progress and said that they meeting with the permittees individually. Public scoping will happen during the middle of May.

Commissioner Williams asked about issues.

Heather said that there are issues with high stocking. Some of the streams have bare banks. She said that it takes really intense management from the permittees to get things back on track.

Derek said that every allotment has different issues. All of these issues will be in the proposed action when it comes out.

There was discussion on moisture.

Commissioner Stowe said that he is happy that they are looking at the allotments individually instead of as a whole.

Commissioner Kibel asked about the tenderfoot allotment.

Heather said that there were some issues with the draft and they got a team together to discuss the issues. She said that with the forest plan, only 10% of the area is able to be used for grazing because of the steep terrain but really the allotment manager has had success grazing the area with a different type of cattle and a full time rider. They will do an amendment on this and a NEPA analysis will be done on this allotment.

Derek discussed NEPA analysis on allotments.

Commissioner Williams said that the Secure Rural Schools passed for another couple of years.

Derek recommended funding a project that is easy, such as roads. He said this year they cannot put any money toward mag chloride.

Commissioner Williams said that CDPHE approved production water for dust suppressant. He asked if dust suppressant would fall under projects approved for SRS and what roads the Forest Service would recommend for dust suppressant.

Commissioner Kibel said that we have been having issues with all of our new county road signs being vandalized and we will be installing signs that state the laws for vandalism.

There was discussion on vandalism.

Commissioner Kibel discussed handicapped accessible campgrounds.

Commissioner Williams asked if there was some way the county could partner with the Forest Service to open the campgrounds that are handicapped accessible.

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Derek said that they are looking at reducing the number of campsites for budget reasons.

Commissioner Williams said by closing off more camping sites you will cause more issues.

Derek said that the Forest Service will be conducting Recreation Site Analysis.

Dennis said that Dolores County has been becoming the go to place for people to get away and he feels it will be a huge mistake to cut out these more isolated camp grounds.

There was discussion on this.

Commissioner Williams said that the county would like to have a discussion on partnering up on some of these camp sites.

Derek said that during May they will have their public access meeting.

Derek discussed the Spruce Fir Veg. Type meeting which will be in Dolores on June 24, 2015.

### ***Special Use Boyle Spring Box Tank and Waterline***

Derek said that Robert Boyle, a land owner near Boyle Springs Box Tank had a 15 year right of way permit that expired and they renewed the permit for another 30 years for the water tank and pipeline. He also discussed the Atlantic Richfield land exchange and said that they are in the middle of the public comment process.

There was discussion on the comment letter for the Atlantic Richfield land exchange.

### ***Right of Ways***

Connie Clementson, BLM was here to give an update.

Commissioner Kibel discussed issues with the Box Elder Camp Ground and Connie said she would look into it.

Commissioner Williams asked why we would need Right of Ways (ROW) after the ROW grants expire. He said that we spend thousands of dollars to maintain the roads and shouldn't have to spend any more money applying for these ROW's.

Connie said if we are using it as a county road we shouldn't need a grant. She suggested that we make a map of all of the grants.

Connie said that we have the right to procure any right of ways that have been closed and suggested that we should get Dennis's advice.

Connie will discuss this issue with Harrison Griffin, BLM Realty Specialist.

There was discussion on the RAC and a master leasing plan.

Connie asked Commissioner Williams why the draft NCA wasn't sponsored by any congressional support.

Commissioner Williams said that Montezuma County and the Cattleman's Association came out against the NCA. He said San Miguel County, Dolores County, DWDC, and Montezuma Valley Irrigation are all still on board with the NCA. There will be a lawyer doing a legal review on the NCA and this will be a water review of the bill.

Commissioner Kibel said that there were some concerns that need to be addressed with the bill.

Connie said they will be setting up a meeting in June to discuss the wilderness area. She said that if the boundary is based on the waterline, there will constantly be a moving boundary line.

Commissioner Kibel asked if NEPA is established, can that NEPA be challenged.

Connie said that when the BLM makes a decision, there is a certain period of time that it can be changed. Once the decision goes through the appeals decision, to be changed it will need to go through the court.

Dennis said that the statute of limitation is 7 years. He said that a person could sue for an amendment to the plan.

There was discussion on the NEPA process.

Commissioner Stowe said at the South West Water meeting there was a lot of discussion on the NCA. The general concern was making sure the water is truly protected. The congressional side seems to be all on board with the NCA. They felt that this NCA could never be changed and that is why they were considering a national monument instead. Right now they are just waiting for the legal opinion from the water lawyer before they make any more decisions.

Connie said that they should be doing a lease parcel sale this year.

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**Adjourned**

Commissioner Stowe made the motion to Adjourn.

Commissioner Williams seconded the motion. All three commissioners voted in favor.

The meeting ended at 2:53pm.

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Chairman of the Board of County Commissioners

Attest:

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Deputy Clerk to the  
Board of County Commissioners