

**Proceedings of the Dolores County board of
County Commissioners
April 6, 2015**

A Regular meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado, April 6, 2015. Present for the meeting was Chairman of the Board, Julie Kibel, Commissioners Ernie Williams, & Doug Stowe. Also present for the meeting was Lorraine Hancock, Deputy Clerk to the Board, Dennis Golbricht, County Attorney, and Margret Daves, Manager of Special Projects.

Guests

Doug Funk, Dove Creek Press, Steven Stiasny, Maintenance Supervisor, Nita Purkat, Senior Services Director, Steve Davis, Road and Bridge Supervisor, Jerry Martin, County Sheriff, Floyd Dubey, Dolores County Resident, Marti Spitzer, Dolores County Realtor.

Pledge

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

Agenda

Commissioner Stowe made a motion to approve the agenda.

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

Approval of Minutes

Commissioner Stowe made a motion to accept the Minutes from March 16 and March 31, 2015 with the changes to be made to the March 16, 2015 minutes.

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

Approval of Payroll & Bills

Commissioner Williams made a motion to accept the payroll.

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

The following is a list of total payroll by Department:

County Commissioners:	5,810.23	6 Employees	
County Commissioners Other:	230.87		1 Part Time
Transfer Station:	498.78		1 Part Time
County Clerk:	2,483.94	3 Employees	
County Treasurer:	2,276.22	2 Employees	
County Assessor:	3,201.92	3 Employees	1 Part Time
GIS:	1,122.86		2 Part Time
County Maintenance:	1,188.68	1 Employee	
Traffic Enforcement	1,181.63	1 Employee	
County Sheriff:	8,592.25	6 Employees	4 Part Time
County Coroner:	360.31	1 Employee	
EMA/EMS:	567.78		1 Part Time
Extension:	458.02	1 Employee	1 Part Time
DCTV:	1,093.45		4 Part Time
Veterans Office:	480.22		1 Part Time

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Senior Services:	8,946.11	2 Employees	15 Part Time
Health & Nurse:	2,499.63	2 Employee	
Mandatory Weed:	1,065.61	2 Employees	1 Part Time
Admin Other:	18,731.36	18 Employees	2 Part Time
Social Services	<u>3,027.16</u>	3 Employees	
TOTAL	\$63,817.03		

Meetings and Information

Margret Daves, Special Projects Manager said that this year's Health Fair went well. There were 280 people that came through. There were lots of volunteers that came and Todd Parisi, County EMS/EMA did a great job organizing the event. She said that Colorado is the only state that has health fairs. The county was also reimbursed for the V.A. van recently. Margret and Rick Brown, VA Officer will be meeting with the Montezuma County VA to talk about possibly transporting some of the Montezuma County Veterans.

Commissioner Williams said that there is a draft bill out for circulation for the Lower Dolores River Group. He said that they have had a few bumps in the road but it's starting to come back around. It was mentioned in the news that the Dolores River Canyon has potential of becoming a national monument and if that's the case, we would rather have an NCA. He also said that for the last 3 years, we have been working on using reclaimed water for the county roads and it was recently approved for use. The water will cost about half as much as traditional dust control using Mag Chloride. He said that this is more readily available that we may be able to do dust control twice a year.

Senior Services Update

Nita Purkat, Senior Services was here to give an update on the Transit Grant Contract for CDOT. Commissioner Stowe made a motion to sign the Transit Grant Contract. Commissioner Williams seconded the motion. All three commissioners voted yes.

Fence Repair CR. N

Floyd Dubey, Dolores County Resident was here to discuss the damage to his fence on County Road N. He said in 2001 he bought the 250 acres and he had it surveyed. At that time there were a few problems including the fence lines that were off by about 16'. He discussed areas on his property where the county road is off from where he feels it should be. Since he has owned the property, the fence was torn up and repaired with help from the county. This time the damage was also done to the corners of his fence.

Margret said that she looked for easements but was unable to find any.

Commissioner Kibel asked him if the county road was there when he bought the property.

Floyd said that the road was there.

Dennis said this road is established by prescriptive right. He said once the prescriptive right is there, that is where the road is and it doesn't need to be moved.

Commissioner Williams in the past, we were trying to help but the county has a 60' right of way on all county roads.

Floyd also said that there are Montezuma Water Company water taps are on his property.

Dennis said he will need to take the water tap issue up with Montezuma Water Company.

Commissioner Kibel said that the road has probably been there since the early 1940's. She said that he will have to measure out from the road even if the road bends to build his fence according to the right of ways.

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Dennis said that it doesn't change what he owns, but the county has a right of way 30' from the center of the road no matter where the road goes.

Commissioner Kibel said that farmers have to abide by the right of ways also.

Steve said that we need that right of way in order to blade and manage the roads without damaging fences.

Commissioner Williams said that if we tear something up outside of our easements, we would fix it but that's not the case here.

Dennis said that if Floyd has any questions he should contact Steve Davis.

The Commissioners thanked Floyd for coming in.

Marti Spitzer- Variance

Marti Spitzer, Dolores County Realtor was here to discuss a property variance on an 80 acre property that she has under contract. She said that the appraisers and lenders won't touch the property. She said that the people don't want to split the property but they must split the property to get a loan on the property. She said the plan is to close on the 10 acres with a mobile home one day then the next day they will close on the "owner carry" 70 acres.

Commissioner Williams said that they should split it into 40 acres so they don't have to do a variance. If they split the property into to 40 acres parcels, they wouldn't need the survey or the plat.

Marti said that she didn't think that the banks would lend on anything over 35 acres.

There was discussion on how the property could be split.

Dennis said that you can't break less than 35 acre parcels without doing a subdivision or a subdivision exemption and that's state law. Dennis asked if the only thing holding them back was the cost involved with doing a subdivision exemption and Marti agreed. He said that the only way to do this legally is to do a Subdivision Exemption.

Marti said that she will talk to the owners about doing a Subdivision Exemption.

Cooperative Wildfire Protection Agreement

The Division of Fire Prevention and Control (DFPC) sent the new Cooperative Wildfire Agreement between the State and each County to the commissioners. This agreement governs the relationship between DFPC and the County on preparedness, planning, and prevention of wild land fires. It also covers roles and responsibilities when a county has a wild land fire that exceeds its capabilities and requests assistance from the Division.

Commissioner Williams made a motion to approve the Cooperative Wildfire Protection Agreement.

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

Ormiston Resolution 04-15-01

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

Commissioner Williams made a motion to sign the resolution.

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

Letter of Support Rico Land Disposal

The San Juan National Forest was accepting public comments on a proposed action by Atlantic-Richfield Company. They have submitted to acquire three tracts of National Forest System lands just north of Rico under the Mineral Survey Fraction Category of the Small Tracts Act.

The commissioners will be drafting a letter in support of this.

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BLM Right of Ways

The BLM contacted the commissioner's office regarding two expired right-of-way grants that were originally approved in 1984. After looking over the area that the grants include a decision was made to re-apply for the right-of-way grants.

Commissioner Williams made a motion to sign the BLM Right of Way Grant application for COC-038359 and C-41144.

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

Rico Center Update

Dennis said that we are coming up on the dead line for the yearly financial update for the Rico Center but have not received the documents yet.

Sage Grouse

Commissioner Kibel attended a conference call regarding the BLM EIS Amendment. She said that originally they were headed towards schedule based outcomes but now they are getting away from that and going toward standard produced outcomes. Now they are going to push the final record of decision to February 2017. She hasn't heard anything on the 4D Regulations.

Sattley Gravel Pit

Steve Davis, Road and Bridge Supervisor and Margret Daves, Special Projects Manager met with Mr. Sattley and he does have some water rights on the proposed gravel pit. However, Mr. Sattley's father doesn't want to have a 10 year plan in place for the pit.

Commissioner Williams said that if we aren't going to have it for 10 years, we shouldn't proceed.

Margret said that Mr. Sattley is going to meet with his father to further discuss the gravel pit.

Land Swap/Gravel Pit

Dennis said that we are on track and we are waiting on the survey. The county has completed the disclosures on the 10 acre parcel and he asked if the disclosures for the 40 acres were needed. The commissioners said that they do not need the disclosures on the 40 acres.

Dolores Fire Protection District

Dennis said that we were waiting to see if the governor would sign a law that would allow areas to start a volunteer fire department and get the same treatment as if they were a governmental entity. This would allow them apply for grants, etc. The governor has signed the bill and Dennis and Margret will write a letter to the residents of the Dolores River reminding them that they are not in a fire district now and to encourage them to establish a volunteer fire department. He said that the letters will also state possible fees if a fire were to occur.

Underfunded Grant- Court Clerk

No updates.

RBSC Building

Margret said that we received the environmental site assessment on the road and bridge property and the county will be working on building size requirements.

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Solar Farms

Commissioner Williams said that he went to the solar farm workshop in Alamosa County with Margret Daves. He discussed the \$30,000 application fee that Alamosa charges and everything that is involved with the application. He said that solar farms will probably move into Dolores County because of the great solar gain in the area.

There was discussion about transmission lines.

Commissioner Williams said that we will not be “selling” our county to solar companies but we will entertain contracts from private land owners who want to use their land for solar farms.

Adjourned

Commissioner Williams made the motion to Adjourn.

Commissioner Kibel seconded the Motion. Both commissioners voted yes.

Meeting ended at 11:06 am.

Chairman of the Board of County Commissioners

Attest:

Deputy Clerk to the
Board of County Commissioners