

**Proceedings of the Dolores County board of
County Commissioners
August 3, 2015**

A Regular meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado, August 3, 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, Joi Redshaw, Deputy Assessor, Berna Ernst, County Assessor, Takara Harrington, Deputy Assessor, Eric Guynes, Deann Knuckles, Jim Hutchinson, Larry Deremo, John Huphreys, Michael Fury, Rick Deremo, Julia Ayers, Mickey Neely, Debbie Myers, Margret Webb, Kim Alexander, Bryan Myers, Rich Marsh, Ron Ebberts, Cecil Martin, Dolores County Residents, Bruce Riddel, Joyce Barnet, Angela Myers, Dove Creek Volunteer Ambulance Service, Floyd Bud Smith, Attorney for the Dove Creek Volunteer Ambulance Service, Jerry Martin, Dolores County Sheriff.

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 July 20 and July 30, 2015.

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

Approval of Payroll & Bills

Commissioner Stowe made a motion to accept the payroll.

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

The following is a list of total payroll by Department:

County Commissioners:	5,663.73	6 Employees	
County Commissioners Other:	230.87		1 Part Time
Transfer Station:	498.78		1 Part Time
County Clerk:	2,491.46	3 Employees	
County Treasurer:	2,134.72	2 Employees	
County Assessor:	2,872.86	3 Employees	1 Part Time
GIS:	861.28		2 Part Time
County Maintenance:	1,188.68	1 Employee	
Traffic Enforcement	1,218.22	1 Employee	
County Sheriff:	8,073.56	6 Employees	3 Part Time
County Coroner:	360.31	1 Employee	
EMA/EMS:	567.78		1 Part Time

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Extension:	965.85	1 Employee	
DCTV:	461.75		1 Part Time
Veterans Office:	480.22		1 Part Time
Senior Services:	6,659.29	2 Employees	13 Part Time
Health & Nurse:	2,499.63	2 Employee	
Mandatory Weed:	1,021.05	2 Employees	1 Part Time
Admin Other:	19,024.14	19 Employees	2 Part Time
Social Services	<u>3,128.06</u>	3 Employees	
TOTAL	\$60,402.24		

Board of Equalization Hearings

Commissioner Kibel closed the regular meeting and reopened as the Board of Equalization at 9:03am. Commissioner Williams said he spent time with the Assessor and the Deputy Assessors and they have done everything correctly through the state. He also spoke with Don Coram, Colorado State Representative and he is willing to support a bill to change the ways the taxes are calculated. He said Montezuma County motioned to not raise their agriculture tax more than 22% and our assessors dropped our taxes two years ago. Right now if the taxes get lowered this year, it will put us out of compliance with the state. He spoke with Kyle Hooper, State Tax Assessor and it is unclear as to what would happen if we were out of compliance but he is willing to take the risk to change the way agriculture taxes are calculated. It's nothing against the Assessors as they have done everything they should have done; this will fall on the Commissioners.

Commissioner Kibel discusses the lack of an Agriculture Committee and asked attendees of the meeting to sign up.

Commissioner Stowe said we know that we will be out of compliance and we don't know where this will go. He said there is a chance that the county will be forced to do an audit which will cost the county money and there is also a chance that they will make the county put the values back to where the assessors had the tax rates. It's a chance we are going to try to take to correct these values.

Dennis Golbricht, County Attorney said this board is acting as the Board of Equalization not the Dolores County Board of County Commissioners.

County Attorney Dennis Golbricht, said pursuant to C.R.S. 39-8-107 this is a hearing on appeal. The Board is to hear testimony & receive evidence by the Assessor and the plaintiff. The Board is to have no presumption in favor of any valuation.

Joi Redshaw, Deputy Assessor said the way agriculture land is valued hasn't changed. The factors that changed are the commodity prices, expenses and their yields. She received information from the local elevators here and the wheat doubled in price at our local market. A lot of the expenses are local expenses that they went to local suppliers to acquire. Yields are based on what farmers report to the Colorado Ag. Statistics or what they report to the assessors. She said some farmers have never sent in information and the more info that they get, the more accurate the prices are. She explained ratios. She said when you raise commodity prices this really affects your value; fuel is not included in these values. She explained landlord vs farmer expenses.

Michael Fury, Dolores County Resident said in the last years he hasn't done any dry land at two thirds his has been ¼ share in regards to landlord/farmer expenses.

Joi said it has to be typical for our county, which would have to be more than 51%. She said the bottom line is the valuation is discounted versus the market price. She said other counties t might have

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a different spreadsheet but the methodology is the same and the math equation is the same to calculate the values.

Rick Deremo, Dolores County Resident asked about growing seasons. He said if you don't have rain you don't have production.

Commissioner Williams said you will see the productions in tons per acres and the longer the growing seasons the more tons per acre.

Joi your climate conditions will affect your yield and local yields are what we are using.

There was discussion on the prices for harvest.

Commissioner Williams said in regards to commodity pricing, they take what the public is giving for good hay and that is one thing that needs to be changed through the State. He said you probably only get commodity prices for 50% of your yield but at this point they can't change that. The shipping needs to be changed as well. We understand and we need to make the rest of the state understand. The mathematical equations need to look at the true cost and values of yields.

Commissioner Kibel said our hope is to get the states attention on this. There are not enough variables to keep it even.

Commissioner Stowe said must have the reasons why we are going go the state and if we had more data from a committee that would help too.

Commissioner Williams urged all farmers to fill out the surveys that come out each year.

Joi said the values in Cass are higher than what our county used to calculate the values.

County Attorney Dennis Golbricht, said pursuant to C.R.S. 39-8-107 this is a hearing on appeal and the petitioner doesn't have to respond. The Board is to hear testimony & receive evidence by the Assessor and the plaintiff. The Board is to have no presumption in favor of any valuation.

Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for George Herron Trust; the current value is \$61,480.

Joi said this property is a pivot not a side roll and they re-measured and remapped the different soil types; his values did decrease from the original value.

Jim Hutchinson, George Herron Trust said if we don't get a handle on this through the state, it's going to continue. In 2010 we only got 41% of the contracted water. In turn the water cost per acre was high. The production was excessively less. He feels like he has been over charged since 1990 because the values were on side rolls, not center pivot. The property hasn't made that much more since last year. He feels it should be a regional determination.

Joi went over his dry land parcel and said the current value is \$10,965. They remapped the soil and went back over the aerial view and marked where rocky areas are. The values on this parcel increased however she did not make that correction.

Jim said the ground is fallowed every year. He said the ground doesn't produce enough to justify the increase. He discussed the prices of wheat over the years.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for John Humphreys; the current values are \$10712 and \$5323 for the second parcel, both are dry land.

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John Huphreys said he has got 19 bushels a year out of the property for the last 25 years and Joi said that they used 16 bushels or less for the soil classification on the property. He said he doesn't understand why fuel costs and repairs are not included. He said it doesn't leave a person a whole lot. He doesn't remember ever getting a questionnaire from Dolores County and questioned where they get the yields anyway as Dolores County isn't even on the list for wheat. He discussed issues with the water. He said he is not putting down the local people as he thinks they are doing what they think is correct; he just doesn't know where the state is getting the information. There was discussion on his soil classification.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuations for Jerry and Julie Martin; the current values are \$8690, \$13304, \$16494, \$66,428 for the home, and \$5950.

Jerry Martin, Dolores County Resident questioned the climatic conditions. He said that the issues are not will the local Assessor's Office; they have done a commendable job. As far as the survey, he has never filled it out. He would like to see local production and expense sent out. He doesn't see how the profit margin can increase as he is not making as much today as he did 20 years ago when he purchased the land. He discussed issues with the water. The formula that the state uses is unrealistic. Montezuma County capped values at 22% which sent a strong message to the state. He discussed hay prices. He urges the BOE to get together with Montezuma County to approach the State.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for the Linda and Rick Deremo Trust; the current value is \$38,988.

Joi said they own 50% of the property the other owners didn't protest. Their value did increase. They remapped the soil types and when they did that their value did go down but still up from before. They also went over their actual irrigated acreage.

Rick Deremo said his brother in law wanted to protest but the deadline passed before he could get the protest in. With the crops and rain, they are not making money on the land. He discussed the crop for the last few years. He thinks they will get $\frac{3}{4}$ ton for third cut and beans are not that great.

There was discussion on the cap placed on taxes by Montezuma County.

Joi said there are several surrounding counties that show their evaluations and we are less than almost everyone.

John said our values are down but his 200 acres consist of the lowest soil types in the county.

There was discussion on soil types and water district classification.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Rick and Lyle Deremo; the current values are \$6421 and \$123279, \$465, \$270.

Joi said they remapped the soil types and that did decrease their value. Based on the dry land evaluation and remapping, they feel their values are correct.

Rick said all the irrigated land produces the same tonnage and should be considered at the same values. Their hay this year was rained on and is black. With an increase of this magnitude it's tough to make a go of it. He discussed CRP.

Joi said when land is in CRP the soil type does not change. The only instance is if you put irrigated land into CRP and the land becomes dry land the values change.

Larry asked how it can change when it is on fixed income.

Commissioner Kibel said that is one thing that we make note on.

There was discussion on this.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Lawrence Deremo; the current value is \$930.

Joi said they feel the values are correct.

Larry discussed CRP land in regards to how he doesn't know how they can raise the taxes when the values are locked in.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Lawrence and Joann Deremo; the current value is \$76,343.

Joi said they did soil mapping and aerial photos and the value decreased.

Larry said it was over 150% increase before they remapped.

Joi said their other parcel is valued at \$5,881 and they feel it is correct.

Larry said that parcel is highly erodible land and has the poorest soil there is.

Joi discussed the Deremo's house in town which is valued at \$ 131,265. She said all of the land in the Town of Dove Creek increase based on sales.

Commissioner Kibel said Rico has also been hit because of sales.

Joi said everyone is welcome to look at their house information because it's public information.

Larry discussed soil types and said he wants to know why all the soil types are taxed in our county because they aren't taxed differently in other counties.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Delmac Farms; the current value is \$47843 and 55376 for two irrigated parcels.

Joi said they redid aerial photos they remapped rocky areas and corrected their records. The values increased however they did not correct the values to reflect the increase.

Rick asked how come all of the values on the irrigated land are not the same as they all have the same soil classifications.

Commissioner Williams said reason you see different values is different acres within each parcel.

Joi said the percentages will never be the same for fields.

Rick said you can't get the water on the hills. He also discussed CRP and frost on McCloud Point.

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Eric Guynes was representing Shirley Twilley, Jackson Family Farm, Guynes Farms, Julia Ayers, Landmark IV and Eric and Roxie Guynes.

Eric Guynes, Dolores County Resident said a large concern of his is with the ag commodity rates. The markets are established statewide but we have a depressed market. In no way does he feel that there is a standard in pricing between us and the eastern slope. He discussed the prices to ship hay and sunflower and said freight is a disadvantage to our county. He discussed air climate. He said in regards to the landlord share arrangement, input is needed on this and a lot of info might not be passed on to the assessors. Production areas need to be identified and said frost needs be taken into consideration. He asked about crop rotation and Joi said they amortized the seed over 5 years. She will see if they do a cover crop in between.

Eric said he didn't see the rotation in the values. He thinks the ag committee would be a valuable asset and he would help with that and feels it should be necessary. He asked about electricity for the pivots and side rolls for the landlord expense. He said they have dealt a lot with rodent control. He discussed what he has paid for rodent control. There was discussion on fertilizer expense and seed cost.

Julia Ayers, Dolores County Resident said that Eric covered all of her concerns.

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Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Springbrook Ranch who was represented by Michael Fury; the current value is \$105148 for their irrigated land.

Joi said they remapped and re measured the parcel and the value did decrease.

Michael Fury, Dolores County Resident here in behalf of Springbrook Ranch said he appreciates the time the county has taken. He said there is a serious problem with the lack of numbers for the area and we need better numbers for the Assessors. He discussed CRP prices over the years.

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He said all of the numbers were correct to calculate the values however the information that they use to get the numbers is incorrect.

Commissioner Kibel said this is like the perfect storm with the ten year averages and she feels the way properties are valued needs to be revamped.

Commissioner Kibel closed the Board of Equalization hearing at 11:31am and reopened the regular meeting.

Subdivision Exemption

Mickey Neely, Dolores County Resident called in to discuss a Subdivision Exemption.

Mickey said they are splitting off 208 acres; the house and the buildings will be on a 21 acre parcel which they will keep.

Margret said this is Ralph Neely's land and they want to split off the house because the land is sold and they do not want the house; the house is rented at this time. She said that we do not have a septic on file.

Commissioner Williams confirmed access and Mickey said there are several ways to access the property.

Commissioner Kibel said they cannot break the property off again for 5 years after this.

Dennis asked if the new land owner can have a subdivision exemption before the 5 years.

There was discussion on this.

Dennis said generally if the new owner came in and wanted an exemption they should be ok.

Margret said several years ago they were going to do an exemption but it was never completed.

Dennis looked over the vested deed.

Mickey said her understanding is that Huddleston will do the Mylar after the pre-approval and Commissioner Williams confirmed.

Margret said we may need to have the inspector look at the septic system.

Commissioner Williams said it is grandfathered but it would nice to have it located and paperwork on it.

Dennis looked over the boundaries and said it looks good to him and we already have the preliminary plat.

Commissioner Williams made a motion to give preliminary approval for a subdivision exemption.

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

Ambulance Board Special District Public Hearing

Commissioner Kibel closed the regular meeting and opened the Public Hearing at 1:13pm.

Commissioner Kibel said today's meeting involves the service plan. She said the special district has to be backed by the Commissioners and if we give it our approval it will be on the ballot and up to the citizens to vote. There will be a public comment period.

Dennis introduced Floyd Smith, Attorney for the Dove Creek Volunteer Ambulance.

Floyd said the service plan has been presented to the commissioners and he has a filing receipt with the clerk from June 26, 2015. Copies were sent to the commissioners, attorney, assessor, the state and the state auditor. All taxing entities within 3 miles have been notified of their hearing. A notice must be sent to all property owners within the district and that mailing was completed. A notice was published in the paper and as soon as it is notarized, it will be filed. Based on what the commissioners asked for, a few revisions were made to the service plan. He said the approval of the service plan does not place the matter on the ballot; the court will hold a hearing and then order it on the ballot. He is coordinating everything with the clerk to get it ready for the ballot.

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Commissioner Williams thanked Bruce Riddel, Joyce Barnet, and Angela Myers for working with us.

Bruce said he feels that this plan is workable and sustainable and we are on the right track.

Angela thanked the board for the feedback and the willingness to work on this.

Commissioner Kibel asked for a break down on the budget.

Dennis said the budget is an outline of how a budget could be put together, it's not binding on anyone.

Floyd said the details on the budget will be up to an elected board after the November election.

Dennis said the BOC held a preliminary meeting and the BOC had concerns on the original budget. They are asking for the continuation of that public hearing.

Angela said the restructured budget calls for 2.75 mils. They decreased how they structured the personnel and decreased the dollar amount by using on call scheduling. She said they have 155 calls per year which doesn't justify the costs. In order to provide care within the community, they have identified personnel that can help with other functions such as Senior Services, the Community Health Clinic and anything health related to community residence. They will not always be on an ambulance call but they will provide other services to the community. She said they can't structure this until they are a service but they want to help with Senior Services Blood Pressure clinic, an in-home elderly fall prevention program, 9 Health Fair, Wellness Events, High School EMT Courses, CPR Courses, and home health programs.

Joyce said she hopes having more employees will alleviate the burn out. She only sees good things happening from having a local ambulance.

Bruce said it's hard to staff volunteers anymore. People working out of town make it hard to volunteer. This is the best solution to provide EMS coverage that the community needs. It's not expensive compared to life.

Commissioner Williams said we are lucky to have this service in town. He has worked with Angela on one wreck and we were well represented.

Commissioner Kibel opened it up for public comment at 1:34pm.

Debbie Myers, Dolores County Resident said her daughter was bitten by a dog a while back and she almost died. Pleasant view came first and Dove Creek came later. She has other family members with health issues and the timing counts. She never wants to have to wait that long to have the ambulance respond. She has spoken to Angela and she supports the special district except for the tax rates.

Margret Webb, Dolores County Resident was in a car wreck and the ambulance responded within minutes and that saved her life. Without a quick response she wouldn't have made it. She is in support.

Kim Alexander, Dolores County Resident said she is for the ambulance. She said she didn't receive a letter ever and neither did Debbie Myers.

Bud said that the assessor provided the list of addresses.

Angela will be looking into it.

Another Dolores County resident said she has property down by the tree farm. She just got a notice for this meeting but not for prior meetings. Since she is not down there 100% of the time can she get ambulance service and Angela said she will have service.

Commissioner Williams said just because they have a boundary they don't just stop there.

Deann Knuckles, Dolores County Resident said her husband was an ambulance driver and he was on call

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every other weekend for work and the rest of the weekends he was on call for the ambulance. It's a very much needed service and her family has used the service several times. If they aren't for, they will be when they need it.

Joi Redshaw, Deputy Assessor said we need an ambulance but she questions it being 24/7 when we don't even have law enforcement 24/7.

Jerry Martin, Dolores County Sheriff said law enforcement is available 24/7 as there is someone always ready.

Joi said they are on call but not in the building.

Angela said since they changed the mill to 2.75 they will be only on call during non-high peak hours. They will not be 24/7 in house because it is too expensive.

Joi asked about the salaries being higher than the law enforcement. She thinks our sheriff and deputy's are just as important as EMT's.

There was discussion on this.

Joyce said she spent a year going to school to be a paramedic. There are a lot of tools that the sheriff doesn't have.

Joi said EMT's are not on call with shooting or burglaries; they have different areas of expertise.

Angela said they are not more important than the sheriff. They are trying to provide a wage to get employees to our area. If we can't pay them to stay here there isn't much point to get them certified.

Joi said you would find that with any entity and she said she disagrees with the pay scale.

Joyce said the salaries are set by the state and Angela did a study on the fair wage to keep people here.

Bryan Myers, Dove Creek Volunteer Ambulance said he has dealt with several accidents in the past. During a recent accident it took 5 people to get the individual on the gurney. If you only have 2 people you aren't going to have enough. Each job has a different amount of stress. He asked about burn out.

Angela said the average burn out is 7 years nationally and the rate of PTSD is equal to soldiers.

Bryan asked about turn over for the sheriffs office.

Jerry said 5 years but salary is the biggest issue.

Joyce said 5-7 years for burn out for high stress EMT's.

Bryan said you are hard up to bring people in with the salary that you are recommending.

There was discussion on the sheriff's office salaries being raised.

Berna asked Jerry if the sheriff's office is called when the ambulance is called.

Jerry said yes; the only time they don't respond is for a clinic transport.

Joyce discussed needing flak jackets for safety.

Commissioner Williams said the salaries are deceiving because of the over time built in.

Takara Harrington, Dolores County Resident said her husband is a deputy and his salary \$36,000 a year. She said we do need an ambulance but her husband is way under paid. She said her husband has the same stress level as a paramedic.

Angela said keeping them here is the issue and that is why the salaries seem high.

Takara said she feels that the salaries are too much. She said her husband is on call and doesn't get over time. She asked if the ambulance service will be receiving overtime.

Angela said they accrue 800 hrs a year of overtime.

Takara discussed using volunteers.

Joyce said there are not volunteers available.

Takara asked about training.

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Angela said they train around 100 hours a year and there is a lot of ongoing with state mandated training.

Takara said everyone in this court house could go to another county and be paid better but we choose not to in order to live here. She asked them to reconsider the salary.

Floyd said this is a draft budget and just an example. The ultimate decision will be up to board members who are elected.

Debbie asked if we elect the board and Floyd said yes.

Floyd said if the commissioners approve the service plan today it then goes to the court. If the district is formed it will be managed by an elected board of directors who will serve 4 years.

There was discussion on medical bills.

Angela said Medicare and Medicaid mandate how you bill. If the district is formed, a resident can be a subscription member and your insurance will not be billed.

Margret asked if a visitor from out of town will be billed if they use the ambulance but are staying with her.

Angela said they bill insurance and write off the rest.

Floyd said typically 50% is written off.

Angela said the subscription membership is open for every land owner.

Commissioner Kibel asked what if you are not a land owner.

Floyd said it's like a public school, if you're not a property owner you can still go to school.

Angela said they will write off the copays.

There was discussion on this.

Takara asked how much an average bill is and what does the ambulance costs.

Angela said \$1200 but Medicaid only pays \$150. She said that ambulance services cannot operate on just the money they receive from insurance. She said if anyone has any questions or comments, contact them.

Commissioner Kibel closed the public comment session.

Commissioner Kibel read Section 1 of Resolution 2015 and found the following to be true: There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District; the existing service in the area to be served by the proposed District is inadequate for present and projected needs; The proposed District is capable of providing economical and sufficient service to the area within their proposed boundaries; There is no indebtedness proposed in the service plan however the area to be served has sufficient assessed value to discharge indebtedness that may be approved in the future by the registered electors of the District; adequate service is not, and will not, be available to the area to be served by the District through the County or other existing special districts within a reasonable time and on a comparable basis; the facility and service standards of the proposed District are compatible with the facility and service standards of the County; the creation of the proposed District will be in the best interest of the area proposed to be served.

Dennis said he wants to point out that the commissioners were concerned with the original budget and they worked extremely hard with the ambulance service to get the budget down. A special district is its own government entity and not connected with the county. It will be up to the voters economically to go forward with it.

Floyd said for clarification everyone who is a registered elector can vote.

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Commissioner Williams said this ambulance deal has been a lot of hard work. Some don't agree with the wages and this is something as a voter you will have to decide on. He encouraged everyone to get on the board. He believes that they have met the requirements. We were concerned with the first budget and that moved nearly a full mill down. I

Commissioner Stowe said that he is happy that the mill is down. He appreciates all of the work that has been done.

Commissioner Stowe made a motion to approve Resolution 2015.

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

Commissioner Kibel said one thing that we have strived for as a board is to make sure there are services in the area to help with the health, safety, and welfare of our county. If your heart isn't in what you are doing you will never be good at what you do.

Board of Equalization Hearings

Commissioner Kibel closed the regular meeting and opened to the Board of Equalization Hearings at 2:30p.m.

County Attorney Dennis Golbricht, said pursuant to C.R.S. 39-8-107 this is a hearing on appeal. The Board is to hear testimony & receive evidence by the Assessor and the plaintiff. The Board is to have no presumption in favor of any valuation.

Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Rich Marsh, RM and ML, INC.

Rich said the system is flawed with the ag values.

Joi said he has 15 lots in secret canyon classified as grazing. His lots increased from \$16 per acre to \$18 per acre. His lots will remain classified ag even though they are not used as ag. He has lots in conservation easement and when your land is classified as ag it will continue to be valued as ag as long as he has a conservation easement.

Rich said with Lot 56, the classification was supposed to be changed to ag from vacant. When he purchased the lot, he called U.S. Fish and Wildlife they said that it is an important lot for sage grouse. He bought the lot to protect it from a vacant trailer, etc. He feels people are putting trailers on property to get out of the vacant property tax. For the past two years he was trying to get classified as ag. His property is set up in four tracks and if it becomes classified as ag it can be added to track 4. He said we are fighting over a 40 acre parcel.

Joi said as per statute, you have to have it used for ag for two years and the third year it can be changed to ag. The assessor's office hasn't seen ag use on this parcel ever. The tax paper must prove that the land was actually grazed. On site visits gave no proof that livestock has grazed the land. There is a Supreme Court case that states land cannot be classified according to an intended use. There is a two prong test and the land must be uses for livestock and the livestock must be for monetary gain. The tax payer must show proof. They have denied this until the criteria is met. He did purchase the lot in the fall of 2013 and he was a qualified sale that determined the value of secret canyon lots. Currently the land is classified as vacant. He has a bill for a survey for possible fence but there has been no ground clearing for a fence.

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Rich said the first year a survey was done for the fence. The second year there was clearing done for a fence. He said it's probably been 30 years since cattle have been on the property. There has to be money spent to get it to that point and he was under the impression that what he did would suffice. He pulled the tax records on the neighbors and they are all ag even though there is tons of property that doesn't have animals.

There was discussion on his property.

Joi asked if he files a 1040 for taxes.

Rich says he doesn't do his taxes.

There was discussion on past assessors.

Commissioner Kibel said he received a letter from our assessor's office of what to do to get his property into ag status.

Rich wants the 40 acres to be zoned ag to add it to the other conservation easement.

Commissioner Kibel said that he needs to comply with what the assessors were asking for.

There was much discussion on this.

Commissioner Kibel said for the sake of the hearing they will make a decision later. She said that we will call him back with a decision later today.

County Attorney Dennis Golbricht, said pursuant to C.R.S. 39-8-107 this is a hearing on appeal and the petitioner doesn't have to respond. The Board is to hear testimony & receive evidence by the Assessor and the plaintiff. The Board is to have no presumption in favor of any valuation.

Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Ron Ebberts. The current value is \$6,386 for dry land and grazing.

Joi said they feel value is correct.

Ron said the increase is about 30%. He has heard all his life that it's just a few percent and it doesn't amount to anything and then all of a sudden you can't pay the bills. This evaluation keeps raising and who know when it will stop. He said we don't get commodity prices for our products. We have high shipping costs. He discussed the yield prices. He is wondering how the evaluation is going up but the price of his crop doesn't go up.

Commissioner Williams gave a recap from earlier in the hearing.

Ron said the whole system is flawed and it needs to be changed. He said if the BOE can do something about it that would make his life better.

Commissioner Williams said that we will try to do something but can't make any promises.

Commissioner Kibel said we can't just complain and they will change it, CCI will have to carry the bill. We need the support of State Representatives Roberts and Coram.

Joi said Shirley Twilley's property was incorrectly classified as dry land even though it's irrigated. She needs to have another 30 days since it fell through the cracks.

County Attorney Dennis Golbricht, said pursuant to C.R.S. 39-8-107 this is a hearing on appeal and the petitioner doesn't have to respond. The Board is to hear testimony & receive evidence by the Assessor and the plaintiff. The Board is to have no presumption in favor of any valuation.

Joi Redshaw, Deputy Assessor read the testimony and the Assessors Valuation for Cecil Martin.

Cecil Martin said he wrote a description in each case. He said he has a place with 160 acres that he fights the freeze every year. He said it has been in CRP for two terms and he has attempted to farm it in the past but it always freezes. He discussed his other land that is prone to freeze. He said one shoe

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doesn't fit all. He said the ag committee will help solve a lot of his problems. He discussed another property that he has that he wants to change from grazing to waste land. He discussed changing the mill levy's.

Joi said Cecil has been really good about sending in his yields and thanked him for that.

There was discussion on NAPI and water.

Joi said George and Sally Fury have an irrigated parcel and they remapped and their value decreased a little.

Joi said with the Knuckles dry land parcel they feel the values are correct.

Joi said there were several that never filed an NOB with their office but they accepted everything even if the property owner didn't follow the correct procedure.

Commissioner Kibel said she feels Rich Marsh's lot is completely different and she will discuss this with our attorney.

Commissioner Williams made a motion that we don't make a ruling on the Marsh case until we go over this with Dennis.

Commissioner Stowe seconds the motion. All three vote yes.

Commissioner Williams he will make a motion but it's not against the assessors it's just to start the process with the state. We don't have as much information as we need because we don't have the local committee. We need to talk to our legislators to make some changes. We have heard many things that the State doesn't take into account.

Commissioner Williams made motion to not have ag taxes go up more than 50 % and CRP not more than 10% for people that protested today. He said that we will probably get thrown out and the state might make us change it back. We want to encourage CRP.

Joi said they have no idea if land is in CRP.

Berna said no one tells the assessors if something is in CRP and it's valued the same as its soil classification.

Larry discussed CRP.

Commissioner Stowe asked Berna about CRP.

Joi said it will depend on the soil classification on where the CRP is.

There was discussion on CRP.

Commissioner Williams said that the sage grouse is going to be a problem within our county and we want to encourage people to put land into CRP.

Commissioner Stowe suggested taking the CRP land out of the motion but include the CRP questions to the State.

Commissioner Williams made a motion for the people that protested with the Board of Equalization, no ag land go up more than 50% in value knowing that we need to get a handle on the taxes. We will take our questions on CRP to the State.

Dennis clarified that the actual valuation of their property is no more than 50% base on the fact that we don't have a committee of farmers and some of the landlord status is different than the state recognizes.

Commissioner Stowe seconded the motion.

All three commissioners vote yes.

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Commissioner Williams said he has made a decision partially on what a neighboring county is doing, which he knows can be over turned. At this point he is willing to take this risk to try to change how the state values ag land. Our assessor lowered values across the board two years ago and he has spoken with the state assessor and there will be an inquiry on this. He doesn't believe that the state will override the protesters that came in today.

Commissioner Williams made a motion that across the board in Dolores County ag land will not be valued more than 50% because of a lack of an ag committee.

Commissioner Stowe seconded the motion.

Berna asked what makes him feel like the state won't overturn the protesters.

Commissioner Williams said he is willing to take the step to start something and he thinks that the way ag land is valued is flawed.

All three commissioners voted yes.

Dennis said these 23 protests can appeal to the state. No one is saying the assessor is not doing their job properly; they are just challenging how the state calculates the values.

Dennis said the determination letter is due out within 5 days to each property owner.

Commissioner Kibel gave an over view of Rich Marsh's property to Dennis.

After much discussion Commissioner Williams made a motion that this land was purchased as vacant and had a list of requirements to change it from vacant to ag and he feel that this should be denied until Rich Marsh can satisfy the ag status with the Assessors.

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

Commissioner Williams made a motion that Larry Deremo's parcel with the home stands as it was based on sales in the area.

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

Joi said all the land in the Town of Dove Creek increased based on sales. She said Martin's Living Trust's next commercial parcel is not useable because it's in the flood plain and he is getting a substantial discount on the land. His other parcel had an adjustment on it for the last few years.

Commissioner Williams made a motion that the Martin Living Trust parcel with the home and his commercial parcel stay with the adjustments made by the assessors.

Commissioner Stowe seconded the motion. All three voted yes.

The commissioners called Rich Marsh to let him know their decision.

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Adjourned

Commissioner Stowe made the motion to Adjourn.

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

Meeting ended at 4:41pm.

Chairman of the Board of County Commissioners

Attest:

Deputy Clerk to the
Board of County Commissioners