

**Proceedings of the Dolores County board of  
County Commissioners  
February 2, 2015**

A Regular meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado, February 2, 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, Jim Sattley, Sattley Gravel Pit, Laura Lewis Marchino and Ed Morlan, Region 9, Dan Fernandez, Bryce Capron, and Kyle Carhart, DCDC, Nita Purkat, Senior Services, Ken Charles, DOLA, Chris Endreson, UC Denver, Steve Davis, Road and Bridge.

**Pledge**

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

**Agenda**

Commissioner Williams made a motion to approve the agenda with the additions of the West Dolores Cemetery and Mileage Reimbursement Increase added to new business.

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

**Approval of Minutes**

Commissioner Williams made a motion to accept the minutes from January 20 and January 29, 2015.

Commissioner Stowe 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:	5,830.52	6 Employees	
County Commissioners Other:	230.87		1 Part Time
Transfer Station:	328.11		1 Part Time
County Clerk:	2,713.35	3 Employees	
County Treasurer:	2,137.04	2 Employees	
County Assessor:	3,094.99	3 Employees	1 Part Time
GIS:	1,117.62		2 Part Time
County Maintenance:	1,732.66	1 Employee	1 Part Time
Traffic Enforcement	1,178.66	1 Employee	
County Sheriff:	8,099.37	6 Employees	4 Part Time
County Coroner:	360.31	1 Employee	
EMA/EMS:	567.78		1 Part Time
Extension:	385.79	1 Employee	
DCTV:	1,049.74		5 Part Time

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Veterans Office:	480.22		1 Part Time
Senior Services:	6,523.15	2 Employees	17 Part Time
Health & Nurse:	2,498.66	2 Employee	
Mandatory Weed:	1,080.62	2 Employees	1 Part Time
Admin Other:	18,479.85	18 Employees	2 Part Time
Social Services	<u>3,038.66</u>	3 Employees	
TOTAL	\$60,927.97		

**Meetings and Information**

Commissioner Kibel said that we have been receiving many comment letters from concerned citizens via email about the Rico-West Dolores Travel Management plan and we will be forwarding them to the Forest Service.

**Region 9 Close Out of CDBG#11-581 and Grant Application for CDBG**

Ed Morlan and Laura Lewis, from Region 9 were here to discuss the close out of CDBG.

Ed said they submitted a grant application for \$580,000.00 for our community block grant ; \$500,000 for loans and \$80,000 for administration. He went over the contents of the grant application.

Commissioner Williams read the residential relocation assistant plan and asked how we would budget for something like that.

Ed said that none of the money is actually used for housing; it's all going for our loan program.

Commissioner Williams asked why it is included in the paperwork.

Dennis said that last time we went through this we couldn't think of a scenario that we would have to rebuild the units.

Ed said the CDBG funds are used for different things such as housing, economic development, and community facilities. He gave an example that happened last year in the Town of Dolores where a mobile home park was involved where they couldn't give a business a loan because of this wording.

There was discussion on this.

Dennis said that one way you could handle this would be to have assurance from Region 9 that they wouldn't proceed with any loans without consultation from the county.

Commissioner Williams said that Dolores County's MOU with Region 9 would have to state that Region 9 will have to consult with the county before loan money was given if it could impact the county. He said administration could change with Region 9 and financially he wants to look out for everyone.

There was discussion on this.

Dennis said they need to add a paragraph to the intergovernmental agreement that says no loans shall be placed that would trigger the relocation provisions of the individual county's plans without consulting an agreement with the individual county.

Commissioner Stowe made a motion to accept the contract with the changes to the intergovernmental agreement.

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

Ed gave some updates on the enterprise zone.

Laura said that basically the state is going to redistrict this year and it will go into effect in 2016. She said in Dolores County, nothing will change for 2016 so the business in the county can still claim tax credits.

Laura gave us a refresher on enterprise zones.

Dennis asked if there is a fact sheet that we could have.

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Laura said that they had a workshop in Rico and they should have one here too. She also gave an update on the Film Office which is currently a program under Region 9. She said as to sustainability, Region 9 wants the film office to come up with a business plan and not be under Region 9. The Commissioners thanked them for coming in.

**Gravel Pit Trespass Fee**

Jim Sattley, owner of the Sattley Gravel Pit was here to discuss moving forward on the pit with the county.

Commissioner Kibel said that she visited with Connie Clementson, BLM about the Sattley Gravel pit and the board needs to work out a trespass fee.

There was discussion on this.

Commissioner Kibel said that a NEPA study would still have to be conducted. She said that some of the neighbors complained before, but if the permit was under the county, some of the concerns might disappear.

Commissioner Williams said that we might be able to pay Jim in part gravel and part money.

Jim said that we need to work it out so everyone benefits.

Commissioner Kibel said that the county would get the permit and the county will have to work out the trespass fee with Jim.

There was discussion on this.

Commissioner Williams said that Jim can't charge per ton for the rock but he can charge for us going on his property since it is a split estate.

Commissioner Williams asked how the BLM came to own the gravel on his land.

Jim said with the Homestead Act, some mineral rights BLM kept and some went with the land.

There was discussion on the contract and reclamation.

There was discussion on if this needs to go back through the Planning commission.

Dennis said it will need to go back through the Planning Commission after we work out all of the details.

Commissioner Williams said that we will need to ask BLM about the NEPA costs and timeline.

The Commissioners will be holding a special meeting on Monday, February 9, 2015 to discuss the Sattley Pit with BLM.

**Senior Center Building**

Commissioner Williams said Dan Fernandez, DCDC had contacted him to sell the county a DCDC building to use as a senior center building.

Dan said this building has been very popular over the weekend and DCDC is now looking at multiple buyers.

There was discussion on this.

Commissioner Williams asked if DCDC is still interested in selling the building to the county for a senior center.

Dan said that it is a possibility but there are late developing issues that need to be addressed before the board makes a decision.

Dan said that their agreement with the bank on the buildings has not yet been finalized.

Kyle Carhart, DCDC said that the bank said that they will close on the property in a maximum of 60 days.

Kyle said that he is also interested in the same building for his business and he will be putting an offer on that building.

Commissioner Williams said that we need to decide if we want to buy this property if local citizens have an interest in it.

Dan said that DCDC will make a decision based on economic interest.

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Commissioner Stowe said that he talked to Bob Weber and he explained what the county was looking at doing. He asked if Mr. Weber would have a problem with a senior center going in and Mr. Webber said he would be in favor as long as it's used as a community benefit.

There was discussion on this.

Commissioner Stowe said that from his stand point, he doesn't want to enter into the contract unless the county can purchase the land.

There was discussion on who would pay the taxes.

Commissioner Williams asked if DCDC would entertain an offer that includes ownership of the land.

Dan said that they will need to have a meeting on this first.

Nita Purkat, Senior Center said that they have been interested in this building for a long time and she is still interested in looking at this possibility. She said that they still have other options for a senior center.

Commissioner Stowe said that if a citizen buys this, the citizen would be paying taxes that will go to the county and that is DCDC's main purpose which is to provide economic opportunities for the county.

There was discussion on the contract with Rural Development.

**Executive Session for Legal Advice from Counsel Regarding the Senior Center Building**

Commissioner Kibel made a motion to go into executive session to receive legal advice regarding rights and obligations regarding the DCDC building issue and the potential purchase or lease of that.

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

Dennis Golbricht, County Attorney said that the purpose of the executive session is to receive legal advice from the County attorney on specific matters pursuant to CRS § 24-6-402(4)(b). It is the opinion of this attorney that the matters constitute matters subject to attorney-client privilege and no recording will be made.

The meeting went off record at 11:08am.

Commissioner Stowe made motion to come out of executive session at 11:31am.

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

Commissioner Kibel said as a board we do not ever want to battle the intended purpose of DCDC which is economic development. The board will not complete with the private sector. If however, something falls through please come back to the board and we may re visit the possibility of purchasing the building to use for a senior center.

**Daniels Fund Grant**

Dennis said that the Daniels Fund grant is a grant that Nita Purkat, Senior Services wanted him to review. He said that they do have an indemnification provisions and this board is not agreeing to indemnify them under this grant. In the past this board has said that they are not going to reject the grant based upon the objectionable language.

Commissioner Williams made a motion to go ahead with the grant.

Dennis said that with that motion, the board is not agreeing to indemnify them.

Commissioner Stowe seconded the motion. All three voted yes.

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**Waste Tire Program**

Commissioner Kibel read over the Tire Waste Management Program grant. She said that the Tire Waste Program is a grant from CDPHE and Montezuma County wanted to know if Dolores County wanted to partner with them.

Commissioner Williams said that the grant is to inspect our legal tire facilities, which we only have a few in town.

There was some discussion on this and the Commissioners decided to not join up with Montezuma County on the Tire Waste Management Program.

**Non Renewable Bonds**

Dennis said that in 2012 legislature enacted a bill that no longer required counties to maintain bonds for their elected officials except back then they still required a public trustee bond. In 2014 the legislature acted again and exempted the bond requirement for the public trustees. Going forward the question is whether or not our board wants to maintain the bonds or rely on the insurance. Our insurance policy complies with the statute. There are certain circumstances that we would still need bonds and one example would be for certain grants.

There was some discussion on the bonds.

Dennis said that he feels that it would be safe to drop the bonds in 2016.

The commissioners decided to not renew the bonds in 2016.

**Tax Abatement**

We received a Tax Abatement from the Assessor for \$2,133.63 for the tax year of 2014 and Takara Harrington, Assessor came to discuss the abatement. She said that the property was classified as vacant and the owner started building a house in 2013 that they were not aware of.

Commissioner Stowe made a motion to approve this abatement.

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

**Senior Advisory Letter**

The Commissioners received a Senior Advisory Board reappointment letter for calendar year 2015 from Charles Myers, Bud Delano, Kay Daves, David Carhart, Nadine Funk, Gloria Klein, Beverly Pilon, Margaret Webb, Nadine Schear, and Shari Richardson.

Commissioner Stowe made a motion to reappoint the members to the Senior Advisory Board for calendar year 2015.

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

**House Bill 15-1017 for Volunteer Fire Department**

Dennis discussed House Bill 15-1017 and said that this bill creates an option for citizens in rural areas to start a volunteer fire department. If this bill goes through, we will send a letter to all the residents on the West Fork so they can pursue this option. Dennis asked the commissioners if they are in favor of the bill and the commissioners are in favor of this bill.

**Sage Grouse**

No updates.

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**West Dolores Cemetery**

Margret said that she compared the mill levies from the last few years for the West Dolores Cemetery. She said that they are very close to being out of money and they may need help from the county. The levies changed when the well head changed.

Commissioner Williams suggested making a donation to the West Dolores Cemetery District.

There was discussion on the amount of the donation.

Commissioner Williams made a motion to donate \$3,000.00 to the west Dolores Cemetery to carry them through 2015.

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

**Mileage Reimbursement**

Commissioner Kibel suggested that the county should raise the reimbursement to \$0.50 per mile. She said that the state rate is \$0.52 and IRS rate is \$0.56 and the county is at \$0.44 per mile.

Commissioner Williams said that if there is a county vehicle available, it must be used.

Commissioner Williams made a motion to change the county mileage to \$0.50 per mile.

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

This will be effective immediately.

**Road Inventory**

Commissioner Williams read over the County Road Inventory that Amber Fisher, GIS presented.

Commissioner Williams made a motion to sign the inventory and send it to the state.

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

**New Gravel Pit**

Commissioner Williams said that he feels that we should move with the land swap which includes the gravel pit.

Dennis said in terms of our ability to mine for gravel, it will not be a contingency in the contract and the Commissioners must be willing to take a risk; the Commissioners agreed.

Dennis asked when the closing would be and it was determined that the closing will be in March. He said that there will be a survey done. He asked if they are comfortable without an Environmental Inspection and the board is comfortable without an environmental inspection.

**Fiber Locating**

Commissioner Williams said that GIS has been marking the locations of the fiber and they are sending the information to 811.

Margret Daves, Special Projects Manager is sending in the paperwork to get us on the list for locates.

**Web Site Bids**

Margret Daves, Special Projects Manager presented two bids for a new county website.

Commissioner Williams said that he is in favor of Ballantine taking over the county website.

Margret said that Matt the other bidder took care of our website before and he did a good job.

This will be tabled until we get a contract from Ballantine.

**Wi-Fi Equipment**

Commissioner Williams said that the clinic has decided that they do not want to use the county's Wi-Fi equipment but the Road and Bridge department will make use of it. Commissioner Williams and Margret are currently working to get broadband service for the Town of Dove Creek.

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Margret said that if anyone knows of any high ground that they could for a tower, please let us know. Commissioner Williams asked Ken Charles to update us on DOLA funds for excess broadband. Ken said that DOLA is requiring this to be in a regional plan. There was discussion on this.

**Dolores Fire Protection District**

Dennis said that the Dolores Fire Protection District asked him if he would represent them as their attorney. He wants to make sure it will not be a conflict of interest and if the board has any reservations, he will decline.

Commissioner Stowe asked if there might be a conflict with the Dolores Fire District and the West Dolores River issue.

Dennis said that he will add in the contract with the Dolores Fire Protection District that in the event of any conflict he will represent the county.

**Rico 1041 Regulations**

Dennis said that the Town of Rico was asking us to adopt the 1041 Regulations because there was some concern of a large power plant coming to town. The town has been having a problem forming a quorum. He has been talking with Marty Whitmore, Town of Rico Attorney and she hasn't been able to move forward because of the quorum issue. He said that we are in a holding pattern until some issues are resolved.

**RBSC Workshop**

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

**Adjourned**

Commissioner Stowe made the motion to Adjourn.

Commissioner Kibel seconded the Motion. All three Commissioners voted yes.

Meeting ended at 12:46pm.

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Chairman of the Board of County Commissioners

Attest:

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Deputy Clerk to the  
Board of County Commissioners