

**Proceedings of the Dolores County board of
County Commissioners
Special Meeting
February 9, 2015**

A Special meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado, February 9, 2015. Present for the meeting was Chairman of the Board, Julie Kibel, Commissioners Ernie Williams, & Doug Stowe. Minutes taken by Prentael Coker.

Guests

Judge Dale Boyd, Dolores County Judge, Eric Hogue, 22dn Judicial Branch, James Blair and Connie Clementson, BLM, Steve Davis, Road and Bridge, Jesse Sattley, Sattley Pit, Joyce Barnett , Braiden Banks, and Tom Myers, Angela Myers, EMS- DCVAS.

Pledge

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

Motion to approve Agenda by Commissioner Stowe.

Everyone vote yes.

District Court- Eric, over see the non Judge things.

Moving to Electronic Files. No paper.

Ann to have her only personal and private space. Everyone's business is out and about. Provide a place for people to come and look over their cases.

Eric and Judge Walker to look at the site.

The space needs to be safe and adequate. Change the space. 14-10-54 under funded facilities.

Electronic Filing in May.

Intake window.

Door for Ann to enter her space.

Terminal to look up info.

Deadline March, 2.

DC on list of 28. Prime place for money to be spent.

Commissioner Williams- matching funds required.

Eric – no match.

Commissioner Williams- due by march 2, do the plans, get a bid or start constructions

Eric- someone to come in and give an estimate and get it started.

Best way to do it is to have someone to give a cost estimate on it. Have the Commissioners to approve.

Commissioner Kibel- Messing up the bid process to use Jim

Commissioner Stowe- Not messing it up

Let it out for bid to the public.

Eric Explaining how to set up the space.

¾ to an Inch thick in glass.

Who can complete the four page.

County complete some of it.

Commissioner Williams to motion to move ahead with the space.

Worried about the air system.

Getting Headaches when entering Judge Boyds/Court Clerks office.

Maybe get new carpet.

Mold checked
Gas Checked
Some pipe on both Sheriff and Ann's side that may leak.
Motion to underfund Courthouse facility Commission. 14-10-54
Commissioner Stowe summon it
Commissioner Williams to 2nd it.
All vote Yes.

Jim Sattley-
Commissioner Kibel- met with Mr. Sattley, last Monday. Good thing to get together to do a trespass fee and find the need to process.
Jamie- Yellow Highlighting bullet points. Other Regulations.
2011, gentlemen in his office, about permits, groundhog.
Mine permitting.
Sattley hired a contractor
Under state law, split estate, doesn't include sand and gravel.
95% of land split estate have sand and gravel underneath them.
Unclear about the sand and gravel.
Pay royalty to BLM.
BLM make money of land they owe.
Free use permit for private owner of the permit.
Will reissue
 (a) You may allow your agent to extract mineral materials under your free use permit.
 (b) Your agent may charge you only for extraction services and must not-
 (1) Charge you for the materials extracted, processed or removed; or
 (2) Take mineral materials for the permit area as payment for services rendered to you, or as a donation or gift.
Montezuma County to help crush rock for DC for part of the roads.
Montezuma County to work out trespass fee.
Service use agreement instead of trespass fee.
Commissioner Williams, surface agreement and permit in commissioner's name and do some reimbursement for Montezuma County.
Mr. Sattley, BLM write a permit for a little amount of rock.
Permits that BLM issues under this subpart constitute a superior right to remove the materials in accordance with the permits terms and provisions, as against any claim to or entry of the lands made after the date BLM designated the tract for mineral materials disposal.
Encumbrance on Sattley property.
Can't just change mind once permit is issued.
Disposal of mineral materials for split estates where the surface owner objects to mining should be avoided where possible. However, in many areas, this is not possible and the Bureau should accommodate applicants while minimizing problems for the surface owners.
Minimizing the problems with the surface owner.
Mr. Sattley has a good agreement with county.
Say ok go ahead with the permit
Have it review with a lawyer to make sure get enough of the gravel.
LDA into effect to all be on the same page.
Will have to have a LDA since in Dolores County.

It should also be stressed that the purchasers should not pay the surface owner for the mineral materials (the royalty Jamie was talking about); and the purchaser is not obligated for damages over and above those specified in the 1916 and amendatory 1949 Act, namely, damage to crops, tangible improvements, and grazing values. The purchaser should also be aware that access to the Federal minerals across the original patent is a statutory right; however, arrangements for the compensation of damages must be made prior to entry.

Can't require more be paid. Don't want to entertain what he doesn't want. (Mr. Sattley)

Wrinkle in that is crossing more than the original patent.

Access across more than one land. Need to let everyone know that if it crosses.

What kind of access is on the easement?

Original patent for the whole section.

Access road across 9, 8 and a little bit of 7. About a mile long.

Testing already done.

Contact the State Dmrs to get the Permit done.

Kate Pickford is the person that does the gravel pits.

Environmental assessment.

Use the old permit as purpose action.

Keep in mind look at continuing black snag as the stockpiling area.

Keep under one EA.

Legal Access all the way to pit area

Good agreement.

Neighborhood meeting. How would they feel about a gravel pit put in the area.

Neva process goes more smoothly when BLM not have to be involved.

Commissioner Kibel-Knows a lot of the neighbors concerns.

Perfected the type of access to protect the people around the area.

Google oil gas agreements for surface agreement.

BLM Bonding, do not typically bond counties.

Can consider doing a bond just to make sure there isn't a hole to have to maintain after the gravel is all gone.

Sattley, how much does he want of the pits reclaimed.

State going to be a Co-agency on this because of the surface.

Easier to have one bond and not 2 bonds

Steve- 5 to 7 dollars a yard to crush rock. Up to a \$1 a yard to give out.

Doesn't go back to gravel just for impacting Sattley's service.

Make sure the lawyer looks over the agreement.

3814 page 803 disposal of minerals.

Make sure in line with those and stock act.

Impact fees.

Hire a subcontractor to remove the minerals. Can't charge for mineral fees.

Commissioner Kibel- Impact fee- truck load wise- double the amount of trucks that go out. Make a payment without making it look like royalty.

Commissioner Williams- ton mileage fee instead.

How much the truck weights the distance.

Come up with a ton mileage fee and work up a formula that Sattley would agree upon. BLM not involved in it.

Commissioner Stowe- last year paid \$20,000 and pay this year for 4 new roads for 60,000.

Jamie- use hours of operation.

Moving forward to have a proposal from commissioners

BLM needs to except for a complete transaction.
NEPA close to being sign before it all falls apart on someone else interrupts.
Keep it simple.
Margaret to make up a plan for both to agree on and then submit it to the board.
Keep track of the ground work
Keep track of the trucks. No matter if they are empty or not.

Angela Myers – Ambulance-
Financial thru 2014, Commissioner Kibel has copy.
Detail budget where everything went and came from.
Fundamental structure plan.
Profit & Loss- track what was happening with the funds.
DCVAS Fundamental Structure Plan- match commissioners donation with the community.
Fire only made a onetime donation in 2014.
No in 2015,
Town donated \$5000 for 2015
Starts service in June.
Profit and Loss, what was matched with the provider grant and what wasn't matched
Commissioner Williams- \$10,000 and \$2,000 funds. In 2014 donated a total of \$12,000.00
Game plan, getting on the ballet
Special ballet... Doing it in November.
Wants to do it this November. May cost up to \$15,000
Concerns about cashing checks.
Angela Phone # at the bottom of the subscription.
Per Angela, Checks should be cashed.
Angela had a lot to do, 4 boxes of stuff to go thru.
Contracted with different billing company.
Accounts receivable to go up.
DC fire, one time donation to keep afloat. Will not receive again.
Professional fees are- amount paid to the secretary and medical billing person. They no longer are there.
No charge for football games, rodeo, 9 news health fair, pick n hoe. Any community event that is ask for them to cover.
Part of salary come from commissioners, grant, fire district.
Dennis offer to help with ballet.
Angela will send to him once it is all together.
\$30,000 requested to help everything to keep going.
DCVAS Fundamental Structure Plan Year 2 show more of what they are needing.
Without the 30,000, if it isn't donated it would be used and they will be broke.
All operating funds was used up.
If not on the tax roll, ambulance will not be available anymore.
Contract services with the Fire Departments.
What Levy are you working on?
Mill levy compatible to the school
Fire departments – 4.170
Looking more at dollar amounts then levy amounts.
450 annually
Structure an ambulance in many ways.

On call staff all the time.
Or on peak staff that uses up less times.
ALS person, when/when not to have one
Hard to give exact dollar amount when so much is coming into play.
Need to have mill levy around 2.
Have San Miguel county help out with money responding in the county.
San Miguel try to help out with 1 or 2,000.
Fundraisers, pick n hoe, Easter event.
Had about 16 runs up in San Miguel.
Out of 157 runs.
Commissioner Williams- after look at all the football, rodeo done, hand out the money thru out the year
Close to 50/50 with provider grant
More money asked for the less they will get the grant.
Only giving 20,000 and loaning 10,000, can't loan.
Hoping that you be on the ballet would have helped.
Match with town to show good community support.
Good chance at getting the providers grant. Has gotten it every year.
Retract grant \$10,000. Just for Emergency services.
Budget is used up.
Salary grants out there to fund the same position.
Emergency Coordinator doesn't receive support from emergency services.
Need to come up with a total fund for the Ambulance.
Commissioner Stowe- can't do 30,000 money not there.
30,000 the amount agreed upon last year.
10,000 could get you thru
Town come up with more than they did.
Town wasn't in their budget and not something they were interested in.
Willing to look at the 15,000.
Commissioner Kibel to up the portion of the town.
A total of 17,000
Get close to 20,000
Commissioner Kibel do the calling to the town.
Commissioner Stowe- 15,000 and the 2,000
501c3 pushing the limit.
Add it to the county contract.
Understand where they are headed
Will have to contract with southwest hospital if let the dc go.
Air products will do nothing but equipment.
Piscapo- asked him, big in buying equipment and donating that just not money for operating.
Trying to contact cooperation's to help out in operating cost.
Small amount to help fund operating cost.
Commissioner Stowe to make motion to 15,000
Commissioner Williams 2nd it.
All vote yes.

DC commissioners and Dola-
Commissioner Stowe to motion
Commissioner Williams 2nd

All vote yes.

Regards to Montezuma County

Montezuma County in 2008 had a lawsuit on transportation fees.

Collected Fees from Kinder Morgan

Montezuma Lost.

All special district that donated moneys. Someone will have to pay back

Larry Don

Questions: Audit can show big things

CCS? What they are doing.

Dennis to look at.

Audit go the other way and the county has to pay. Break county.

Motion to Adjourn.

Commissioner Stowe summon it

Commissioner Williams 2nd it

All vote yes

Adjourned

Chairman of the Board of County Commissioners

Attest:

Deputy Clerk to the
Board of County Commissioners