

**Proceedings of the Dolores County board of
County Commissioners
Regular Meeting
July 20, 2015**

A regular meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado, July 20, 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, Joyce Barnet, Angela Myers, Bruce Riddell, Melanie Hemphill, DCVAS, Marietta Eaton and Connie Clementson, BLM, Derek Padilla, U.S. Forest Service, Oma Fleming, District Weed Manager, Larry Johnson, Dolores County Resident,

Pledge

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

Agenda

Commissioner Stowe made a motion to approve the agenda with the addition of Region 9 Confidentiality Agreement.

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

Approval of Minutes

Commissioner Stowe made a motion to accept the Minutes from June 23, July 6 and July 13, 2015.

Commissioner Williams seconded the motion. All three commissioners voted in 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:	\$5,663.73	6 Employees	
County Commissioner 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:	897.90		2 Part Time
County Maintenance:	1,188.68	1 Employee	
Traffic Enforcement	1,346.77	1 Employee	
County Sheriff:	8,964.00	6 Employees	4 Part Time
County Coroner:	360.31	1 Employee	
EMA/EMS:	567.78		1 Part Time
Extension:	824.16	1 Employee	
DCTV:	230.87		1 Part Time

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Veterans Office:	480.22		1 Part Time
Senior Services:	6,538.57	2 Employee	13 Part Time
Health & Nurse:	2,499.63	2 Employees	
Mandatory Weed:	1,021.05	2 Employees	1 Part Time
Admin Other:	19,308.83	19 Employees	2 Part Time
Social Services	<u>3,076.24</u>	3 Employees	
TOTAL	\$61,197.43		

Meetings and Information

Commissioner Kibel attended a Triple A meeting. She said they have a new program called Chocolate that does all of their billing and sends it directly to the state. She also attended the Senior Advisory meeting which went well.

Dennis Golbricht, County Attorney said the commissioners have until August 5, 2015 to sit as the County Board of Equalization to hear tax protests. These meetings will take place August 3-5, 2015.

Commissioner Williams said he has discussed the tax issues with Montezuma County and Kyle Hooper, State Tax Assessor. There are only certain things that you can do to give tax breaks and we are right at our limit. He said some costs are set by the state and some costs are set locally. Our yield comes from Colorado Agriculture Statistics. There are things we can do but they will have to be done through legislature.

Commissioner Stowe said the averages they are using now are less than the state average.

Commissioner Stowe attended a fire department meeting for the Ground Hog area.

Permission to Enter on Property

Oma Fleming, District Weed Manager was here and she said she needs to gain permission to enter upon private premises to spray noxious weeds.

Commissioner Williams asked if she has made attempts to work with these property owners.

Oma said she sent out registered mail and hasn't had any response back.

Dennis asked if these properties are within the Weed District and Oma agreed.

Commissioner Stowe said most of the people on this list are on the list every year.

Oma said most people call after receiving the registered letter to let her know that they are spraying or have sprayed.

Commissioner Stowe asked if Vine Weed was on the county list and Oma said it was.

Dennis read over statute 35-5-108 and determined that the county is following the correct procedure.

Commissioner Williams made a motion to sign the request for approval to enter upon lands per statute 35-5-108.

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

Further Discussion Regarding the Ambulance Districts Service Plan and Budget

On July 6, 2015 the Commissioners met with the Dove Creek Volunteer Ambulance Service to discuss their Special District Plan and Budget and this is a continuation of that meeting.

Commissioner Kibel said we want to make sure that we have expressed our concerns with their \$500,000 budget. She understands the importance of paying people within our county but salary wise she feels that they could be trimmed up especially since the County's Senior Services department is able to work with about a third of the budget that the ambulance is asking for. She is also concerned that the ambulance service keeps saying that if this doesn't pass, there will no longer be an ambulance service

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here. She said the flyer reads that if the ambulance service doesn't pass there will not be an ambulance service available to our area. But in another place it states that next year the service cards will be \$100 if it's not passed.

Joyce Barnett, DCVAS said it won't be a local service but we will have ambulance service out here.

Commissioner Williams said he went over the budget and found an error with the salaries in regards to benefits and workman's comp.

Angela said the way the EMS scheduling system works is different. She said the big difference is with holiday pay being they have to pay for 24 hours versus the regular 8 hours in a shift. She also discussed the overtime and how that affects the bottom line.

Commissioner Williams said he doesn't think that the 150 calls a year would warrant all of the overtime.

Joyce said they still have to cover the 24 hour shift even if they do only go on 150 calls per year.

Commissioner Williams said if they are not actually working it would be an "on call" status, not working. There was discussion on this.

Commissioner Williams asked how many people will be on during a 48 hour shift and Angela said 2 people.

Angela said that they won't just be sitting doing nothing for their shift however they are allowed to sleep. She said that we do have a low call volume but the calls are still as important and the response time can be the difference between life and death.

Commissioner Kibel asked if we can provide the coverage but cut the budget back. She said it's real hard to go from a budget of around \$109,000 to over \$500,000. If we cut the mill levy to 1.75 it will still be more than the Senior Center receives at \$245,000.

There was discussion on training and scheduling.

Commissioner Williams said that he doesn't have an issue with the base pay, he just feels they can cut down the overtime.

Bruce said in the beginning, not everyone will live here and that is why they have to be competitive in order to draw them here.

Angela said they have looked into part time positions for drivers but they still need medical staff there to cut response time.

Commissioner Williams said overtime is not good to have in any business and he asked what the shifts will be like.

Angela said they will work 48 hour shifts then be off for 96 hours.

Commissioner Williams asked them to look into another person and see if it is more cost effective.

There was discussion on this.

Joyce said she asked if Melanie Hemphill, DCVAS could work full time in Dove Creek for on call wages and she could not.

Angela said she has been working in Farmington for 6 years and the salary here couldn't touch her salary there.

Commissioner Williams asked what would happen with the extra money if our assessed value goes up.

Angela said she hasn't talked to their attorney but she would like to be able to account for increases and give back what they don't need; she doesn't want to set a mill levy so low that they can't do anything.

There was more discussion about cutting their budget.

Angela said they waited too long to do this and their people are fried.

Commissioner Stowe said his concerns are with the voters who are looking at these figures and having a hard time. He feels like he has an obligation to the tax payers and this is a lot of stress put on them.

Commissioner Williams asked if they could get grants to make up the difference.

Joyce said the state warned them about not depending on grants.

Commissioner Stowe asked what happens if it doesn't pass.

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Joyce said they can't run as they won't have any personnel.

Melanie Hemphill, DCVAS said she has put her life on hold and her family has suffered. She hasn't had a family vacation in two years because no one can cover her and she cares too much about this community; she is exhausted and can't do this anymore.

Angela said she hasn't had a single person complain about the amount that they will be charged in taxes.

Commissioner Kibel said that people in this area are very frugal and the overall budget is huge.

Joyce said during the community meeting they had last week, only one person was upset about Angela's salary. She said you can't put a dollar amount on a life. She said when you look at the amount out of pocket it's not much.

Dennis said that on August 3, 2015 they will have their public hearing. At that time the commissioners would have to approve and sign a resolution in order for them move forward.

Commissioner Kibel thanked them for always being available to discuss concerns.

Commissioner Williams urged them to look at a lowered budget.

Dennis urged them to look into the state exemption on overtime.

Humate Sales

Larry Johnson, Dolores County Resident received a letter from the county attorney which was insulting to him.

Commissioner Kibel said she asked him to help because mining humate needs to be permitted by the state.

Larry said when they started on this project three years ago they called the State Mine Reclamation Board in Grand Junction and they said they do not need a permit since it's for agricultural use. He said they do have a mine reclamation permit where the stuff is excavated.

Dennis asked if it was for gravel and Larry said for excavation.

Commissioner Kibel said to mine humate they have to get a permit through the state.

Dennis said the urgency for the letter was because he called the State Mine Reclamation Board in Grand Junction and they said you must have a mining permit to pull humate out of the ground. He asked if Larry has a letter from the state saying humate is not considered mining.

Larry said they don't have the letter.

There was discussion on how humate is tested.

Commissioner Williams said unless you get the letter from the state, the gravel permit will not suffice for a mining permit.

Commissioner Stowe said this coming about is an advantage to him because if it was handled illegally it will cause a whole lot more trouble down the road than if it was handled correctly up front, just like the bio diesel plant.

Commissioner Kibel said they will have to be permitted and go through the Planning Commission.

Larry said they have a building in Utah because they have don't have as many restrictions and the commissioners reminded him that even if he is processing humate in Utah but pulling it out of Colorado ground it will need to be permitted and done legally.

Dennis said that this came about because David Cressler said he was going to use the DCDC building to process the humate. He said certainly we don't want to prohibit anyone from starting a business in Dolores County it just needs to be done legally.

Commissioner Williams thanked him for coming in.

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Atlantic Richfield Financial Assurance

Emily Everett, CDPHE was conference called to discuss the financial assurances for the Atlantic Richfield project.

Dennis said the county was supposed to be involved with the entire financial assurances process. Bob Peterson, CDPHE approved their figures and it was our understanding that this was the end. He said that the commissioners had questions regarding the form and a notice of an annual renewal. Bob then informed Dennis that this was just the first stage and Emily negotiates the actual form for the financial assurances after that. The policy was provided by Atlantic Richfield's attorney, Adam Cohen.

Commissioner Kibel asked if we are notified when the policy is renewed.

Emily said that is standard procedure to notify the county on any financial assurance related approvals.

Dennis clarified that she will look into this in 5 years and have them update their closure costs.

Emily said it's mandated that every year they must do an inflationary update. She said every 5 years they have to update their closure cost estimates.

Dennis said after talking to Adam Cohen, the county doesn't want to be an additional insured just a certificate holder.

Emily said the county would want the state to be a certificate holder because if something happens at the site it would be the states responsibility and we would need to have a million dollar insurance policy. She would prefer the state is the only certificate holder.

Commissioner Kibel said we are comfortable leaving it like it is and not being a certificate holder and Commissioner Williams and Commissioner Stowe confirmed.

Emily said Atlantic Richfield is currently requesting to just pay the premium directly instead of cashing in on the insurance policy.

Dennis said that the fee is \$993 and he is not concerned. He said the biggest concern was to be kept in the loop but it sounds like she is on top of it and to proceed with the standard operating procedure.

Dennis said to consider that an approval by the county for both the amount and the terms.

Resolution 07-15-01 DOW PILT Transfer

The County Treasurer reports receipt of \$6,489.83 from the Division of Wildlife, Impact Assistance Funds for tax year 2014.

This resolution is to transfer fund in the following amounts: \$2,041.56 to the Dolores County School, \$2,205.49 to County General, \$78.68 to the Contingency fund, \$242.63 to Social Services, \$131.15 to Dolores County Library, \$524.59 to Road and Bridge, \$19.14 to Abatements, \$157.38 to the Cahone Seniors Center, \$157.38 to the Dove's Nest, \$157.38 to the Rico Center, \$47.48 to SW Water District, \$52.22 to Dolores Pest Control District, \$30.96 to SW Television, \$3.20 to the Dolores Water Conservancy, \$12.12 to the Dolores Water Contract, \$13.94 to West Dolores Cemetery, \$153.74 to Dove Creek Fire District, \$14.83 to Pleasant View Fire District, \$0.07 to Cahone Cemetery.

Commissioner Williams made a motion to sign Resolution 07-15-01.

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

Resolution 07-15-02 Funds Transfer

The County Auditor reported a miscalculation in the Highway Users Transportation Fund (HUTF) distribution for the 2014 tax year. This resolution is to transfer funds from the County General fund account to the Road and Bridge fund, in the amount of \$6,163.18.

Commissioner Williams made a motion to sign Resolution 07-15-02.

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

Resolution 07-15-03 to Correct Resolution 05-15-03

A correction needs to be made to Resolution 05-15-03. The U.S. Federal Forest Funds were received in the amount of \$359,232.35. This will be dispersed in the following way: 50% or a balance of \$179,616.17 minus the funds already dispersed per Resolution 05-15-02 in the amount of \$29,746.32 which leaves the remaining balance of \$149,869.86 to be dispersed to the School District. The remainder or 50% which is \$179,616.17 will be dispersed to the County Road and Bridge Fund. Commissioner Williams made a motion to sign Resolution 07-15-03. Commissioner Stowe seconded the motion. All three commissioners voted yes.

Semi Annual Treasures Report

The County Treasurer sent down the semiannual Treasurer's report for the Commissioners to sign. Commissioner Williams made a motion to sign the report. Commissioner Stowe seconded the motion. All three commissioners voted yes.

SB15-288

Dennis said if the county does nothing, all elected officials will receive a 30% salary increase as well as a cost of living increase. The county has the option to get into a lower category with sponsored legislation.

Commissioner Kibel asked if this is done by the commissioner's request.

Dennis said one concern is that it doesn't specifically say that the commissioners can decide which category our county will be in. He said San Miguel is going to take the full 30% increase across the board.

Dennis will be looking further into this.

Region 9 Confidentiality Agreement

Dennis said during a Region 9 meeting he felt there was a confidentiality breach. They then drafted the confidentiality agreement basically saying that you will not reveal to anyone any financial information that you receive through Region 9. He discussed some issues with the confidentiality agreement and said if we don't agree with the agreement and choose not to sign in then when it is time for loan reviews we would have to leave the room.

The commissioners agreed to not sign the agreement.

McCloud Point Expert Advisor

Dennis said that the McCloud Point Facility for recycling and commercial exploration and production waste management is going through the Planning Commission right now. The Planning Commission wants to have a site visit and also wants an advisor to be hired to help with the process. He said we are not looking for someone to take over the process, just to assist. The estimate was less than \$3,000 and the applicant has stated that they don't want to pay for the advisor.

Commissioner Kibel said this is the only facility like this and there are no guidelines to go by. It would be advisable to both parties to hire the expert advisor.

There was discussion on this.

The commissioners decided to respect the decision of the Planning Commission and this will be shelved until the applicant agrees to pay for the third party advisor.

DCDC Septic Permits

Dennis said that DCDC will no longer be selling the property and would like the septic permit fees returned.

Margret said they never bought a permit to begin with.

There was discussion on this.

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The Commissioners decided that they could refund one fee and do an as built permit for the original septic system with the remaining fee.

FS Road 534

Dennis discussed the issues with Forest Road 534 (Lone Cone Road) which is on the boundary between San Miguel County and Dolores County. San Miguel County felt it was important to keep the road open after the private land owner closed it in 2003. While the two counties were waiting for a survey on the land the land owner sold the parcel to the State Land Board who now controls the parcel. Dennis said the State Land Board bought the Grey Ranch from the Grey family and there will be no access through the ranch. A letter was drafting requesting the State Land Board to restore public access through the property. Dennis confirmed with San Miguel County that they are not looking for any funds from Dolores County to continue with this and they agreed to carry the financial burden. Commissioner Williams made a motion to sign the letter requesting access to the property. Commissioner Stowe seconded the motion. All three commissioners voted yes.

Procurement Policy

No updates.

Dolores Fire Protection District

Dennis said they had a meeting at the Dolores Fire Protection District office with land owners from the West Dolores River about the fire protection district. He is working with Ken Charles with DOLA to see how they could form their own district and he will keep us updated.

RBSC Building

Margret visited with Chris Endrenson, University of Colorado Denver about the addition of a meeting room at the new Road and Bridge building; within the next few weeks we will have a workshop on this. They also discussed an emergency operations center.

NCA

No updates.

AED's

Commissioner Kibel said Todd Parisi, EMA/EMA found AED's for the county for \$1100.00 each with the grand total of \$5271.00. The Commissioners decided to go ahead and purchase the AED's.

Social Services

Josiah Forkner, Social Services Director was here to present the Social Services Minutes from June. 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 Social Services Financials from June. Commissioner Williams seconded the motion. All three commissioners voted yes.

Josiah said he had a meeting with the Pinion Project and are interested in taking STUD under their wings.

Commissioner Kibel thanked Josiah for looking in to that.

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BLM/Forest Service

Forest Service

Derrick Padilla, Forest Service was here for an update.

Commissioner Kibel said that she submitted a Recreation Site Analysis comment letter and Derrick confirmed that he received it. She said last year there was a field trip at Farris Campground and she asked if the Forest Service ever puts in zip lines or if we got a grant could we be authorized to do something like that.

Derrick said usually someone brings in a proposal and it's usually not left out there by itself; it must be manned all the time. It would be a special use authorization if it was something temporary.

There was discussion on the Glade Allotment.

Commissioner Kibel confirmed that they may just reduce the numbers and not the grazing areas and Derrick agreed.

Commissioner Stowe asked if they could install pasture fencing.

Derrick said in the 1970's they did fence areas in but they would need a lot of fencing to keep the cows out of this large of an area.

Dennis gave Derrick an update on the FS Road 534.

BLM

Marietta Eaton and Connie Clementson, BLM were here for an update.

Marietta said we will be receiving the decision on the vacant allotments on the monument soon. She also asked about the McCloud Point Facility; Margret Daves provided her with the information.

Commissioner Kibel gave an update on the McCloud Point Facility. She asked Marietta to bring to our attention anything that she has questions or issues with.

Connie said the Tri State Power Line EA is set to be coming out in early August. They are planning to have the Tri State public community meeting on August 26, 2015 in Dove Creek at the High School.

There was discussion on having a field trip on the proposed Dolores River crossing.

There was discussion on planning grants from DOLA.

The commissioners thanked them for coming in.

Adjourned

Commissioner Williams made the motion to Adjourn.

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

The meeting ended at 3:10pm.

Chairman of the Board of County Commissioners

Attest:

Deputy Clerk to the
Board of County Commissioners