

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

A Regular meeting of the board of County Commissioners was held in their boardroom in Dove Creek, Colorado, March 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, Jerry Martin, County Sheriff, Don Wilson, Sheriff's Deputy, Nita Purkat, Senior Services, Tracy Blagg, Senior Services, Ray Smith, Dolores County Cemetery District, Anthony Stamness, Dolores County Resident, Gus Westerman, Extension Agent.

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 addition of an Executive Session on Land Swap and changing New Gravel Pit to Land Swap/Gravel Pit and Sattley Gravel Pit. Commissioner Stowe seconded the motion. All three Commissioners voted yes.

Approval of Minutes

Dennis Golbricht, County Attorney discusses some changes to the February 17 minutes. Commissioner Stowe made a motion to accept the Minutes from February 17 and February 26, 2015 with changes to be made to the February 17 minutes. 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: | 5,830.23 | 6 Employees | |
| County Commissioners Other: | 230.87 | | 1 Part Time |
| Transfer Station: | 328.11 | | 1 Part Time |
| County Clerk: | 2,754.88 | 3 Employees | |
| County Treasurer: | 2,137.04 | 2 Employees | |
| County Assessor: | 3,020.11 | 3 Employees | 1 Part Time |
| GIS: | 892.67 | | 2 Part Time |
| County Maintenance: | 1,188.68 | 1 Employee | |
| Traffic Enforcement | 1,183.22 | 1 Employee | |
| County Sheriff: | 8,100.93 | 6 Employees | 4 Part Time |
| County Coroner: | 360.31 | 1 Employee | |
| EMA/EMS: | 567.78 | | 1 Part Time |

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|------------------|-----------------|--------------|--------------|
| Extension: | 489.26 | 1 Employee | 1 Part Time |
| DCTV: | 931.55 | | 5 Part Time |
| Veterans Office: | 480.22 | | 1 Part Time |
| Senior Services: | 6,125.23 | 2 Employees | 17 Part Time |
| Health & Nurse: | 2,519.22 | 2 Employee | |
| Mandatory Weed: | 1,065.61 | 2 Employees | 1 Part Time |
| Admin Other: | 18,281.52 | 18 Employees | |
| Social Services | <u>3,038.66</u> | 3 Employees | |
| TOTAL | \$59,516.10 | | |

Meetings and Information

Steve Stiasny, Maintenance Supervisor said that he is getting ready to advertise for bids for the plumbing and the roof on the Courthouse.

Commissioner Kibel asked what time Steve comes in on snow days and Steve said that he comes in at 2am.

She asked him to call if there is a lot of snow in the mornings.

Commissioner Williams discussed having a part time person to help Steve, especially with the snow and the park maintenance.

Steve said as long as he schedules it right, he has enough time.

There was discussion regarding Steve using his personal 4 wheeler to plow the county lot.

Commissioner Williams said that it would be handy to have someone here during the day, and maybe the part time person could be here during that time.

Margret Daves, Special Projects Manager asked Steve could come in during the day.

Steve said that he is here at 4:00 pm.

Commissioner Williams asked him to think about having a part time person come in.

Margret said that we would like spring cleaning done, as well as painting and new floor in the bathrooms.

There was discussion on a part time maintenance person.

Margret said that we were going to have Jim patch holes and paint in the break room. She asked if Steve wants to paint or if Jim should do it. Steve said that Jim could do the break room so that he can paint other rooms.

Margret said that within the next few weeks the Veterans handicapped van should be delivered.

Commissioner Kibel discussed a veteran from another county needing a ride to Grand Junction.

Commissioner Stowe said that Montezuma County will take Veterans to Albuquerque but will not take the Veterans to Grand Junction. He said that there are several Veterans that are not satisfied with the services in Durango and they want to go to Grand Junction.

Commissioner Williams said that something similar happened with the Senior Center. He said that we need to contact the other counties and ask them for funds in order to transport their Veterans.

Margret said that we have to be careful to not go over our VA Officer's hours per month.

Commissioner Kibel said that we need to discuss this with Montezuma County.

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Commissioner Stowe discussed the VA Offices rent and how much the county contributes to rent and utilities. In the past, Rick was working as needed but now, during the winter he is working 20 hours a week and has the heat turned up and the VA budget doesn't have the funds to pay the heat bill for the office. Commissioner Stowe said that it has gone up around \$100.00 a month.

Commissioner Kibel suggested the county should pick up the extra bill from the heat.

There was discussion on moving the VA office.

The commissioners agreed to help support the VA offices extra heat bill.

Commissioner Williams said that they have spent a lot of time on the NCA Implementation Plan and the MOU. He asked if we want to hold off on signing the MOU.

There was discussion on this.

The commissioners decided to hold off on signing the MOU.

Commissioner Stowe asked how soon they need to have the water attorney comment on the NCA and Dennis said 60 days.

Commissioner Kibel said that every 6 months, Oma has to complete a Compliance Certification for Discharges for Application of Pesticides. She said there were some issues with it this year. She said a lot of this is best guess in regards to the spraying area. It should move to a yearly certification.

She said that Oma Fleming, Weed District would like the commissioners to discuss the shooting range with the fair board.

Commissioner Kibel said that Commissioner Williams met with Montezuma County Commissioner Suckla about solar farms. She said Alamosa County's solar farms have been very profitable and some of the better lands for solar farms are within Dolores County.

There was discussion on the Planning Commission process and overlays for solar farms.

Dennis suggested that we see how it works with Montezuma County.

Barking Dogs

Anthony Stamness, Dolores County Resident was here to discuss problematic barking dogs near his residence. He said that he moved here at the end of March and the barking has gotten out of hand when the owners leave, barking for 5 or 6 hours each day. He said that after he called the Sheriff, he went and talked to the dog owners under the direction of Don Wilson, County Deputy and the dog owners said that this is the county and dogs will bark. He said that when there is anyone around, the dogs stay quiet but as soon as they leave, the dogs start barking. He said that this county doesn't have a statute on noise and he is looking at moving out. He said that all he wants is peace and quiet and asked how to proceed.

Commissioner Kibel said that this is a very rural community and people also have dogs to protect them and their livestock. In our area, a barking dog is a warning for our residents. She said that a barking dog ordinance might help Anthony's situation but might not be best for our county as a whole.

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Jerry Martin, County Sheriff said that the dog owners put shock collars on the dogs and they have worked with them the best they can.

Commissioner Williams asked if we have an ordinance in the Town of Dove Creek and Sheriff Martin said that there is an ordinance in the Town of Dove Creek.

Commissioner Williams said that from his house in the county, he hears town dogs bark all the time.

There was discussion on ordinances.

Sheriff Martin suggested the commission write a letter to the dog owners. He said that over the years, they have had complaints on dogs chasing things but never barking dogs.

Commissioner Williams said that his dogs have barked during the night and the next morning he found a mountain lion kill right behind his house.

There was discussion on noise ordinance.

Anthony said that the dogs are around 200 feet from his house but the canyon makes the noise a lot louder. He said that when one dog starts barking, they all follow suit.

Dennis said that one option is to bring a private action against the neighbor, called a Private Nuisance. There was discussion regarding other counties that have animal control patrolling for barking dogs, collar less dogs, etc. but our budget cannot sustain that.

Sheriff Martin suggested writing a letter stating that Anthony has come before the board and that the board hopes that they can work things out.

Commissioner Kibel said that it is very hard to have an ordinance that benefits a small minority of county population. She said that barking dogs can be frustrating but it's very hard to do an ordinance.

There was discussion on the dogs wearing shock collars.

Anthony said that sometimes the dogs get out of their yard. He said there was a fox around his house that he was trying to trap and he ended up trapping one of the dogs. He said that he bought a piece of property in the county so that he could have peace and quiet. He discussed laws in other places.

Commissioner Williams said that it is not in the budget to bring a barking dog ordinance into this county. It needs to be noted that we might have a citizen that wants to push for a barking dog ordinance.

Dennis said that in terms of ballot measures there, is a limited list of things that are clearly allowed by citizens but noise ordinances are not allowed and your best chance is to pursue a private action. Dennis asked Margret to write a letter to the dog owners and he will do some research on what other counties are doing.

The commissioners thanked him for coming in.

Dolores County Cemetery District

Ray Smith, Dolores County Cemetery District was here to get some guidance as to where to go. Commissioner Williams said that that the well head taxation law change really affected the Cemetery District. He said that the Mill Levy could be changed, but that would have to go to vote and might be expensive. He recommended to the Cemetery District that they should submit a letter requesting a donation at the beginning of each year to the county commissioners.

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Ray said that they spend 20 hours a week at the cemetery in town and they have cut back on the mowing to reduce the budget.

Commissioner Kibel asked if they can make it through the year and Ray said they can make it this year. She said that the county has donated \$3,000 to the cemetery to try to make up for the well head deficiency.

Commissioner Stowe asked how much it would take to make up completely for the well head and Ray said about \$5,000.

There was discussion on the Cahone Cemetery.

Commissioner Stowe said he thought they should start by requesting a donation from the county to keep everything going.

Commissioner Williams said that he agrees with Commissioner Stowe and he doesn't want to see things cut back at the cemetery. His goal is for the community to be better off when he leaves then when he got here. He said that the cemetery district should submit a letter before the county work on the 2016 budget.

Commissioner Kibel said that we need to start looking for other funding for the cemetery.

Business Associate Agreement-Nita Purkat

Nita Purkat, Senior Services was here to discuss a Business Associate Agreement.

Dennis said that a local health care provider that Nita works with for transportation has asked the commissioners to sign a partnership agreement for purposes of HIPPA. These agreements state that you will respect the privacy laws by not disclosing privileged information.

Nita said this agreement pertains to both the transportation service and the chronic disease class.

Dennis said that this document relates back to a service agreement and this document is only in affect when the service agreement is in affect and we don't have a service agreement.

Nita said that the information that is given to them is very limited in regards to health records.

Dennis read over the document again and he said that they are going overboard because they are not providing specific medical records. He told Nita to have them call him if they have questions.

There was discussion on the Senior Services employees being HIPPA certified.

Dennis said that since we are HIPPA certified that should be enough and we shouldn't have to sign this agreement.

Nita said that they got a new CDOT grants manager recently and he was fired on Monday. She is working on two grants right now and they are going to the head of the department with one of the grants and the other will go to the business/website manager. She said CDOT decided to give them more money for the grant for the vehicle and she is going to have to start over.

Website Bids

Cierra Walters, BCI Marketing Expert was here to discuss the new county website.

Commissioner Kibel asked Cierra to give an over view of how the process would go.

Cierra said that we will sit down for about an hour and discuss what you want on the website.

Then the website designers design the site. She said that they host and maintain the website.

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Commissioner Kibel asked if we can update our own minutes and Cierra said that we will have access to update the website if we so choose.

Commissioner Kibel discussed an issue with a snow day and she confirmed that we can have a warning banner on the home screen.

Dennis discussed the contract. He said that we can make the contract to the end of this year for now and she can come back in December to make sure everyone is happy with the website to renew.

There was discussion on the contract.

Commissioner Stowe made a motion to approve the service agreement for Directory Plus to take over the county website.

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

Extension Advisory Committee

Gus Westerman, Extension Agent was here to discuss the Extension Advisory Committee. He submitted a list of names for the Advisory Committee and he needs the commissioners input on how to move forward with this project.

Commissioner Kibel said that if someone is already on a board try not to put them on this board.

Gus agreed and he said that he is looking for 7-10 members and he wants a diversified member pool.

Commissioner Kibel discussed having alternates.

Commissioner Williams said as far as appointing these people, he suggested that Gus and Oma should pick the members and then come to the commissioners for approval.

Commissioner Stowe said that we would be more supportive versus micromanaging if we just approved the members that Gus and Oma pick for the board.

Commissioner Williams suggested advertising for the board.

Commissioner Kibel said that when someone wants to be on the board they need to write a letter stating that they want to be on the board.

Gus said that he will advertise the board openings and he will go through and pick with Oma and come to the commissioners for review.

Margret suggested staggering the term lengths for the board members.

Liquor License Renewal

The Commissioners had a liquor license renewal for the Stateline Bar and Grill. Sheriff Martin said he hasn't had any problems with them.

Commissioner Williams read the renewal.

Commissioner Williams made a motion to approve the liquor license.

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

Dennis said that you don't have to have a Public Hearing for a liquor license renewal so long as you are not going to deny the liquor license. If a denial might be appropriate you have to go through a whole different process to post notices on the property, etc. If a denial might be

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appropriate, we must contact Dennis at least 30 days ahead of time. He said that you can't renew a liquor license after it expires.

Cooperative Agreement

Dennis discussed the Agreement for Cooperative Fire Protection with the commissioners. The commissioners said that they are pleased with the changes that were made.

IT Contract

This will be tabled until the next meeting.

Dust Suppression

Commissioner Williams read a letter from Reams Construction Company addressed to the commissioners in regards to using fossil water, which is waste water from oil and gas fields that has been recycled instead of mag chloride to control dust on county roads. Commissioner Williams said that it should reduce the cost by 50% versus using mag chloride. He said that we need this in order to have enough money to do the Dolores/Norwood Road. Steve Davis, Road and Bridge Supervisor said the availability will be nice also. Commissioners Williams suggested Steve should look over the report attached with the letter. He said this water should be available to use this year. Steve discussed getting frack tanks. Commissioner Williams said that he has some options for frack tanks that he will discuss with Steve.

Support Letter for River Rim Tear Drop

Tabled until the next commissioner meeting.

Sage Grouse

No updates.

Land Swap/Gravel Pit

The county found out that Stanley Daves doesn't have the all the mineral rights to the property that the county is acquiring for a gravel pit. Dennis will be looking into this issue.

Wi-Fi Equipment

The Road and Bridge department will use the Wi-Fi equipment.

Dolores Fire Protection District

This is on hold until we see if the bill passes.

Rico 1041 Regulations

No updates.

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New Sattley Gravel Pit

Kibel said that we found an easement but it was a private easement.

Dennis said that there are a lot of agencies that we will have to deal with and we have questions whether the private easement will support commercial activity.

Margret said there are property owners that had some objections when it went through the Planning Commission the first time.

There was discussion on what some of the objections that came up during the first Planning Commission Meeting.

Commissioner Williams said that he believes we should move forward because gravel pits are very important to the county.

Dennis asked if there are better locations for the pit and it was determined that his is a good pit.

Margret asked who will pay for all of this being all of the agencies are involved.

Commissioner Kibel asked if the county can split half the costs with the Sattleys.

There was discussion on this.

Dennis said that the BLM tends to avoid cases where land owners object. He said that it may be expensive and drawn out and there is still some questions on the level of reclamation that is required.

There was discussion on pond building and what it takes to legally build a pond.

Dennis said that we need to form a list for Connie Clemenson, BLM.

Commissioner Stowe said that we need to cover all of our bases because the gravel may not be worth the possible cost.

Seltenreich Conservation Easement

The Commissioners received a letter from Jon Leibowitz, with Montezuma Land Conservancy stating that they successfully closed on the Seltenreich Conservation Easement which Dolores County contributed \$3,000.00.

Commissioner Kibel said that the Cortez Journal is going to write an article on how Dolores County contributed to the Seltenreich Conservation Easement.

Underfunded Grant – Court Clerk

Jim Hutchinson was here to discuss the bid for the Court Clerk's Office.

There was discussion on the cost estimate.

Margret said that she submitted the grant application and we are waiting to hear back.

RBSC Building

Commissioner Kibel said that the last workshop with the Town of Dove Creek went very well. The next Workshop will be today at 2:00pm.

RBSC Workshop

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

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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 2:02 pm.

Chairman of the Board of County Commissioners

Attest:

Deputy Clerk to the
Board of County Commissioners