

**Proceedings of the Dolores County board of
County Commissioners
May 4, 2015
Rico, CO**

A Regular meeting of the board of County Commissioners was held in the Courtroom at 2 North Commercial St, in Rico, Colorado on May 4, 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

Mike England, Rico Town Manager, Gary Reid, Town of Rico, Barbara Betts, Erin Neer, and Nicole Pieterse, The Rico Center, Brandon Dye, Colorado Parks and Wildlife, Kyle Carhart, Dolores County Resident, Bryce Capron and David Cressler, DCDC

Pledge

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

Agenda

Commissioner Williams made a motion to approve the agenda.
Commissioner Stowe seconded the motion. All three commissioners voted yes.

Approval of Minutes

Commissioner Stowe made a motion to accept the Minutes from April 20 and April 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 and bills.
Commissioner Williams seconded the motion. All three commissioners voted in favor.

The following is a list of total payroll by Department:

County Commissioners:	5,775.56	6 Employees	
County Commissioners Other:	230.87		1 Part Time
Transfer Station:	328.11		1 Part Time
County Clerk:	2,483.94	3 Employees	
County Treasurer:	2,134.72	2 Employees	
County Assessor:	3,078.45	3 Employees	1 Part Time
GIS:	950.21		2 Part Time
County Maintenance:	1,188.68	1 Employee	
Traffic Enforcement	1,192.15	1 Employee	
County Sheriff:	7,908.37	6 Employees	4 Part Time
County Coroner:	360.31	1 Employee	
EMA/EMS:	567.78		1 Part Time
Extension:	553.05	1 Employee	1 Part Time
DCTV:	1,281.18		5 Part Time

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Veterans Office:	480.22		1 Part Time
Senior Services:	6,085.10	2 Employees	13 Part Time
Health & Nurse:	2,499.63	2 Employee	
Mandatory Weed:	1,068.71	2 Employees	1 Part Time
Admin Other:	19,273.99	18 Employees	1 Part Time
Social Services	<u>3,058.96</u>	3 Employees	
TOTAL	\$60,499.99		

Meetings and Information

Commissioner Williams gave an update on the Lower Dolores River in regards to the NCA. He said that they have a draft bill and the next step will be to have a legal review. David Robbins, Water Lawyer will give a legal review on May 5, 2015. The water is the biggest part of the issue with the NCA.

Gary Reid, Town of Rico asked if there would be any issues with water flows.

Commissioner Williams said that there will always be flows but they will probably not be stocking the brown trout.

There was discussion on the fish.

Commissioner Williams said that he has been receiving calls from citizens who are concerned with the tax evaluations. He said that we need to look into this and possibly have the assessor explain to the public the increase in taxes.

Mike England, Rico Town Manager said that they started their water project a few weeks ago and it will be a \$1.5 million dollar improvement. They were losing 60-70% of their water through old pipes. This project should be done by November 1, 2015. In conjunction, they are working with Atlantic Richfield to gain access into the Rico Repository. He said that one other improvement they are working on is a parks and recreation program for the citizens. They have a part time person who be working on trails in the area as well as a kids program. They will be looking into long term funding for these recreation programs, which might possibly be a mill levy increase. Marti Whitmore, Town of Rico Attorney will also be working on the 1041 Regulations with Dennis Golbricht, Dolores County Attorney.

Barbara Betts, The Rico Center said that the town appointed a geothermal committee. She said that they are more of an advisory committee than anything and they will be working with the county to report on what is happening.

Commissioner Kibel asked Barbra to let the county know about any public meetings.

Gary Reid, Town of Rico said that they have been involved in the West Dolores Travel Management and he thanked Commissioner Kibel for her support. He feels like the recommendations that the Town of Rico wanted are in the plan.

There was discussion on travel management.

Margret Daves, Special Projects Manager told Mike that we have the Veterans handicapped van up and running. If any Rico residents need transport to medical appointments it will be available to them.

Commissioner Kibel also said that Senior Services are available to Rico as well.

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Bioenergy Plant

DCDC will be selling the bioenergy plant to a Dolores County Resident. The potential new owner would like to split the property to sell to another Dolores County Resident. Kyle Carhart, Dolores County Resident brought in a survey of the bioenergy plant.

Commissioner Kibel spoke to Sonnie Frazier, Dove Creek Town Manager and he said that there is a septic that handles both buildings.

There was discussion on the septic system.

Dennis said that at one time the buildings were hooked up to the Town of Dove Creeks sewer and he asked why they don't do that again.

Commissioner Williams said that there are codes that say if city sewer is available, you can't have a septic. He said that we have never done a subdivision that shares a septic system.

David Cressler, DCDC said that there were some issues with the slope of the land, that is why a pump is in place for the septic and that is why it would be hard to hook it to town sewer.

Dennis talked to CDPHE and they said that sharing a septic system just does not happen and you will not find this anywhere.

David said that maybe it would be a possibility to hook up to the town sewer.

There was discussion on this.

Commissioner Williams said that they would have to do a subdivision exemption.

David said that when the land was bought by DCDC it was already split and had a survey. He said that the subdivision exemption had been through the Planning Commission process already.

Dennis said that he doesn't have any evidence that this property ever went through the subdivision exemption process. He said that they must have something that the surveyor went off in 2012 and David agreed but didn't know where the documentation was.

Dennis called the surveyor and Rita from Huddleston's Land Surveying called into the meeting. She said that they were contacted by Dan Fernandez, DCDC. Rita said that Dan wanted to meet with them so that he could layout separate parcels in order to promote the parcels for lease easier than one property. They used the original plat for boundaries and they created parcels based on how Dan wanted it split. At the time, it was not done for a subdivision. Dennis clarified that this is not a subdivision and Rita confirmed.

There was discussion on if this could be a subdivision or a subdivision exemption.

Dennis said that if they are going to just break up one or two parcels, DCDC will have to do a subdivision exemption. He said that you cannot have a septic on less than 3 acres and the septic must be on the same lot and not shared. Dennis said that if you don't exceed 2,000 gallons a day, a commercial system will not be required. Dennis asked Kyle Carhart, Dolores County Resident if he was going to live in the building.

Kyle said that he wouldn't live on the property.

There was more discussion on hooking up to town sewer.

Commissioner Williams said if they do a subdivision exemption, they cannot break up any other lots for 5 years.

Dennis said that they will need to contact the surveyor to make a new plat. He said that as long as the parcel is serviced with central water and sewer, the parcel can be a minimum of 1 acre. He said that if they only break off two lots they will not have to go through the Planning Commission.

Commissioner Kibel said that they should be sure that they can hook up to town sewer before they go through with the subdivision exemption.

Dennis said that the Town of Dove Creek will need to write a letter stating that they can hook up to sewer and water. He said that if they are going to consider a change in use, they will need to go through the Planning Commission for approval.

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David said that it will be commercial use.

Kyle said that it will mostly be shop work and maybe steel sales.

Dennis said that when David figures out what he is going to do with the other building, he will need to go through the Planning Commission if there will be a change in use.

Commissioner Williams made a motion to grant preliminary approval for a subdivision exemption for two lots, 1.04 and 2.14 acres conditional on seeing the final plat and approval to hook up to town utilities.

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

Dennis said that it is this board's position that a welding shop on the 2.14 parcel is not a significant enough change to require an LDA. Once the owner of the 1.04 parcel determines the use of the property, he will need to come to the board because that may trigger the need for an LDA. DCDC will need to apply for a subdivision exemption and fill out an application and provide a new plat; we cannot use the plat that was made last fall because it will need to say "subdivision exemption".

Rico Center Update

Nicole Pieterse, Rico Center, was here to give an update. She provided their 2014 budget to Dennis and the commissioners. Their primary work is to grant funds from mill levies to local nonprofits, local governmental entities, and individuals involved in community development within in the Rico Fire Protection District. She said that they have a new applicant which is the School of Minds and they will be doing geothermal studies in Rico. They will be looking at the reliability of the resource and how it can be utilized. They are hoping that Rico may become a hub for this type of resource.

There was discussion about the process of the geothermal studies.

Dennis asked if the research is happening in or out of the Town of Rico limits.

She said that it is out of town.

Dennis said that this board traditionally has not found exploratory drilling to be something that triggers an LDA as long as it is done in a traditional mining area.

Barbra said that they are not even close to drilling holes right now.

Commissioner Kibel said that if they use the thumper truck, they should come to the board and let the public know what is going to happen.

Barbara said that right now they are just trying to organize the group and they are far from drilling or using the thumper truck.

Commissioner Williams asked if it will happen on Forest Service ground or private and she said she is not sure, but thinks private.

Commissioner Kibel said that if it does take place on Forest Service ground, the Forest Service will have to be notified.

Commissioner Williams said that he appreciates all of the financial info being turned in.

Commissioner Kibel said that she was pleased with how all of their financials were drawn out. She did asked why the Rico Library grant wasn't accepted.

Nicole said that it wasn't a denial; the Rico Library just didn't want to accept the terms of the grant.

Dennis said that it was nice to see the Rico Center fund the fire district because of the decline in the mill levy money to the fire district. He also thanked them for changing the tax returns.

Mike said that the Rico Center has filled a lot of gaps with funding since the mill levy dropped and they appreciate everything.

Dennis said that once Air Products comes on line, the whole county should see a benefit on taxes.

Nicole said that she will report to us again next year.

The commissioners thanked her for the update.

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District Wildlife Manager

Brandon Dye, District Wildlife Manager was here to give an update. He said that he is really enjoying it so far. He grew up on the Front Range but went to school and lived in other states before coming back to Colorado.

Commissioner Kibel said that she would like to see a hunter safety course come to our area. She said that there is a little bit of a gap in training with kids right now. She said that Gus Westerman, Extension Agent would also like to help host a course. She also discussed moving the shooting range due to the Road and Bridge/Senior Center Project.

Brandon said that he spoke with Ty Grey and he was going to see how many kids would need to take the class. He isn't sure what the best time for that would be but he has openings in May and June.

Commissioner Stowe said that the shooting range will hopefully take care of the needs for the hunter safety, the sheriff's officers, and 4H shooting.

Commissioner Williams was pleased to see that he has a background with range management. He said that we may have some conflicts coming up but hopefully we can move ahead in a good way.

There was discussion on the past history of range management and the conservation efforts.

The commissioners thanked Brandon for coming in.

Region 9 Support Letter

Region 9 requested a letter of support from Dolores County stating the importance of the EZ (Enterprise Zone) tax credits to the businesses in our area. The commissioners drafted and signed the letter of support.

Dennis said that Region 9 had discussion on the film office during their latest meeting. They are struggling with deciding if counties will be required to distribute funds to the office. He expressed the county's concern if the dues would go up.

There was discussion on the film office.

There will be a representative attending a commissioner meeting on May 18th.

Colorado Dept. of Public Health and Environment Contract

The commissioners were presented with the Colorado Department of Public Health and Environment Instructions for Contract Processing agreement.

Dennis Golbricht, County Attorney looked over the agreement and had no concerns with the agreement.

Commissioner Stowe made a motion to sign the agreement.

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

Retention of Special Council to Assist in Special District Formation

Dennis met with Bud Smith, Attorney and Angela Myers, Dove Creek Volunteer Ambulance Service (DCVAS) about forming a special district. Bud has been provided a retention letter and his rates are \$275 per hour and \$50.00 per hour for legal and secretary work. Dennis said that he will assist any way he can. He expects we will have \$10-15,000.00 in expenses with the special district.

Dennis said just to clarify, the county will be forming a special district. He said that we still don't have a final service plan in hand from the DCVAS, we just have a rough draft.

There was discussion on this.

The commissioners will be holding a special ambulance workshop.

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Atlantic Richfield Fill Material Development Project

Atlantic Richfield is considering a fill material extraction project on lands immediately north of its current property at the Rico site in Dolores County. The two parcels in question are the H.B. Lode and the ERG Lode. According to the County's records, current owners of both parcels are Disposition Properties, LLC and Williams and Joseph Hodges. The current Land Use is shown as "Mine". They will likely be applying for a Colorado Division of Reclamation Mining and Safety 110 Limited Impact Permit, which applies to operations on less than 10 acres and extraction of less than 70,000 tons of material per year.

Dennis said that Adam Cohen contacted him to discuss the fill material extraction project. They need a certain material consistency as fill material before they put the liner down. The state considers it a gravel pit. He asked if they need to go through the county commissioners and Dennis said yes, they will most likely need to get an LDA.

There was discussion regarding the county using the gravel pit after they pull out their fill material.

Septic Update

Margret asked Dennis about the process to make changes to Reg 43. These changes would include removing inspection ports at the initial end of the distribution line of a septic system.

Dennis is looking into this process.

Stud Strategies

Commissioner Kibel said that RSAP has financially folded. She discussed having them partner up with the school.

Sage Grouse

No updates.

Sattley Gravel Pit

No update.

Land Swap/Gravel Pit

Dennis said that the closing is scheduled for Wednesday, May 6, 2015 and he will look over the closing documents. We received the bill from Huddleston's Surveyors and they were surprised at how much work was done and the cost. They decided that they will not submit the full bill to the county and cut the bill down; the final bill is \$3,196.00. There will also be discussion the costs of a topographic map.

Dennis will relay the revised closing statement to Lenore Carhart, County Bookkeeper.

Underfunded Grant- Court Clerk

Margret said that she talked to Eric Houge and the Underfunded Court Clerk grant was approved. He is working on the details of the grant.

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RBSC Building

The next meeting will be May 5, 2015 at 10:00am with the Dove's Nest.

Adjourned

Commissioner Kibel made the motion to Adjourn.

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

Meeting ended at 12:37pm.

Chairman of the Board of County Commissioners

Attest:

Deputy Clerk to the
Board of County Commissioners