The Board of County Commissioners met in regular session held at the County Administrative Office Board Room at 6:00pm. Those present: David White, Chairman; Glen Davis, Vice-Chairman; Ronald Henderson, Commissioner; Teresa Williams, County Attorney; Ken Norris, County Manager; Marie Simons, Deputy Clerk to the Board.

The meeting commenced at 6:02pm.

A. WELCOME

1. INVOCATION

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL: Ronald Henderson, District 1: Present; Glen Davis, District 2: Present; David White, District 3: Present

4. PUBLIC COMMENT PERIOD: This is the time for members of the public to present issues of concern or interest to the Board.

Montrose County Media Relations Manager Katie Yergensen reported that in County Clerk Tressa Guynes’ absence, she (Yergensen) was asked to remind the public that the Clerk & Recorder’s Office would be closed for renovations from April 16, 2015 through April 21, 2015 and would reopen on April 22, 2015.

B. COUNTY MANAGER, Ken Norris consideration for removal or change in any items on this Agenda:

County Manager Ken Norris reported that Items C3 and C5 needed to be removed from the Consent Agenda and that Item D7 needed to be moved to the Consent Agenda and renumbered as Item C9. At Commissioner Henderson’s inquiry, County Manager Norris reported that Items C3 and C5 would return to the Agenda at a later time.

C. CONSENT AGENDA: All matters under the consent agenda are considered to be routine by the Board of County Commissioners and were enacted with a single vote. There was no separate discussion of these items. If discussion was deemed necessary, that item would have been removed from the Consent Agenda and considered separately:

1. Request for approval of General Fund and Special Fund Expenditures: 01/02/15, 01/12/15, 02/13/15, 02/20/15, 02/27/15, 03/13/15 and 03/20/15
2. **Approval of Minutes:** 03/02/15, 03/06/15 Special, 03/16/15 and 04/01/15

3. **MONTROSE REGIONAL AIRPORT,** authorization for the Chairman’s signature on the Landing Fee and Airport Use Agreement for Republic Airline, Inc., effective 04/06/2015 for the term 06/01/2015 through 05/31/2016, as reviewed by Counsel; this represented budgeted revenue in the amount of $177,606.75 in support of Strategic Plan Priority #1 Managed Growth and Economic Development: *This item was removed from the Consent Agenda.*

4. **HEALTH AND HUMAN SERVICES,** authorization for the Chairman’s signature on a letter to the Colorado Department of Public Health and Environment terminating Contract #14 FLA 61810 Tobacco Cessation at the Montrose County Correctional Facilities, as reviewed by Counsel, in support of Strategic Plan Priority #3 Provide for Public Health:

5. **HEALTH AND HUMAN SERVICES,** authorization for the approval to the Child Protective Services Unit—Year 3 Application to participate in the IV-E Waiver, effective 04/06/2015, as reviewed by Counsel; this represented revenue in the amount of $177,272.60 in 2014 in support of Strategic Plan Priority #3 Provide for Public Safety: *This item was removed from the Consent Agenda.*
6. **FACILITIES/FAIRGROUNDS**, authorization for the Chairman's signature on the Stock Contractor Agreement with Berentis Rodeo Company to provide rodeo stock for the 2015 Montrose County Fair and Rodeo, as reviewed by Counsel, effective 03/24/2015; this represented a budgeted expense in the amount of $6,850.00 to the Fair Board in support of Strategic Plan Priority #5 Increase Citizen Engagement and Represent Local Interests:

[C6 Fairgrounds Berentis Rodeo Agreement](#)

7. **FACILITIES/FAIRGROUNDS**, authorization for the Chairman's signature on an entertainment agreement with Top Hogs to provide family entertainment for the Fair that includes three - thirty minute shows per day, effective 07/27/2015 through 07/31/2015, as reviewed by Counsel; this represented a budgeted expense in the amount of $4,750.00 to the Fair Board in support of Strategic Plan Priority #5 Increase Citizen Engagement and Represent Local Interests:

[C7 Fairgrounds Top Hogs Agreement](#)

8. **GOVERNMENT AFFAIRS**, Jon Waschbusch, consideration and acceptance of a Temporary Easement from William D. Taylor and Marla K. Taylor. This easement shall terminate on 12/31/2018 unless previously terminated. The easement would grant access through Taylor's private property to adjoining BLM administered lands. Access is necessary to perform geotechnical investigation and feasibility work related to a potential reservoir site at Maverick Draw and has been reviewed by Counsel; this represented no budgetary impact. Any improvements or work related to the easement are budgeted as part of the water rights project in the adopted 2015 Montrose County Budget in support of Strategic Plan Priority #1 Managed Growth and Economic Development and Priority #5 Increase Citizen Engagement and Represent Local Interests:

[C8 Gov Affairs Temporary Easement-Taylor](#)

9. **ORGANIZATIONAL DEVELOPMENT/HUMAN RESOURCES**, Corrinne Shearer, consideration and authorization for the Chairman’s signature on the CDBG #13-505 Montrose Hospice Clinical Services Amendment, changing the direct supervision of the grant from Erica Weeks to Greg Jennings, as reviewed by Counsel, effective 04/06/2015; this represented no budgetary impact in support of Strategic Plan Priority #4 Effective and Responsive Government: *This item (formerly Item D7) was moved from D. General Business and Administrative Items to the Consent Agenda.*

[D7 OD-HR CDBG Hospice Clinical Serv Amend](#)
COMMISSIONER DAVIS MOVED TO APPROVE THE CONSENT AGENDA. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

D. GENERAL BUSINESS & ADMINISTRATIVE ITEMS:

1. MONTROSE REGIONAL LIBRARY, Linda Gann, consideration and adoption of a Proclamation proclaiming April 12-18, 2015 National Library Week.

D1 Montrose Library Proclamation

Linda Gann read the Proclamation as follows.

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National Library Week 2015
April 12-18, 2015

Proclamation

WHEREAS, libraries create potential and possibilities within their communities, campuses and schools;

WHEREAS; libraries level the playing field for all who seek information and access to technologies;

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities;
COMMISSIONER HENDERSON MOVED TO ADOPT A PROCLAMATION PROCLAIMING APRIL 12 - 18, 2015 NATIONAL LIBRARY WEEK. COMMISSIONER DAVIS SECONDED. MOTION CARRIED UNANIMOUSLY.

2. **MEDIA RELATIONS, Katie Yergensen**, consideration and adoption of a Proclamation recognizing Linda Nehring, a community member, as a Distinguished Citizen of Montrose County:

D2 Media Relations Nehring Proclamation

Media Relations Manager Yergensen acknowledged that she was honored to present this Distinguished Citizen award to Linda Nehring. Several people nominated Mrs. Nehring for the award, which was heartily endorsed by several others. Media Relations Manager Yergensen noted that April was National Child Abuse Prevention Month; therefore, it was fitting that Mrs. Nehring be given the award at that time.

Media Relations Manager Yergensen read the proclamation as follows.
Recognizing Linda Nehring, a community member and her family dedicated to providing a strong future for Montrose County as a Distinguished Citizen of Montrose County.

WHEREAS, Linda Nehring has been a resident of Montrose County since 1977 and has served as a professional educator for over 30 years and active member of her church for over 37 years;

WHEREAS, Linda Nehring fostered approximately 30 children for varying lengths of time since 1983;

WHEREAS, Linda Nehring and her family provided a safe place for approximately 30 children to live and grow and function as a family unit;

WHEREAS, Linda Nehring, along with her husband Barry and biological children Kristi, Matt, and Josh, felt called by God to adopt six children that had been with the family for several years including Penny, Paul, Daniel, Holly, Thomas, and Ashley;

WHEREAS, Linda Nehring is a model community member and benefactor of Montrose County Health and Human Services;

NOW THEREFORE BE IT RESOLVED, the Montrose Board of County Commissioners recognize and thank Linda Nehring as a Distinguished Citizen of Montrose County for her dedicated service to the children of Montrose County as an exemplary foster and adoptive parent.

Passed and approved this 6th day of April, 2015.

Commissioner David White, District 3
Commissioner Glen Davis, District 2
Commissioner Ron Henderson, District 1

Health and Human Services (HHS) Adult Services Manager Stephanie Holsinger informed the Board that Montrose County was privileged to have Mrs. Nehring as part of the community. Finding foster parents was difficult because foster parenting was a hard job with few rewards.

At that time, Commissioner White invited Linda and Barry Nehring to the podium and thanked them for working for the children of the community.

Commissioner Henderson noted that he had known the Nehrings for many years and attended the same church. He acknowledged that the Nehrings were God’s people and that he was grateful to have known them.
Mrs. Nehring informed the Board that she and Barry represented all foster parents and that they (the Nehrings) were not particularly special. She noted that they had been fortunate to adopt six foster children and although they had experienced hard times, for the most part the children had been delightful. Commissioner Davis disagreed with Mrs. Nehring’s assertion they were not special people and pointed out that people who help children as the Nehring’s had were extraordinary.

COMMISSIONER DAVIS MOVED TO ADOPT A PROCLAMATION RECOGNIZING LINDA NEHRING, A COMMUNITY MEMBER, AS A DISTINGUISHED CITIZEN OF MONTROSE COUNTY. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

3. MEDIA RELATIONS, Katie Yergensen, consideration and adoption of a Proclamation proclaiming April, 2015 as National Child Abuse Prevention Month:

Media Relations Manager Yergensen asserted the County had partnered with several organizations, CASA, WhimSpire, Hilltop, Dolphin House, the Sheriff’s Office, PACE (Program for All-inclusive Care for the Elderly), Top of the Trail, and Empowering Dads to bring fun and interesting events to inform the public regarding a difficult topic. Throughout the month, several events were planned that included a stuffed animal drive for foster children; various locations were available to drop off the stuffed animals. The campaign would culminate on Friday, April 24, 2015 in a free family night at the County Fairgrounds. A free dinner would be offered at the event and the movie “Epic” would be shown. The various County partners would be in attendance to offer free resources regarding child abuse and parenting advice for parents and caregivers.

At that time, HHS Adult Services Manager Holsinger read the proclamation as follows.
WHEREAS, in 2014, Montrose County received 706 reports of child abuse, neglect or requests for services. Of that number, 281 were assigned for investigation or serviced as youth in conflict; and

WHEREAS, in 2014, child welfare caseworkers processed 51 new cases involving nearly 100 children; and

WHEREAS child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone in our community; and

WHEREAS, our children are our most valuable resources and will shape the future of not only Montrose but the United States; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that can have lifelong consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children;

WHEREAS, effective child abuse prevention activities succeed because of the meaningful connections and partnerships created between child welfare, education, health, community- and faith-based organizations, businesses and law enforcement agencies; and

WHEREAS, communities must make every effort to promote programs and activities that benefit children and their families;

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, nurturing environment.

WHEREAS, Prevention remains the best defense for our children and families; now therefore be it RESOLVED, that the Montrose Board of County Commissioners proclaim April as National Child Abuse Prevention Month, and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Media Relations Manager Yergensen reported that the proclamation coincided with a campaign the State of Colorado was starting on April 7, 2015, which was a national child abuse reporting system that allowed people to call into a telephone hotline (1-800-44CO4KIDS). When a child abuse situation was reported to the hotline, that case would be directed to the appropriate county.
COMMISSIONER HENDERSON MOVED TO ADOPT A PROCLAMATION PROCLAIMING APRIL 2015 AS NATIONAL CHILD ABUSE PREVENTION MONTH. COMMISSIONER DAVIS SECONDED. MOTION CARRIED UNANIMOUSLY.

4. **HEALTH AND HUMAN SERVICES, Kristin Pulatie**, consideration and adoption of a Proclamation proclaiming April 6 - 12, 2015 as National Public Health Week. Employees to be recognized are: Veronica Martinez-Erie, Theresa Frick-Crawford, Carmen Mora, Teri Watkins and Herlinda Avila in support of Strategic Plan Priority #3 Provide for Public Safety:

**D4 HHS National Public Health Week Proclamation**

Interim HHS Director Kristin Pulatie informed the Board that she had asked that the managers in the Public Health Division of HHS to nominate employees they believed offered superior service for the HHS Department. It was Interim HHS Director Pulatie’s opinion that it was important to recognize the superior HHS employees during National Public Health Week.

At that time, Interim HHS Director Pulatie read the proclamation.
Interim HHS Director noted that although a couple of the Public Health Department employees could not attend the BOCC meeting, she wished to list the reasons the employees were being honored.

Emergency Preparedness Manager and Coordinator Teri Watkins did a great deal to go above and beyond all that was expected of her to provide the tools the other Public Health Department employees needed to do their jobs efficiently.

Environmental Health Department Manager Jim Austin nominated Veronica Martinez-Erie of the Environmental Health Department for her assistance in translating Public Health Department materials into Spanish and was available to translate on environmental health inspections if necessary.

Terry Ballot nominated Theresa Frick-Crawford from the Nurse Family Partnership program and recognized her many years of service to Montrose County employees and citizens by visiting the homes of her clients to assist them in maintaining healthier lives for themselves and their children. Carmen Mora, a Family Planning nurse practitioner was recognized for “her commitment to serving family planning clients with dignity, confidentiality, and a smile on her face.”
Barb Eschrich nominated Herlinda Avila, of the WIC (Women Infant and Children) program, for having fantastic communication with her clients and because she was well known for her friendliness as well as her dedication to the people of the County.

COMMISSIONER DAVIS MOVED TO ADOPT A PROCLAMATION PROCLAIMING APRIL 6-12, 2015 AS NATIONAL PUBLIC HEALTH WEEK. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

5. EMERGENCY MANAGER, Don Angell, consideration and authorization for the Chairman's signature on the Emergency Fire Fund Agreement allowing Montrose County to apply and file for Emergency Fire Fund money when and if a wild land fire threatens homes and property in Montrose County, as reviewed by Counsel, effective 04/06/2015; this represented a budgeted expense in the amount of $12,100.00 with actual cost at $11,145.00 in support of Strategic Plan Priority #3 Provide for Public Safety and Priority #4 Effective and Responsive Government:

D5 Em Mgr Em Fire Fund Agreement

Emergency Manager Don Angell explained that this was an annual agreement for the Emergency Fire Fund. The budgeted amount was lower than the projected amount. He noted that the Emergency Fire Fund was good to have in place in the event the County had wild land fires that exceeded the County’s capability to manage.

COMMISSIONER HENDERSON MOVED TO AUTHORIZE THE CHAIRMAN’S SIGNATURE ON THE EMERGENCY FIRE FUND AGREEMENT ALLOWING MONTROSE COUNTY TO APPLY AND FILE FOR EMERGENCY FIRE FUND MONEY WHEN AND IF A WILD LAND FIRE THREATENS HOMES AND PROPERTY IN MONTROSE COUNTY, AS REVIEWED BY COUNSEL, EFFECTIVE 04/06/2015; THIS REPRESENTS A BUDGETED EXPENSE IN THE AMOUNT OF $12,100.00 WITH ACTUAL COST AT $11,145.00 IN SUPPORT OF STRATEGIC PLAN PRIORITY #3 PROVIDE FOR PUBLIC SAFETY AND PRIORITY #4 EFFECTIVE AND RESPONSIVE GOVERNMENT. COMMISSIONER DAVIS SECONDED. MOTION CARRIED UNANIMOUSLY.

6. EMERGENCY MANAGER, Don Angell, consideration and authorization for the Chairman's signature on the Agreement for Cooperative Wildfire Protection tying the counties in the State of Colorado with the State for the purpose of fighting wild land fires; as reviewed by Counsel; this represented no budgetary impact in support of Strategic Plan Priority #3 Provide for Public Safety and Priority #4 Effective and Responsive Government. This was a revision to a previous document created over 20 years ago:

D6 Em Mgr Coop Wildfire Prot Agreement
Emergency Manager Angell reported that the original document was created in 1989 and had been recently reviewed. The original document was a contentious one for Colorado because correct, concise wording was required to outline how large scale, wild land fires would be managed throughout the State. The new agreement tied Colorado counties to the State and tied the State to Federal organizations for wild land fire management. Emergency Manager Angell acknowledged that the agreement was long overdue and had been prepared by various county attorneys and emergency managers throughout the State.

COMMISSIONER DAVIS MOVED TO AUTHORIZE THE CHAIRMAN’S SIGNATURE ON THE AGREEMENT FOR COOPERATIVE WILDFIRE PROTECTION TYING THE COUNTIES IN THE STATE OF COLORADO WITH THE STATE FOR THE PURPOSE OF FIGHTING WILD LAND FIRES; AS REVIEWED BY COUNSEL; THIS REPRESENTS NO BUDGETARY IMPACT IN SUPPORT OF STRATEGIC PLAN PRIORITY #3 PROVIDE FOR PUBLIC SAFETY AND PRIORITY #4 EFFECTIVE AND RESPONSIVE GOVERNMENT. HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

7. ORGANIZATIONAL DEVELOPMENT/HUMAN RESOURCES, Corrinne Shearer, consideration and authorization for the Chairman’s signature on the CDBG #13-505 Montrose Hospice Clinical Services Amendment, changing the direct supervision of the grant from Erica Weeks to Greg Jennings, as reviewed by Counsel, effective 04/06/2015; this represented no budgetary impact in support of Strategic Plan Priority #3 Provide for Public Safety and Priority #4 Effective and Responsive Government. This item was removed from D. Business and Administrative Items and placed on the Consent Agenda as Item C9.

8. PUBLIC WORKS, Ken Winckler, consideration and authorization for the Board’s signature on the Olathe Town Project Program Agreement and funding to purchase and install hot mix asphalt to overlay Main St (aka 4th St), as reviewed by Counsel, effective 04/06/2015 through 12/31/2015; this represented an annual expense in the amount of $33,333.00 in support of Strategic Plan Priority #4 Effective and Responsive Government:

D8 Public Works Olathe Town Project Program Agree

Public Works Director Ken Winckler explained that in early 2015, the Board approved financial assistance in the amount of $100,000 to support the towns of Olathe, Nucla, and Naturita in public works projects. Public Works Director Winckler asserted that he met with representatives from each town and asked them to compile a list of projects that the funds could support. He noted that the town of Naturita had not yet prepared the details of their project; their project would most likely come before the Board for approval on or after April 20, 2015. He reported that the Olathe project was a hot mix asphalt overlay on to Main Street.
Mayor of Olathe Rob Smith informed the Board that this project had been ongoing for some time and the residents of Olathe were very pleased that Montrose County was willing to assist with funding. Town of Olathe Administrator Patty Gabriel reported that due to the County’s contribution, Olathe had expanded the proposed project named the Main Street Vitalization Project, and had applied for an energy impact assistance grant that allowed two blocks of Main Street to be paved; the project included curb and gutter improvements and new streetlights. Ms. Gabriel expressed appreciation to Montrose County for the assistance. Commissioner White asserted that the idea came from Public Works Director Winckler and that the Commissioners thought it was a great way to help the community. Commissioner White reminded Ms. Gabriel that the funds needed to be utilized in 2015. She affirmed that she was aware of this stipulation of the agreement.

Commissioner Henderson noted that although the need for the project was not in question, it was his opinion it set a dangerous precedence for Montrose County to give money to a principality. He also opposed the fact that the County was implying it would give these funds to the principalities annually. Commissioner Henderson pointed out that the County had never before made this type of contribution and that it was improper to spend the taxpayer’s money in this manner.

**COMMISSIONER DAVIS MOVED TO AUTHORIZE THE BOARD’S SIGNATURE ON THE OLATHE TOWN PROJECT PROGRAM AGREEMENT AND FUNDING TO PURCHASE AND INSTALL HOT MIX ASPHALT TO OVERLAY MAIN ST (AKA 4TH ST), AS REVIEWED BY COUNSEL, EFFECTIVE 04/06/2015 THROUGH 12/31/2015; THIS REPRESENTS AN ANNUAL EXPENSE IN THE AMOUNT OF $33,333.00 IN SUPPORT OF STRATEGIC PLAN PRIORITY #4 EFFECTIVE AND RESPONSIVE GOVERNMENT. COMMISSIONER WHITE SECONDED. COMMISSIONER HENDERSON VOTED NAY. MOTION CARRIED.**

9. **PUBLIC WORKS, Ken Winckler,** consideration and authorization for the Board’s signature on the Nucla Town Project Program Agreement and funding to purchase and install water valves, related fittings, valve boxes and other incidental items for its water valve replacement project, as reviewed by Counsel, effective 04/06/2015 through 12/31/2015; this represented an annual expense in the amount of $33,333.00 in support of Strategic Plan Priority #4 Effective and Responsive Government:

**D9 Public Works Nucla Town Project Program Agree**

Public Works Director Winckler noted that there was no one at the meeting to represent the Town of Nucla; however, they had submitted the following statement.
In the last three months the Town of Nucla has experienced 3 water main breaks. When this happens the Town is forced to interrupt all town services because our valve system has aged beyond repair. We believe this is due to the inactivity over time to exercise valves regularly. Through these water breaks we have learned that in order to avoid interruption of all services we must replace 14 valves. Please see the breakdown of costs below. Once valves and tools are acquired the town will begin a valve exercise program annually.

<table>
<thead>
<tr>
<th>Number of Parts</th>
<th>Part Name</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>6&quot; Valve</td>
<td>$581.57</td>
<td>$4,652.56</td>
</tr>
<tr>
<td>4</td>
<td>8&quot; Valve</td>
<td>$295.61</td>
<td>$3,702.44</td>
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<tr>
<td>2</td>
<td>4&quot; Valve</td>
<td>$455.94</td>
<td>$911.88</td>
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<tr>
<td>24</td>
<td>Valve box various sizes</td>
<td>$10-$40 each</td>
<td>$608.00</td>
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<tr>
<td>16</td>
<td>Install Kit 6&quot;</td>
<td>$31.94</td>
<td>$511.01</td>
</tr>
<tr>
<td>8</td>
<td>Install Kit 8&quot;</td>
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<tr>
<td>4</td>
<td>Install Kit 4&quot;</td>
<td>$20.98</td>
<td>$83.91</td>
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</table>

Total Parts $10,707.37

<table>
<thead>
<tr>
<th>Number of Jobs</th>
<th>Labor &amp; Materials</th>
<th>Job Cost Estimate</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Equipment rental, Labor and Gravel</td>
<td>$2,500</td>
<td>$35,000</td>
</tr>
</tbody>
</table>

Total project cost $45,707.37

Note* This cost summary does not include town employee hours and can be adjusted dependant on funding.

Commissioner Henderson informed the Board that he opposed giving funds to the Town of Nucla for the same reasons he stated in Item D8.
COMMISSIONER DAVIS MOVED TO AUTHORIZE THE BOARD’s SIGNATURE ON THE NUCLA TOWN PROJECT PROGRAM AGREEMENT AND FUNDING TO PURCHASE AND INSTALL WATER VALVES, RELATED FITTINGS, VALVE BOXES AND OTHER INCIDENTAL ITEMS FOR ITS WATER VALVE REPLACEMENT PROJECT, AS REVIEWED BY COUNSEL, EFFECTIVE 04/06/2015 THROUGH 12/31/2015; THIS REPRESENTS AN ANNUAL EXPENSE IN THE AMOUNT OF $33,333.00 IN SUPPORT OF STRATEGIC PLAN PRIORITY #4 EFFECTIVE AND RESPONSIVE GOVERNMENT. COMMISSIONER WHITE SECONDED. COMMISSIONER HENDERSON VOTED NAY. MOTION CARRIED.

10. PUBLIC WORKS, Dean Cooper, Public Works solicited a publically advertised invitation to bid for Bulk Portland Cement to be used on the Rehabilitation of Hillside Road. Two bids were received; GCC of America, Inc submitted the lowest price bid. On this basis and in accordance with the Montrose County Procurement Policy, Public Works Staff recommends the Board consider award of the bid to GCC of America, Inc in the amount of $159.49 per ton and authorization of the Chairman’s signature on the Purchase Agreement, effective 03/16/2015 in support of Strategic Plan Priority #2 Improve and Maintain a Safe Transportation System. All information submitted in this regard has been reviewed by Counsel:

D10 Public Works GCC of America Bid

At Commissioner White’s inquiry, County Engineer Dean Cooper affirmed that the date of the Purchase Agreement should be 04/06/2015, not 03/16/2015. County Attorney Teresa Williams also confirmed that counsel had reviewed this item.

County Engineer Cooper explained that the section of road to be reconstructed was between Ida and Jasmine Roads. Approximately 400 tons of cement had been budgeted for this project; however, it was Public Works’ hope that because 90 tons of cement were remaining from the previous year that they would not need to use the entire amount for the project.

Commissioner Henderson noted that he was twelve years old when his family started the cement business, and at that time, cement cost $12.70 per ton.

Roger Brown, a Montrose County resident, pointed out there was a $1.57 (per ton) difference between GCC’s bid and Holcim’s bid (see bids below); however, the GCC bid included a fuel surcharge. Mr. Brown suggested including a not-to-exceed amount in the agreement. Commissioner White noted that the fuel surcharge was in the event that the cost of fuel went above $3.54 per gallon. Mr. Brown countered that paying a fuel surcharge would mean the County would pay extra money to the vender on the contract. County Engineer Cooper acknowledged that with this type of material acquisition contract, there was a chance the County would be charged more than originally planned. The fuel surcharge does not apply until fuel costs go above $3.54 per gallon; however, the County planned to consume the 400 tons of cement within the next 45 days; therefore, it
was his opinion the price of fuel would not increase dramatically within that time. If the price of fuel did increase, the County had the option to find another mode of transporting the asphalt from Fruita to Montrose. Commissioner White pointed out that Holcim was located in Rifle, which was a greater distance from Montrose than was Fruita. Holcim did not include a fuel surcharge in their bid because they were willing to take the chance the price of fuel would not increase above their bid amount.

\[\text{Table: Bulk Cement Bid}\]

<table>
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<tr>
<th>Vendor</th>
<th>Cement Cost per ton</th>
<th>Freight to Montrose</th>
<th>Fuel Surcharge</th>
<th>Total - Per Ton</th>
<th>Supply Location</th>
<th>Order Lead Time</th>
<th>Product Data Sheet Included</th>
<th>MSDS Sheet Included</th>
<th>Other</th>
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</thead>
<tbody>
<tr>
<td>GCC of America</td>
<td>$159.49</td>
<td>Included</td>
<td>Included*</td>
<td>$159.49</td>
<td>Pueblo, CO or Tejeras, NM, or Fruita, CO Distribution Terminal</td>
<td>24-48 Hrs</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Holcim (US Inc.)</td>
<td>$151.06</td>
<td>Included</td>
<td>Included</td>
<td>$151.06</td>
<td>Florence, CO or Rifle, CO</td>
<td>2 Days</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

COMMISSIONER DAVIS MOVED TO AWARD THE BID TO GCC OF AMERICA, INC IN THE AMOUNT OF $159.49 PER TON AND AUTHORIZE THE CHAIRMAN’S SIGNATURE ON THE PURCHASE AGREEMENT, EFFECTIVE 04/06/2015 IN SUPPORT OF STRATEGIC PLAN PRIORITY #2 IMPROVE AND MAINTAIN A SAFE TRANSPORTATION SYSTEM. ALL INFORMATION SUBMITTED IN THIS REGARD HAS BEEN REVIEWED BY COUNSEL. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

11. OFFICE OF COUNTY ATTORNEY, Teresa Williams, consideration and authorization for the Chairman's signature on a Resolution rescinding Resolution No. 78-2009 which established due process for members of County appointed committees, boards and commissions in support of Strategic Plan Priority #4 Effective and Responsive Government:

D11 County Attorney RES Rescinding RES No. 78-2009

County Attorney Teresa Williams explained that Resolution 78-2009 was adopted in 2009 to establish a due process for County appointed committees, boards and commissions. Because these members were voluntary, there was no need for a due process procedure. The authority to appoint or remove those members was the Commissioners' sole responsibility.
Roger Brown, a Montrose County resident, expressed opposition to the resolution because it was his opinion it was important that board members have the opportunity to defend themselves publicly in the event they are accused of something that results in their removal from the committee or board. Mr. Brown asked the Board not to pass the resolution.

At Commissioner White’s inquiry, County Attorney Williams asserted that she had no further comment on the matter.

**COMMISSIONER HENDERSON MOVED TO AUTHORIZE THE CHAIRMAN’S SIGNATURE ON RESOLUTION 13-2015 RESCINDING RESOLUTION NO. 78-2009 WHICH ESTABLISHED DUE PROCESS FOR MEMBERS OF COUNTY APPOINTED COMMITTEES, BOARDS AND COMMISSIONS IN SUPPORT OF STRATEGIC PLAN PRIORITY #4 EFFECTIVE AND RESPONSIVE GOVERNMENT. COMMISSIONER DAVIS SECONDED. MOTION CARRIED UNANIMOUSLY.**

**12. OFFICE OF COUNTY ATTORNEY, Teresa Williams, consideration and approval of the amendment of an Ordinance amending Ordinance No. 2015-01 by authorizing the use of off-highway and all-terrain vehicles on portions of 2900 Road and CC Road in the west end of Montrose County in support of Strategic Plan Priority #2 Improve and Maintain a Safe Transportation System and Priority #4 Effective and Responsive Government:**

**D12 County Attorney Ordinance 2015-01 Amendment**

County Attorney Williams explained that the Commissioners approved Ordinance 2015-01 (a pilot program) earlier in the year that authorized off-highway and all-terrain vehicles on a portion of 25 Mesa Road (from Nucla city limits to the boundary of the Forest Service) in the west end of Montrose County. Subsequently, the County received a request from the Town of Nucla to add portions of two other roads to the pilot program that would allow ATV and OHV drivers access to the only fuel station in the area via 25 Mesa Road, 2900 Road, and CC Road. This ordinance would amend Ordinance 2015-01.

Commissioner Davis explained that this pilot program was meant to help the Town of Nucla economically and would benefit the community.

County Attorney Williams noted that this was the first reading of the ordinance; the second reading would take place in approximately one month.
COMMISSIONER DAVIS MOVED TO APPROVE ORDINANCE 2015-03 AMENDING ORDINANCE NO. 2015-01 BY AUTHORIZING THE USE OF OFF-HIGHWAY AND ALL-TERRAIN VEHICLES ON PORTIONS OF 2900 ROAD AND CC ROAD IN THE WEST END OF MONTROSE COUNTY IN SUPPORT OF STRATEGIC PLAN PRIORITY #2 IMPROVE AND MAINTAIN A SAFE TRANSPORTATION SYSTEM AND PRIORITY #4 EFFECTIVE AND RESPONSIVE GOVERNMENT. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

13. OFFICE OF COUNTY ATTORNEY, Teresa Williams, consideration and authorization for the Chairman's signature on a RESOLUTION establishing the rate of charge for emergency telephone service pursuant to CRS 29-11-103(3)(a).

D13 County Attorney Emergency Tel Serv Rate RES

D13 April 5, 2015 METSA Montrose Daily Press Article

County Attorney Williams explained that State statute required the County to pass a resolution that establishes the rate of charge for County emergency telephone service. The charge was currently $0.70 and the new resolution established the same rate for 2015.

Roger Brown, a Montrose County resident, noted that the Montrose Daily Press published a news article1 on April 5, 2015 regarding the funds going to METSA (Montrose Emergency Telephone Service Authority). Mr. Brown acknowledged that the County had no choice in the matter because it was required by State statute. He noted that although the fee was currently $0.70, METSA desired for the fee to be increased to $1.25. Commissioner White clarified that for this to happen, an application would need to be submitted to the Public Utilities Commission. Mr. Brown pointed out that it was troubling that until the Montrose Daily Press wrote the article, the public was not aware when the meetings were held by METSA regarding this matter. He also noted that METSA currently had a fund balance of approximately $800,000 ($781,000), which meant there were at least three ways the 911 system was being funded: property taxes, public safety sales tax, and METSA. Mr. Brown reported that Commissioner Davis stated in the news article that there did not seem to be financial statements available to the public to review. Mr. Brown asserted that METSA did not share its information with the public although they were charging $0.70 per line to everyone in the County. Mr. Brown recognized the Board had no choice but to approve the item; however, he expressed opposition to the resolution. Commissioner White commented that the Commissioners were also surprised by the information.

Commissioner Davis informed Commissioner White he wished to clarify several items for Mr. Brown; therefore, he suggested that Mr. Brown contact him later.

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1 This April 5, 2015 Montrose Daily Press article can be read in its entirety at the following link: [http://montrosecounty.granicus.com/MetaViewer.php?view_id=2&clip_id=5448&meta_id=36504](http://montrosecounty.granicus.com/MetaViewer.php?view_id=2&clip_id=5448&meta_id=36504), or can be found in the April 6, 2015 BOCC Agenda, Item D13 at [www.montrosecounty.net](http://www.montrosecounty.net).
COMMISSIONER HENDERSON MOVED TO ADOPT RESOLUTION 14-2015 ESTABLISHING THE RATE OF CHARGE FOR EMERGENCY TELEPHONE SERVICE PURSUANT TO CRS 29-11-103(3)(A). COMMISSIONER DAVIS SECONDED. MOTION CARRIED UNANIMOUSLY.

14. ADMINISTRATION, Kathy Kacso, consideration and appointment of Bruce Ray to the Weed Commission:

Administrative Services Manager Kathy Kacso informed the Board that Bruce Ray was interviewed for the Weed Commission position on March 9, 2015 for a two-year term that would expire December 31, 2016.

Roger Brown, a Montrose County resident, pointed out that if appointed to the Weed Commission, Mr. Ray would be a member of the Weed Commission and the Airport Advisory Board and he inquired if this was appropriate. Commissioner White responded that the County does not restrict the number of boards or committees upon which an individual serves. Commissioner Henderson noted there were no apparent conflict of interest issues between the two boards.

COMMISSIONER DAVIS MOVED TO APPOINT BRUCE RAY TO THE WEED COMMISSION FOR A TERM TO EXPIRE DECEMBER 31, 2016. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

15. ADMINISTRATION, Kathy Kacso, consideration and appointment of Jim Knight to the Historical Landmark Society:

Administrative Services Manager Kacso reported that Jim Knight was interviewed for the Historical Landmark Society position on April 1, 2015 for a three-year term to expire April 1, 2018. Commissioner White noted that the Board interviewed Mr. Knight and that he seemed to be well qualified for the position.

Commissioner Henderson added that Mr. Knight was a professor emeritus\(^2\) of the School of Architecture for Oklahoma State University and that Mr. Knight’s service to the community was welcomed.

COMMISSIONER HENDERSON MOVED TO APPOINT JIM KNIGHT TO THE HISTORICAL LANDMARK SOCIETY FOR A TERM TO EXPIRE APRIL 1, 2018. COMMISSIONER DAVIS SECONDED. MOTION CARRIED UNANIMOUSLY.

E. UNFINISHED BUSINESS: NONE

F. PLANNING & DEVELOPMENT:

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\(^2\) Professor Emeritus: “One who is retired but retains an honorary title corresponding to that held immediately before retirement.” [www.thefreedictionary.com](http://www.thefreedictionary.com)
1. **Amended Ward View Minor to Lift a Plat Note (AM-15-0004)**

   **Location:** 2501 5500 Road  
   **Zoning:** General Agricultural  
   **Proposal:** To lift a plat note  
   **Owners:** Jeffrey Burch and Kimberli Guthrie-Burch  
   **Applicant:** Jeffrey Burch  
   **Projected Land Use:** Agricultural/Rural Residential  
   **Exhibits:** None

**F1 Planning - Ward View Amended Staff Report**

**F1 Planning-Ward View Amend**

**F1 Planning-Ward View Vicinity Map**

**PROJECT DESCRIPTION:**  
This was an application for an Amended Plat to Lift a Plat Note.

The original Ward View Minor Subdivision included the Standard Plat Note for Further Subdivision on a Collector or Arterial Road. The note reads as follows: “Lot 2 accesses directly onto a collector/arterial road pursuant to, and Exemption from, Montrose County Subdivision Regulations. Any further division of Lots shall require the dedication and construction of a County road pursuant to Montrose County Standards and Specifications for Roads and Bridges and a Subdivision pursuant to Montrose County Subdivision Regulations. The newly constructed road shall serve all lots in the original and proposed subdivisions. All existing and proposed accesses shall be consolidated onto the newly constructed road at such time as it is required and constructed pursuant to this plat note”.

**ANALYSIS:**  
Section 10.2.C of the Montrose County Subdivision Regulations indicates: “The Board may consider an Amended Plat to Lift a Plat Note where the beneficiaries of the plat note have provided written release of their interest in said plat note and the Board determines that the public interest will be best served by lifting the note.

The applicant owns both lots. They wished to lift the plat note so that Lot 2 could be divided into two lots without building a county road.
At the time the Ward View Minor Subdivision was created, the owner of the property divided the original parcel into two lots. At the time, the county would have allowed the property to be subdivided into three lots under the Minor Subdivision regulations.

Staff does not feel that the lifting of the Plat Note will be a detriment to the public health and welfare of the neighboring property owners or the County at large. A condition has been added to limit the number of lots that can be created from Lot 2.

RECOMMENDATION:
Staff recommended approval of the Amended Ward View Minor Subdivision Plat based on the following findings of fact:

a) The proposed amendment to lift a plat note, will not be a detriment to the public health and welfare of the neighboring property owners or the County at large.

b) Montrose County access regulations will control the number of driveways permitted on 5500 Road.

Approval is subject to the following Condition:

1. Lot 2 of the Amended Ward View Minor Subdivision shall not be divided into more than two lots.

Discussion

None

COMMISSIONER DAVIS MOVED TO AMEND THE WARD VIEW MINOR TO LIFT A PLAT NOTE BASED ON THE TWO (2) FINDINGS OF FACT AND SUBJECT TO ONE (1) CONDITION OF APPROVAL. COMMISSIONER HENDERSON SECONDED. MOTION CARRIED UNANIMOUSLY.

G. EXECUTIVE SESSION: NONE
With no further business coming before the Board, the Board of County Commissioners adjourned at 7:14pm.

ATTEST:

Tressa W. Guynes, Clerk & Recorder

By: ______________________________
    Marie Simons, Deputy Clerk of the Board

BOARD OF MONTROSE COUNTY COMMISSIONERS

_______________________________
David S. White, Chairman

_______________________________
Glen Davis, Vice Chairman

_______________________________
Ronald D. Henderson, Commissioner