

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
April 21, 2020

As reflected in posted agenda:

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://zoom.us/j/97852739081>. If you cannot connect via Zoom, you may submit written public comment to bcmorganc@co.morgan.co.us by email by 5 p.m. on Monday April 20, 2020.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://zoom.us/j/97852739081> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 906 091 014.

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://zoom.us/j/97852739081> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 978 5273 9081

The Board of Morgan County Commissioners met Tuesday, April 21, 2020 at 9:14 a.m. with Chairman Mark Arndt, Commissioner Jon Becker and Commissioner James Zwetzig in attendance.

CITIZEN'S COMMENT

There was no citizen comment provided.

ADOPTION OF THE AGENDA

Commissioner Becker made a motion to adopt the agenda as presented, with Commissioner Zwetzig seconding the motion. Motion carried 3-0.

CONSENT AGENDA

1. Ratify the Board of County Commissioners approval of meeting minutes dated April 10, 2020
2. Ratify the Board of County Commissioners approval of meeting minutes dated April 14, 2020
3. Ratify the Board of County Commissioners approval of Contract 2020 CNT 052, Mortec Scales, Term of Contract April 11, 2020 through completion
4. Ratify the Board of County Commissioners approval of Contract 2020 CNT 053, Benchmark Solutions LLC dba Benchmark Analytics LLC, Term of Contract April 13, 2020 through April 12, 2022
5. Ratify the Board of County Commissioners approval of Contract 2020 CNT 054, Simon Construction dba McAtee, Term of Contract April 8, 2020 through completion
6. Ratify Commissioner Mark Arndt's signature on Colorado Department of Public Health and Environment Recycling Rebate Applications signed April 13, 2020
7. Ratify the Board of County Commissioners approval on assignment of debt collections to State Collections, Client #192807, #192913, #192025, #192813B, #192474, #192818, #191147, #192588, #190496

Commissioner Zwetzig made a motion to approve items 1-7 as presented, Commissioner Becker seconded the motion. At this time the motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – 2020 BCC 09 Resolution In Opposition To National Popular Vote Compact, Which Will Appear On The 2020 General Election

MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2020 BCC 09

**RESOLUTION IN OPPOSITION TO NATIONAL POPULAR VOTE COMPACT, WHICH WILL
APPEAR ON THE 2020 GENERAL ELECTION BALLOT**

WHEREAS, America's Founding Fathers created a system of checks and balances to ensure that each state would have a unique voice in the election of a President; and that no city, state, or region would consolidate too much political power; and

WHEREAS, adoption of the National Popular Vote compact concentrates political power in a few large cities located in the most populous states; and

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WHEREAS, Colorado's 9 Electoral Votes are highly coveted and pursued by presidential candidates, ensuring candidates listen to Colorado's unique interests on issues such as water, infrastructure, and taxes; and

WHEREAS, National Popular Vote compact requires Colorado's Presidential Electors to cast their votes for the candidate for President who received the most votes nationally, even if that candidate did not receive the most votes in Colorado; and

WHEREAS, requiring Colorado's Presidential Electors to cast their votes this way would give away Colorado's votes for President to more populated areas like Chicago, Los Angeles, New York and Washington, D.C., relegating Colorado's electorate to a mere bit play in Presidential elections; and

WHEREAS, National Popular Vote compact contains no majority requirement and would allow a candidate with a plurality, however small, to become President;

NOW THEREFORE, BE IT RESOLVED that the Board of Morgan County Commissioners officially declares its opposition to National Popular Vote compact for the purpose of ensuring proper checks and balances against accumulation of political power and to protect Colorado's unique political voice in presidential politics.

Copies of this resolution will be sent to the following:

Governor - Jared Polis

Speaker of the House – KC Becker

Senate President – Leroy Garcia

US Senator - Cory Gardner

US Senator - Michael Bennet

US House Representative – Ken Buck

ADOPTED AND APPROVED THIS 21st day of April, 2020.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Mark A. Arndt
Mark A. Arndt, Chairman

s/ Jon J. Becker
Jon J. Becker, Commissioner

s/James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Commissioner Becker presented to the Board Resolution 2020 BCC 09, a Resolution In Opposition To National Popular Vote Compact, Which Will Appear On The 2020 General Election. Commissioner Becker stated this was spoken about at a prior meeting and this was continued to obtain further information and feels the Board now has enough information to move forward with the resolution and is open to taking comment from board members if they would like. At this time, Chairman Arndt asked what the Board's pleasure was at this time, if they felt there was ample time for public comment, with Commissioner Zwetzig asking if the emails that have been received could be placed on file with the minutes and noted that these emails did not come from any Morgan County residents. It was discussed that the Board would allow Morgan County citizens to make comment regarding the resolution with Chairman Arndt asking if there were any Morgan County residents wanting to make comment, and it was noted there was no "hand raising" for public comment.

Commissioner Becker stated as they have reviewed this matter, it is the desire to stay with the electoral college and expressed his concerns about the National Popular Vote issue explaining in detail his concerns and feels this would circumvent Article 5 of the National Constitution and feels that is the argument that needs to be stuck with and feels this is the consensus of the Morgan County citizens, and expressed his concerns about those emails that were received by the Board came from larger population and outside of the State of Colorado, and expressed his feelings why it is important to remain with the Electoral College. He stated he believes it is important to maintain the electoral college and allow the rural voice to be heard and at this time, made the motion to approve Resolution 2020 BCC 09, a Resolution In Opposition To National Popular Vote Compact, Which Will Appear On The 2020 General Election, with Commissioner Zwetzig seconding the motion. Commissioner Zwetzig made comment that he believed it was best to have continued this matter for comments to be received and in reviewing the comments received and explained his concerns and support of the resolution stating he would be fine approving the resolution based on the very first statement outlined in the resolution. At this time, the motion carried 3-0.

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Consideration of Approval – RESOLUTION 2020 BCC 15 A Resolution Approving A Replat Of Lot 1, Sagel Minor Subdivision-Correction Plat By The Decreasing The Size Of Lot 1 By 1.9 Acres

MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

RESOLUTION
2020 BCC 15

A RESOLUTION APPROVING A REPLAT OF THE SAGEL MINOR SUBDIVISION, REMOVING A PORTION OF LOT 1 FROM THE SUBDIVISION, LOCATED IN MORGAN COUNTY, COLORADO

WHEREAS, Robert J. Urich (the “Owner”) owns Lot 1, Sagel Minor Subdivision in Morgan County, Colorado, as recorded as a Correction Plat, at reception number 780842 in the records of the Morgan County Clerk and Recorder;

WHEREAS, the Owner has applied for a replat of the Sagel Minor Subdivision to remove a portion of Lot 1 of the Sagel Minor Subdivision from the subdivision, (the “Application”), pursuant to the County’s Subdivision Regulations;

WHEREAS, notice of the public hearing before the Board of County Commissioners was properly published;

WHEREAS, on April 7, 2020, during the public hearing, the Board of County Commissioners received testimony and evidence from staff, the Owner and the public; and

WHEREAS, after considering all relevant testimony and evidence, the Board of County Commissioners desires to conditionally approve the Application.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO:

1. APPROVAL.

The replat of the Sagel Minor Subdivision, as shown in the Application, is hereby approved. The 1.9 acre portion of Lot 1 is removed from the Sagel Minor Subdivision (“Removed Parcel”).

2. FINDINGS.

The Board, having reviewed the application, all information provided and testimony heard, finds that:

- a. The replat complies with the Morgan County Subdivision Regulations.
- b. A non-conforming lot will not be created by the approval.
- c. The replat is in keeping with the purpose and intent of the Subdivision Regulations.
- d. Legal and physical access is provided to all parcels by public right-of-way.
- e. The approval will not adversely affect the public health, safety, and welfare.

3. CONDITIONS.

The approval of the replat is conditioned upon the following:

- a. The Removed Parcel approved in this Resolution shall be combined with the property to the west owned by Mary Ann Goedert, designated by Assessor Parcel No. 1225-040-00-001.

DATED this 21st day of April, 2020, *nunc pro tunc* April 7, 2020.

THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

s/Mark A. Arndt
Mark A. Arndt, Chairman

s/ Jon J. Becker
Jon J. Becker, Commissioner

s/James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

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Morgan County Planning and Zoning Administrator, Pam Cherry, presented to the Board Resolution 2020 BCC 15, a Resolution Approving A Replat Of Lot 1, Sagel Minor Subdivision-Correction Plat By Decreasing The Size Of Lot 1 By 1.9 Acres. Ms. Cherry stated that on April 7, 2020 the County Commissioners held a public hearing and approved the replat of Lot 1 of the Sagel minor subdivision, an application by Robert Urich. Resolution 2020 BCC 15 reflects the outcome of that hearing.

Chairman Arndt stated this hearing was held during a prior meeting and the Board would be signing Nunc Pro Tunc.

Commissioner Zwetzig made the motion to approve Resolution 2020 BCC 15 a Resolution Approving A Replat Of Lot 1, Sagel Minor Subdivision-Correction Plat By The Decreasing The Size Of Lot 1 By 1.9 Acres, as presented by Morgan County Planning and Zoning Administrator, Pam Cherry, with Commissioner Becker seconding the motion. Commissioner Zwetzig stated this is conditional upon the 1.9 acres being combined as the resolution has been prepared. At this time, the motion carried 3-0.

Consideration of Approval – RESOLUTION 2020 BCC 16 A Resolution Granting A Two Lot Minor Subdivision Located In the SW ¼ Of Section 8, Township 4 North, Range 58 West Of The 6th P.M., Morgan County

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION 2020 BCC 16

A RESOLUTION APPROVING A TWO LOT MINOR SUBDIVISION LOCATED IN THE SW¼ OF SECTION 8, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6th P.M. MORGAN COUNTY, COLORADO

WHEREAS, Greg J. Wagers and Elizabeth E. Wagers, (the “Owners”), own property located in the SW¼ of Section 8, Township 4 North, Range 58 West of the 6th P.M. Morgan County, Colorado (“Property”);

WHEREAS, the Owners have applied for approval of a minor subdivision of the Property into two lots pursuant to the County’s Subdivision Regulations (the “Application”);

WHEREAS, on March 9, 2020 the Morgan County Planning Commission held a duly noticed public hearing on the Application where they received public comment, staff input and recommended approval of the Application;

WHEREAS, on April 7, 2020 the Board of County Commissioners (the “BOCC”) held a duly noticed public hearing on the Application;

WHEREAS, during the public hearing, the BOCC received testimony and evidence from the Owners, staff and the public; and

WHEREAS, after considering all relevant testimony and evidence, the Board of County Commissioners desires to approve the Application, subject to certain conditions set forth herein.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO:

4. The BOCC, having reviewed the application, all information provided and testimony heard, finds that:
 - a. The application documents are complete and represent how the subdivision will be laid out including infrastructure, easements and access.
 - b. The subdivision is in conformance with the Morgan County Comprehensive Plan and there is access to established public infrastructure.
 - c. The subdivision is compatible with surrounding land uses.
2. The BOCC hereby approves the Wagers Minor Subdivision subject to:
 - a. If recommended by the Morgan County Attorney to make a road dedication at this time on the plat, the applicant has agreed to make that dedication prior to recording the plat.

DATED this 21st day of April, 2020, *nunc pro tunc* April 7, 2020.

**THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

s/Mark A. Arndt
Mark A. Arndt, Chairman

s/ Jon J. Becker
Jon J. Becker, Commissioner

s/James P. Zwetzig

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James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey

Susan L. Bailey

Morgan County Planning and Zoning Administrator, Pam Cherry, presented to the Board Resolution 2020 BCC 16, A Resolution Granting A Two Lot Minor Subdivision Located In the SW ¼ Of Section 8, Township 4 North, Range 58 West Of The 6th P.M., Morgan County. Ms. Cherry stated that on April 7, 2020 the County Commissioners held a public hearing and approved the Wagers Minor Subdivision, an application by Greg and Elizabeth Wagers. Resolution 2020 BCC 16 reflects the outcome of that hearing.

Chairman Arndt indicated this matter was heard at a prior meeting, noting the Board will be signing Nunc Pro Tunc.

Commissioner Becker made the motion to approve Resolution 2020 BCC 16 a Resolution Granting A Two Lot Minor Subdivision Located In the SW ¼ Of Section 8, Township 4 North, Range 58 West Of The 6th P.M., Morgan County, as presented by Morgan County Planning and Zoning Administrator, Pam Cherry, with Commissioner Zwetzig seconding the motion. Commissioner Zwetzig noted the condition of this resolution, if recommended by Morgan County Attorney, regarding the road dedication, and there is a notice in the file that the attorney has recommended this be done, and the surveyor is in total agreement and the Wagers are willing to make that official. At this time, the motion carried 3-0.

Consideration of Approval – BID TABULATION - RFP 2020-0409-001 Professional Ad Valorem Valuation Services

Morgan County Assessor, Tim Amen presented to the Board for approval Bid Tabulation RFP 2020-0409-001 Professional Ad Valorem Valuation Services. Mr. Amen indicated there were three bid packets sent to prospective bidders naming those vendors. He further stated he received one bid from Value West, Inc and summarized the bid in detail. At this time Mr. Amen recommended the bid be awarded to Value West, Inc. in the amount of \$46,000 per calendar year. He provided a summary of what these services will provide to the County explaining the need for this service given the retirement of a long term deputy assessor explaining the issues with hiring an experienced employee to provide these services and 15 other counties utilize this vendor in the State and he has received high recommendations to utilize this vendor for these professional services.

Commissioner Zwetzig asked about the notice he reads states it is for a two year term asking if it is a required two year term, with Mr. Amen stating the County is reappraised every two years by statute, and this follows that term. Commissioner Zwetzig made comment that the County normally approves contracts that would indicate annual renewals with Chairman Arndt stating when the contract is prepared it would be required to state this requirement given that is part of state law and that is how the contracts are prepared in local government feeling the vendor would be well aware of this requirement so the county does not bind itself.

Commissioner Zwetzig made comment about Mr. Amen discussing this vendor with other counties and the services they provide, and if he is pleased with the feedback. Mr. Amen stated absolutely, and stated in talking with other counties who have utilized these services, they have been satisfied and stated he has totally vetted this and indicated this vendor is in excellent standing with the State Auditors.

Commissioner Zwetzig made a motion to approve Bid Tabulation RFP 2020-0409-001 Professional Ad Valorem Valuation Services to Value West, Inc. in the amount of \$46,000 per calendar year as outlined and recommended by Morgan County Assessor, Tim Amen and authorized the preparation of the contract. Commissioner Becker seconded the motion. At this time, the motion carried 3-0.

Consideration of Approval – BID TABULATION - RFP 2020-0227-004 Vibratory Tracked Screen Plant

Morgan County Public Works Director, Bruce Bass presented to the Board for approval Bid Tabulation RFP 2020-0227-004 Vibratory Tracked Screen Plant stating this is an approved 2020 budgeted item. Mr. Bass stated he received seven bids submitted from Power Screening from Henderson, CO in the amount of \$330,500.00; Power Screening from Henderson, CO in the amount of \$285,500.00; Power Equipment Company from Greeley, CO in the amount of \$296,411.00; 4 Rivers Equipment, LLC from Frederick, CO in the amount of \$302,770.00; Power Motive Corporation from Denver, CO in the amount of \$291,660.00; Wagner Equipment Company from Aurora, CO in the amount of \$265,500.00 and Wagner Equipment Company from Aurora, CO in the amount of \$286,500.00 and summarized the bids in detail. At this time Mr. Bass recommended the bid be awarded to the low bidder, for (1) McClosky S190, submitted by Wagner Equipment in the amount of \$265,500.00.

Commissioner Becker made a motion to approve Bid Tabulation RFP 2020-0227-004 Vibratory Tracked Screen Plant to Wagner Equipment Company in the amount of \$265,500.00 as outlined and recommended by Morgan County Public Works Director, Bruce Bass. Commissioner Zwetzig seconded the motion. At this time, the motion carried 3-0.

Consideration of Approval – BID TABULATION - RFP 2020-0227-005 Tracked Stacker Conveyor

Morgan County Public Works Director, Bruce Bass presented to the Board for approval Bid Tabulation RFP 2020-0227-005 Tracked Stacker Conveyor stating this is an approved 2020 budgeted item and will serve as a replacement to existing equipment. Mr. Bass stated he received four bids from Power Screening from Henderson, CO in the amount of \$123,000.00; Power Equipment Company from Aurora, CO in the amount of \$117,388.00; Wagner

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Equipment Company from Aurora, CO in the amount of \$109,675.00 and 4 Rivers Equipment Company from Frederick, CO in the amount of \$99,895.00 and summarized the bids in detail. Mr. Bass recommended the bid be awarded to the low bid that met the 100 foot bid specification, McClosky ST100T, submitted by Wagner Equipment for \$109,675.00.

Discussion followed as to how the bid was written and responded to, with Mr. Bass explaining how the bid specifications were written and how that affected the outcome of the bid results.

Commissioner Zwetzig made a motion to approve Bid Tabulation RFP 2020-0227-005 Tracked Stacker Conveyor to Wagner Equipment Company in the amount of \$109,675.00 as outlined and recommended by Morgan County Public Works Director, Bruce Bass. Commissioner Becker seconded the motion. At this time, the motion carried 3-0.

UNFINISHED BUSINESS

There was no unfinished business.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Darlene Carpio, Representative to Senator Cory Gardener, provided an update to the Board offering support to Morgan County during this challenging time. She outlined the three phases that have been implemented during this current health emergency explaining in detail the actions that have taken place. She spoke about a weekly newsletter that Senator Gardener provides on Fridays and will send the link to the Board to review. She spoke about the ongoing efforts to provide direct support to agriculture and farmers as a result of the health emergency. She also spoke about the efforts and relationships that have proven to be incredibly valuable in providing emergency supplies and the necessary personal protection. Commissioner Zwetzig asked about the CARES Act funding that is being allocated to the States, that it is being sent to those that need the funding, including the local jurisdictions and not all federal dollars should be given to the State and not be left up to the State to allocate the funding as they see necessary. He stated that at this time CCI is having to hold conversations with the Governor and the State Legislature regarding how those monies are being allocated, and asked that in the future that it be noted where the monies are to be going to and what for. Ms. Carpio stated that the monies were initially designed to be allocated to the local governments and unfortunately it is now being left up to the Governor's to decide. She further spoke about the monies that are being awarded to farmers will be direct payments.

Commissioner Becker stated he would just echo what Commissioner Zwetzig stated and expressed his concerns about not being able to direct the funds to those that truly need it and with Colorado's very large budget shortfall, those monies will not be allocated where they are actually needed and intended. Ms. Carpio will be sure these concerns are relayed to Senator Gardner.

Chairman Arndt thanked Information Systems Manager Karol Kopetzky and staff for all their work during this matter.

Commissioner Becker was asked to provide an update in regards to the update from Governor Polis yesterday. Commissioner Becker asked for Health Department citizen representative Laura Teague if she had anything to comment. Ms. Teague thanked the Board for allowing citizens to participate in the board meetings remotely and hopeful this will continue. She further spoke about the Public Health Department stating they had a 30 day declaration and are considering extending it at the current time and do have a zoom meeting scheduled for tomorrow. She feels that staff is continuing to work in addressing the public needs regarding this outbreak explaining what has been occurring ongoing. She feels the public feels a bit disgruntled given the board consists of businessmen and explained there is a lot of juggling and feels the Commissioners are on board with the Health Department to get the County back to work. She spoke about data that is being provided and encouraged people to look at what they are doing and get back to work.

Commissioner Becker then spoke stating he believes tomorrow there will be discussions on how to open up Eastern Colorado and how it needs to be done. He stated he does not want to hold back other counties given Morgan County's numbers are higher than other counties. He wants to see Morgan County open as well and understands the concerns the Department of Health has about the numbers in Morgan County. He stated the meeting tomorrow is open to the public and citizens can join the meeting if they wish. He feels that if they come up with a great plan, locally they should be able to open up and put a plan in place that will work best for the local governments.

Commissioner Zwetzig asked if the direct link could be provided for citizens to listen in on the meeting, with Commissioner Becker stating he would send the information to be placed on the website. The opening of gyms was further discussed as the "hot topic" and that will be something to be discussed.

Commissioner Arndt submitted the road report ending April 17, 2020 reading the report into the minutes.

Chairman Arndt stated the calendar for April 21, 2020 through April 28, 2020 will be accepted as presented noting there can be changes posted to that calendar.

PUBLIC HEARING

Chairman Arndt called the hearing to order at 10:10 a.m. in the Assembly Room of the Morgan County Administration Building. Present were Chairman Mark Arndt, Commissioner James Zwetzig and Commissioner Jon Becker.

Repealing the County's current overweight vehicle permit process and authorizing the acceptance of the State-issued permit for overweight vehicles traveling on County roads

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Action Item: Consideration of Resolution 2020 BCC 17, A Resolution Repealing Resolution No. 2012 BCC 24 and Authorizing The Acceptance Of A State-Issued Permit For Overweight Vehicles Traveling On Roads Subject To The Jurisdiction Of Morgan County

Chairman Arndt noted the County did adopt an overweight permit in 2012 and what has brought this resolution forward and this hearing, is the County would now be able to honor the State's overweight permit and there will not be a separate overweight permit obtained from Morgan County the industry would have to purchase.

Chairman Arndt asked if there are members in the public who may wish to speak during this hearing, to please "raise their hand" using the video options. Commissioner Zwetzig asked to enter an email received from Clark Green and Chris Green regarding the matter and read aloud the email received into the minutes. Commissioner Zwetzig stated he believes the answer to this concern will be in positive response to this citizen and further indicated that he is aware that previous Commissioner McCracken is in favor of this resolution to appeal the resolution whereas there is another option in place. Laura Teague further spoke stating she would agree to remove the responsibility of having two fees, and feels there is common sense for farmers who are traveling from their fields and being able to purchase one permit versus two, is appreciated.

At this time, after no further comment, the public hearing portion was closed.

At this time, Chairman Arndt moved into discussion and decision. Commissioner Becker stated the first concern he had when he became a Commissioner was first it is another fee that is being added and the only entity that could enforce this matter, Morgan County did not see any of the benefit for any tickets that were given. He stated what this does, in talking with the State Patrol, the County can piggyback onto the State permit and this will allow for citizens to not have to apply for two separate permits making it easier and cheaper for this industry to operate in Morgan County.

Chairman Arndt stated this has nothing to do with the over width or over height permits that are being issued by the Morgan County Public Works Department, explaining those are still intact. This resolution is only for those overweight permits and nothing to do with over width or over height. Commissioner Zwetzig wants to make comment that this does not override jurisdiction on any city roadways and bridges. It was noted this is only for unincorporated Morgan County.

Commissioner Becker made a motion to approve Resolution 2020 BCC 17, A Resolution Repealing Resolution No. 2012 BCC 24 and Authorizing The Acceptance Of A State-Issued Permit for Overweight Vehicles Traveling on Roads subject To the Jurisdiction of Morgan County noting the exceptions stated by Commissioner Zwetzig and Chairman Arndt. Chairman Arndt noted that the County did send notification to the Colorado State Department of Transportation and have received no comments. Commissioner Zwetzig asked to note the resolution that was passed before was ineffective, stating very few haulers were obtaining those and asked Morgan County Clerk Susan Bailey to provide the data. It was further discussed the Board will further act on whether or not there will be any prorated return of funds to those who have been issued a permit in 2020. Commissioner Zwetzig seconded the motion. At this time, the motion carried 3-0.

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2020 BCC 17

A RESOLUTION REPEALING RESOLUTION NO. 2012 BCC 24 AND AUTHORIZING THE ACCEPTANCE OF A STATE-ISSUED PERMIT FOR OVERWEIGHT VEHICLES TRAVELING ON ROADS SUBJECT TO THE JURISDICTION OF MORGAN COUNTY

WHEREAS, pursuant to C.R.S. § 42-4-510, the Board of County Commissioners of Morgan County (the "Board") is authorized to issue permits regulating the travel of overweight vehicles, including vehicles carrying divisible loads, on highways under the County's jurisdiction;

WHEREAS, highways for the purpose of this resolution refer to all public roads within the unincorporated areas of Morgan County, excluding federal and state highways;

WHEREAS, the County does not desire to issue a separate permit for use of highways under its jurisdiction, but desires to permit overweight vehicles on highways under the County's jurisdiction with a valid state permit, issued pursuant to C.R.S. § 42-4-510;

WHEREAS, all requirements for a local authority to adopt an overweight vehicle permitting process and fee schedule as identified in C.R.S. §§ 42-4-510 and 42-4-511 have been satisfied; and

WHEREAS, a public hearing on this matter was held by the Board on April 21, 2020.

NOW THEREFORE BE IT RESOLVED by the Morgan County Board of County Commissioners as follows:

Section 1. Overweight Divisible Load Vehicles – State Permit Accepted. Any vehicle with a divisible load exceeding a total weight set by the State of Colorado, but not exceed the maximum weight as set by the State of Colorado, may operate on highways under the County's jurisdiction with a valid state permit issued pursuant to C.R.S. § 42-4-510.

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Section 2. **County Highways.** By this resolution, any vehicle meeting the criteria under Section 1 of this Resolution, may operate on any highway under the County's jurisdiction.

APPROVED this 21st day of April, 2020.

**THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

s/Mark A. Arndt
Mark A. Arndt, Chairman

s/ Jon J. Becker
Jon J. Becker, Commissioner

s/James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Being no further business the meeting was then adjourned at 10:22 a.m.

Respectfully Submitted,
Susan L. Bailey
Clerk to the Board
(Minutes ratified April 28, 2020)

**THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

s/Mark A. Arndt
Mark A. Arndt, Chairman

s/ Jon J. Becker
Jon J. Becker, Commissioner

s/James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey