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BOARD OF COUNTY COMMISSIONERS Minutes of Meeting April 28, 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/96002577328>. If you cannot connect via Zoom, you may submit written public comment to bccmorganc@co.morgan.co.us by email by 5 p.m. on Monday April 27, 2020.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://zoom.us/j/96002577328> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 960 0257 7328

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/96002577328> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 960 0257 7328

The Board of Morgan County Commissioners met Tuesday, April 28, 2020 at 9:00 a.m. with Chairman Mark Arndt taking a voice roll call with both Commissioner Jon Becker and Commissioner James Zwetzig in attendance. Present also, Susan Bailey, County Clerk and Karol Kopetzky, Chief IT Analyst. Chairman Arndt asked County Clerk Susan Bailey to lead the meeting in the Pledge of Allegiance.

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 21, 2020
2. Ratify the Board of County Commissioners approval of Contract 2020 CNT 055, Colorado Plains Medical Center, Term of Contract May 1, 2020 through May 1, 2021
3. Ratify the Board of County Commissioners approval of Contract 2020 CNT 056, Securus Technologies, Term of Contract May 1, 2020 through April 30, 2021
4. Ratify the Board of County Commissioners approval of Contract 2020 CNT 057, CMS Mechanical Services, Term of Contract April 17, 2020 through April 16, 2021
5. Ratify the Board of County Commissioners approval of Contract 2020 CNT 058, Aulick Leasing Corporation, Term of Contract March 31, 2020 through completion
6. Ratify Commissioner Mark Arndt's signature on Anthem Branding LLC, Release of Liability and Waiver of Claims, signed April 21, 2020
7. Ratify the Board of County Commissioners approval on assignment of debt collections to State Collections, Client #182731
8. Ratify Chairman Mark Arndt's signature on Retail Liquor or Fermented Malt Beverage License Shoreline Investments Inc., signed date April 21, 2020
9. Ratify the Board of County Commissioners approval of Grant Award 2020 GRA 03, Covid-19 Emergency Grant, Award Date April 10, 2020
10. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2020 IGA 05, Fort Morgan Police Department, Term of Contract January 1, 2020 until terminated

Commissioner Becker made a motion to approve items 1-10 as presented, Commissioner Zwetzig seconded the motion. At this time the motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

There was no general business or administrative items.

UNFINISHED BUSINESS

There was no unfinished business.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Sheriff Dave Martin provided an update to the Board stating they are doing their best to keep the virus out of the jail and provided information regarding the health emergency situation. He also stated today has been declared a red flag day and stated there is to be no burning in the County today.

County Assessor Tim Amen provided an update stating they are at the top of the appeal period and notice of valuation will be sent to county residents Friday and explained the current closure will affect their office regarding this appeal process, and will communicate with citizens how the appeal process will be handled to properly serve the public during this time.

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County Clerk Susan Bailey explained that the process citizens are using to obtain motor vehicle transactions is running smoothly with the citizens calling into the office and utilizing the drop box to obtain their registrations and license plates. She stated she has participated in several calls with the Colorado County Clerks Association and the Secretary of State as to the guidelines that will need to be in place for the Primary Election in June.

Morgan County Commissioner Jon Becker provided an update regarding the current health emergency stating he is aware of the increasing numbers in Morgan County and explained how this is delaying the opening for Morgan County. He stated there have been meetings with the Health Department and Morgan County Emergency Manager Roger Doll regarding opening the County. He further stated he believes the County needs to open and explained his reasons why. He stated that he believes everyone will be exposed no matter how long a shelter in place is required and further stated that Morgan County is currently an anomaly and asked that everyone be patient and wants to open the businesses but stressed that the decision cannot be made singly and this is a decision that is made by several entities. He also spoke about the fact that there are restrictive openings with businesses being able to begin conducting business. He is hopeful to have answers for businesses sooner than later, the County is working closely with the Health Department. He spoke about those businesses that would appear to be easier to open than others but the issues at hand given the health concerns and numbers within the County. He stated there is a meeting scheduled with the Health Department Wednesday and hopeful to release more information after that meeting.

Commissioner Zwetzig commented regarding Commissioner Becker's comments, indicating that the county is providing services to citizens and in no doubt is "open", however, there is restrictive access to the administration building and limited access to other buildings. He wants to be sure the public is aware that all county services are being provided.

He further commented about the information being shared between the Health Department and businesses, and there does appear to be some confusion, and feels that there are discussions where businesses can open in a safe and responsible manner. He stated that each county is responsible for the parameters to be in place for opening their respective counties, and explained the Commissioners are aware of the importance in getting businesses open and agreed with Commissioner Becker as to the grossly unfairness of some businesses being closed.

Commissioner Arndt made comment as to if the County would open up too soon, and the hospital services that are necessary and need to know the hospitals are on board, and the idea of slowing it down is for the capacity of these hospitals so that patients can be treated. He further stated that this virus seems to take close to 30 days of hospitalization and this is the concern that has been raised given the slowing down the spread of the virus. He stated that he believes the worst thing that could be done to our economy is to jump in too soon and have this become an issue, and feels that the County needs to work slowly, confidently in how the County is opened and feels that he has the responsibility to protect the health and safety of all.

Morgan County Economic Development Director Kristin Clifford-Basil provided an update regarding economic development and the small business loans that have been processed. She spoke about a business who did make contact with her yesterday who is struggling and had not received an update as to the status of the PPP, and there does seem to be some concern about their business not being able to be eligible for the PPP, given employees are now making more on unemployment than they would returning to work. She stated she is still working with the NECALG counties regarding the revolving loan fund and provided an update. She provided her contact information as well as information regarding an upcoming meeting and will provide the zoom data to the Board. Commissioner Arndt spoke about how this has also affected the agriculture community and provided specific issues how this pandemic has affected the agricultural business.

At this time, a brief recess was taken until the public hearing scheduled at 9:30 a.m.

PUBLIC HEARING

Chairman Arndt called the hearing to order at 9:31 a.m. in the Assembly Room of the Morgan County Administration Building. Present were Chairman Mark Arndt, Commissioner James Zwetzig, Commissioner Jon Becker, County Attorney Kathryn Sellars, Morgan County Assessor Tim Amen, and staff from the Assessor's office including Ted Boggess and Paul Vowell. Chairman Arndt took a vocal roll call of those present. County Attorney Kathryn Sellars indicated there will be no one appearing on behalf of Walmart Inc./Sam, Inc.

1. HEARING ON PETITION FOR ABATEMENT OR REFUND OF TAXES FOR 2017 REAL PROPERTY TAXES

TAXPAYER: Walmart, Inc./Sams, Inc.
ASSESSOR PARCEL NO.: R018899

2. HEARING ON PETITION FOR ABATEMENT OR REFUND OF TAXES FOR 2018 REAL PROPERTY TAXES

TAXPAYER: Walmart, Inc./Sams, Inc.
ASSESSOR PARCEL NO.: R018899

Morgan County Attorney Kathryn Sellars provided details of the process the Commissioners are to take during this scheduled hearing explaining they may choose to hear from the County Assessor or the Board can grant the administrative denial, the choice is up to the Board. At this time Chairman Arndt asked for the Board's wishes, explaining the Assessor's office is ready to present their case if the Board would like to hear. Commissioner Zwetzig stated he would like to have a brief discussion from the assessor so the citizens are able to know why this matter has been filed with Commissioner Becker stating he agrees.

Morgan County Assessor Tim Amen presented to the Board a Petition for abatement or refund of real property taxes for 2017 for Walmart, Inc./Sams. Mr. Amen stated they do have the petitions that were in receipt for 2017 and 2018, stating Wal-Mart provided little to no information with those petitions. He stated it is their duty to consider the tax abatements to provide the Board with the information to make a good decision. He stated his office has done the

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work on this and Ted Boggess, employee has provided a packet of information that reflects the evaluation on this property. He further stated if they were to accept Wal-Mart's evaluation, the impact would be about \$32,000 per year, totaling \$64,000 for the two year assessment period. He stated there was no information to induce his office to move forward with Wal-Mart's evaluation and left it to the Board to determine what direction they wish to go at this time. He also stated this is a tactic filed by tax agents where they have broadcasted the abatement issue throughout the State of Colorado, and as Morgan County, he must deal with it and there is the requirement of six months to honor the abatement or deny. He further stated that on March 16, 2020, the agent for Wal-Mart did give the Assessor the direction for approval of an administrative denial.

Commissioner Zwetzig asked Assessor Amen if he has assessed the valuation of Wal-Mart basing it on the same grounds as any other business within the County, with Mr. Amen stating absolutely. Chairman Arndt spoke about the presentation and the packet of information prepared by Ted Boggess, Assessor employee and it has been prepared in a thorough and definitive manner.

At this time, there were no further questions and Ms. Sellars stated upon the County granting the administrative denial, the business can then appeal.

At this time, upon expressing his concern that this is not the first time this matter has been handled in this same manner in the past, Commissioner Zwetzig made the motion to deny the petitions for 2017 and 2018 for the abatement of real property taxes from Wal-Mart, Inc. Assessor Parcel Number: R018899. Commissioner Becker seconded the motion and motion carried 3-0.

Being no further business the meeting was then adjourned at 9:55 a.m.

Respectfully Submitted,
Susan L. Bailey
Clerk to the Board
(Minutes ratified May 12, 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