

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting June 23, 2020

As reflected in posted agenda:

The County Will Be Abiding By the Social Distancing Requirements in Public Health Order 20-28 for This Meeting. Due To Limited Space In The Assembly Room, Remote Attendance Is Encouraged. If You Have Any Questions Regarding Attending The Meeting, Please Contact Karla Powell at 970-542-3500.

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/81035234665> If you cannot connect via Zoom, you may submit written public comment to bccmorganc@co.morgan.co.us by email by 4 p.m. on Monday June 22, 2020.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/81035234665> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 810 3523 4665

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/81035234665> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 838 2220 9149

The Board of Morgan County Commissioners met Tuesday, June 23, 2020 at 9:02 a.m. with Chairman Mark Arndt, Commissioner Jon Becker and Commissioner James Zwetzig in attendance. Chairman Arndt asked Morgan County Clerk and Recorder Susan Bailey to lead the meeting in the Pledge of Allegiance.

CITIZEN'S COMMENT

There was no citizen comment provided.

ADOPTION OF THE AGENDA

Chairman Arndt noted that Item #3 of the consent agenda should reflect "Mount Saint Vincent" stating this was a typo. Commissioner Zwetzig made a motion to adopt the agenda with the noted correction, with Commissioner Becker seconding the motion. Motion carried 3-0.

CONSENT AGENDA

1. Ratify the Board of County Commissioners approval of Contract 2020 CNT 074 SRI Incorporated, Term of Contract June 12, 2020 through completion
2. Ratify the Board of County Commissioners approval of Contract 2020 CNT 075 Center for Healing Trauma and Attachment, Inc., Term of Contract June 1, 2020 through May 31, 2021
3. Ratify the Board of County Commissioners approval of Contract 2020 CNT 076 Mount Saint Vincent, Term of Contract June 1, 2020 through May 31, 2021
4. Ratify the Board of County Commissioners approval of Contract 2020 CNT 077 Lamar Companies., Term of Contract June 1, 2020 through May 31, 2021
5. Ratify the Board of County Commissioners approval of Contract 2020 CNT 078 Centennial Mental Health Center., Term of Contract June 1, 2020 through May 31, 2021
6. Ratify the Board of County Commissioners approval of Contract 2020 CNT 079 Centennial Mental Health Center., Term of Contract June 1, 2020 through May 31, 2021
7. Ratify the Board of County Commissioners approval of Contract 2020 CNT 080 Centennial Mental Health Center., Term of Contract July1, 2020 through June 30, 2021
8. Ratify the Board of County Commissioners approval of Contract 2020 CNT 081 Centennial Mental Health Center., Term of Contract June 1, 2020 through May 31, 2021
9. Ratify the Board of County Commissioners approval of Cares Act Drop Box Grant Application, signed June 17, 2020
10. Ratify the Board of County Commissioners approval of appointment of Theresa Leake, Brush Chamber of Commerce Representative to Morgan County Tourism Panel Board dated June 23, 2020
11. Ratify the Board of County Commissioners approval of Morgan County Family Center Fee Waiver Request for Morgan County Fairgrounds, signed June 15, 2020
12. Ratify Chairman Mark Arndt's signature on When I Work Proposal dated June 8, 2020
13. Ratify Chairman Mark Arndt's signature on Jackson Lake Estates Fireworks Display Permit dated June 16, 2020
14. Ratify Chairman Mark Arndt's signature on Stormwater Inspection Form dated June 16, 2020
15. Ratify the Board of County Commissioners approval on assignment of debt collections to State Collections, Client #191123, #191124, #192776

Commissioner Becker made a motion to approve items 1-15 with the noted correction as approved, with Commissioner Zwetzig seconding the motion. At this time the motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – STOP SIGN INSTALLATION At The Intersections Of County Road JJ And County Roads 19, Morgan County, Colorado

Morgan County Public Works Director, Bruce Bass presented to the Board a consideration of approval of a stop sign installation at the intersections of County Road JJ and County Roads 19, Morgan County, Colorado. Mr. Bass noted this is the first reading of the matter and the matter will be on the board's agenda for July 7, 2020 for approval. Mr.

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Bass stated this information has been reviewed by the Colorado State Patrol. At this time, Mr. Bass read aloud the proposed resolution into the record. Mr. Bass stated there will be a map posted on the county's website reflecting the locations as well as the information from the Colorado State Patrol. Mr. Bass asked Mr. John Goodman, Road Supervisor, to provide information regarding the reason for the request. At this time, Mr. Goodman stated there have been reports of some near misses at this location and a speed assessment was conducted as well as an onsite inspection of the intersection with the Colorado State Patrol stating the stop sign would be appropriate for this location. As questioned by Commissioner Zwetzig, there will be ample warning of the stop sign being placed at this location, with Mr. Goodman stating "stop ahead" signage will be placed. Commissioner Becker agreed if there is a need for a stop sign to be placed at this location, it is appropriate, but citizens need to remain cautious at all the uncontrolled intersections in the County.

Chairman Arndt stated the actual date this matter will be heard is the next scheduled board meeting, July 7, 2020.

Consideration of Approval –BID TABULATION - RFP 2020-0514-001 Vehicles and Police Vehicles

Morgan County Public Works Director, Bruce Bass presented to the Board RFP 2020-0514-001 Vehicles and Police Vehicles stating this is the annual bid process as budgeted. He stated the bid was written and defined a bit differently than in the past, and allowed the schedules could be awarded separately. He made note that bidders were not required to submit a bid for each Schedule to be considered. Mr. Bass further explained there were four schedules in the bid tabulation. He summarized each schedule in detail, beginning with Schedule Number 1, one is a model year 2020 ½ ton cab 2 door 4X4 pickup truck with four bidders Phil Long Ford, Denver, Littleton, CO; Spradley Bar Ford Lincoln Greeley, CO; Ehrlich CDJR, Fort Morgan, CO and Interstate Ford, Dacono, CO. Mr. Bass explained each bid in detail.

Discussion followed regarding the bid process with several questions raised by the Board regarding the local bidders and the competitive bids that are submitted as the state bid process. Commissioner Becker stated he believes that local businesses should be given a chance to submit a bid to be reviewed.

Commissioner Zwetzig commented regarding economic incentives and the issue with awarding bids to outside businesses, given there are no property taxes collected from those out of county. A review was made regarding the state bid pricing including the five percent allowance which reflects pricing higher than the allowed five percent. Mr. Bass provided written details of the calculations for the Board to review. Further discussion followed as to the pricing reviewed.

Chairman Arndt stated the information before the Board, the tabulation noting it is above the five percent allowance given to local bidders, five percent above the lowest bid, stating the additional cost above that, asking for a motion to accept the low bid of Ehrlich Toyota, noting that the state bid would have been \$23,158.00.

Commissioner Becker made the motion to accept the low bid from Ehrlich Toyota for \$27,750.00 in regards to Schedule Number 1. Mr. Bass stated it would require additional time to begin the state bid award process. At this time there was no second to the motion, and the motion died. Commissioner Zwetzig asked to further discuss the matter, stating he is confused why the state bid process was not completed, with Mr. Bass explaining the reason why this was not completed. Mr. Bass stated the way he wrote the bid documents was to review at each individual schedule; the bidder did not have to bid on all the schedules, because it was possible to look at it through the state bid award process. Chairman Arndt asked if all bidders were aware that this was the process, with Mr. Bass stating it was written in the bid documents. At this time, Mr. Bass read aloud the actual bid requirement that was written in the bid documents into the record. Discussion followed whether or not the local businesses have the opportunity to earn the state bid contract with Mr. Bass explaining how that process works.

Chairman Arndt stated the five percent allowance to local vendors was put in place many years ago given these businesses support our local community and provide jobs, and at that time the five percent allowance seemed to be a fair percentage to provide a local business the chance to earn the County's bid. He further stated this bid is well over the five percent allowance and discussed the amounts of the overage, with Commissioner Zwetzig stating the total overage is almost \$4,600.00.

Chairman Arndt asked if Mr. Bass sees the vehicle as having a higher resale value at the end of its life, with Mr. Bass stating the specifications are very comparable and confident that it is very close without verifying with the state bid vendor, he has reviewed all the options and feels they are built basically the same way. It was noted that this vehicle is used in the Road and Bridge Department as their fuel wagon to go back and forth to their off site locations. He stated the vehicle they currently have in place, would be used at a different location, and this is not an emergent type purchase, it is a standard replacement purchase.

Commissioner Zwetzig stated that it almost appears this was bid so it could be awarded locally, and expressed his confusion about not obtaining the state bid information and included that in the bid packet, asking why none of the numbers/costs proposed are included in this information. Mr. Bass stated he did not place that information into the document, and apologized for not including that information in the bid tabulation document. Discussion followed regarding the reason the bid was written in the matter it was and it was indicated that it gave the County the ability if the state bid was lower, the Board could accept the state bid award rather than the local business bid. Commissioner Becker expressed his appreciation of sending the bid to the local businesses to submit a bid, stating his reasons why he feels it is important to allow the local businesses to submit bids.

Commissioner Zwetzig asked if this matter could be reconsidered at the next meeting, with Mr. Bass stating this process took a great amount of time and would need to get this matter resolved given there are cutoff dates. Chairman Arndt reviewed the bids submitted explaining the amounts that were submitted and the fact that there is one bid submitted that is only \$1.25 above the five percent allowance.

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At this time, Mr. Bass presented Schedule Number 2, and summarized the bids received in detail. Schedule Number 2, is a model 2020, ½ ton crew cab 4 door 4x4 pickup truck with four bidders Phil Long Ford, Denver, Littleton, CO; Spradley Bar Ford Lincoln Greeley, CO; Ehrlich CDJR, Fort Morgan, CO and Interstate Ford, Dacono, CO.

At this time, Commissioner Becker made the motion to accept the bid from Ehrlich, Fort Morgan, for the vehicle specified in Schedule Number 2, in the amount of \$30,665.00, with Commissioner Zwetzig seconding the motion. The motion carried 3-0.

At this time, Mr. Bass presented Schedule Number 3, and summarized the bids received in detail. Schedule Number 3, is a model 2020, ½ ton crew cab 4 door ssv/police pickup truck three bidders Asbury Automotive Group dba Mike Shaw CDJR, Greeley, CO; Spradley Bar Ford Lincoln of Greeley, CO with an option A and B and Ehrlich CDJR, Fort Morgan.

At this time, Commissioner Becker made the motion to accept the bid from Ehrlich, Fort Morgan, for the vehicle specified in Schedule Number 3, in the amount of \$62,000.00. Commissioner Zwetzig seconded the motion and motion carried 3-0.

At this time, Mr. Bass presented Schedule Number 4, and summarized the bids received in detail. Schedule Number 4 is a model year 2020, 4-door passenger utility, medium, police/ssf awd with three bidders Phil Long Ford Denver, Littleton, CO; Spradley Bar Ford Lincoln of Greeley, CO and Ehrlich CDJR, Fort Morgan, CO. He reviewed the state bid pricing and stated that Spradley Bar meets the state bid pricing at a lower amount by \$87.00 and recommended that the bid be awarded to Spradley Bar, Lincoln Ford, in the amount of \$33,903.00 times 3 = \$101,709.00.

At this time, Commissioner Becker made the motion to award the bid to Spradley Bar, Lincoln Ford, for the vehicle specified in Schedule Number 4, in the total amount of \$101,709.00 for three vehicles. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Commissioner Zwetzig recommended that in the future any bid documents indicate the state bid pricing.

Consideration of Approval – I-76 FIREWORKS APPLICATION

Morgan County Administrative Services Manager, Karla Powell presented the application submitted by the Fort Morgan Fire Department and I-76 Speedway, business owner being Butch Speicher to display fireworks July 4, 2020 at the location of 16359 County Road S, Fort Morgan, CO (Race Track). Ms. Powell stated the applicants have submitted the required application and the required liability insurance for this request. Sheriff Dave Martin stated he is in full support of this proposed application.

Commissioner Zwetzig made a motion to approve the Fireworks Display Permit for the applicant, Fort Morgan Fire Department and I-76 Speedway, with the display address being 16359 County Road S, Fort Morgan, Colorado (Race Track), noting the date and times of the permit noting the contingency that if there should be any fire ban in place, the permit will not be approved and authorized the Chair to sign and with Commissioner Becker seconding the motion. After no further discussion, the motion carried 3-0.

Commissioner Zwetzig made note that the City of Brush or Brush Chamber is looking at conducting a fireworks display for the 4th of July holiday asking if Ms. Powell had received a request for waiver of fees for the use of the parking lot at the fairgrounds with Ms. Powell stating she has not. Sheriff Martin provided information as to what he is aware of as to the Brush Chamber of Commerce who is wanting to provide the fireworks display for the 4th of July holiday, with Commissioner Zwetzig stating he would like to be able to waive the fees if needed and this can be done on the consent agenda. Sheriff Martin stated he does not have any issues with this fireworks display and does have a meeting today in regards to this matter and is committed to assisting with this event.

Consideration of Approval – 2020 BCC 21 – Consideration of Approval – 2020 BCC 21 – A Resolution Amending the Morgan County Colorado Retention Schedule Concerning Records of the Sheriff's Office

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2020 BCC 21

A RESOLUTION AMENDING THE MORGAN COUNTY COLORADO RETENTION SCHEDULE CONCERNING RECORDS OF THE SHERIFF'S OFFICE

WHEREAS, Morgan County adopted a record retention schedule through Resolution No. 2017 BCC 15 on April 20, 2017;

WHEREAS, the Morgan County Sheriff desires to update the record retention schedule for the Sheriff's Office; and

WHEREAS, the new retention schedule for records maintained by the Sheriff's Office has been approved by the Colorado State Archivist, the State Auditor and the Colorado Attorney General.

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

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Section 1. The Morgan County Colorado Retention Schedule shall be amended by the addition of the retention schedule for the Sheriff's Office, attached hereto as **Exhibit A**. The previous retention schedule for the Sheriff's Office shall be removed from the County's Retention Schedule.

APPROVED this 23rd day of June, 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

Morgan County Sheriff Dave Martin presented to the Board for Resolution 2020 BCC 21, a Resolution Amending the Morgan County Colorado Retention Schedule Concerning Records of the Sheriff's Office. Sheriff Martin stated there is a records retention policy implemented by the State Archivist and thought this had been adopted in the past, but in researching this policy as being adopted, he has not found that this is listed on the State Archivist's site and would like to have this resolution adopted and will then file with the State Archivist this retention policy. He made mention of the new Senate Bill 20-217 that specifically references this policy and the need to have this in place.

Commissioner Becker made a motion to approve Resolution 2020 BCC 21, a Resolution Amending the Morgan County Colorado Retention Schedule Concerning Records of the Sheriff's Office with Commissioner Zwetzig seconding the motion. At this time, the motion carried 3-0.

UNFINISHED BUSINESS

There was no unfinished business.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Morgan County Clerk and Recorder Susan Bailey provided an update regarding the 2020 June Primary Election.

Morgan County Information Systems Manager Karol Kopetzky provided an update her office is preparing for the upcoming County Fair.

Commissioner Becker provided an update regarding the variance filed with the State of Colorado in regards to the current public health situation.

Chairman Arndt asked if Laura Teague, who also sits on the Board of Health, wanted to speak, with Ms. Teague stating she did not have anything further to add, and shared the data she has reviewed reflecting the positive case data for Morgan County. Again, it was reiterated that the rules being set forth are rules set by the Governor, not by any of the local elected officials with Commissioner Becker stating the local health department and the local elected officials want to see businesses opening and this is the reason why the variance was filed stating the Governor has relaxed some of those rules whereas the variance requested may not have been necessary.

Commissioner Arndt presented the road report ending June 19, 2020 reading the report into the minutes.

Chairman Arndt stated the Fair Board will be meeting Thursday and expressed that they want to make the fair to appear as normal as possible, but do know there could be some changes, and the large public gatherings will not be able to take place, but want to continue to support the 4H and FFA youth.

Chairman Arndt asked if there was any further business to bring before the Board, and upon hearing none, the meeting was adjourned at 10:12 a.m.

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

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

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey