

AGENDA-REVISED
MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
ASSEMBLY ROOM, ADMINISTRATION BUILDING
231 ENSIGN STREET, FORT MORGAN, CO 80701
TUESDAY, JANUARY 26, 2021

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/82749308696> If you cannot connect via Zoom, you may submit written public comment to morgancountybcc@co.morgan.co.us by email by 4 p.m. on Monday January 25, 2021.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/82749308696> to listen via phone, please dial: 1-312-626-6799, Meeting ID: 827 4930 8696

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/82749308696> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 827 4930 8696

9:00 A.M.

A. WELCOME – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Arndt
Commissioner Becker
Commissioner Westhoff

B. CITIZEN'S COMMENT PERIOD

Citizens are invited to speak to the Commissioners on non-agenda items. There is a 3 minute time limit per person, unless otherwise noted by the Chairman. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

C. ADOPTION OF THE AGENDA

D. CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the Board of County Commissioners and will be enacted with a single vote. There will be no separate discussion of

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these items. If discussion is deemed necessary, any Board member may ask that the item be removed from the Consent Agenda and considered separately:

1. Ratify the Board of County Commissioners approval of meeting minutes dated January 12, 2021
2. Ratify the Board of County Commissioners approval of meeting minutes dated January 19, 2021
3. Ratify the Board of County Commissioners approval of Contract 2021 CNT 013, Lamar, Term of Contract December 26, 2020 through December 28, 2021
4. Ratify the Board of County Commissioners approval of Contract 2021 CNT 014, American Environmental Consulting, LLC, Term of Contract January 7, 2021 through December 31, 2021
5. Ratify the Board of County Commissioners approval of Contract 2021 CNT 015, Central Services, Term of Contract January 1, 2021 through December 31, 2021
6. Ratify the Board of County Commissioners approval of Contract 2021 CNT 016, Morgan County Human Resources, Term of Contract January 1, 2021 through December 31, 2021
7. Ratify the Board of County Commissioners approval of Contract 2021 CNT 017, Morgan County Attorney, Term of Contract January 1, 2021 through December 31, 2021
8. Ratify the Board of County Commissioners approval of Contract 2021 CNT 018, Morgan County Attorney, Term of Contract January 1, 2021 through December 31, 2021
9. Ratify the Board of County Commissioners approval of Contract 2021 CNT 019, Morgan County Department of Human Services, Term of Contract January 1, 2021 through December 31, 2021
10. Ratify the Board of County Commissioners approval of Contract 2021 CNT 020, Carlyle Investment Group, LLC, Term of Contract January 19, 2021 through completion
11. Ratify the Board of County Commissioners approval on Fairgrounds Fee Waiver Request from Colorado State Patrol, signed January 19, 2021
12. Ratify Chairman Mark Arndt's signature on the Coates Realty Special Waste Application dated January 19, 2021
13. Ratify Chairman Mark Arndt's signature on the 2021 Fort Morgan Water Company, Ltd. Water Lease.
14. Ratify the Board of County Commissioners approval on Ambulance write-off of debt for Client #202464, #181721A
15. Ratify the Board of County Commissioners approval on Amendment for Professional Services - 2021 CNT 014, dated January 26, 2021

E. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

F. UNFINISHED BUSINESS

G. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

1. Commissioners Calendar for week of January 22, 2021 through February 2, 2021
2. Road Report

9:30 AM

H. PUBLIC HEARING

1. Consideration of Approval – 2020 BCC 41 A Resolution Amending Certain Sections Of The Morgan County Zoning Regulations Concerning Setbacks (continued per motion made by BOCC January 5, 2021)

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2. Consideration Of Amendment To The Morgan County Zoning Regulations Concerning The Commercial And Industrial Zoning Districts (continued per motion made by BOCC January 5, 2021)
3. Consideration Of Amendment To The Morgan County Zoning Regulations Concerning The Non-Conforming And Permitted Single Family Dwellings (continued per motion made by BOCC January 5, 2021)
4. Consideration Of Amendment To The Morgan County Zoning Regulations Concerning The Permitting Processes And Submittal Requirements (continued per motion made by BOCC January 5, 2021)

ADJOURNMENT

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Prepared By: Karla Powell, Administrative Services Manager
Agenda Posted On Thursday January 21, 2021 @ 3:00 P.M.

COMMISSIONERS CALENDAR

January 22, 2021 through February 2, 2021

January 22, 2021	8:00 a.m. 9:00 a.m.	KSIR Radio Interview (Westhoff) CDOT/STAC (Becker)
January 25, 2021	9:30 a.m. 12:00 p.m. 1:30 p.m.	DHS Agency Meeting Brush Stakeholders Meeting (Westhoff) Office Meeting
January 26, 2021	9:00 a.m. 9:30 a.m. 10:00 a.m. 11:00 a.m. 12:00 p.m.	Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) Hearing - Planning & Zoning Amendments-cont. from 1/5/2021 Human Resources Department Meeting United Way Community Needs Meeting Road & Bridge, Building Maintenance Department Meeting
January 27, 2021	7:00 a.m. 1:00 p.m.	MCEDC Board Meeting (Becker) NE Colorado Health Department (Arndt)
January 28, 2021		No Scheduled Meetings
January 29, 2021		No Scheduled Meetings
February 1, 2021	10:30 a.m. 11:30 a.m. 12:30 p.m.	Office Meeting Human Resources Department Meeting Building Maintenance Department Meeting
February 2, 2021	9:00 a.m. 9:30 a.m. 10:00 a.m. 11:00 a.m. 12:00 p.m. 1:30 p.m.	Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) Hearing - Planning and Zoning, Jones Minor Subdivision Sheriff's Office Department Meeting Emergency Management Department Meeting Finance Department Meeting Planning and Zoning Department Meeting

Unless otherwise noted, all meetings with department heads and other non-BOCC elected officials listed above may include an update on the status of the department, a general discussion of projects, any matters or concerns that the County needs to address, and activities and operations of the department.

Department meetings may be by conference call or virtual meeting upon request.

CALENDAR SUBJECT TO CHANGE DUE TO AGREEABLE CANCELLATIONS AND/OR WALK IN BUSINESS

****All meetings are held in the Commissioner's Office located at 218 West Kiowa Avenue, Fort Morgan unless otherwise noted**

Posted 01/21/2021 @3:00 P.M. by Karla Powell, Administrative Services Manager

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

RESOLUTION NO. 2020 BCC 41

**A RESOLUTION AMENDING CERTAIN SECTION OF THE MORGAN COUNTY
ZONING REGULATIONS CONCERNING SETBACKS**

WHEREAS, the Board of County Commissioners desires to create and clarify how setbacks are measured and what encroachments may be made into setbacks;

WHEREAS, on November 9, 2020, the Planning Commission held a duly noticed public hearing on the proposed amendments and recommended approval;

WHEREAS, on December 8, 2020, the Board of County Commissioners held a duly noticed public hearing on the proposed amendments;

WHEREAS, the Board of County Commissioners has complied with all relevant provisions for amending the Morgan County Subdivision Regulations; and

WHEREAS, after considering public testimony received and the recommendation of the Planning Commission, the Board of County Commissioners finds these amendments to be in the best interest of the citizens of Morgan County.

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

Section 1. Section 1-420 of the Morgan County Zoning Regulations is hereby amended to read as follows:

1-420 Encroachment: A placement of a structure, building, part of a building, sign, or fence upon the land or easement of another, or into required setbacks.

Section 2. Section 1-600 of the Morgan County Zoning Regulations is hereby amended to read as follows:

1-600 Lot, Width: The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth; or the same distance measured at a point midway between the front and rear lot lines; or at the rear line of the required front setback on irregularly shaped lots.

Section 3. Section 1-785 of the Morgan County Zoning Regulations is hereby amended to read as follows:

1-785 Setback: The minimum horizontal distance required, in any given zoning district, to be maintained free of man-made structures between a property line and the nearest exterior point of a building or structure or between two uses or structures.

Section 4. Sections 1-925, 2-110 and 2-115 of the Morgan County Zoning Regulations are hereby deleted.

Section 5. Sections 1-930, 1-935 and 1-940 of the Morgan County Zoning Regulations are hereby amended to read as follows:

1-930 Setback, Front: The distance extending across the full width of the lot between the front lot line and the nearest exterior point of a building or structure.

1-935 Setback, Rear: The distance extending across the full width of the lot between the rear lot line and the nearest exterior point of a building or structure.

1-940 Setback, Side: The distance extending from the front to the rear yard between the side lot and the nearest exterior point of a building or structure.

Section 6. Section 3-570(B)(2) of the Morgan County Zoning Regulations is hereby amended to read as follows:

No specific setback or lot size requirements shall be imposed, other than those provided herein, in the PD provided that the spirit and intent of this section are complied with in the Final PD Plan. The Commission may determine that certain setbacks and spacing be required within all or a portion of a PD for safety reasons.

Section 7. Section 3-630 of the Morgan County Zoning Regulations is hereby repealed and reenacted as follows:

3-630 Minimum Setbacks

- (A) Required Setbacks. No building, structure, or lot shall be developed, used, or occupied unless the minimum setback requirements in the district bulk requirements and other requirements under these Regulations are met. Unless otherwise expressly provided in these Regulations, setbacks shall be measured from the property line. For setbacks where the abutting road is an easement, the setback shall be measured from the centerline of the easement with the additional distances set forth in subsection C of this Section added to the required setback in Table 1, Appendix B. For section line road easements which have not been constructed by the County and have not been vacated pursuant to C.R.S. § 43-2-303, setbacks shall be measured from the section line which is the centerline of the easement, adding a distance of thirty (30) feet to the required setback in Table 1, Appendix B.
- (B) Setbacks from state and federal highways are 75 feet from the right-of-way centerline.
- (C) Setbacks from highways, county roads and all other streets and roads:

- (1) Setbacks from Morgan County roads, which are identified and classified on the Morgan County Road Classification Map, shall be measured from the right-of-way centerline, as follows:

Road Classification	Measurement from right-of-way centerline
Arterial	50 feet
Major collector	30 feet
Minor collector	30 feet
Local, numbered county roads	30 feet

(D) Additional Setback Requirements.

For streams, creeks, and rivers, the minimum required setback is 50 feet from the bank high-water line. This section shall only apply to streams, creeks and rivers identified on the U.S.G.S. quadrangle map. For irrigation ditches, the minimum required setback is 75 feet from the centerline of the ditch. The setbacks in this subsection shall govern over any other setbacks established in these Regulations.

(E) Allowed Projections into Setbacks.

- (1) Cornices, canopies, eaves, fireplaces, wing walls or similar architectural features may extend into a required setback not more than three feet (3').
- (2) Open, unenclosed, uncovered porches at ground level may not extend into a required setback more than four feet (4').
- (3) Open, unenclosed, uncovered patios, decks, and porches greater than two feet (2') above ground level shall not extend into a required setback more than three feet (3').
- (4) No part of a setback required for a building shall be included as part of a setback for another building.

(F) Exemptions to Setback Requirements

- (1) Fences, screening, and buffering.

Section 8. Section 3-645 of the Morgan County Zoning Regulations is hereby repealed and reenacted as follows:

3-645 Encroachment

Except as provided by these Regulations or by agreement, encroachments are not permitted.

Section 9. The amendments to Appendix B, Table 1 of the Morgan County Zoning Regulations should be made:

- a. The term “structure setback” should be revised to read “Primary Structure Minimum Setback.”
- b. The term “front” under setbacks should be revised to read “Front (street)”.
- c. Appendix B, Table 1, should be amended by a new row titled “Accessory Structure Minimum Setback” with a rear setback designated as being 10 feet in all zones where the setback is larger. Front and side setbacks for accessory structures shall be the same as the setback for primary structures.
- d. A new footnote shall be added to “Front (street)” to read as follows: Front setbacks apply to all street frontages, including corner lots or double frontage lots.
- e. A new footnote shall be added to read as follows: “Setbacks are also governed by the regulations in Sec. 3-630 of these Regulations.”

APPROVED this _____ day of _____, 2020.

BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

Mark A. Arndt, Chairman

James P. Zwetzig, Commissioner

Jon J. Becker, Commissioner

ATTEST:
(SEAL)

Susan Bailey, Clerk to the Board