

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting March 6, 2018

The Board of Morgan County Commissioners met Tuesday, March 6, 2018 at 9:00 a.m. with Chairman Mark Arndt, and Commissioner Laura Teague in attendance with Commissioner Zwetzig absent. Chairman Arndt asked Morgan County Undersheriff Dave Martin to lead the meeting in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Commissioner Teague made a motion to adopt the agenda as presented, with Chairman Arndt seconding the motion. Motion carried 2-0.

CONSENT AGENDA

Ratify the Board of County Commissioners approval of meetings minutes dated February 27, 2018
Ratify the Board of County Commissioners approval on Contract 2018 CNT 066, Mercedes Benz of Littleton, replace SCR filter on unit #6427, Term of Contract February 22, 2018 until completed
Ratify the Board of County Commissioners approval on Contract 2018 CNT 067, A & R Automotive, future alignments, front end suspensions, and tires for fleet vehicles, Term of Contract February 26, 2018 through December 31, 2018
Ratify the Board of County Commissioners approval on Contract 2018 CNT 068, Winstead Construction, drywall and texture at Judicial Center and COMM center, Term of Contract January 15, 2018 until completed
Ratify the Board of County Commissioners approval on Contract 2018 CNT 069, Front Range Roofing, repairs to the Judicial Center mid roof and wall flashing, Term of Contract February 26, 2018 until completed
Ratify the Board of County Commissioners approval on Contract 2018 CNT 070, Impressions by Bird, stationery and printing for multiple departments, Term of Contract January 1, 2018 through December 31, 2018
Ratify the Board of County Commissioners approval on the revised Morgan County Fairground Lease Agreement approved on February 27, 2018
Ratify the Board of County Commissioners approval on the Morgan County Veterans Report for February 2018

Commissioner Teague made a motion to approve all items on the Consent Agenda as presented. Chairman Arndt seconded the motion and motion carried 2-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RIGHT OF WAY - 2018 PMT 09 – City of Fort Morgan

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 09, with City of Fort Morgan. Mr. Goodman stated this right of way permit is to bore under County Road R and trench in the north right of way of County Road R (Morgan County Road Segment 1100), starting 320 feet from the intersection of County Road 20 and County Road R in the south right of way of County Road R boring north 60 feet under County Road R to install a new pole, then trenching east for 200 feet in the north right of way of County Road R to an existing pole, for the purpose of installing 6 inch poly conduit for electric main rebuild. He stated the fees are attached in the amount of \$201.00 and the location has been inspected.

Commissioner Teague made a motion to approve Right of Way Permit 2018 PMT 09, with City of Fort Morgan as outlined in the narrative of the permit noting the fees in the amount of \$201.00 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Chairman Arndt seconded the motion. At this time, the motion carried 2-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Road Supervisor Goodman provided an update as to projects being completed in the Road and Bridge Department and indicated they have scheduled training for April 10, 11 and 12, 2018. He stated the individual is an LTAP certified trainer, and provided training in the Julesburg area and has trained a number of operators in his tenure and is hopeful he will help to bring some new ideas to Morgan County.

Undersheriff Martin was asked to report where he stated the jail population is running about normal, with 82 inmates at the current time. He stated they are currently working on filling some vacancies and the jail tour has been scheduled for Monday, March 19, 2018.

Commissioners reviewed the calendar dated March 2, 2018 through March 13, 2018 with changes.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT

At this time, Terry Winberg, 16093 Highway 34, Fort Morgan, had a couple of questions and asked about trying to access the Board's agenda in which he has been informed that the site is being hacked, and wanted to be sure the Board was aware of this information. The Board explained that the county's website is currently being upgraded and there may be some issues until all formatting is resolved.

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Mr. Winberg reported he attended a Bijou Board meeting, and further asked about the two bridges on County Road 12 and County Road 13 indicating he believes both need widened for safety concerns and was informed it is in the process, and wanted to see if the Board was aware of the need for this to be completed. Chairman Arndt stated there has been discussion in regards to how this widening can occur, with Mr. Goodman reporting that it is his understanding there needs to be more permission from Bijou, naming Denise, to do this project. Commissioner Teague stated the Board has received the permission letter from Bijou and explained it was not budgeted for this year's bridge projects, and it has been agreed by the Bijou Board this is necessary and it will be reviewed during the next bridge budget cycle.

Mr. Winberg stated the one on County Road 12 is a hazard and feels that there could be a safety issue if this is not taken care of.

LIQUOR LICENSES

At this time, the Board of County Commissioners convened as the Morgan County Liquor License Authority in the matters of:

Retail Liquor or 3.2 Beer License Renewal – 3.2 Beer On/Off Premises (County)

Licensee: Roger P. Schiel and John H. Hamlin dba The Last Stand

Operating Manager: Roger P. Schiel

Morgan County Clerk and Recorder Susan Bailey presented to the Board a Retail Liquor or 3.2 Beer License Renewal submitted by Roger P. Schiel and John H. Hamlin dba The Last Stand for a 3.2 Beer On/Off Premises (county) license. Ms. Bailey stated that she has received the necessary documents and all fees have been submitted. She asked the Morgan County Sheriff's Department to report at which time Undersheriff Dave Martin indicated he had nothing to report and no known violations.

At this time, Ms. Bailey asked the Board for approval of the liquor license renewal.

Chairman Arndt opened the matter for public comment at which time no comment followed.

Commissioner Teague asked Clerk Bailey to provide an update in regards to the 3.2% beer issue. Ms. Bailey indicated with the new changes in legislation regarding the language referencing 3.2% alcohol and the fact she has had numerous questions in regards to the changes which are to commence January 1, 2019. Ms. Bailey stated she did receive a response from the State Department of Revenue, Liquor Licensing Enforcement Division, and read aloud the comment which indicated they are receiving a number of these questions regarding 3.2% beer and what is happening with the possible changes. She was notified at this time, they have no updated information and would pass the question onto those necessary but to understand there may not be information for a while.

A motion was made by Commissioner Teague to approve the liquor license renewal for Roger P. Schiel and John H. Hamlin dba The Last Stand and authorized the Chair to sign. Chairman Arndt seconded the motion and motion carried 2-0.

Retail Liquor or 3.2 Beer License Renewal – Liquor Store (County)

Licensee: Stephen E. Eby & Betty J. Eby dba East Platte Avenue Liquors

Operating Manager: Stephen E. Eby

Morgan County Clerk and Recorder Susan Bailey presented to the Board a Retail Liquor or 3.2 Beer License Renewal submitted by Stephen E. Eby & Betty J. Eby dba East Platte Avenue Liquors for a Liquor Store (county) license. Ms. Bailey stated that she has received the necessary documents and all fees have been submitted. She asked the Morgan County Sheriff's Department to report at which time Undersheriff Dave Martin indicated he had nothing to report and no known violations.

At this time, Ms. Bailey asked the Board for approval of the liquor license renewal.

Chairman Arndt opened the matter for public comment at which time no comment followed.

A motion was made by Commissioner Teague to approve the liquor license renewal for Stephen E. Eby & Betty J. Eby dba East Platte Avenue Liquors and authorized the Chair to sign. Chairman Arndt seconded the motion and motion carried 2-0.

Retail Liquor or 3.2 Beer License Renewal – Hotel & Restaurant/Optional (County)

Licensee: City of Fort Morgan, A Municipal Corporation dba Quail Dunes Golf Course

Operating Manager: Ty Hamer

Morgan County Clerk and Recorder Susan Bailey presented to the Board a Retail Liquor or 3.2 Beer License Renewal submitted by City of Fort Morgan, A Municipal Corporation dba Quail Dunes Golf Course with the operating manager being Ty Hamer for a Hotel & Restaurant/Optional (county) license. Ms. Bailey stated that she has received the necessary documents and all fees have been submitted. She asked the Morgan County Sheriff's Department to report at which time Undersheriff Dave Martin indicated he had nothing to report and no known violations.

At this time, Ms. Bailey asked the Board for approval of the liquor license renewal.

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Chairman Arndt opened the matter for public comment at which time no comment followed.

A motion was made by Commissioner Teague to approve the liquor license renewal for City of Fort Morgan, a Municipal Corporation dba Quail Dunes Golf Course and authorized the Chair to sign. Chairman Arndt seconded the motion and motion carried 2-0.

PUBLIC HEARING

Chairman Arndt called the hearing to order at 9:30 a.m. in the Assembly Room of the Morgan County Administration Building. Present were Chairman Mark Arndt and Commissioner Laura Teague in attendance with Commissioner James Zwetzig absent. Also present was Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry.

Application is for a Conditional Use Permit to place a church in the “C” Commercial Zone District of Morgan County. The property is located in the W1/2SW1/4 of Section 4, Township 3 North, Range 56 West of the 6th P.M., Morgan County, Colorado.

**Applicant: Brush First Church of the Nazarene
Landowner: Brush First Church of the Nazarene**

John Crosthwait, representing the applicant for this application, set up a presentation for the Board to review upon the commencement of the hearing.

Chairman Arndt asked Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry to present the file at which time Ms. Cherry read aloud the following information.

Ms. Cherry stated that this application is for a Conditional Use Permit is to permit a church with fellowship hall. The property is zoned “C” (commercial) where churches and church schools are required to obtain a conditional use permit pursuant to 3-320(CC) of the Morgan County Zoning regulations. The property is 13.3 acres and is located in the W½ of the SW¼ of Section of Section 4, Township 3N, Range 56 West of the 6th P.M., Morgan County, Colorado; Parcel Number 1231-040-00-004. The property is on the south side of Edison Street (State Highway 34) and east of County Road 26, Brush, Colorado 80701. This is an unincorporated area of the county.

Ms. Cherry explained that the church purchased the parcel in 1989 and has never built on it. The building is proposed to be 7,500 square feet and is on Morgan County Quality Water with an onsite wastewater disposal system that is required to be engineered. The facility will accommodate an average of 75-100 people for Sunday services. There is an existing CDOT access permit for 40 vehicle trips per day.

Ms. Cherry explained the Criteria for review of a Conditional Use:

- A. The application documents are complete.
- B. The Site Plan was attached to the application.
- C. There are no off-site impacts imposed by the conditional use proposed that require additional infrastructure or upgrade by the County.
- D. The use proposed is compatible with the surrounding uses and adequately buffered as necessary.

Ms. Cherry stated that on February 12, 2018 the Planning Commission reviewed this application. The motion was to recommend approval of the application. The motion passed unanimously 7-0 in favor and to be referred to the Board of County Commissioners to grant the Conditional Use for the Brush First Church of the Nazarene.

At this time, Chairman Arndt asked the applicants if they have anything to report. At this time, John Crosthwait spoke stating it has been almost 30 years to bring an application forward. He explained the intent is to complete the project utilizing cash and almost have enough to move forward. He stated what they had was inadequate and the old church building was across from the library to the west and had placed it on the market for sale, which did sell for cash and other properties the church owned has also sold, so that leaves almost adequate cash to complete this project. He stated the project will be completed in phases and outlined what will occur in each phase. He stated it will be built in compliance with ADA standards and codes set forth by Morgan County. He stated the reason for completing this in phases is so not to put a financial burden on the younger generation. He stated there is support from the members of the church. He further stated the soil engineering has been completed and there are some things that will need to be done to meet the requirements. He stated the kitchen has been one of a lot of planning explaining this project is being completed for the future generations. He proudly stated they have owned this property for 30 years and expressed his excitement in moving the project forward.

Mr. Crosthwait did state he has spoken directly with representatives from CDOT regarding the highway access and his information is held on file in their historical archives. Commissioner Teague asked about the 40 vehicle trips per day with Mr. Crosthwait stating he believes this will be sufficient feeling that hopefully this would be exceeded but at this time, he does not see any issue.

Chairman Arndt asked about the project in regards to the next phase being completed and should there be anything indicated as to vesting to protect the applicant with Ms. Cherry stating they could apply for vesting rights with Mr. Crosthwait stating he is sincerely hopeful it can be completed within the three years, and understands it would take a separate vesting rights application. Commissioner Teague stated she does want to be sure it is made clear that Phase 1 and Phase 2 are being requested for approval today so there are no surprises in the future in regards to this project.

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Mr. Crosthwait stated they do have a firm working closely with fire suppressant, and those requirements necessary where they are less than 5,000 square feet, they will leave it to the Planning Department as to storm water drainage requirements.

At this time, Chairman Arndt asked for any public comment with there being no public comment.

At this time, they moved into discussion and decision.

Commissioner Teague made a motion to approve the application for a Conditional Use Permit to place a church in the "C" Commercial Zone District of Morgan County. The property is located in the W1/2SW1/4 of Section 4, Township 3 North, Range 56 West of the 6th P.M., Morgan County, Colorado with the applicants and landowners as being Brush First Church of the Nazarene and requested that Pam Cherry be directed to prepare a resolution for this purpose and noted this is for the entire project, to include Phase 1 and Phase 2 with the initial three year vesting period. Chairman Arndt seconded the motion and the motion carried 2-0.

Being no further business the meeting was then adjourned at 9:42 a.m.

Respectfully Submitted,
Susan L. Bailey
Clerk to the Board

(Minutes ratified March 13, 2018)

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

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

s/Laura D. Teague
Laura D. Teague, Commissioner

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

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey