

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting April 24, 2018

The Board of Morgan County Commissioners met Tuesday, April 24, 2018 at 9:00 a.m. with Chairman Mark Arndt, Commissioner Laura Teague and Commissioner Zwetzig in attendance. Chairman Arndt asked Morgan County Sheriff Lt. Jon Horton, to lead the meeting in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

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

CONSENT AGENDA

- Ratify the Board of County Commissioners approval of meeting minutes dated April 17, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 102, Mid-Western Millwright, weld and repair fuel tank on unit #365, Term of Contract April 18, 2018 until completed
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 103, Flagship Publishing Inc./Colorado Life Magazine, lodging & tourism print advertising, Term of Contract April 18, 2018 through September 30, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 104, Neuro Works LLC, provide services to intake, testing, scoring and reporting, Term of Contract April 1, 2018 until completed
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 105, Dehab Zeremariam-Craft, provide interpreting/translations services, Term of Contract April 1, 2018 until completed
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 106, Field of Opportunity Counseling, provide therapy services, Term of Contract April 1, 2018 until completed
- Ratify the Board of County Commissioners approval on Grant 2018 GRA 07, POST Northeast Region 2018/2019 approved on April 19, 2017
- Ratify the Board of County Commissioners signatures on the appointment letter for Roger Doll, Emergency Management Director of the Office of Emergency Management appointed on March 19, 2018
- Ratify Commissioner Laura Teague's signature on the landfill DMR report for January 1, 2018 through March 31, 2018 sent to the EPA and signed on April 17, 2018
- Ratify Chairman Mark Arndt's signature on the landfill APEN application filed with the Colorado Department of Public Health and Environment signed on April 18, 2019

Commissioner Teague made a motion to approve all items on the Consent Agenda as presented. Commissioner Zwetzig seconded the motion.

Commissioner Zwetzig stated that Roger Doll has been appointed as the Emergency Management Director for the office of Emergency Management.

Chairman Arndt inquired about a website page regarding the Post Grant with Lt. Horton stating the web page has been taken down.

At this time motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – BID AWARD – RFP 2018- 0412-001 AWD Motor Grader

Morgan County Public Works Bruce Bass presented to the Board for approval Bid Award RFP 2018-0412-001 AWD Motor Grader. Mr. Bass stated this is an approved budgeted item for the 2018 calendar year, whereas the budget allowed for the purchase of two replacement graders. Mr. Bass explained the machines that are being replaced. Mr. Bass stated he received two bids from 4 Rivers Equipment and Wagner Equipment Co.. Mr. Bass summarized the individual bid amounts.

At this time, Mr. Bass recommended the board award the bid to Wagner Equipment Co. in the cash amount of \$419,215.62.

Commissioner Zwetzig asked about the seven year buy back option with one of these being ten and the other eleven. Mr. Bass stated this is due to the County previously switching from the five year cycle on the machines to the seven year cycle. He further stated the County has been purchasing three machines and when it was changed to the seven year cycle, there are still a few machines left with the five year cycle that need to be leveled out and he believes this is the last year for that and going forward it will be two machines for each year besides one year having three machines.

Commissioner Teague made a motion to approve bid award RFP 2018-0412-001 AWD Motor Grader to Wagner Equipment Company for two motor graders as outlined and recommended by Mr. Bass in the cash amount of \$419,215.62. Commissioner Zwetzig seconded the motion and the motion carried 3-0.

Commissioner Zwetzig asked Mr. Bass to update the Board as to a recent class his department attended. Mr. Bass stated that Roger Johnson with Training Advantage conducted three day training for all staff to attend. There was both classroom training and hands on training. He further stated those employees who have been with the county

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less than five years received additional one on one training. Mr. Bass stated overall the employees felt it was a great training and learned deal of information from Mr. Anderson.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated April 20, 2018 through May 1, 2018 with changes.

Morgan County Chief Deputy Randee Aleman stated that the Morgan County Clerk and Recorder's Office will hold the Election Equipment Logic and Accuracy Testing on Monday, May 14th at 1:30 p.m., with an alternate date of Tuesday, May 15th at 1:30 p.m. The testing will be at the Clerk and Recorders Office at 231 Ensign Street, Fort Morgan.

Commissioner Zwetzig stated that the Commissioner's Department has the best Administrative Assistant, Kritsi Waite and would like to recognize her for Administrative Professional Day which is Wednesday, April 25th.

Commissioner Zwetzig read aloud a letter thanking the Brush High School students for their hard work at the Brush Fairgrounds for their Give Back to Brush Day.

UNFINISHED BUSINESS

There was no unfinished business.

LIQUOR LICENSES

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

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

Licensee: Shoreline Investments Inc DBA as Shoreline Marina

Operating Manager: Margaret E. Pope

Morgan County Clerk and Recorder Chief Deputy Randee Aleman presented to the Board a Liquor License or 3.2 Beer License Renewal Application submitted by Margaret E. Pope for Shoreline Investments Inc DBA Shoreline Marina for a 3.2% Beer On/Off Premises (county) license. Ms. Aleman stated that she has received the necessary documents and all fees have been submitted. Ms. Aleman stated that there are no issues with this licensee and then asked the Morgan County Sheriff's Department to report at which time Lt. Jon Horton indicated he had nothing to report. At this time, Ms. Aleman asked the Board for approval.

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 Margaret E. Pope for Shoreline Investments Inc DBA Shoreline Marina and authorized the Chair to sign noting the fees are attached. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Liquor License or 3.2 Beer License Renewal Application – Hotel and Restaurant (County)

Licensee: Danette L. Garlis dba Elaine's Place

Operating Manager: Danette L. Garlis

Morgan County Clerk and Recorder Chief Deputy Clerk Randee Aleman presented to the Board a Liquor License or 3.2 Beer License Renewal Application submitted by Danette L. Garlis dba Elaine's Place for a Hotel and Restaurant (county) license. Ms. Bailey stated that she has received the necessary documents and all fees have been submitted. Ms. Aleman stated that there are no issues with this licensee and then asked the Morgan County Sheriff's Department to report at which time Lt. Jon Horton indicated he had nothing to report. Ms. Aleman then asked the Board for approval.

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

A motion was made by Commissioner Zwetzig to approve the liquor license renewal for Danette L. Garlis dba Elaine's Place indicating the address as 17590 County Road T.5, Fort Morgan, Colorado and authorized the Chair to sign noting the fees are attached. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – Application for Special Events Permit

Applicant: Archetypos Center for Spiritual Development Healing Inc., Zachary Hombach

Morgan County Clerk and Recorder Chief Deputy Clerk Randee Aleman presented to the Board a Special Events Permit submitted by Tim Arguello and Zachary Hombach for Archetypos, Center for Spiritual Development Healing, Inc., a non-profit providing services for Moreno Racing, Inc. Ms. Aleman stated that the applicant has since withdrawn their application in writing and at this time, there is no further action necessary to be taken by the local authority. Ms. Aleman explained that the applicant did in fact submit the \$25.00 fee which will not be refunded given the County has incurred some hard costs to process the application indicating those costs as being the newspaper legal notice that was published and the signage which was never posted by the applicant.

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

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A motion was made by Commissioner Zwetzig to recognize the application for a special event being withdrawn in writing, with Commissioner Teague seconding the motion, motion carried 3-0.

CITIZEN'S COMMENT

Durwood Darbin, address of 211 4th Avenue Wiggins Colorado, stated he would like the Commissioners to consider vacating a half a mile of County Road O from Highway 52, west to the dead end which is his residence. He stated it is a single wide dirt road that is maintained by the County. In the 1960's, a 30 foot right way was granted to the County, who was the owner at the time. Mr. Darbin stated the road only serves one purpose and that is access to his place. He stated since it is a County Road, numerous people drive down it and he has had times that the property has been vandalized. He would like for the road to be vacated and reverted back to him and stated he will maintain the road he is requesting be vacated which would be 2177.96 linear feet.

Chairman Arndt asked if there were any other property owners on the half mile of the road in question, with Mr. Darbin stating no, there is one on the north side, which is the Walkers pasture land, the south side is sprinkler land being rented by Howell's and on the south side of the corner of Highway 52 and Road O is Kevin Clay, which is a sprinkler corner with a house. Mr. Darbin stated what his is asking for does not include the Walkers or the Clays. He has the equipment to maintain the road himself. He explained the State took the road back because they needed access to their land which they do have access through County Road 4 and further indicated that every gate that is there is locked with a sign that states if you need access to the land to call and the number is a non-working number. In the 10 years that he has owned the property there has only been two people needing access with those being Morgan County REA and the Fire Department when there was fire in pasture.

Chairman Arndt asked if there was a gate at the end of the road, with Mr. Darbin stating yes, there is a gate which is locked. Chairman Arndt stated this item will be taken into consideration and looked into further.

Chuck Miller, address of 26060 County Road S, Brush, Colorado, stated he is here today to request information from the March 27 Board meeting indicating it was the meeting for the consideration of the approval of the amendments of the flood plain regulations and definitions. At the meeting there was a resolution that was presented that he commented on and that was not the resolution that was on the website for review and also is not the resolution that is in the minutes. He explained that the resolution that is attached in the minutes is the resolution that was on the website and the review prior to the meeting.

Commissioner Teague stated that the resolution was presented at the next week's meeting on the consent agenda, where the Board approved the corrected resolution.

Commissioner Zwetzig stated what was shown up was what was being considered was the resolution before the Board and they can go through discussion to amend the resolution. Commissioner Zwetzig stated that it contained parts of the resolution they did not adopt in the regulations, they adopted the FIS and the FIRM. The resolution that was put was up for consideration and the resolution that was approved was replaced in minutes.

Mr. Miller does not understand how a citizen can stay involved in the local government with these types of actions. He has been very involved and tries to assist the Board and finds it challenging to have something presented and then to do something different without the people that have been involved. The Board and the Floodplain Officer that knows the importance has spoken to him and he has to take additional time to come here to find out that information.

Mr. Miller stated that another point he would like to make is he has not seen anything that shows further work is being done to what was adopted, it was in the minutes that it can be adopted but it can be continued to be looked at and address it or withdraw it. There has not been any action that he is aware of and would like to see further action being taken and readdress this issue.

Mr. Miller explained that there are a number of important facts that he would like to have from the March 27th meeting and would like to know how to obtain a copy of the recording, with Ms. Aleman stating that he would need to submit a CORA request to the Morgan County Clerk and Recorder's office and the charge for the CD would be \$5.00.

Mr. Miller stated that he has returned from the range rights resource symposium where he presented coordination, there were speakers from all over the Country. The one speaker Amen Bundy answered many questions about what is going on the Country and what is effecting the local levels. This related back to the agenda 2030 which was agenda 21 encourage the Commissioners to pay attention to this and they have the power to take care of the County and to put stops to the majority of things going on and he would like to see advisory councils and identify topics of concerns and utilize the coordination mandate.

PUBLIC HEARING – continued from March 27, 2018

Chairman Arndt called the hearing to order at 9:34 a.m. in the Assembly Room of the Morgan County Administration Building. Present were Chairman Mark Arndt, Commissioner Laura Teague and Commissioner James Zwetzig in attendance. Also present was Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry.

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Consideration for Approval – Amending various sections of the Morgan County Zoning Regulations concerning the use of property by Oil and Gas Operations

Ms. Cherry stated that at the March 27th hearing it was continued to today do to they are still working on the revision and they will be distributing to stakeholders that have interest the revisions she would request a continuation of three weeks which would be May 15th.

Chuck Miller, address of 26060 County Road S Brush Colorado, stated while he researched the agenda on the website trying to get up to speed on what is going on he came across a stakeholders meeting. He stated that at the March 27th meeting he signed up as a person that was interested and wanted to speak. He further stated he had to leave the meeting and did not get signed up at the end of the meeting, however, he would have thought that the Planning Director would have called or emailed him with the information of the meeting. He stated he would like to be added to the list for further meetings with Chairman Arndt stating he can be added to the list.

Mr. Miller questioned if May 15th will be the only meeting with Commissioner Zwetzig that is a suggested date the stakeholders will be notified of the regulations then if they decide that they have questions or would like to speak about the regulations there will have to be another meeting.

Mr. Miller further stated, with respect, it must be understood that the whole point of the oil and gas stakeholders being at the hearing was because from the previous hearing and what was presented to the Planning Commission was only injection wells and now it includes all oil and gas. The agenda now has more information that has not been reviewed by the Planning Commission as it was never presented as a whole; it was strictly the commercial injections wells. Mr. Miller stated that many of the oil and gas stakeholders having not been involved is due to it only being presented as a it is for commercial injection wells, he has attended all the meetings and the oil and gas regulations changes were not presented.

Ms. Cherry asked the Board if there was any question of the Board with Chairman Arndt stating that she is requested to extend the hearing to May 15th to allow for the time for the regulations to be reviewed by the stakeholders group with Ms. Cherry stating that is correct. Chairman Arndt asked Ms. Cherry to be sure that Mr. Miller is added to the stakeholders list to be contacted.

Commissioner Zwetzig asked Ms. Cherry if the Planning Commission has reviewed those, with Ms. Cherry stating yes it was heard on March 12th. Mr. Miller questioned what those were that he was referring to with Commissioner Zwetzig stating the oil and gas regulations that were purposed. Mr. Miller stated that it needs to be looked back into the minutes to see if Ms. Cherry's statement is correct as he believes it is not correct. Commissioner Zwetzig stated that if the regulations were not ran through them we do need to make sure that that the Planning Commission has reviewed them with Ms. Cherry stating that she agrees and she believes that Mr. Millers statement is incorrect.

Commissioner Zwetzig made a motion to continue to a date certain of May 15th, 2018 for the consideration amending various sections of the Morgan County Zoning Regulations concerning the use of property by Oil and Gas Operations and it can be continued if the Planning Commission has not had a chance to review with Commissioner Teague seconding the motion, motion carried 3-0

Being no further business the meeting was then adjourned at 9:45 a.m.

Respectfully Submitted,
Ranee Aleman
Deputy Clerk to the Board

(Minutes ratified May 1, 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