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BOARD OF COUNTY COMMISSIONERS Minutes of Meeting August 28, 2018

The Board of Morgan County Commissioners met Tuesday, August 28, 2018 at 9:02 a.m. with Chair Pro Tem Laura Teague and Commissioner James Zwetzig in attendance with Chairman Mark Arndt absent and excused. Chair Pro Tem Teague asked Morgan County Deputy Clerk to the Board Randee Aleman 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 Chair Pro Tem Teague seconding the motion. Motion carried 2-0.

CONSENT AGENDA

- Ratify the Board of County Commissioners approval of meeting minutes dated August 21, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 177, EPEC, LLC, Weed Control, Term of Contract August 22, 2018 through December 31, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 178, State of Colorado, Department of Homeland Security and Emergency Management, EMPG/LEMS, Term of Contract January 1, 2018 through December 31, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 179, Morgan County Family Center, IOG Coordinator & FACT Facilitator, Term of Contract July 1, 2018 through June 30, 2019
- Ratify the Board of County Commissioners approval on Contact 2018 CNT 180, Deadshort Broadcasting, Radio Advertising, Term of Contract August 23, 2018 through September 23, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 181, Lost Creek Adventures, Advertising, Term of Contract August 1, 2018 through August 31, 2018
- Ratify the Board of County Commissioners approval on Contract 2018 CNT 182, Kubl Group LLC, Upgrade Jail Security System, Term of Contract August 22, 2018 until completion of project
- Ratify Chair Pro-tem Laura Teague's signature on Intergovernmental Agreement 2018 IGA 001, Weld County School District dated August 27, 2018
- Ratify Chair Mark Arndt's signature on Intergovernmental Agreement 2018 IGA 002, Morgan County Government dated August 1, 2018
- Ratify Chair Pro-tem Laura Teague's signature on Intergovernmental Agreement 2018 IGA 003, CCWCD Groundwater Management Sub district dated August 27, 2018
- Ratify Chair Mark Arndt's signature on Intergovernmental Agreement 2018 IGA 004, City of Fort Morgan dated August 14, 2018
- Ratify Chair Mark Arndt's signature on Morgan County Quality Water District Application for Credit dated August 20, 2018
- Ratify Chair Mark Arndt's signature on Morgan County Department of Solid Waste Management Recycling Rebate Application dated August 20, 2018
- Ratify Chair Mark Arndt's signature on letter to City of Brush, landfill disposal fees dated August 20, 2018
- Ratify Chair Mark Arndt's signature on letter to City of Fort Morgan, landfill disposal fees dated August 20, 2018
- Ratify Chair Mark Arndt's signature on letter to Wolf Waste Removal, LLC, landfill disposal fees dated August 20, 2018
- Ratify Chair Mark Arndt's signature on letter to Waste Management of NE Colorado Disposal Services, landfill disposal fees dated August 20, 2018
- Ratify Chair Mark Arndt's signature on letter to VALE Board, VALE funding dated August 20, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to Wiggins Summer Preschool dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to S.H.A.R.E. dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to S.A.R.A., Inc. dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to Rising Up dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to Morgan County Family Center dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to Goodwill Industries of Denver dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to Baby Bear Hugs dated August 23, 2018
- Ratify Chair Pro-tem Laura Teague's signature on letter to A Caring Pregnancy dated August 23, 2018
- Ratify Chair Mark Arndt's signature on Colorado Mined Land Reclamation Permit dated August 20, 2018
- Ratify Chair Mark Arndt's signature on CCI Legislative Committee Member Appointment dated August 20, 2018
- Ratify the Board of County Commissioners approval on assignment of debt collections to State Collections, Client #180865, #180537A, #180596, #180819, #180683B, #180440, #180617, #180895, #180867, #180866, #180901, #108904, #180810, #181067, #180824, #180859, #180685, #172225, #180574, #180024, #180732, #180800D, #180800C, #180683C, #180800C
- Ratify the Board of County Commissioners approval on Ambulance Account write-off #181721D

Commissioner Zwetzig made a motion to approve all items on the Consent Agenda as presented, Chair Pro-tem Teague seconded the motion and motion carried 2-0.

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GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION - 2018 BCC 2018 BCC 29 - A Resolution to designate the Morgan County Partnership for Children and Families as the convening entity of the Early Childhood Council serving Morgan County

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2018 BCC 29

A RESOLUTION TO DESIGNATE THE MORGAN COUNTY PARTNERSHIP FOR CHILDREN AND FAMILIES AS THE CONVENING ENTITY OF THE EARLY CHILDHOOD COUNCIL SERVING MORGAN COUNTY.

WHEREAS, pursuant to HB07-1062, Morgan County Board of County Commissioners must designate a convening member to operate the Early Childhood Council serving Morgan County, and requires the convening entity to approve council members;

WHEREAS, HB07-1062 outlines the essential community representation on a council, as well as suggested participation on the council. It also sets forth the duties of the councils, including but not limited to increasing and sustaining the quality, accessibility, capacity, and affordability of early childhood services for children 5 years of age or younger and their parents;

WHEREAS The Morgan County Partnership for Children and Families has formed, designated the required membership, and acquired the services of the Morgan County Family Center to be its fiscal and human resources agency for the Morgan County Partnership for Children and Families;

NOW THEREFORE be it resolved by the Morgan County Board of County Commissioners as follows:

1. The Morgan County Partnership for Children and Families is hereby designated to operate and perform the duties of the Early Childhood Council serving Morgan County.
2. The designated fiscal agent of the Morgan County Partnership for Children and Families shall be the Morgan County Family Center and the council coordinator shall be an employee of the Morgan County Family Center.

Approved this 28th day of August, 2018.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

Mark A. Arndt, Chairman

Laura D. Teague, Commissioner

James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

Susan L. Bailey

Chair Pro-tem Teague presented to the Board for approval, a Resolution 2018 BCC 29, a Resolution to designate the Morgan County Partnership for Children and Families as the convening entity of the Early Childhood Council serving Morgan County. Chair Pro-tem Teague outlined the resolution that was developed memorializing the acceptance of a letter from Morgan County Partnership for Children and Families requesting designation by the Board of County Commissioners to serve as the Childhood Council in Morgan County, with Morgan County Family Center serving as the fiscal agent and human resources management. Chair Pro-tem Teague recommended approval.

Commissioner Zwetzig made a motion to approve Resolution 2018 BCC 29 a Resolution to designate the Morgan County Partnership for Children and Families as the convening entity of the Early Childhood Council serving Morgan County as presented by Chair Pro-tem Teague, with Chair Pro-tem Teague seconding the motion. At this time, Commissioner Zwetzig made mention regarding the time and effort Chair Pro-tem Teague has spent in this

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effort and expressed his appreciation and further named Mary Gross for her efforts for Early Childhood services in Morgan County. At this time, the motion carried 2-0.

Consideration of Approval – RESOLUTION - 2018 BCC 2018 BCC 30 - A Resolution referring to the Voters of Morgan County the question of whether term limits of the District Attorney for the 13th Judicial District should be modified

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

RESOLUTION NO. 2018 BCC 30

A RESOLUTION REFERRING TO THE VOTERS OF MORGAN COUNTY THE QUESTION OF WHETHER TERM LIMITS OF THE DISTRICT ATTORNEY FOR THE 13TH JUDICIAL DISTRICT SHOULD BE MODIFIED.

WHEREAS, Article XVIII, Section 11, of the Colorado Constitution limits elected state and local officials to two consecutive terms of office; and

WHEREAS, Article XVIII, Section 11 of the Colorado Constitution also allows the voters of any political subdivision of the state to change the limitations on the number of consecutive terms of office which may be served by any individual; and

WHEREAS, the District Attorney of the 13th Judicial District is limited to two consecutive terms of office; and

WHEREAS, a proper request has been filed with the Boards of County Commissioners of the counties comprising the 13th Judicial District to refer the question of term limits to the voters of the respective counties; and

WHEREAS, the County Commissioners of the seven counties in the 13th Judicial District jointly desire to refer the question of whether to modify the term limits for the District Attorney from two to three terms in each of the respective counties; and

WHEREAS, it is desirable that the voters of Morgan County be provided the opportunity to express their will on this matter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO, as follows:

1. The following question is hereby certified to the Morgan County Clerk and Recorder to be presented to the registered electors of Morgan County at the General Election to be held on November 6, 2018:

COUNTY REFERRED BALLOT QUESTION # 7A - CHANGING TERM LIMITS FOR THE OFFICE OF DISTRICT ATTORNEY

Shall the term limit imposed in Article XVIII, Section 11(1) of the Colorado Constitution on the Office of the District Attorney for the Thirteenth (13TH) Judicial District be modified from two terms to three terms?

_____ **Yes/For**

_____ **No/Against**

2. The Morgan County Clerk and Recorder is hereby designated the Election Official for this referred question.

ADOPTED AND SIGNED this 28th day of August, 2018.

I, Susan L. Bailey, County Clerk and Recorder in and for the County of Morgan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of Morgan County, Colorado, in regular session on the 28th day of August, 2018.

s/ Susan L. Bailey
Susan L. Bailey County Clerk and Recorder

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

Noted as absent
Mark A. Arndt, Chairman

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

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s/James P. Zwetzig

James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey

Susan L. Bailey

Chair Pro-tem Teague presented to the Board for approval, a Resolution 2018 BCC 30, a Resolution referring to the Voters of Morgan County the question of whether term limits of the District Attorney for the 13th Judicial District should be modified and stated the resolution authorizes Clerk Susan Bailey as the designated election official (DEO). Chair Pro-tem Teague asked Commissioner Zwetzig to outline the resolution whereas he stated that all seven counties within the 13th Judicial District received a request for this action and they all waited until this election cycle for it to be placed on the ballot at a lesser cost to the Counties. He also stated that Logan County Clerk Pam Bacon is coordinating the effort to ensure the ballot language is the same for all seven counties involved. At this time, Morgan County Clerk Susan Bailey stated that all counties that certify this question to the ballot must have the same language in order for this to be valid and stated that Clerk Bacon has been the point of contact and has done a great job making sure the counties are on board and have the same language. Commissioner Zwetzig stated that none of the counties have endorsed or suggested support of the current district attorney, they are just placing this question on the ballot for citizens to choose whether or not the district attorney's position should be limited to three terms instead of the current two year term limit requirement.

Commissioner Zwetzig made a motion to approve Resolution 2018 BCC 30 a Resolution referring to the Voters of Morgan County the question of whether term limits of the District Attorney for the 13th Judicial District should be modified as presented with Chair Pro-tem Teague seconding the motion and the motion carried 2-0.

Commissioner Zwetzig asked that it be noted that every judicial district has their own rules, and there is a variance for term limits for this position.

Consideration of Approval – RIGHT OF WAY - 2018 PMT 61 – Morgan County Quality Water District

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 61, with Morgan County Quality Water District. Mr. Goodman stated this right of way permit is for trenching and boring Morgan County Road 26 (Road segment 700), beginning approximately 230 feet south of Highway 34 in the west right of way of Morgan County Road 26 at an existing 3 inch solid sleeve, boring east crossing Morgan County Road 26, 50 feet to a point in the east right of way of Morgan County Road 26, then trenching south 551 feet in the east right of way of Morgan County Road 26 at approximately 4 feet east of the existing asphalt, then east to the east right of way line of Morgan County Road 26, for the purpose of installing 3 inch SDR 21 PVC pipe in trench and 3 inch DR 11 HDPE pipe in bore. Chair Pro-tem stated there is a check attached to cover this permit.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 61, with Morgan County Quality Water District as outlined in the narrative of the and noting the fees in the amount of \$200.10 are attached and as a condition of the permit to include the statement that compatible GIS shape files will be provided upon completion of the project as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Chair Pro-tem Teague seconded the motion. At this time, the motion carried 2-0.

Consideration of Approval – RIGHT OF WAY - 2018 PMT 62 – Morgan County Quality Water District

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 62, with Morgan County Quality Water District. Mr. Goodman stated this right of way permit is for trenching and boring in Morgan County Road H (Road Segment 400), beginning at the 30 feet east of State Highway 52 in the South right of way of Morgan County Road H, trenching east 210 feet to a point 240 feet east of State Highway 52, then boring north crossing Morgan County Road H to the north right of way of Morgan County Road H, for the purpose of installing 3 inch PVC pipe in trench and 3/4 inch DR 9 HDPE pipe in bore. Chair Pro-tem Teague stated the fees are attached in the amount of \$171.00.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 62, with Morgan County Quality Water District as outlined in the narrative of the and noting the fees in the amount of \$171.00 are attached and include the condition that compatible GIS shape files will be provided upon completion of the project as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Chair Pro-tem Teague seconded the motion. At this time, the motion carried 2-0.

Consideration of Approval – RIGHT OF WAY - 2018 PMT 63 – Xcel Energy

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 63, with Xcel Energy. Mr. Goodman stated this right of way permit is to bore Morgan County Road N (County Road Segment 310) beginning 4510 feet west of Morgan County Road 21 at an existing natural gas line in the South right of way of Morgan County Road N, boring crossing Morgan County Road N to the North right of way of Morgan County Road N, for the purpose of installing gas service for a new residence. He stated the fees are attached in the amount of \$150.00 and Morgan County Road Supervisor John Goodman inspected the location.

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Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 63, with Xcel Energy as outlined in the narrative of the and noting the fees in the amount of \$150.00 are attached and include the statement that compatible GIS shape files will be provided upon completion of the project as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Chair Pro-tem Teague seconded the motion. At this time, the motion carried 2-0.

Commissioner Zwetzig stated that with Xcel Energy, they have their territories similar to Morgan County REA, but with fiber, there is no territory, and there are applications that are being delayed due to the issue with the County's right of ways becoming full, and Road Supervisor John Goodman stated the utility corridors are going to be an issue, and a battle to place other infrastructure within the county's right of ways naming County Road 19 as one area of concern. He stated things are becoming very tight and the County needs to review this and look into the future to try and resolve the issue given space is limited, suggesting plural conduits as an option. Commissioner Zwetzig stated the County is encouraging the expansion of broadband, but the County needs to develop better ways of building the infrastructure.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Emergency Management Update – Roger Doll, Director of Emergency Management

Morgan County Director of Emergency Management, Roger Doll provided an update to the Board regarding the severe storm event that occurred in Morgan County on July 29, 2018. He stated as a result of the storm event, the County, the Town of Hillrose and City of Brush declared local disasters whereas it was determined whether or not it would warrant federal assistance. He stated last week the County had a visit from the Federal Emergency Management Agency, where at first they looked at public agency assistance, debris removal, looking at costs and damages associated with that for all the areas affected. He further mentioned those agencies involved which included Morgan County REA. Last Tuesday, a second group came in and this effort was more geared towards businesses and personal residences in how they were affected and information was gathered as to damages that were sustained and those numbers have been taken back with them and the County is waiting to see if the area should meet the federal threshold for federal assistance. He further stated to ease the burden on the County and the municipalities, as well as the residents of Morgan County, are ultimately the goal. He thanked the Road and Bridge crew as well as staff from the Assessor's office who assisted with this effort.

Commissioner Zwetzig thanked Emergency Director Roger Doll for his efforts stating he feels the County was better prepared for this type of emergency.

Commissioners reviewed the calendar dated August 24, 2018 through September 4, 2018 with changes.

Chair Pro-tem Teague stated that Connor Woodall, who is currently who is serving as the County's "Best and Brightest" intern, funded by a grant that DOLA administers, which brings college interns from CU Denver to counties in a two year master's to receive county management experience. On Thursday is an annual meeting for the interns to provide feedback for their experience along with their managing Commissioners. Will be attending this meeting along with Intern Connor Woodall. Mr. Woodall stated this will be the first experience of all attending the meeting together and it will be interesting to see the response from the other counties. Commissioner Zwetzig noted that the City of Fort Morgan currently participated in the program and the City of Brush was also offered the opportunity and feels it is a benefit to all involved.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT

There was no citizen comment provided.

Being no further business the meeting was then adjourned at 9:24 a.m.

Respectfully Submitted,

Susan L. Bailey
Clerk to the Board
(Minutes ratified September 11, 2018)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Laura D. Teague
Laura D. Teague, Chair ProTem

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

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey