

COMMISSIONERS PROCEEDINGS 1

**BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
October 9, 2018**

The Board of Morgan County Commissioners met Tuesday, October 9, 2018 at 9:04 a.m. with Chairman Mark Arndt and Commissioner James Zwetzig in attendance with Commissioner Teague being absent and excused. Chairman Arndt asked Morgan County Clerk Susan L. Bailey 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 Chairman Arndt seconding the motion. Motion carried 2-0.

CONSENT AGENDA

Ratify the Board of County Commissioners approval of meeting minutes dated September 18, 2018
Ratify the Board of County Commissioners approval of meeting minutes dated September 20, 2018
Ratify the Board of County Commissioners approval of meeting minutes dated September 25, 2018
Ratify the Board of County Commissioners approval on Contract 2018 CNT 186, Morgan County Board of County Commissioners and Wiggins School District, intergovernmental agreement of Every Student Success Act, Term of Contract On-Going
Ratify the Board of County Commissioners approval on Contract 2018 CNT 187, Goodwill Industries of Denver, to provide life skills/career development, Term of Contract July 1, 2018 through June 30, 2019
Ratify the Board of County Commissioners approval on Contract 2018 CNT 188, Tennant, repair floor machines – Fairgrounds, Term of Contract October 9, 2018 until completed
Ratify the Board of County Commissioners approval of the Veterans Report for September 2018
Ratify the Board of County Commissioners approval of the waiver of fairground fees for the Morgan County Sheriff's Office

Commissioner Zwetzig made a motion to approve items 1-8 on the Consent Agenda as presented, Chairman Arndt seconded the motion and motion carried 2-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION - 2018 BCC 2018 BCC 36 - A Resolution Opposing Proposition 112

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

RESOLUTION 2018 BCC 36

**A RESOLUTION OPPOSING PROPOSED
INITIATIVE PROPOSITION 112**

WHEREAS, Colorado is a major energy-producing state, ranked fifth in the nation for natural gas production and seventh in oil production, according to U.S. government data; and

WHEREAS, Colorado is widely recognized as a national leader in developing health, safety and environmental protections; and

WHEREAS, Oil and natural gas development is a critical sector of the Colorado state economy, supporting jobs and supplying locally produced and affordable energy to households and businesses all across the state; and

WHEREAS, Every Democratic and Republican candidate running for governor this year opposed Proposition 112; and

WHEREAS, The Democratic nominee for governor, Jared Polis, says Proposition 112 would “all but ban” oil and natural gas development in Colorado, and the Republican nominee for governor, Walker Stapleton, calls the measure an “energy ban” in disguise; and

WHEREAS, A study conducted by the REMI Partnership, a coalition of state business groups, found the setback initiative would eliminate over \$26 billion annually in state GDP, more than \$1 billion in state and local tax revenue per year, and almost 150,000 Colorado jobs by 2030; and

WHEREAS, More than 232,000 jobs in Colorado are supported by oil and natural gas development, equivalent to 6.5 percent of total employment in the state, according to a 2017 study by globally renowned accounting firm PricewaterhouseCoopers; and

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WHEREAS, According to the same study, oil and natural gas development in Colorado supports more than \$31 billion in economic activity, equivalent to almost 10 percent of the state's economy; and

WHEREAS, Oil and natural gas development in Colorado generates almost \$1.2 billion in tax revenue, according to a 2015 study by the University of Colorado's Leeds School of Business; and

WHEREAS, The loss of Colorado's energy sector would devastate the state's economy, cripple state and local budgets, and threaten the livelihoods of hundreds of thousands of working families, and

WHEREAS, Anti-oil and gas proposals would dramatically increase the cost of doing business in the State of Colorado, creating a hostile business climate that scares away investment from all sectors of our economy; and

WHEREAS, Out-of-state environmental activist groups are leading a campaign to ban oil and natural gas development in Colorado, showing a total disregard for the devastating economic impacts they will leave behind if they succeed; and

WHEREAS, Proposition 112 is a one-size-fits-all, blunt instrument that would create a *de facto* ban on oil and gas production even in communities that embrace responsible energy development, showing that the proponents of Proposition 112 do not support local control as they claim; and

Now, therefore, be it resolved:

The Morgan County Board of County Commissioners hereby declares its opposition to statewide Proposition 112: Setback Requirement for Oil and Gas Development.

Dated this 9th day of October, 2018.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

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

Absent/excused
Laura D. Teague, Commissioner

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

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Commissioner Zwetzig presented to the Board for approval, a Resolution 2018 BCC 36, A Resolution Opposing Propositions 112 stating that two weeks ago at the last CCI Board membership meeting, the members of CCI voted on the ballot issues and did vote to oppose Proposition 112, and in following with that offered the resolution being presented today asking for approval and summarized the resolution being presented. Commissioner Zwetzig read aloud the sentence, whereas, Colorado is widely recognized as a national leader in developing health, safety and environmental protections, feeling this statement is a summary of the intent of this resolution.

Commissioner Zwetzig made a motion to approve Resolution 2018 BCC 31, a resolution Opposing Propositions 112 as presented by Commissioner Zwetzig with Chairman Arndt seconding the motion. At this time, Chris McGowan, stating he works for the Colorado Petroleum Council as the Associate Director, address being 1660 Broadway Suite 2900, Denver, CO spoke stating their goal is to ensure a strong, viable natural gas industry capable of meeting the energy needs of Colorado and then thanked the Board for allowing them to speak and appreciates the support. He expressed his support of the resolution being presented and provided reasons why he supports the resolution opposing Proposition 112. He stated this is a serious statewide issue and currently feels we enjoy the best economy in the nation and Proposition 112 will change that. He made mention of the funding education would lose in the amount of 230 million dollars alone, indicating the oil and gas industry supports 6.5 percent of the total employability for the State. He also stated that over 40 mayors and others have expressed their opposition of this proposition as well.

Ryan Seastrom, Colorado Oil and Gas Industry, address being 1800 Glenarm Place Denver, CO, thanked the county for its support of the oil and gas industry and stated he shares the same feelings as was expressed by Mr. McGowan. He further stated the resolution being presented today has been voted on by several counties in the State of Colorado as well and further thanked the Board for letting him speak today. Commissioner Zwetzig further stated he is still quite concerned about local control in regards to the County's land use regulations and spoke further about the stakeholder process that was held to review and implement the counties land use regulations and expressed his appreciation of the industry that supported and participated in this process. At this time, the motion carried 2-0.

Consideration of Approval – RIGHT OF WAY - 2018 PMT 78 – Wiggins Farms, LLC

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Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 78, with Wiggins Farms, LLC in the amount of \$154.50. Mr. Goodman stated this right of way permit is for boring Morgan County Road V (Road Segments 200), starting at GPS coordinates 40.305361 and -104.045694. A two inch bore will cross Morgan County Road V ending at GPS coordinates 40.305528 and -104.045667, for the purpose of power crossing for a new home.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 78, with Wiggins Farms, LLC as outlined in the narrative of the and noting the fees in the amount of \$154.50 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Chairman Arndt seconded the motion. Commissioner Zwetzig made note of item number 18 in the permit form, stating the GIS shapefiles are to be provided if available. At this time, the motion carried 2-0.

Consideration of Approval – RIGHT OF WAY - 2018 PMT 79 – Blue Wing Farms, LLC

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 79, with Blue Wing Farms, LLC in the amount of \$154.50. Mr. Goodman stated this right of way permit is for boring Morgan County Road 9 (Road Segments 710), starting at GPS coordinates 40.330917 and -103.972389 or on Morgan County Road 9 approximately .2 miles south of the South Platte River, a four inch bore will cross Morgan County Road 9 ending at GPS coordinates 40.330889 and -103.972194, for the purpose of a primary power crossing for pump station.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 79, with Blue Wing Farms, LLC as outlined in the narrative of the and noting the fees in the amount of \$154.50 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Chairman Arndt seconded the motion noting the GIS shapefile will be provided if available. At this time, the motion carried 2-0.

Consideration of Approval – BID AWARD – RFP 2018-1004-001 – Fuel Bid (1)

Morgan County Public Works Director Bruce Bass presented to the Board for approval Bid Award RFP 2018-1004-001 – Fuel Bid (1) for the time period of October 1, 2018 through March 31, 2018 for all Morgan County sites. Mr. Bass stated there was one bid submitted by Hill Petroleum at which time Mr. Bass summarized each bid per delivery site. Mr. Bass stated this is the price the company will add to the daily rack price for delivery costs and explained the additional mandatory fees that are required to be paid. At this time Mr. Bass recommended that the Board award bid RFP 2018-1004-001 to Hill Petroleum in the amount of \$11,905.10.

Commissioner Zwetzig asked if Mr. Bass knows why there was only one bidder who submitted a bid, with Mr. Bass stating he did send it to five or six companies who did receive mail packets and advertised it accordingly with Mr. Woodall stating there was an additional bid received one hour late.

Commissioner Zwetzig made a motion to approve bid award RFP 2018-1004-001 – Fuel Bid (1) to Hill Petroleum as recommended by Morgan County Public Works Director Bruce Bass, and authorized the preparation of a contract. Chairman Arndt seconded the motion the motion carried 2-0.

Consideration of Approval – Land Purchase

Chairman Arndt made mention that a resolution has been prepared in this matter, Resolution 2018 BCC 37, A Resolution Approving a Purchase and Sale Agreement Between Morgan County and the Green Family Estates, Inc.

At this time, Commissioner Zwetzig explained that Public Works Director Bruce Bass was approached by a landowner representing the Green Family Estates who the County currently leases from to purchase gravel and after this conversation, it was decided to enter into an agreement with this landowner, stating he believes it would be in the best interest of Morgan County to purchase the property from Green Family Estates, Inc. at this time. Commissioner Zwetzig stated the property is located in the east half of the southwest corner of Section 24, township 6 north, range 56 west of the 6th p.m., 80 acres at a purchase price of \$155,000.00.

Commissioner Zwetzig made the motion to approve Resolution 2018 BCC 37, A Resolution Approving a Purchase and Sale Agreement Between Morgan County and the Green Family Estates, Inc. with Chairman Arndt seconding the motion. Chairman Arndt stated this gravel pit has been leased by the County since the early eighties and appreciates the fact that the Green Family approached the County in offering to sell this portion of property, and stated he feels this purchase is in the best interest of the County to have this gravel source and believes this pit should have approximately 25 years of life and resources left.

Mr. Bass stated about a year ago, he put together a plan, which indicated there is about 43 percent having been utilized through the current permit which leaves about 57 percent remaining at this current site for use of gravel. Commissioner Zwetzig asked Mr. Bass about the other lease the County has with another landowner for use of their gravel pit if that would affect the use from that pit, with Mr. Bass stating they have no intentions in changing the way they conduct business in purchasing gravel from the other pit. Discussion followed regarding the longevity of the Green pit as being what it will be given the use of the additional gravel pit the County currently leases from. At this time, the motion carried 2-0.

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MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

RESOLUTION 2018 BCC 37

A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN
MORGAN COUNTY AND THE GREEN FAMILY ESTATES, INC.

WHEREAS, the County Commissioners desire to acquire the real property described in the attached purchase and sale agreement attached hereto as **Exhibit A** (the "Purchase and Sale Agreement") and authorize the execution of the Purchase and Sale Agreement and take any and all actions required to close on the transaction.

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

1. The Purchase and Sale Agreement is hereby approved and the County Commissioners are authorized to execute the same.

2. Any one of the County Commissioners is hereby authorized to execute all documents required to purchase the property that is the subject of the Purchase and Sale Agreement with no further approval or action of the Board of County Commissioners required.

DATED this 9th day of October, 2018.

THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

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

Absent/Excused
Laura D. Teague, Commissioner

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

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

UNFINISHED BUSINESS

Chairman Arndt summarized some detours onto Morgan County Roads with Mr. Goodman explaining there will be magnesium chloride being placed on county roads and the fact CDOT has placed some temporary stop signs for the 12 days due to the amount of traffic there will be on these roads in question, as noted on the County website and the detour will commence Wednesday, October 10, 2018.

There was no other unfinished business.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Morgan County Clerk Susan Bailey provided an update to the Board regarding the upcoming General Election as well as the completion of the motor vehicle department project. Commissioner Zwetzig asked about the recent outages the County has experienced in the motor vehicle department with Ms. Bailey indicating this has been a statewide issue incurred by issues with connectivity through CenturyLink.

Commissioners reviewed the calendar dated October 5, 2018 through October 16, 2018 with no changes.

Commissioner Zwetzig asked if the public works meeting scheduled for tomorrow at 11 a.m. could be changed to today given he will be out of the office as well as Commissioner Teague with Mr. Bass stating that would be fine.

CITIZEN'S COMMENT

There was no citizen comment provided.

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Being no further business the meeting was then adjourned at 9:33 a.m.

Respectfully Submitted,

Susan L. Bailey
Clerk to the Board

(Minutes ratified October 23, 2018)

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

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

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

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey