

# COMMISSIONERS PROCEEDINGS 1

**BOARD OF COUNTY COMMISSIONERS  
Minutes of Meeting  
October 16, 2018**

The Board of Morgan County Commissioners met Tuesday, October 16, 2018 at 9:10 a.m. with Chairman Mark Arndt, Commissioner Laura Teague and Commissioner James Zwetzig in attendance. Chairman Arndt asked Morgan County Administrative Services Manager Karla Powell to lead the meeting in the Pledge of Allegiance.

At this time, Chairman Arndt asked Ms. Powell to introduce herself to everyone at which time, Ms. Powell stated she has recently accepted the position as Morgan County Administrative Manager and is here today to begin learning.

## **ADOPTION OF THE AGENDA**

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

## **CONSENT AGENDA**

Ratify the Board of County Commissioners approval of meeting minutes dated September 18, 2018

Ratify the Board of County Commissioners approval on Contract 2018 CNT 189, Specialty Shoppe Floors, replace carpet – admin elevator & JC breakroom, Term of Contract until completed

Ratify the Board of County Commissioners approval on Contract 2018 CNT 190, miles Partnership/ Colorado State Vacation Directory Guide, digital & print advertising w/ Colorado Tourism Office, Term of Contract September 2018 through December 2018

Ratify the Board of County Commissioners approval on Contract 2018 CNT 191, Northeast CO Broadcasting/B106/Sands Theatre, annual advertising in Brush movie theatre, Term of Contract September 26, 2018 through September 26, 2019

Ratify the Board of County Commissioners approval on Contract 2018 CNT 208, Wireless Advanced Communications, upgrade radio equipment at Jess Tower for Road & Bridge Radios, Term of Contract September 24, 2018 through September 23, 2019

Commissioner Zwetzig made a motion to approve items 1-5 on the Consent Agenda as presented, Commissioner Teague seconded the motion and motion carried 3-0.

## **GENERAL BUSINESS AND ADMINISTRATIVE ITEMS**

**Consideration of Approval – RESOLUTION - 2018 BCC 2018 BCC 38 - A resolution granting a two lot minor subdivision located in the W½ of the SW¼ of Section 4, Township 3 north, Range 56 west of the 6th P.M., Morgan County, Colorado**

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

**RESOLUTION 2018 BCC 38**

**A RESOLUTION GRANTING A TWO LOT MINOR SUBDIVISION LOCATED IN THE W½ OF THE SW¼ OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 56 WEST OF THE 6<sup>TH</sup> P.M., MORGAN COUNTY, COLORADO**

**WHEREAS**, Brush First Church of the Nazarene (Owners), owns property located in the W½ of the SW¼ of Section 4, Township 3 North, Range 56 West of the 6<sup>th</sup> P.M., Morgan County, Colorado (Property);

**WHEREAS**, Robert Pennington (Applicant), on behalf of the Owner, has applied for approval of a minor subdivision of the Property into two lots pursuant to the County's Subdivision Regulations;

**WHEREAS**, on September 10, 2018, the Morgan County Planning Commission held a duly noticed public hearing on the application where it received public comment, staff input and recommended approval of the Application;

**WHEREAS**, on October 2, 2018, the Board of County Commissioners (BoCC) held a duly noticed public hearing on the application;

**WHEREAS**, during the public hearing, the BoCC received testimony and evidence from the Applicants and Morgan County staff; and

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

1. The BoCC, having reviewed the application, all information provided and testimony heard, finds that:

# 2 COMMISSIONERS PROCEEDINGS

- a. The application documents are complete and represents how the subdivision will be laid out including infrastructure, easements and access:
    - Morgan County Quality Water had issued taps #2940 and #2949 for the subdivision.
    - Northeast Colorado Health Department has issued permit #M18-33 for the church and issued a requirements letter dated July 12, 2018 for the new 5-acre lot when developed.
    - CDOT controls access to the subdivision and has issued approval for existing driveways.
    - There is an existing 20' drainage easement on proposed Lot 1 for the benefit of the Brush First Church of the Nazarene.
  - b. The subdivision is in conformance with the Morgan County Comprehensive Plan and there is access to established public infrastructure.
    - There is existing infrastructure and services available to this new subdivision.
  - c. The subdivision is compatible with surrounding land uses.
    - This subdivision is located in a commercial zoned area and buffering is not required, uses are compatible.
2. The BoCC hereby approves the Brush Nazarene Minor Subdivision.

DATED this 16th day of October, 2018 *nunc pro tunc* October 2, 2018.

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

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

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

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

(SEAL)

**ATTEST:**

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s/ Susan L. Bailey  
Susan L. Bailey

Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry presented to the Board for approval, a Resolution 2018 BCC 38, A Resolution Granting a Two Lot Minor Subdivision located in the W½ of the SW¼ of Section 4, Township 3 north, Range 56 west of the 6th P.M., Morgan County, Colorado. Ms. Cherry stated that on October 2, 2018 the Board of County Commissioners held the public hearing on a 2-lot Minor Subdivision. This is the resolution that has been prepared to reflect the outcome of the hearing.

Commissioner Teague made a motion to approve Resolution 2018 BCC 38, A Resolution Granting a Two Lot Minor Subdivision located in the W½ of the SW¼ of Section 4, Township 3 north, Range 56 west of the 6th P.M., Morgan County, Colorado, as presented by Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry noting the Board will be signing this nunc pro tunc with Commissioner Zwetzig seconding the motion. At this time, the motion carried 3-0.

**Consideration of Approval – RESOLUTION - 2018 BCC 2018 BCC 39 - A Resolution Conditionally Approving a Use by Special Review for a Hair Salon and Event Center on property located in the N½ of the NW¼ of Section 12, Township 4 north, Range 58 west of the 6<sup>th</sup> P.M. , Morgan County, Colorado**

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

**RESOLUTION 2018 BCC 39**

**A RESOLUTION CONDITIONALLY APPROVING A USE BY SPECIAL REVIEW FOR A HAIR SALON AND EVENT CENTER ON PROPERTY LOCATED IN THE N ½ OF THE NW¼ OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M. MORGAN COUNTY, COLORADO**

**WHEREAS**, Kyle and Jennifer Eiring (the “Owners”) own property located in the N½ of the NW¼ of Section 12, Township 4 North, Range 58 West of the 6<sup>th</sup> P.M., Morgan County, located in the Agricultural Production Zone District;

**WHEREAS**, Kyle and Jennifer Eiring (the “Applicants”) filed an application for a Use by Special Review to permit a hair salon and 250 person capacity event center;

# COMMISSIONERS PROCEEDINGS 3

**WHEREAS**, a hair salon and an event center are not listed as permitted, conditional or special uses in the Agricultural Production Zone District;

**WHEREAS**, pursuant to Section 2-325 of the Morgan County Zoning Regulations, any use, not designated as a Use by Right, Accessory Use, Conditional Use or Use by Special Review or not otherwise prohibited in a particular zone, may be approved as a Use by Special Review;

**WHEREAS**, on September 10, 2018 the Morgan County Planning Commission held a duly noticed public hearing on the application where it received public comment, staff input and recommended approval of the Application;

**WHEREAS**, on October 2, 2018, the Board of County Commissioners held a duly noticed public hearing and received testimony from staff and the applicant and the Planning Commission's recommendation for approval; and

**WHEREAS**, the Board of County Commissioners desires to grant the Special Use application, as provided for herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO**, that based upon the findings below that they approve the application as follows:

1. The Board of County Commissioners having reviewed the Special Use application, all information provided, testimony heard and the criteria for a Special Use as set forth in Section 2-345 of the Regulations find that:
  - a. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan.
    - In the North Central Planning Area a goal to encourage the preservation of agricultural production land. A 250 person event center and a single chair hair salon is proposed.
  - b. All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.
  - c. The Site Plan conforms to the district design standards of these Regulations.
  - d. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.
    - 40-foot width driveway to be constructed to accommodate emergency vehicles;
    - Stop sign be erected at the intersection of paved County Road 17 and County Road W;
    - Security will be hired should an event serve alcohol.
  - e. The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.
    - The closest home to the proposed event center is approximately  $\frac{3}{4}$  mile to the south.
  - f. The special use poses only the minimum amount of risk to the public health, safety and welfare as set by federal, state or county regulations, whichever is the strictest.
  - g. The special use proposed is not planned to be developed on a non-conforming parcel.
    - The parcel is 868 acres and is not non-conforming.
  - h. The applicant has adequately documented a public need for the project, all pertinent technical information, and adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.
  - i. For any special use requiring a supply of water that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability and in the case of human consumption, quantity, quality, and reliability.
    - Morgan County Quality Water will be extended to the event center.
2. The Board of County Commissioners hereby approves the Special Use Permit for a hair salon and 250-person capacity event center, subject to the following conditions:
  - a. At the current time a road maintenance agreement will be developed to allow the applicant to use the road as a right-of-way and allow the applicant to upgrade it in a manner they choose at this time. But, if the county should, at a later date, decide to come in to maintain it they will be allowed to do so;
  - b. The applicant shall be solely responsible for installation of a stop sign to be coordinated with Road and Bridge and the Sheriff's office;

# 4 COMMISSIONERS PROCEEDINGS

- c. The applicant shall be solely responsible for the extension of Morgan County Quality Water to the event center;
- d. Prior to construction of the hair salon and event center, the applicant shall submit an application to Northeast Colorado Health Department for an Onsite Wastewater Treatment System;
- e. The applicant shall obtain all necessary permits and comply with the requirements and conditions of those permits as determined by other governmental agencies with jurisdiction over this operation.
- f. The hair salon shall be limited to one chair.

Dated this 16th day of October, 2018, *nunc pro tunc* October 2, 2018.

## THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

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

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

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

(SEAL)

ATTEST:

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s/ Susan L. Bailey  
Susan L. Bailey

Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry presented to the Board for approval, A resolution conditionally approving a use by special review for a hair salon and event center on property located in the N ½ of the NW¼ of Section 12, Township 4 north, Range 58 west of the 6<sup>th</sup> P.M. , Morgan County, Colorado. Ms. Cherry stated that on October 2, 2018 the Board of County Commissioners held the public hearing on a Use by Special Review to permit a one-chair hair salon and an event center. This is the resolution that has been prepared to reflect the outcome of the hearing.

Discussion followed with comments made in regards to the language in the resolution referenced in 1a and 2a, with the decision being made to revise the language to read as “In the North Central Planning Area a goal to encourage the preservation of agricultural production land. A 250 person event center and a single chair hair salon is proposed.”

Commissioner Zwetzig made a motion to approve Resolution 2018 BCC 39, A Resolution Conditionally Approving a Use By Special Review for a Hair Salon and Event Center on property located in the N ½ of the NW¼ of Section 12, Township 4 north, Range 58 west of the 6<sup>th</sup> P.M. , Morgan County, Colorado as presented by Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry noting the amendments as stated with Commissioner Teague seconding the motion. At this time, the motion carried 3-0.

**Consideration of Approval – RESOLUTION - 2018 BCC 2018 BCC 40 - A resolution approving a use by special review for the construction of a data center facility and natural gas to electric conversion on property located in the SW¼ of Section 35, Township 3 north, Range 57 west of the 6<sup>th</sup> P.M., Morgan county, Colorado**

## MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

### RESOLUTION 2018 BCC 40

#### **A RESOLUTION APPROVING A USE BY SPECIAL REVIEW FOR THE CONSTRUCTION OF A DATA CENTER FACILITY AND NATURAL GAS TO ELECTRIC CONVERSION ON PROPERTY LOCATED IN THE SW¼ OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 57 WEST OF THE 6<sup>th</sup> P.M., MORGAN COUNTY, COLORADO**

**WHEREAS**, Jolene Steenburgen (Owner) owns property located in the SW¼ of Section 35, Township 3 North, Range 57 West of the 6<sup>th</sup> P.M., Morgan County, located in the Agriculture Production Zone District;

**WHEREAS**, Starlight Energy Corporation (Applicant), on behalf of the Owner, filed an application for a Use by Special Review to permit the construction of a Data Center Facility and Natural Gas to Electric Conversion;

**WHEREAS**, a data center facility and natural gas to electric conversion are permitted, conditional or special uses in the Agricultural Production Zone District;

# COMMISSIONERS PROCEEDINGS 5

**WHEREAS**, pursuant to Section 2-325 of the Morgan County Zoning Regulations, any use, not designated as a Use by Right, Accessory Use, Conditional Use or Use by Special Review or not otherwise prohibited in a particular zone, may be approved as a Use by Special Review;

**WHEREAS**, on September 17, 2018 the Morgan County Planning Commission held a duly noticed public hearing on the application where it received public comment, staff input and recommended approval of the Application;

**WHEREAS**, on October 2, 2018, the Board of County Commissioners, held a properly noticed public hearing on the application; and

**WHEREAS**, the Board of County Commissioners of Morgan County, Colorado, after taking staff and public testimony and reviewing the material provided to it, desires to grant the Use by Special Review application.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO**, that based upon the findings below that they approve the application as follows:

2. The Board of County Commissioners having reviewed the Special Use application, all information provided, testimony heard and the criteria for a Special Use as set forth in Section 2-345 of the Regulations find that:
  - a. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan.
    - Applicant will obtain an Air Pollution Emission Notice permit from the Colorado Department of Public Health and Environment.
    - Production and development of natural gas will not result in adverse environmental impacts.
    - Conversion of natural gas to electricity has a low carbon footprint.
    - Grazing will continue on the remainder of the property.
  - b. All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.
  - c. The Site Plan conforms to the district design standards of these Regulations.
  - d. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.
    - Licenses have been granted by Western Area Power Administration and Public Service Company;
    - An access easement agreement will be executed and granted by Steenburg to Starlight Energy along unimproved County Road M;
    - A Morgan County Quality Water tap has been purchased and applicant shall extend the water pipeline along established easements
  - e. The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.
    - The operations center is located on an existing 160-acre parcel and compatible with surrounding uses, no buffering is necessary.
  - f. The special use poses only the minimum amount of risk to the public health, safety and welfare as set by federal, state or county regulations, whichever is the strictest.
    - Northeast Colorado Health Department will require an Onsite Wastewater Treatment System to be applied for and approved prior to building construction.
  - g. The special use proposed is not planned to be developed on a non-conforming parcel.
  - h. The applicant has adequately documented a public need for the project, all pertinent technical information, and adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.
    - This project could have a positive impact for economic development in Morgan County
  - i. Subject to the conditions below, for any special use requiring a supply of water that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability and in the case of human consumption, quantity, quality, and reliability.
    - A new Morgan County Quality Water tap has been purchased and 9,500 feet of new pipeline will be constructed, at applicant's expense, to provide a water supply to the data center. Applicant is required to complete the inclusion process for MCQWD and Northern Colorado Conservancy Water District.
3. The Board of County Commissioners hereby approves the Special Use Permit for a data center and natural gas to electric conversion facility subject to the following conditions:
  - a. The Owner shall obtain approval for a subdivision exemption for the ten acres on which the uses will be located through the County's separate subdivision exemption process.

# 6 COMMISSIONERS PROCEEDINGS

- b. If the rights-of-way of County Road M and County Road 21 require maintenance, as determined by the County, the party performing maintenance will be required to enter into a road maintenance agreement in a form provided by the County.
- c. The applicant shall be solely responsible for the extension of Morgan County Quality Water to the data center.
- d. Prior to construction of the onsite waste water treatment system, the applicant shall submit an application to Northeast Colorado Health Department.
- e. A thirty (30) foot easement for purposes of access to the 10 acre parcel shall be dedicated by plat or other document from the Owner. Nothing in this condition shall be deemed to constitute abandonment of the County's rights to any section line road that may in the same location as these rights-of-way, pursuant to its 1907 Resolution, recorded at Book 62, Page 109 of the records of the Morgan County Clerk and Recorder, or been deemed to constitute a nullification of the effect of that Resolution on these rights-of-way.
- f. The applicant shall obtain all necessary permits and comply with the requirements and conditions of those permits as determined by other governmental agencies with jurisdiction over this operation.

| Dated this 16<sup>th</sup> day of October, 2018 *nunc pro tunc* October 2, 2018.

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

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

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

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

(SEAL)

**ATTEST:**

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s/ Susan L. Bailey  
Susan L. Bailey

Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry presented to the Board for approval, A Resolution Approving a Use By Special Review for the Construction of a Data Center Facility and Natural Gas to Electric Conversion on property located in the SW¼ of Section 35, Township 3 north, Range 57 west of the 6<sup>th</sup> P.M., Morgan county, Colorado. Ms. Cherry stated that on October 2, 2018 the Board of County Commissioners held the public hearing on a Use by Special Review to permit a data center. This is the resolution that has been prepared to reflect the outcome of the hearing.

Commissioner Zwetzig asked if the quality water tap has been purchased with Ms. Cherry stating they have purchased four taps as of this date and the information is included in the file.

Commissioner Teague made a motion to approve Resolution 2018 BCC 40, A resolution approving a use by special review for the construction of a data center facility and natural gas to electric conversion on property located in the SW¼ of Section 35, Township 3 north, Range 57 west of the 6<sup>th</sup> P.M., Morgan county, Colorado as presented by Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry signing nunc pro tunc with Commissioner Zwetzig seconding the motion. Commissioner Zwetzig made mention the resolution format needs to be revised indicating the correct Commissioners for signing. At this time, the motion carried 3-0.

**Consideration of Approval – RIGHT OF WAY - 2018 PMT 68 – Century Link**

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 68, with Century Link in the amount of \$462.60. Mr. Goodman stated this right of way permit is for trenching/boring Morgan County Road 26 (Road Segment 500, 510, 700), starting 15 feet east of the intersection of Morgan County Road 26 and Highway 34 in the south right of way at GPS coordinates 40.25452 and -103.66022, plowing south 705 feet, starting 720 feet south of the intersection of Morgan County Road 26 and Highway 34 in the east right of way, boring south 118 feet, starting 838 feet south of the intersection of Morgan County Road 26 and Highway 34 in the east right of way, trenching south 1644 feet, starting 2,482 feet South of the intersection of Morgan County Road 26 and Highway 34 in the East right of way, trenching south 1644 feet to the ending GPS coordinates of 40.24780 and -103.66113, for the purpose of the installation of conduit and fiber.

Commissioner Teague made a motion to approve Right of Way Permit 2018 PMT 68, with Century Link as outlined in the narrative of the and noting the fees in the amount of \$462.60 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Commissioner Zwetzig seconded the motion. At this time, the motion carried 3-0.

# COMMISSIONERS PROCEEDINGS 7

## **Consideration of Approval – RIGHT OF WAY - 2018 PMT 70 – Century Link**

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 70, with Century Link in the amount of \$1,244.50. Mr. Goodman stated this right of way permit is for trenching/boring/crossing Morgan County Road 18 (Road Segment 1100, 1150, 1200, 1300), starting 24 feet north of the intersection of Morgan County Road 18 and Morgan County Road P and/or at GPS coordinates 40.21814 and -103.81077, in the east right of way trenching south 25 feet, starting 10 feet north of the intersection of Morgan County Road 18 and Morgan County Road P and/or at GPS coordinates 40.21814 and -103.81077, in the east right of way, boring south 75 feet, crossing County Road P; starting 10 feet south of the intersection of Morgan County Road 18 and Morgan County Road P, in the east right of way, plowing south 2,590 feet, starting 2,600 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 70 feet, starting 2,670 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 1,250 feet, starting 3,920 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 30 feet, starting 2670 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 1,250 feet, starting 3,920 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 30 feet, starting 3,950 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 645 feet, starting 4,595 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 30 feet, starting 4,625 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 540 feet, starting 5,165 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, crossing County Road O, boring south 135 feet, starting 5,300 feet South of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 1,135 feet, starting 6,435 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 45 feet, starting 6,480 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 545 feet, starting ,7,025 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 35 feet, starting 7,060 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 250 feet, starting 7,310 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 40 feet, starting 7,350 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 380 feet, starting 7,730 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 50 feet, starting 7,780 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 615 feet, starting 8,395 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, boring south 70 feet, starting 8,465 feet south of the intersection of Morgan County Road 18 and Morgan County Road P in the east right of way, plowing south 1,320 feet, starting 9,785 feet south of the intersection of Morgan County Road P and Morgan County Road 18 in the east right of way, boring west 70 feet and ending at GPS coordinates 40.18894 and/or -103.81103, for the purpose of installation of conduit and fiber.

Commissioner Teague inquired about where they will be crossing as she is not able to determine this from the description with Commissioner Zwetzig outlining the information in the permit that indicates the location of the crossing. A question was asked about the project if it will cross County Road O, with Commissioner Zwetzig indicating the information on the map attached, with the Board reviewing the actual map provided where they will cross County Road P at the top of the drawing as indicated by Commissioner Zwetzig, and at the location of County Road O, they will be boring at this location, 135 feet where they will be boring on the road and a driveway. Commissioner Teague expressed concerns the narrative of the permit does not indicate the actual crossing locations with Commissioner Zwetzig stating it does not state this information, only a bore. Commissioner Teague stated she believes if the applicant is being charged for a crossing, the narrative should indicate the location of the actual crossings. Discussion followed with revisions made to the narrative as indicated.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 70, with Century Link as outlined in the narrative of the and noting the fees in the amount of \$1,244.50 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Commissioner Teague seconded the motion. At this time, the motion carried 3-0.

## **Consideration of Approval – RIGHT OF WAY - 2018 PMT 71 – Century Link**

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 71, with Century Link in the amount of \$1,069.30. Mr. Goodman stated this right of way permit is for trenching/boring Morgan County Road 18.5 (Road Segment 200, 300, 400) and trenching Morgan County P and 18 (Road Segments 1200, 1300), starting 80 north of the intersection of Morgan County Road P and Morgan County Road 18 and/or that GPS coordinates 40.21814 and -103.81078 in the east right of way, plowing south 80 feet, starting 10 feet north of the intersection of Morgan County Road P and Morgan County Road 18 in the north right of way, plowing east 2650 feet, starting 80 feet west of the intersection of Morgan County Road 18.5 and Morgan County Road P in the at GPS coordinates 40.21778 and -103.80145 in the north right of way, boring east 80 feet, crossing County Road 18.5, starting at 5 feet north of the intersection of Morgan County Road 18.5 and Morgan County Road P in at GPS coordinates 40.21778 and -103.80145 the east right of way, plowing south 2660 feet, starting at 2665 feet south of the intersection of Morgan County Road 18.5 and Morgan County Road P in the east right of way, boring south 75 feet, starting at 2740 feet south of the intersection of Morgan County Road 18.5 and Morgan County Road P in the east right of way, plowing south 2570 feet, starting at 5310 feet south of the intersection of Morgan County Road 18.5 and Morgan County Road P in the east right of way, boring south 78 feet ending at the GPS coordinates of 40.2030646 and -103.8014228, crossing County Road O, for the purpose of installation of fiber, conduit, and handholes.

# 8 COMMISSIONERS PROCEEDINGS

Commissioner Zwetzig noted the two crossings and the revisions to the narrative language.

Commissioner Teague made a motion to approve Right of Way Permit 2018 PMT 71, with Century Link as outlined in the narrative with the aforementioned changes and noting the fees in the amount of \$1,069.30 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Commissioner Zwetzig seconded the motion. At this time, the motion carried 3-0.

## **Consideration of Approval – RIGHT OF WAY - 2018 PMT 73 – Century Link**

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 73, with Century Link in the amount of \$777.40. Mr. Goodman stated this right of way permit is for trenching/boring Morgan County Road S (Road Segment 2000) and Morgan County Road 25 (Road Segment 900), starting 226 feet north of the intersection of Morgan County Road 25 and Highway 34 and or at GPS coordinates 40.51940 and -103.40454 in the west right of way, plowing north 2082 feet, starting 20 feet south of the intersection of Morgan County Road S and Morgan County Road 25 in the south right of way, trenching west 557 feet, starting 577 feet west of the intersection of Morgan County Road S and Morgan County Road 25 in the south right of way, plowing west 2207 feet, starting 2784 feet west of the intersection of Morgan County Road S and Morgan County Road 25 in the south right of way, plowing west 2428 feet and ending at GPS coordinates 40.26086 and -103.69701, for the purpose of placing fiber cable.

Discussion followed with Commissioner Zwetzig stating there is a minimal number of customers signing up to be connected explaining why Century Link has been required to complete this project given there are grant funds that must be expended by a certain time frame.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2018 PMT 73, with Century Link as outlined in the narrative of the and noting the fees in the amount of \$777.40 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Commissioner Teague seconded the motion. At this time, the motion carried 3-0.

## **Consideration of Approval – RIGHT OF WAY - 2018 PMT 80 – City of Fort Morgan**

Morgan County Road Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2018 PMT 80, with City of Fort Morgan in the amount of \$50.00. Mr. Goodman stated this right of way permit is to dig in Morgan County Road 15 (Road Segments 600), starting 200 feet north of Highway 34 on the west side of County Road 15, digging in the right of way to install a gas service to a shop at 14973 Highway 34 from existing 2 inch steel main, for the purpose of installing gas services.

Commissioner Zwetzig stated this permit form is the older form and asked the conditions to require compatible GIS shapefiles to be provided, #18, should be included in this permit approval. Chairman Arndt read aloud Condition #18, stating "Permittee must provide the Morgan County Geographic Information Systems Department with County mapping compatible GIS shape files within 30 days of completion of installation."

Commissioner Teague made a motion to approve Right of Way Permit 2018 PMT 80, with City of Fort Morgan as outlined in the narrative of the and noting the fees in the amount of \$50.00 are attached as presented by Morgan County Road Supervisor John Goodman and authorized the Chair to sign. Commissioner Teague seconded the motion noting the GIS shapefile will be provided if available. At this time, the motion carried 3-0.

## **UNFINISHED BUSINESS**

There was no unfinished business.

Chairman Arndt made mention of the annual service maintenance agreement with Great Copier Service that needs to be placed on next week's consent agenda.

## **COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS**

Commissioners reviewed the calendar dated October 12, 2018 through October 23, 2018 with no changes.

Morgan County Clerk and Recorder, Susan Bailey, updated the Board regarding the upcoming General Election indicating election judge training was held Monday, October 15, 2018 and ballots hit the mail stream Monday as well, so citizens should be looking for their ballot in the mail.

Commissioner Zwetzig made mention that at 11 a.m. today; the County will be closing on the Green Family Estate property whereas the County will own the gravel permit.

## **CITIZEN'S COMMENT**

There was no citizen comment provided.



# COMMISSIONERS PROCEEDINGS 9

Being no further business the meeting was then adjourned at 9:52 a.m.

Respectfully Submitted,

Susan L. Bailey  
Clerk to the Board

**(Minutes ratified October 30, 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