

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS

Minutes of Meeting

February 5, 2019

The Board of Morgan County Commissioners met Tuesday, February 5, 2019 at 9:05 a.m. with Chairman James Zwetzig, Commissioner Mark Arndt and Commissioner Jon Becker in attendance. Chairman Zwetzig then asked Kari Linker, Director of Development & MCC Foundation to lead the meeting in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Commissioner Arndt made a motion to move item G Citizen Comment to the beginning of the agenda with Commissioner Becker seconding the motion. Motion carried 3-0.

CITIZEN'S COMMENT

There was no citizen comment provided.

CONSENT AGENDA

Ratify the Board of County Commissioners approval of meeting minutes dated January 29, 2019

Ratify the Board of County Commissioners approval of Contract 2019 CNT 09, Impressions by Bird, Stationery, Term of Contract January 01, 2019 through December 31, 2019

Ratify the Board of County Commissioners approval of Morgan County Mission Statement, adopted January 01, 2019

Ratify Chairman Jim Zwetzig's signature on the 2018, 4th Quarter DOLA Report, Agribusiness Incubator Feasibility Study, signed January 28, 2019

Ratify Chairman Jim Zwetzig's signature on the 2018, 3rd Quarter DOLA Report, Morgan County Best and Brightest Intern 2017-2018, signed January 28, 2019

Ratify the Board of County Commissioners approval of the waiver of fees at the Fairgrounds for Freedom to Cowboy Up, dated January 29, 2019

Ratify the Board of County Commissioners approval of the waiver of fees at the Fairgrounds for Doan Shearer Benefit Auction and Dinner, dated January 31, 2019

Ratify the Board of County Commissioners approval on assignment of debt collections to State Collections, Client #182139, #181430, #181429, #181857, #182012, #181967C, #181967A, #181688, #181786, #181771, #181587, #181858, #182127, #181694A, #181519, #182030, #182059A, #181956A, #180764, #181851, #182135, #181877, #182075, #181599, #181647, #182015, #181949, #182082, #181845, #171392, #181394, #182099, #181994, #181935, #181925, #181933, #181780A, #181999, #181795, #181765, #181989, #181770, #181953, #182000

Commissioner Becker made a motion to approve items 1-8 as presented, Commissioner Arndt seconded the motion and motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – 2018 ANNUAL HUTF ROAD MILEAGE CERTIFICATION

Morgan County Information Systems Manager Karol Kopetzky presented to the Board the 2018 Annual Road Mileage Certification. Ms. Kopetzky outlined the information in detail regarding the report being presented which will be submitted to the State of Colorado. Ms. Kopetzky stated she worked with Public Works Director Bruce Bass on the mileage certification. The Sheriff's Department is now using the CarteGraph when they are out on patrol as well as numerous other departments. Ms. Kopetzky stated the County is certifying 1035.07 miles to the State, 210.43 are paved roads and 824.64 are unpaved roads. Ms. Kopetzky reported on capital projects that were completed in 2018 and provided a detailed summary of each project. Ms. Kopetzky stated she will post the 2019 road planned projects on the County website. Ms. Kopetzky explained that HUTF stands for Highway User Tax Fund and is statutorily defined, state-collected, locally-shared revenue that is distributed monthly among state, counties and municipalities. The HUTF revenues come from motor fuel taxes, vehicle registration fees, driver's license fees, oversize load permits and traffic penalty assessments. Last year the County received 3.3 million dollars in those funds.

Commissioner Arndt made a motion to approve the 2018 Annual Road Mileage Certification presented by Morgan County Information Systems Manager Karol Kopetzky and authorized the three Commissioners to sign. Commissioner Becker seconded the motion and the motion carried 3-0.

Consideration of Approval for 1(one) - 2019 Chevrolet Crew Cab Half Ton 4x4 Pick Up vehicle for the Bridge Supervisor

Morgan County Public Works Director Bruce Bass presented to the Board for approval of 1(one) - 2019 Chevrolet Crew Cab Half Ton 4x4 Pick Up vehicle for the Bridge Supervisor from John Elway Chevrolet. Mr. Bass stated the purchase price of this vehicle would be \$33,240.00. Mr. Bass explained this is on the replacement schedule and also is a budgeted item for 2019.

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Commissioner Becker made the motion to Approve the purchase of 1(one) - 2019 Chevrolet Crew Cab Half Ton 4x4 Pick Up vehicle for the Bridge Supervisor in the amount of \$33,240.00 from John Elway Chevrolet as presented by Morgan County Public Works Director Bruce Bass. Commissioner Arndt seconded the motion and the motion carried 3-0.

Consideration of Letter of Support for Colorado Opportunity Scholarship Initiative

Kari Linker, Director of Development & MCC Foundation presented to the Board a Letter of Support for Colorado Opportunity Scholarship Initiative. Ms. Linker stated in 2014 Colorado State legislator earmarked money to The Colorado Department of Higher education to help communities and counties across Colorado to provide scholarships for students in need. In 2015 Morgan Community College was the college that was asked to manage those funds for five counties on behalf of Morgan County. Ms. Linker stated that this is the 4th letter of support that they are asking from the County this will be for the funding years of 2021 through 2023. Ms. Linker explained that the first year in 2016 they had 117 students that received 152 awards in the amount of \$124,773.00 with some students receiving the award two years in a row. Ms. Linker also explained the 20th annual MCC GALA that is in salute to the agriculture program later this month to be held at Wickham Tractor Company and a large portion of the funds raised go to the scholarship program.

Commissioner Arndt made the motion to approve a Letter of Support for Colorado Opportunity Scholarship Initiative as presented by Kari Linker, Director of Development & MCC Foundation and authorized the chairman to sign. Commissioner Becker seconded the motion and the motion carried 3-0.

Consideration of Approval – Reappointment of Fort Morgan Rural Fire Board:

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION 2019 BCC 07

A RESOLUTION APPOINTING THE BOARD OF DIRECTORS TO THE FORT MORGAN RURAL FIRE DISTRICT

WHEREAS, there are no duly elected directors for the Fort Morgan Rural Fire District, and the failure to appoint a new board will result in the interruption of services that are being provided by the district; and

WHEREAS, the Board of County Commissioners, acting pursuant to C.R.S. § 32-1-905(2.5) desires to make appointments to board of the District from a pool of duly qualified willing candidates, as set forth herein.

NOW THEREFORE BE IT RESOLVED by the Morgan County Board of County Commissioners as follows:

1. The following individuals are hereby appointed to serve as directors for the Fort Morgan Rural Fire District to serve until the election of their successors at a special election conducted as required by C.R.S. § 32-1-905(2.5):

Allan Windsheimer	President
Charlie Lauck	Vice President
Boone Norris	Treasurer
Kyle Scott	Secretary
Craig Fritzier	Member

APPROVED this 5th day of February, 2019.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/James P. Zwetzig
James P. Zwetzig, Chairman

s/Mark A. Arndt
Mark A. Arndt, Commissioner

s/ Jon J. Becker
Jon J. Becker, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

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Allan Windsheimer	President	term until: 2020
Charlie Lauck	Vice President	term until: 2022
Boone Norris	Treasurer	term until: 2022
Kyle Scott	Secretary	term until: 2022
Craig Fritzler	Member	term until: 2020

Chairman Zwetzig presented to the Board Resolution BCC 2019-07 Appointing the Directors to the Board of Fort Morgan Rural Fire Board District.

Commissioner Becker made the motion to approve Resolution BCC 2019-07 Appointing the Directors to the Board of Fort Morgan Rural Fire Board District as presented by Chairman Zwetzig. Commissioner Arndt seconded the motion and the motion carried 3-0.

UNFINISHED BUSINESS

Consideration Of Approval – RESOLUTION – 2019 BCC 06 A Resolution Approving A Stop Sign To Be Installed At The Southeast Corner Of Colfax, At The Intersection Of Morgan County Roads Cherokee And Colfax, Morgan County, Colorado And Removal Of Stop Sign On Southwest Corner Of Cherokee At The Intersection Of Morgan County Roads Cherokee And Colfax, Morgan County, Colorado

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION 2019 BCC 06 AMENDED

A RESOLUTION APPROVING A STOP SIGN TO BE INSTALLED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MORGAN COUNTY ROADS CHEROKEE AND COLFAX, MORGAN COUNTY, COLORADO FOR NORTH BOUND COLFAX

And

REMOVAL OF EXISTING STOP SIGN AT THE SOUTHWEST CORNER OF THE INTERSECTION OF MORGAN COUNTY ROADS CHEROKEE AND COLFAX REQUIRING TRAFFIC TO STOP EAST BOUND.

WHEREAS, the Board of County Commissioners of Morgan County, Colorado, are vitally interested in Highway safety, for the benefit of the traveling public, and

WHEREAS, the City of Fort Morgan has agreed to place a stop sign at the northwest corner of Intersection of Morgan County Road Cherokee and City of Fort Morgan Colfax Street requiring south bound Colfax Street to stop, and

WHEREAS, the Morgan County Board of Commissioners determines that it is for the best interests of the general public and specified in a Colorado State Patrol review recommending increasing safety at an intersection through additional signage, the follow Resolution be adopted:

NOW, THEREFORE, BE IT RESOLVED that due to traffic and safety, a stop sign is to be placed at the following location:

PLACE A STOP SIGN AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MORGAN COUNTY ROADS CHEROKEE AND COLFAX REQUIRING TRAFFIC TO STOP NORTH BOUND.

and the existing stop sign removed:

REMOVE EXISTING STOP SIGN AT THE SOUTHWEST CORNER OF THE INTERSECTION OF MORGAN COUNTY ROADS CHEROKEE AND COLFAX REQUIRING TRAFFIC TO STOP EAST BOUND.

BE IT FURTHER RESOLVED that the proper law enforcement agencies be and hereby authorized and empowered to enforce compliance with this Resolution.

Dated this 5th day of February, 2019.

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

s/James P. Zwetzig
James P. Zwetzig, Chairman

s/Mark A. Arndt
Mark A. Arndt, Commissioner

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s/ Jon J. Becker

Jon J. Becker, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey

Susan L. Bailey

Morgan County Road Supervisor John Goodman presented Resolution 2019 BCC 06 Amended , A Resolution Approving A Stop Sign To Be Installed At The Southeast Corner Of Colfax, At The Intersection Of Morgan County Roads Cherokee And Colfax, Morgan County, Colorado And Removal Of Stop Sign On Southwest Corner Of Cherokee At The Intersection Of Morgan County Roads Cherokee And Colfax, Morgan County, Colorado. Mr. Goodman stated upon meeting with State Patrol the determination was made that Cherokee will be the through street and Colfax will be a two way stop. The City of Fort Morgan will install one stop sign at the northwest corner of Colfax and the County will do the other stop sign at southeast side of Colfax. Commissioner Becker read the resolution aloud. It was also stated that speed limit signs will also be posted with Commissioner Becker stating that the County needs to look into landowners trimming trees that are at the intersections.

Commissioner Becker made a motion to approve Resolution 2019 BCC 6 Amended A Resolution Approving A Stop Sign To Be Installed At The Southeast Corner Of Colfax, At The Intersection Of Morgan County Roads Cherokee And Colfax, Morgan County, Colorado And Removal Of Stop Sign On Southwest Corner Of Cherokee At The Intersection Of Morgan County Roads Cherokee And Colfax, Morgan County, Colorado as presented by Morgan County Road Supervisor John Goodman with Commissioner Arndt seconding the motion and the motion carried 3-0.

LIQUOR LICENSES

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

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

Licensee: Longmeadow Game Resort and Event Center, LLC DBA as Longmeadow Game Resort & Event Center

Operating Manager: Heath Stencil

Morgan County Chief Deputy Clerk Randee Aleman presented to the Board a Retail Liquor or Beer License Renewal submitted by Heath Stencil for Longmeadow Game Resort and Event Center, LLC DBA as Longmeadow Game Resort and Event Center for a Hotel & Restaurant / Optional (county) license. Ms. Aleman stated that she has received the necessary documents and all fees have been submitted. She asked the Morgan County Sheriff's Department to report at which time Sheriff Dave Martin indicated that there are no issues with the licensee and they are great partners in the Community.

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

Chairman Zwetzig moved to discussion and decision. Commissioner Becker asked if the renewal applications will be changed from stating 3.2 beer, with Ms. Aleman explaining those renewal applications are sent from the State months prior to the expiration date and that may be why they still state that, but the State will most likely be updating that renewal application.

A motion was made by Commissioner Arndt to approve the liquor license renewal for Heath Stencil for Longmeadow Game Resort and Event Center, LLC DBA as Longmeadow Game Resort and Event Center and authorized the Chair to sign. Commissioner Becker seconded the motion and motion carried 3-0.

Consideration of Approval – Application for Special Events Liquor License Permit

(Applicant: Morgan Community College Foundation, (Kari Linker)

Morgan County Chief Deputy Clerk Randee Aleman presented to the Board a Special Events Permit submitted by Kari Linker and Alissa Harris representing Morgan County Community College, the event will be held at the Wickham Tractor Company, located at 15447 Highway 34, Fort Morgan, Colorado . Ms. Aleman stated that the Clerk's office has received an application for a special events permit for Morgan Community College Foundation in conjunction with the MCC Gala event scheduled for Friday, February 22, 2019. The application was submitted on December 5, 2018, by event manager, Kari Linker, who has provided the necessary documentation and payment as required for a special events permit in Morgan County, which has been provided to the Board. This matter has been properly posted and all legal requirements have been met which include that of the notice of hearing having been published in the Fort Morgan Times on January 11, 2019 as well as signage having been placed at the location of this event for the required time frame, commencing on January 21, 2019, also Ms. Linker has provided a picture of the sign still being up as of this morning. Ms. Linker has provided documentation from the owner confirming the approval of MCC Foundation serving and/or selling liquor at the proposed location, Wickham Tractor Company, located at 15447 Highway 34, Fort Morgan, Colorado. A diagram of the area in which alcohol will be sold and served has also been provided as required. This permit is being requested for the date Friday, February 22, 2019 and if approved will be valid for the period of time between 3:00 p.m. and 10:00 p.m. A background check has been

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completed for both Ms. Linker and Alissa Harris, who is named as the President/Secretary of the organization of this event and no concerns have been reported.

At this time, Ms. Aleman asked for Morgan County Sheriff Dave Martin to provide his report and he indicated that there are no issue with the application.

At this time, Chairman Zwetzig opened the matter for public comment with no comment.

Chairman Zwetzig asked Ms. Linker if they have security at the event with Ms. Kari Linker stating that it has never been a requirement in the past for them to have security, but she is willing to do so if that is what the Board would prefer. Sheriff Martin stated that previously the former Sheriff Jim Crone would attend the event volunteering his time to provide some level of security. Chairman Zwetzig stated that may be something for the County to look into for future special event permits needing to provide security at these events.

A motion was made by Commissioner Becker to approve the Special Events Permit submitted by Kari Linker and Alissa Harris representing Morgan County Community College on February 22, 2019 at Wickham Tractor Company, located at 15447 Highway 34, Fort Morgan, Colorado as presented by Morgan County Chief Deputy Clerk Randee Aleman and noting that a receipt of the fees being paid is attached and authorized the Chair to sign. Commissioner Arndt seconded the motion and motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated February 01, 2019 through February 12, 2019 with no changes.

At this time the Board took a short recess 9:44 a.m.

PUBLIC HEARING

Chairman Zwetzig called the hearing to order at 9:52 a.m. in the Assembly Room of the Morgan County Administration Building. Present were Chairman James Zwetzig, Commissioner Mark Arndt and Commissioner Jon Becker. Also present was Morgan County Planning and Zoning Planning Director/Floodplain Administrator Pam Cherry.

1. Applicant: Roger Defenbaugh Landowners: Roger Defenbaugh and Matthew D & Tiffany Jo Wulf

Legal Description – Lots 3 and 4 of Pickens West Minor Subdivision located in the W ½ of the NW ¼ of Section 3, Township 3, Range 58 West of the 6th p.m., Morgan County, Colorado aka 17594 and 17792 Co Rd 15, Fort Morgan, CO 80701.

Reason – A replat of Lots 3 and 4 of Pickens West Minor Subdivision. New proposed Lot 1 will have less acres becoming 5.77 acres and new proposed Lot 2 will have more acres becoming 27.21 acres

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

Ms. Cherry explained that this application is for a Minor Subdivision being a replat of lots 3 and 4 of the Pickens West Minor Subdivision. Currently Lot 3 (Wulf) is 5 acres and Lot 4 (Defenbaugh) is 27.98 acres. The Wulf parcel is addressed as 17792 County Road 15 and the Defenbaugh parcel is 17594 County Road 15, Fort Morgan, CO 80701. The properties are located in the W ½ of the NW ¼ of Section 3, Township 3 North, Range 58W of the 6th p.m., Morgan County, Colorado.

Ms. Cherry stated that the landowners Wulf and Defenbaugh are requesting approval of a minor subdivision that will reconfigure the lot lines between the two parcels. The Wulf property currently has a single family home and a metal storage building upon it. The Defenbaugh property is currently undeveloped.

Section 8-195 of the Morgan County Subdivision Regulations requires review of the listed criteria and compliance be determined prior to approval of the proposed subdivision.

In reviewing an application for a minor subdivision the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete:

Document	Defenbaugh	Wulf
Quality Water	Tap #2800	Tap #2737
Health Department (Septic)	Will serve letter	Existing Septic
Road and Bridge	Existing access	Existing access
Fire	Fort Morgan	Fort Morgan
Soil map	USDA/NRCS	USDA/NRCS

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Extension Service	Contacted	Four on 20 acres
Mineral Rights Notification	Contacted	Contacted
Right to Farm	Provided	Provided
Improvement Location Cert	Not Developed	Provided

(B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan. The subdivision is located in the south central planning area.
 Chapter 2, C.I. Land Use
 Goal: To encourage development where: 1) it is in proximity to the activity centers; 2) the proposed development is compatible with existing land uses; 3) there is access to established public infrastructure (primarily road and utilities); 4) where in outlying area of the county there is access to utilities and there is little additional burden on rural services.

South Central Planning Area

This is an area of mixed uses that have developed over many years. There are many residential developments.

Goal: Preserve and protect existing agriculture uses south of County Road Q.

This subdivision is north of Road Q with numerous subdivisions in the area.

(C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.
 This subdivision is located in the Agricultural Production District and buffering is not required, uses are compatible, there are many subdivisions in this area.

Ms. Cherry explained that all appropriate notice requirements have been completed with no comments received in favor and no comments in opposition as of February 5, 2019. The site of the minor subdivision is not located within the 100-year floodplain. Subject property is located within the Fort Morgan Rural Fire District. Taxes are current.

At this time Ms. Cherry recommended approval of this application for a Minor Subdivision. Planning Commission considered this application at their meeting on January 14, 2019 and unanimously recommends approval of this subdivision subject to the following condition:

1) Prior to construction on proposed Lot 1 a permit for an OWTS will be obtained from the Northeast Colorado Health Department. Condition of the existing system on proposed Lot 2 is not known and may require replacement in the future.

At this time, Chairman Zwetzig asked the applicant for comments with Matt Wulf 17792 County Road 15 Lot 3 stating this is simply transfer of land from Mr. Defenbaugh to them. Roger Defenbaugh 17594 County 15 stated he had looked into doing this before but it was too much money, however, when speaking with Mr. Wulf because they only needed land not water, it was easier and they will be adding 20 acres to their property.

At this time, Chairman Zwetzig opened the matter for public comment either for or against the application there was no public comment.

At this time, Chairman Zwetzig moved to discussion and decision with no further discussion.

Chairman Zwetzig stated the original lot 4 included the fifty foot strip into lot four on the north side on the new lot and that it does not seem like the acreage is adding up, with Mr. Wulf stating discussion with Ms. Cherry shows in the plat map that it does transfer to his property it will be part of lot 2. Mr. Wulf stated that there are some agreements that he spoke to Ms. Cherry about that will be updated prior to closing.

Chairman Zwetzig stated that he would like the plat map to be checked to make sure the acreage is correct before the map is recorded. There was discussion of the loan the Wulf's have with Morgan Federal Bank with Mr. Wulf explaining that they will be getting a second loan and the two will be tied together as a package per his discussion with the bank.

Chairman Zwetzig asked if the quality water taps need to be transferred to the new lots, with Mr. Defenbaugh stating it will stay as it is, they have a water tap to their house and he has one to his property. Chairman Zwetzig stated that he would like, as part of the conditions, to have them meet with Quality Water and assign those taps to the new lots, with Mr. Defenbaugh stating he has done that. Mr. Wulf explained that he realizes there will need to be some clean up work done and he will be sure to do so.

A motion was made by Commissioner Arndt to approve the application for Roger Defenbaugh and Matthew D & Tiffany Jo Wulf as Landowners. With the legal description being Lots 3 and 4 of Pickens West Minor Subdivision located in the W½ of the NW ¼ of Section 3, Township 3, Range 58 West of the 6th p.m., Morgan County, Colorado aka 17594 and 17792 Co Rd 15, Fort Morgan, CO 80701. The reason being a replat of Lots 3 and 4 of Pickens West Minor Subdivision new proposed lot will have less acres becoming 5.7 acres and the new proposed lot 2 will have more acres becoming 27.21. With the following conditions that the deeds be reviewed, verify the acreage, the taps being transferred with Quality Water and prior to construction on proposed Lot 1 a permit for an OWTS will be obtained from the Northeast Colorado Health Department. Commissioner Becker seconded the motion. At this, time motion carried 3-0.

Being no further business the meeting was then adjourned at 10:11 a.m.

Respectfully Submitted,

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Randee Aleman
Deputy Clerk to the Board

(Minutes ratified February 19, 2019)

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

s/James P. Zwetzig
James P. Zwetzig, Chairman

s/Mark A. Arndt
Mark A. Arndt, Commissioner

s/ Jon J. Becker
Jon J. Becker, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey