

# COMMISSIONERS PROCEEDINGS 1

## BOARD OF COUNTY COMMISSIONERS

### Minutes of Meeting

April 30, 2019

The Board of Morgan County Commissioners met Tuesday, April 30, 2019 at 9:04 a.m. with Chairman James Zwetzig, Commissioner Mark Arndt and Commissioner Jon Becker in attendance. Chairman Zwetzig asked Morgan County Public Works Director Bruce Bass to lead the meeting in the Pledge of Allegiance.

#### CITIZEN'S COMMENT

Ken Archuleta, 32635 County Road Y.4, Snyder, CO spoke in regards to getting assistance in cleaning up the town of Snyder. He expressed concerns regarding rubbish, vehicles and other items of concern. He asked that the County apply the rules that are in existence for Morgan County regarding rubbish and trash concerns. He also spoke about a camper trailer that has been placed on the west end of the town whereas there are individuals living and has concerns.

At this time, Chairman Zwetzig asked Planning Administrator Pam Cherry to come forward and introduced the Junk and Weed Control information from the Zoning Regulations. Chairman Zwetzig explained the requirement is for someone to sign a written complaint regarding their concerns and summarized what occurred previously. Ms. Cherry stated there was a letter sent to everyone in 2016, when Planning Administrator John Crosthwait was on staff, and discussion followed whereas a dumpster was placed in the town and encouragement was expressed to use this receptacle. The request today is that this letter be followed through with.

Ms. Cherry summarized the issues the Town of Snyder has and explained when a complaint is received, a letter was sent to one property owner last week, and this individual did come into the office but was not sure what he is to do given there is so much "junk" on the property, but this is the only written complaint she has received. Further discussion followed as to what will then occur next in how to handle the enforcement action.

Mr. Archuleta stated there are several areas where there are these types of problems, explaining those issues in detail. He stated it does appear that Morgan County does have the rules in place to deal with this, stating he does not see this occurring in the Town of Hillrose or other towns around, stating he seems that the Town of Snyder is the one that is experiencing these issues. He expressed his concerns about wanting to invest in the Town of Snyder and asked the Board if they would utilize the rules that are in place at this time.

Commissioner Arndt stated he does not have any questions at this time and Commissioner Becker asked Ms. Cherry to explain the rules about campers being on property, with Ms. Cherry stating they can place a camper for 180 days and then it can be moved and replaced again for another 180 days. It was then discussed that after 180 days the landowner must come into the County to apply for a mobile home permit.

At this time, Jan Potterf, 29499 3<sup>rd</sup> Street, Snyder, stated she lives right across from where these trailers are parked and when they drain their sewage, it is an issue, stating she feels the sewage being dumped is a risk to all. The Board advised Ms. Potterf to contact the Northeast Colorado Health Department to report this situation. She spoke about the Town of Snyder going downhill in a hen basket.

Rick Hinojos, 29314 1<sup>st</sup> Street, Snyder who has lived in the Town of Snyder for 27 years, and expressed his concerns about the ongoing issues in the Town naming a situation whereas pigs were being placed and the sewage concerns it brought. He stated he believes it is a great community, of Morgan County, but what is being done today with the rules not being enforced is a concern. He offered to take the Board to the area and show them his concerns regarding the conditions that include drugs, the possibility of fires and other concerns he has. He stated there is also a gentleman who is working on vehicles, operating a commercial business in the center of town. Ms. Cherry stated a letter has been sent to this individual about ten days ago, which asks him to clean up and this gentleman did respond stating he was told he was given permission to do this, explaining why but that may have been the situation before now, but things are different at this time.

Joseph Archuleta, 28793 MCR W.5, Snyder, CO 80701, spoke stating the issue he sees today is they are asking for accountability. He further stated he would like to see a little bit of effort go into this, believing there are hazards and further commented what is occurring. He spoke of the raw sewage issue where he believes is dangerous and wants to go on record asking for help and accountability in the Town of Snyder.

Mr. Hinojos asked what the ruling is regarding dogs, stating the trailer in question it appears they are raising dogs. He stated it seems there are quite a few dogs being raised and the type of dogs. Ms. Cherry stated there is a limitation of three dogs on a parcel of 20 acres or less or five on larger parcels, she believed. He stated the location is the corner of Winchell and 2<sup>nd</sup> Street. He also spoke about his concerns about the dogs at large harming his chickens.

Chairman Zwetzig asked Sheriff Martin to address the dog control question with Sheriff Martin stating the County does have a resolution for allowing dogs to run at large in corporate areas that are not zoned agriculture. He stated it is a resolution, not a state statute or ordinance, explaining there is a statute for a dangerous dog, but only comes into play when an animal has bitten someone further explaining those requirements but does not believe chickens would fall under the livestock classification. Sheriff Martin stated that if the dogs are endangering their chickens, they can contact the Sheriff's Department and they will send someone out there.

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Mr. Hinojos again spoke asking the Board to go with him and drive through the Town of Snyder to see what is being spoken about today. Chairman Zwetzig stated the Board was in the area regarding Conex. Mr. Hinojos stated there was a storage bin located on a curve for years that blocked the view creating a safety concern.

Sharon Korthius, 22722 Winchell Avenue, agreed with her neighbors, stating she is ashamed to live in Snyder. She spoke about the issues whereas it seems to be a backyard landfill. She stated it is getting worse and it is as bad as it can be. She also spoke about the dog issue, stating there are vicious dogs in the town and has concerns. She stated nothing has been done and complaints have been filed and she feels they are now living in a junk yard.

Jerry Korthius, 22722 Winchell Avenue, stated he agrees with the neighbors and has concerns about the dogs, stating his wife was attacked and the Sheriff was called. He further spoke about the sewage issue and the children that are in this area, feeling it is a safety and health issue. He further spoke about the motor home regulation, asking about this being a camper trailer, an RV, if there are any stipulations in place. Chairman Zwetzig stated they have 180 days to inhabit the trailer and then have to file for a permit. It was discussed that there has been one located there for at least five years. Mr. Korthius stated they are in the process of cleaning up from the tornado event and feels they are beating their heads against the wall, where not everyone will participate in cleanup.

Rural community residential is the classification for the Town of Snyder, as per Ms. Cherry. Mr. Korthius asked about the rules for this classification with Ms. Cherry offering the information regarding Junk and Weed Control. Mr. Korthius further spoke about the fact there was an area of Snyder being commercially zoned, and the fact the gentleman operating a business in the center of town, is commercial. Ms. Cherry stated she is in agreement that it is a commercial business and it should not be permitted, and is in the process of working on this issue. He stated in regards to the letter that was sent in 2016, the attitude is just throw the letter away, there will be nothing done about it. He feels it is time that something is done to resolve the problem. Commissioner Arndt stated his opinion would be there are enough individuals present today to enforce the regulations and work on this problem to find a resolution.

Chairman Zwetzig stated the 2016 Board is different from the Board today, and as far as he can remember there has not been any outcry as there is today. At this time another individual, Wesley Williams, 29347 2<sup>nd</sup> Street, Snyder, stated he was born and raised on 3<sup>rd</sup> Street and Fisher and stated his history of his upbringing in the Town of Snyder. He stated at this time there are folks that live in the Town of Snyder who only reside there and it is a bedroom community of the County. He further spoke about the letter dated sent and dated in 2016, stating it is an impressive letter that outlines the issues and concerns they currently have. He further expressed his concerns about the current situation. He stated the Board takes an oath to do their job, and asked does that job require that they follow the statutes, and the rules that are outlined in the letter.

Mr. Archuleta again spoke, stated he can only look at what can be done in the future, cannot do anything about what has happened in the past. Without the will of the County, nothing will happen and pleaded with the Board to work with them and help make something happen to resolve the issues they are experiencing.

At this time, Chairman Zwetzig stated this is the citizen comment portion of the meeting and the Board cannot take action on what has been discussed today, but it can be brought up at a future meeting to further discuss and take possible action as necessary.

Ms. Cherry encouraged everyone to submit written complaint letters and file them with her office, with questions asked how the format of the letter should be made. Chairman Zwetzig stated the last time, the letter was sent to all landowners with the information. Commissioner Becker stated he believes what has occurred today is a documented complaint. At this time, it was agreed a signed complaint is not necessary.

Commissioner Becker stated he was in this area recently and understands the issues regarding the alley was being full of refuse, and asked about the campers and their location. It was then clarified where these campers are located with Commissioner Becker finding the specifics on the mapping he reviewed. Chairman Zwetzig stated the Board will also contact the Health Department with the concerns expressed here today regarding the sewage problems. As for the RV issue, he stated there will be documentation required of if it has been in place for more than 180 days, and Commissioner Becker stated the imagery is from 2016, so that clarifies the time line for that. The dog issue and other concerns will also be reviewed and discussed.

Further discussion followed whereas Chairman Zwetzig stated the process involves the requirement where the County would be required to file for a civil action and follow that procedure. Commissioner Becker suggested the group of individuals remain in contact with the Board and they work together and will provide them with the procedure that will need to be taken. Chairman Zwetzig asked all to sign in on the appropriate sign in sheet today so the Board will have their contact information.

Ms. Potterf made mention about squatters in Snyder explaining the required posting that should be done explaining this to her neighbors.

At this time, the citizen comment portion of the meeting was closed.

### **ADOPTION OF THE AGENDA**

Commissioner Arndt made a motion to adopt the agenda as presented with Commissioner Becker seconding the motion. Motion carried 3-0.

At this time, a short recess was taken at 9:48 a.m. The meeting was then called back to order at 9:52 a.m.

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## CONSENT AGENDA

Ratify the Board of County Commissioners approval of meeting minutes dated April 16, 2019  
Ratify the Board of County Commissioners approval of Contract 2019 CNT 049, SRI Inc., Tax Sale Internet Auction, Term of Contract June 01, 2019 through completion  
Ratify the Board of County Commissioners approval of Contract 2019 CNT 050, Premier Fire Protection, DHS sprinkler relocation and annual inspection for DHS and Justice Center, Term of Contract March 01, 2019 through December 31, 2019  
Ratify the Board of County Commissioners approval of Contract 2019 CNT 051, Thyssenknupp Elevator Corp., Administration Elevator Maintenance, Term of Contract February 08, 2019 through Termination  
Ratify Chairman Jim Zwetzig's signature on the Agribusiness Incubator Feasibility Study, signed April 25, 2019  
Ratify the Board of County Commissioners approval on assignment of debt collections to State Collections, Client #182681, #182692, #190027, #181552, #182566, #190047, #190025, #190058, #182771, #190001, #190031, #182108, #182795, #182791, #190021, #182719, #190049, #182789, #182503, #190033

Commissioner Becker made a motion to approve items 1-6 as presented, Commissioner Arndt seconded the motion and motion carried 3-0.

## GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

### **Consideration of Approval – BID AWARD – RFP 2019-0419-001 Fuel Bid**

Morgan County Public Works Director Bruce Bass presented to the Board for approval Bid Award RFP 2019-0419-001 fuel bid for the time period of April 1, 2019 through September 30, 2019 for all Morgan County sites. Mr. Bass stated he received only one bid from Hill Petroleum. Mr. Bass summarized the proposed pricing per location. At this time Mr. Bass recommended that the Board award bid RFP 2019-0419-001 to Hill Petroleum. Total bid \$11,905.10 based on the total delivery of fuel and profit based on the averages for a six month period. Mr. Bass noted this is the same pricing as the previous six months of service.

Commissioner Arndt made a motion to approve bid award RFP 2019-0419-001 Fuel Bid to Hill Petroleum as recommended by Morgan County Public Works Director Bruce Bass in the amount of \$11,905.10 and asked that the Administrative Services Manager prepare the necessary contract. Commissioner Becker seconded the motion the motion carried 3-0.

## UNFINISHED BUSINESS

There was no unfinished business.

## COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated April 26, 2019 through May 7, 2019 with changes.

Morgan County Clerk and Recorder Susan Bailey announced the closure of the Motor Vehicle Department on Wednesday, May 8, 2019 explaining staff will be attending state training. She stated both the Recording and Election Departments will be open.

Being no further business the meeting was then adjourned at 9:58 a.m.

Respectfully Submitted,

Susan L. Bailey  
Clerk to the Board

**(Minutes ratified May 7, 2019)**

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

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

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

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

(SEAL)  
ATTEST:

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s/Susan L. Bailey  
Susan L. Bailey