

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting March 15, 2022

As reflected in posted agenda:

The County Will Be Abiding By the Social Distancing Requirements in Public Health Order 20-28 for This Meeting. Due To Limited Space In The Assembly Room, Remote Attendance Is Encouraged. If You Have Any Questions Regarding Attending The Meeting, Please Contact Karla Powell at 970-542-3500.

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/8787155777> If you cannot connect via Zoom, you may submit written public comment to morgancountybcc@co.morgan.co.us by email by 4 p.m. on Monday March 14, 2022.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/8787155777> to listen via phone, please dial: 1-312-626-6799, Meeting ID: 878 7155 7777

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/8787155777> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 878 7155 7777

The Board of Morgan County Commissioners met Tuesday, March 15, 2022 at 9:10 a.m. with Chairman Jon Becker, Commissioner Gordon Westhoff and Commissioner Mark Arndt in attendance.

CITIZEN'S COMMENT

Alan Quiram, 215 East 6th Avenue, Fort Morgan, appeared remotely, and stated he had two questions for the Board today regarding the funds the County has been awarded through the American Rescue Plan (ARPA). His questions were if would be possible for the Commissioners to provide the details for the plan in improving the justice center and will all the 5.6 million dollars that have been awarded to Morgan County be used for one County project.

Chairman Becker stated the full final bids have not been received by the County and that the funding will all be used for what is called the Morgan County Justice Center project.

Leroy Chavez, PO Box 564, Fort Morgan, appeared remotely, and stated he basically has the same questions and asked if there are other projects being considered and further asked why there has not been an opportunity for public input regarding the expenditures of these funds. Chairman Becker responded stating the County has followed the guidelines set forth. The Board determined that these funds would be best utilized for the HVAC system at the Justice Center and have followed the criteria set forth. Mr. Chavez further commented he has been doing some research as he has special interest in this matter given his family has had COVID and from what he has read and understands, part of the requirements for these funds is that there should be the requirement for public input, and he has not seen this as an opportunity given by the County and that is his reason for his comments today. Chairman Becker stated that from what he had read, the County was not required to take public comment for these funds.

Jillian Degenhart, 511 Main Street, Weldona, CO, appearing remotely, also questioned about the public comment and why despite the urging of the treasury the Board has chosen not to allow for the public comment. Chairman Becker stated at this point they believed the Justice Center was the need for these funds and explained that this was allowable under the federal government guidelines.

Ms. Degenhart asked when and where the budget will be made publicly available for review. Chairman Becker stated the budgeting of these dollars was included in the approval of the last budget process, and the project will be open bid and available to the public.

Jodi Walker, spoke remotely, stating she realizes the jail is an important project, and asked the question for the Board if it is willing to sit down and listen to the survey results and have a meeting, and feels it is important for the board to hear from their constituents. Chairman Becker stated at this time, those dollars are designated to the Justice Center project. Ms. Walker questioned Chairman Becker if he was stating the board is not willing to listen to the citizens, with Chairman Becker providing a response explaining that he has listened to the several emails and concerns and that was not what he stated. Ms. Walker again stressed her concerns that there are issues surrounding mental health as well as housing and asked the board to listen to the surveys. Again, Chairman Becker provided a response regarding two committees that have been seated regarding both of those issues, with Commissioner Westhoff providing an update regarding those issues and the monies that may be awarded that could provide resources for these issues she has spoken about.

Chairman Becker stated they have invited at least the results of the survey to come through and they would look at this information and are hopeful that mental health dollars come through for the teen suicide issue as well.

Ms. Kopetzky spoke about a fairly lengthy chat that appears remotely, and she has opened the mic for them to speak. At this time, Olivia, organizer for United Today, Stronger Tomorrow, address being based out of Durango, 3935 County Road 250, Durango, CO. She stated she is here today to support the local citizens and what she has shared in the chat is information she has found in the Treasury bill.

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CONSENT AGENDA

1. Ratify the Board of County Commissioners approval of meeting minutes dated March 1, 2022.
2. Ratify the Board of County Commissioners approval of Contract 2022 CNT 037, Utility Associates, Inc., Term of Contract March 7, 2022 through March 6, 2023
3. Ratify the Board of County Commissioners approval of Contract 2022 CNT 038, Wiggins Electric, Inc., Term of Contract March 3, 2022 through March 2, 2023
4. Ratify the Board of County Commissioners approval of Contract 2022 CNT 039, Intellectual Technology, Inc., Term of Contract March 1, 2022 until terminated
5. Ratify the Board of County Commissioners approval of Contract 2022 CNT 040, Viaero Wireless, Term of Contract December 2, 2021 through December 1, 2022
6. Ratify the Board of County Commissioners approval of Contract 2022 CNT 041AR, Home WAV, LLC Term of Contract May 1, 2022 through April 30, 2023
7. Ratify the Board of County Commissioners approval of Contract 2022 CNT 042, Stericycle dba Shred-It, Term of Contract March 1, 2022 through February 28, 2023
8. Ratify the Board of County Commissioners approval of Contract 2022 SV 05, Life Med Safety, Term of Contract March 4, 2022 through March 3, 2023
9. Ratify the Board of County Commissioners approval of Contract 2022 SV 06, Buchanan Welding and Construction, LLC, Term of Contract February 24, 2022 through completion
10. Ratify the Board of County Commissioners approval of Contract 2022 SV 07, Wiggins Electric, Term of Contract March 1, 2022 through completion
11. Ratify the Board of County Commissioners approval of Contract 2022 SV 06, Buchanan Welding and Construction, LLC, Term of Contract February 24, 2022 through completion
12. Ratify the Board of County Commissioners approval of Contract 2022 MOU 03, LPR Camera / DATA Access, Term of Contract February 24, 2022 through completion
13. Ratify Chairman Jon Becker's signature on the Morgan County Public Trustee report for February 2022 signed March 8, 2022.
14. Ratify Chairman Jon Becker's signature on Fort Morgan Water Company, Ltd. 2022 Water Lease, signed March 7, 2022
15. Ratify the Board of County Commissioners approval of Rental/Lease Agreement for 602 Ellsworth, Brush, CO 80723, signed March 14, 2022
16. Ratify the Board of County Commissioners approval on assignment of debt collections to Wakefield and Associates, Client #210210, #212253, #212199

Commissioner Arndt made a motion to approve items 1-16 as presented, Commissioner Westhoff seconded the motion. At this time the motion carried 3-0.

UNFINISHED BUSINESS

Log Lane Village – Quit Claim Deed clarification of right of way boundaries

Commissioner Arndt provided a clarification of the boundaries whereas the information was detailed by the use of the mapping to be sure that there is the precise historical information provided in the minutes. North portion of Cedar Street being the far north boundary and at this time, it is not annexed into the Town of Log Lane at which they will have to do an annexation at a later date, the right of way is for this entire area, the upper portion of the location is a 50/50 as a shared street and when annexations are completed, it will be in the best interest of the County to further investigate whether or not that should remain.

Commissioner Arndt further stated this matter today is to convey the far north portion of Cedar Street as part of this right of way deed and it will remain with the County until the Town completes their annexation.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – Resolution 2022 BCC 09 A Resolution Amending The Morgan County Zoning Regulations To Allow Home Occupations In The Jackson Lake Village Zone And To Clarify The Purpose Of The Home Occupation Regulations

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2022 BCC 09

A RESOLUTION AMENDING THE MORGAN COUNTY ZONING REGULATIONS TO ALLOW HOME OCCUPATIONS IN THE JACKSON LAKE VILLAGE ZONE AND TO CLARIFY THE PURPOSE OF THE HOME OCCUPATION REGULATIONS

WHEREAS, home occupations are currently not permitted in the Jackson Lake Village zone district;

WHEREAS, the County desires to permit home occupations as an accessory use in the Jackson Lake Village zone subject to the restrictions on home occupation in Secs. 4-305 through 4-315 of the Morgan County Zoning Regulations;

WHEREAS, on February 14, 2022, the Planning Commission held a duly noticed public hearing on the proposed amendments and recommended approval;

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WHEREAS, on March 1, 2022, the Board of County Commissioners held a duly noticed public hearing on the proposed amendments;

WHEREAS, the Board of County Commissioners has complied with all relevant provisions for amending the Morgan County Zoning Regulations; and

WHEREAS, after considering public testimony received and the recommendation of the Planning Commission, the Board of County Commissioners finds these amendments to be in the best interest of the citizens of Morgan County.

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

Section 1. Section 3-600(E) of the Morgan County Zoning Regulations is amended by the addition of a new subsection (5) to read as follows:

(5) Home occupations

Section 2. Section 4-305 of the Morgan County Zoning Regulations is amended to read as follows:

The purpose and intent of the home occupation regulations is to allow for certain home occupations within the County based on specific limits and requirements. These regulations are also intended to ensure that home occupations are compatible with the residential development in the surrounding neighborhoods and to protect the overall community character.

Section 3. Section 4-310 of the Morgan County Zoning Regulations is amended to read as follows:

All home occupations in the County are subject to the following restrictions:

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APPROVED on the 1st day of March, 2022, *nunc pro tunc*

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

s/Jon J. Becker
Jon J. Becker, Chairman

s/Gordon H. Westhoff
Gordon Westhoff, Commissioner

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

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Morgan County Planning & Zoning Technician, Charlotte Bolduc presented to the Board for approval Resolution 2022 BCC 09, a Resolution Amending The Morgan County Zoning Regulations To Allow Home Occupations In The Jackson Lake Village Zone And To Clarify The Purpose Of The Home Occupation Regulations. Ms. Bolduc stated that the Planning Commission considered this resolution on February 14, 2022 which amends the Morgan County Zoning Regulations to allow home occupations in the Jackson Lake Village zone and to clarify the purpose of the home occupation regulations. Planning Commission unanimously recommended approval with seven members in attendance. Board of County Commissioners considered this resolution on March 1, 2022 and unanimously approved it.

Commissioner Westhoff made the motion to approve Resolution 2022 BCC 09, a Resolution Amending The Morgan County Zoning Regulations To Allow Home Occupations In The Jackson Lake Village Zone And To Clarify The Purpose Of The Home Occupation Regulations as presented by Morgan County Planning & Zoning Technician, Charlotte Bolduc, signing nunc pro tunc from March 1st, 2022. Commissioner Arndt seconded the motion and motion carried 3-0.

4 COMMISSIONERS PROCEEDINGS

Consideration of Approval – Resolution 2022 BCC 10 A Resolution Approving The Application Of An Ambulance Service License For The Morgan County Ambulance Service

MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2022 BCC 10

A RESOLUTION APPROVING THE APPLICATION OF AN AMBULANCE SERVICE LICENSE FOR THE MORGAN COUNTY AMBULANCE SERVICE

WHEREAS, pursuant to C.R.S. § 25-3.5-301, no person may provide ambulance services without being licensed by the Board of County Commissioners in the Morgan County;

WHEREAS, the Morgan County Board of County Commissioners (“BOCC”), adopted Morgan County Ambulance Regulations through Resolution No. 2022 BCC10,

WHEREAS, the BOCC reviewed and considered the application of the Morgan County Ambulance Service at its meeting on March 15, 2022; and

WHEREAS, the BOCC desires to approve the application of the Morgan County Ambulance Service.

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

1. The application for an Ambulance Service License submitted by the Morgan County Ambulance Service is hereby approved and an Ambulance Service License shall be issued effective March 15, 2022 and shall remain in effect until March 15, 2023.

APPROVED this 15th day of March, 2022.

THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

s/Jon J. Becker
Jon J. Becker, Chairman

s/Gordon H. Westhoff
Gordon Westhoff, Commissioner

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

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Morgan County Finance Director, Michelle Covelli presented to the Board for approval Resolution 2022 BCC 10, a Resolution Approving The Application Of An Ambulance Service License For The Morgan County Ambulance Service. Ms. Covelli summarized the resolution and the need for this to be in place in order to document the licensing with all the County’s insurance carriers.

Commissioner Arndt made the motion to approve Resolution 2022 BCC 10, a Resolution Approving The Application Of An Ambulance Service License For The Morgan County Ambulance Service as presented by Morgan County Finance Director, Michelle Covelli. Commissioner Westhoff seconded the motion and 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:

1. Consideration of Approval – Application for Special Events Liquor License Permit
(Applicant: Morgan Community College Foundation, Roberta Bigalk)

Morgan County Chief Deputy Clerk, Randee Aleman, presented to the Board a Special Events Permit submitted by This special event was postponed from February 1st meeting due to a change in the date of the event.

Ms. Aleman explained that Roberta Bigalk the Event Manager is present for the hearing. Ms. Bigalk spoke asking for approval of the special permit.

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Ms. Aleman explained this matter was postponed from the February 1st meeting due to a change in the date of the event and indicated that Roberta Bigalk the Event Manager was present for the hearing today.

Ms. Aleman an application for a special events permit for Morgan Community College Foundation for the Morgan Community College Gala was received; such event is scheduled for Friday, April 22, 2022. The application being submitted on February 7, 2022, by Authorized Representative for the Organization, Madalyn Babcock, who has provided the necessary documentation and payment as required for a special events permit in Morgan County. Our office has provided a copy of the information 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 February 11, 2022 as well as signage having been placed at the location of this event for the required time frame, commencing on February 22, 2022.

Ms. Babcock has provided documentation from the Morgan County REA, Rob Baranowski confirming the approval of the application filed by Morgan Community College Foundation for serving and/or selling liquor at the proposed location, Morgan County REA warehouse space, located 734 Barlow Road, 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, April 22, 2022 and if approved will be valid for the period of time between 10:00 a.m. and 10:00 p.m.

A background check has been completed for Ms. Babcock, who is named as the Authorized Representative for the Organization and Roberta Bigalk named as the Event Manager of the organization of this event and no concerns have been reported. At this time, Ms. Susan Bailey, County Clerk, stated she spoke with Sheriff Dave Martin this morning who has indicated he has no issues or concerns with this application being approved.

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

A motion was made by Commissioner Westhoff to approve the Special Events Permit submitted by Roberta Bigalk representing Morgan County Community College on April 22, 2022 at the Morgan County REA warehouse located at 734 Barlow Road, Fort Morgan, Colorado as presented by Morgan County Chief Deputy Randee Aleman. Commissioner Arndt seconded the motion and motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Roger Doll, Morgan County Emergency Manager, provided an update that the Weather Spotter Training, hosted by the National Weather Service will be this evening at 6 p.m. at the Morgan Community College and invited the public to attend.

Morgan County Clerk Susan Bailey provided an update to the Board.

Being no further business the meeting was then adjourned at 9:40 a.m.

Respectfully Submitted,

Susan L. Bailey
Clerk to the Board

(Minutes ratified March 29, 2022)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Jon J. Becker
Jon J. Becker, Chairman

s/Gordon H. Westhoff
Gordon Westhoff, Commissioner

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

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey