

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS

Minutes of Meeting

June 21, 2022

As reflected in posted agenda:

Due to Covid-19, Remote Attendance Is Encouraged. If You Have Any Questions Regarding Attending The Meeting, Please Contact Karla Powell at 970-542-3500.

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/81274710471> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 812 7471 0471

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/81274710471> 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 June 20, 2022.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/81274710471> to listen via phone, please dial: 1-312-626-6799, Meeting ID: 812 7471 0471

The Board of Morgan County Commissioners met Tuesday, June 21, 2022 at 9:09 a.m. with Chairman Jon Becker, Commissioner Mark Arndt and Commissioner Gordon Westhoff in attendance.

CITIZEN'S COMMENT

There was no citizen comment provided.

CONSENT AGENDA

1. Ratify the Board of County Commissioners approval of meeting minutes dated June 7, 2022.
2. Ratify the Board of County Commissioners approval of Contract 2022 CNT 060, Long Building Technologies, Term of Contract June 8, 2022 through completion
3. Ratify the Board of County Commissioners approval of Contract 2022 CNT 061, Signal Behavioral Health Network, Term of Contract June 1, 2022 through May 31, 2023
4. Ratify the Board of County Commissioners approval of Contract 2022 CNT 062, Central Visitation Program, Term of Contract June 1, 2022 through May 31, 2023
5. Ratify the Board of County Commissioners approval of Contract 2022 CNT 063, Family Resource Center-Sterling, CO, Term of Contract June 1, 2022 through May 31, 2023
6. Ratify the Board of County Commissioners approval of Contract 2022 CNT 064, Centennial Boces, Term of Contract June 1, 2022 through May 31, 2023
7. Ratify the Board of County Commissioners approval of Contract 2022 CNT 065, Justice Works Youthcard, Term of Contract June 1, 2022 through May 31, 2023
8. Ratify the Board of County Commissioners approval of Contract 2022 CNT 066, Center for Healing Trauma and Attachment, Inc. Term of Contract June 1, 2022 through May 31, 2023
9. Ratify the Board of County Commissioners approval of Contract 2022 CNT 067, Center for Healing Trauma and Attachment, Inc., Term of Contract June 1, 2022 through May 31, 2023
10. Ratify the Board of County Commissioners approval of Contract 2022 CNT 068, Pat Chase, Term of Contract July 1, 2022 through June 30, 2023
11. Ratify the Board of County Commissioners approval of Contract 2022 SV 12, Scott Brindisi dba Duck Down Masonry, Term of Contract June 15, 2022 through completion
12. Ratify Chairman Jon Becker's signature on the Morgan County Public Trustee report for April 2022 signed June 14, 2022.
13. Ratify Chairman Jon Becker's signature on Colorado Works Memorandum of Understanding SFY22-23, signed June 8, 2022
14. Ratify Chairman Jon Becker's signature on Colorado Department of Human Services Memorandum regarding CRS 26-2-715, signed June 8, 2022
15. Ratify Chairman Jon Becker's signature on Colorado Department of Human Services Childcare Assistance Memorandum of Understanding, signed June 8, 2022
16. Ratify Chairman Jon Becker's signature on Early Learning Ventures letter of support, signed June 10, 2022

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

UNFINISHED BUSINESS

There was no unfinished business.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – I-76 FIREWORKS APPLICATION, Submitted By L.C. Speicher

Morgan County Administrative Services Manager, Karla Powell presented the application submitted by the Fort Morgan Fire Department and I-76 Speedway, business owner being L.C. Speicher to display fireworks July 2, 2022, with a rain date of July 16, 2022 at the location of 16359 County Road S, Fort Morgan, CO (Race Track). Ms.

2 COMMISSIONERS PROCEEDINGS

Powell stated the applicants have submitted the required application and the required liability insurance for this request.

Sheriff Martin stated the Fort Morgan Fire Department does a great job and have had the proper training for firework displays.

Commissioner Arndt made a motion to approve the Fireworks Display Permit for the applicant, Fort Morgan Fire Department and I-76 Speedway, with the display address being 16359 County Road S, Fort Morgan, Colorado (Race Track) and authorized the Chairman to sign and Commissioner Westhoff seconded the motion. After no further discussion, the motion carried 3-0.

Consideration of Approval – Bid Tabulation and Award RFP 2022-0616-001 Emulsified Asphalt

Morgan County Public Works Director, Bruce Bass, presented to the Board for approval Bid Tabulation RFP 2022-0616-001 Emulsified Asphalt. Mr. Bass stated he received two bids, a bid from Vance Brothers, Inc. in the amount of \$1,370,250.00 and a bid from Cobitco, Inc. in the amount of \$1,253,700.00. Mr. Bass further summarized the details of each bid submitted.

At this time, Mr. Bass recommended the bid be awarded to the lowest bidder Cobitco, Inc. the amount of \$1,253,700.00.

Commissioner Westhoff made a motion to approve RFP 2022-0616-001 Emulsified Asphalt to Cobitco, Inc. the amount of \$1,253,700.00 as recommended by Morgan County Public Works Director, Bruce Bass, with Commissioner Arndt seconding the motion. At this time 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 Beer and Wine License (Applicant: Pope Farms dba Pope Farms Corn Maize & Pumpkin Patch – Derek & Cynthia Pope)

Cynthia Pope, 19502 County Road 3 Wiggins Colorado explained that they have applied for the Beer and Wine License to be able to serve alcohol during their Sunflower Days and the Pumpkin Patch, so the license will not be used year around. Ms. Pope stated that they did speak with local law enforcement and they do not see any problems with the license. She stated the reason they have applied for the license is if dad can have a beer and watch the Bronco game while the kids play at the pumpkin patch, they may stay a little longer and during sunflower days they will be able to offer a bottle of wine to the women that are out cutting sunflowers. Ms. Pope explained that when they first started they had the American Legion obtain a special event liquor license and they would serve at the events and that worked well, however, it is hard to get someone committed to that each year. She explained they will use the license for six weeks out of the year on Fridays, Saturdays and Sundays.

Commissioner Westhoff asked if they are only open Friday and Saturday and Sunday, with Ms. Pope stating yes. He also asked if they have schools come out on the weekdays during school, with Ms. Pope stating yes they do but those are private events, and are not open to the public so no alcohol will be served.

Chairman Becker asked Morgan County Sheriff Martin if he had any information to add, with Sheriff Martin stating they have no concerns and they have completed their background investigations and everything turned out just fine. Chairman Becker opened the matter for public comment at which time no comment followed.

At this time, the matter moved to discussion and decision.

A motion was made by Commissioner Arndt to approve the new beer and wine license for Derek and Cynthia Pope, operating manager, Pope Farms dba Pope Farms Corn Maize & Pumpkin Patch, 19502 County Road 3, Wiggins, Colorado. Commissioner Westhoff seconded the motion and motion carried 3-0.

PUBLIC HEARING

Chairman Becker called the hearing to order at 9:23 a.m. in the Assembly Room of the Morgan County Administration Building. Present were, Chairman Jon Becker, Commissioner Gordon Westhoff and Commissioner Mark Arndt, Morgan County Planning and Zoning Director Nicole Hay, and Morgan County Attorney Kathryn Sellars appearing remotely.

1. Amendments to the Morgan County Zoning Regulations: Concerning the regulations of wind energy conversion, solar collector, and battery energy storage systems.

Ms. Hay stated on January 4, 2022 the Board of County Commissioners adopted a moratorium on the processing of applications for wind and solar power generation or collection facilities, associated power lines and battery energy storage systems in Morgan County to allow for research to be conducted on the appropriate regulatory means for such facilities.

Ms. Hay explained that on May 10, 2022, draft of the regulations was produced and provided to the public, stakeholders and other interested parties for review and comment. A Planning Commission meeting was held on

COMMISSIONERS PROCEEDINGS 3

June 6, 2022, where the Commission heard comments from the public. The public hearing was continued until June 13, 2022 in order to receive a revised version of the draft regulations.

Ms. Hay stated on June 10, 2022, the redraft of the regulations was produced and provided to the public, stakeholders and other interested parties for review and comment. A Planning Commission meeting was held on June 13, 2022, where the Commission heard additional public comment.

Ms. Hay explained that on June 13, 2022, the Planning Commission voted 6 – 0, with 1 member absent, to recommend approval of the amended zoning regulations, as presented during the June 13th meeting, and sent them on to the Board of County Commissioner for approval.

Ms. Hay stated the packet includes a copy of the June 10, 2022 redlined version of the regulations with an additional proposed change to Sections 4-820(K)(2) and 4-895(K)(2) to require that the applicant is responsible for obtaining and paying the costs of a baseline survey of County roads. Further, the survey provisions related to section line rights of way have also been clarified to require the application to obtain and pay the costs of section line surveys. Ms. Hay explained that in addition, the packet includes a clean version of the regulations, with all changes in the redlined version accepted.

Chairman Becker asked if there was anyone in the audience or online present that is in in favor of the resolution. Rita Ruderman, Xcel Energy, 1800 Larimer Street, #400 Denver, Colorado stated that over the last several weeks they have been working with staff and the county attorney to clean up some of the language that they found confusing in the regulations and they appreciate the staffs time and they fully support the regulations as they are presented.

Chairman Becker asked if there was anyone in the audience or online present who wished to make public comment in opposition or the resolution, noting no there was none and closed the public comment portion at this time.

At this time, Chairman Becker moved into discussion and decision.

The Board thanked the staff, the county attorney and companies for working on this process and they appreciate all their hard work.

CONSIDERATION OF APPROVAL - RESOLUTION NO. 17, SERIES 2022 – ZONING AMENDMENTS RELATED TO WIND ENERGY FACILITIES, SOLAR COLLECTOR, AND BATTERY ENERGY STORAGE SYSTEMS

Commissioner Arndt made the motion to approve Resolution 2022 BCC 17, a Resolution Amending the Morgan County Zoning Regulations Concerning the Regulation of Wind Energy, Solar Collector, and Battery Energy Storage Systems as presented by Morgan County Planning and Zoning Director Nicole Hay. Commissioner Westhoff seconded the motion. At this time, the motion carried 3-0.

CONSIDERATION OF APPROVAL – RESOLUTION NO. 18, SERIES 2022 – FEES RELATED WIND ENERGY FACILITIES, SOLAR COLLECTORS, AND BATTERY ENERGY STORAGE SYSTEMS

Morgan County Planning and Zoning Director Nicole Hay stated that with Resolution 2022 BCC 17 being approved the fee schedule needed to be looked at and changed which is what this resolution does. Ms. Sellars explained that the fees vary a little bit; there are some state statute that are related to solar that limit fees. Both for the ground mounted wind energy, the principal solar and the battery energy storage systems they are split between an application fee and a permit fee. The application fee is just to get the process going , it goes through the process and then there is the potential to have an approved permit and then the permit fee is the back end process that will occur once the permit is approved. So, instead of having the applicant pay a rather large fee at the beginning when they submit the application, which if the application is not approved and they do not get a permit there is no refund, they are only paying the County for the application being processed only not the full amount of the permit.

Commissioner Westhoff made the motion to approve Resolution 2022 BCC 18, a Resolution Amending the Morgan County Fee Schedule for Planning Services by the Adoption of New Fees as presented by Morgan County Planning and Zoning Director Nicole Hay. Commissioner Arndt seconded the motion. At this time, the motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Kari Linker representing Senator Hickenlooper’s Office provided a Legislative Update to the Board.

Being no further business the meeting was then adjourned at 9:57 a.m.

Respectfully Submitted,

Randee Aleman
Deputy Clerk to the Board

(Minutes ratified July 19, 2022)

4 COMMISSIONERS PROCEEDINGS

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