

AGENDA
MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
Assembly Room, Administration Building
231 Ensign Street, Fort Morgan, CO 80701
Tuesday, May 3, 2022

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/82374473713> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 823 7447 3713

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/82374473713> 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 May 2, 2022.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/82374473713> to listen via phone, please dial: 1-312-626-6799, Meeting ID: 823 7447 3713

9:00 A.M.

A. WELCOME – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

**Commissioner Becker
Commissioner Westhoff
Commissioner Arndt**

B. CITIZEN'S COMMENT PERIOD

Citizens are invited to speak to the Commissioners on agenda or non-agenda items. There is a 3 minute time limit per person, unless otherwise noted by the Chairman. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

C. CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the Board of County Commissioners and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, any Board member may ask that the item be removed from the Consent Agenda and considered separately:

*Any meeting or event scheduled to be held at the Commissioners' Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us at least 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodations for any of the two locations.

PREPARED BY: Karla Powell, Administrative Services Manager
AGENDA POSTED ON Friday, April 29, 2022 @ 4:00 P.M.

1. Ratify the Board of County Commissioners approval of meeting minutes dated April 19, 2022.
2. Ratify the Board of County Commissioners approval of meeting minutes dated April 26, 2022.
3. Ratify the Board of County Commissioners approval of Contract 2022 CNT 049, Keefe Construction Services, Term of Contract April 15, 2022 through completion
4. Ratify the Board of County Commissioners approval of Contract 2022 CNT 050, Scott Brindisi dba Duck Down Masonry, Term of Contract April 15, 2022 through completion
5. Ratify the Board of County Commissioners approval of Contract 2022 CNT 051, Hill Petroleum, Term of Contract April 1, 2022 through September 30, 2022
6. Ratify the Board of County Commissioners approval of CW Revised Policies signed May 2, 2022
7. Ratify Chairman Jon Becker's signature on the Storm-water Inspection Form-Inspection Date April 18, 2022, signed May 2, 2022
8. Ratify the Board of County Commissioners approval of Fairgrounds Fee Waiver Request for Brush Rodeo Association, signed April 25, 2022
9. Ratify the Board of County Commissioners approval of Rental/Lease Agreement for 602 Ellsworth, Brush, CO 80723, signed May 2, 2022
10. Ratify Chairman Jon Becker's signature on the Morgan County Veterans Service Monthly Report for April 2022 signed May 2, 2022.
11. Ratify the Board of County Commissioners approval on assignment of debt collections to Wakefield and Associates, Client #212701, #213074, #212703, #213016, #212884B, #212492, #212760, #212917, #212904, #213121, #212765, #213097A, #212949, #212911, #212892, #212332, #212360, #212677, #212884A, #213154, #213230, #213028, #212673, #212919, #212999, #212682, #213082, #213085, #213024, #212913, #213156, #212762B, #213184, #212930, #212849, #213266, #212791, #212872, #213080B, 3213080A, #212981, #213241, #212931, #212926, #212745, #213279, #212879, #212865, #213048, #213050, #212835, #212524B

D. UNFINISHED BUSINESS

E. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

1. Consideration of Approval – **2022 BCC 12** A Resolution Granting A Three-Lot Minor Subdivision, Known As The 7/S Land And Cattle Minor Subdivision, Located In The Se¼ Of Section 24 And The Ne¼ Of Section 25, Township 4 North, Range 58 West Of The 6th Of P.M. Morgan County, Colorado (Nicole Hay, Planning & Zoning Administrator)
2. Consideration of Approval – **2022 BCC 13** A Resolution Amending The Morgan County Subdivision Regulations Concerning The Timeframe To Provide Title Commitments As Part Of The Submittal Requirements For Subdivisions (Nicole Hay, Planning & Zoning Administrator)

F. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

1. Commissioners Calendar for week of April 29, 2022, through May 10, 2022

G. ADJOURNMENT

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

RESOLUTION 2022 BCC 12

**A RESOLUTION GRANTING A THREE-LOT MINOR SUBDIVISION, KNOWN AS
THE 7/S LAND AND CATTLE MINOR SUBDIVISION, LOCATED IN THE SE¼ OF
SECTION 24 AND THE NE¼ OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 58
WEST OF THE 6TH OF P.M. MORGAN COUNTY, COLORADO**

WHEREAS, 7/S Land and Cattle Company, LLC. (Owner) own property located in the SE¼ of Section 24 and in the NE¼ of Section 25, Township 4 North, Range 58 West of the 6th P.M. Morgan County, Colorado. Addressed as 17545 Co Road V and 19961 Co Road 18, Fort Morgan, Colorado 80701(Properties);

WHEREAS, 7/S Land and Cattle Company, LLC. (Applicant) have submitted an application for a three-lot minor subdivision;

WHEREAS, the Applicant has applied for approval of a three-lot minor subdivision of the Property into three lots pursuant to the County's Subdivision Regulations (the "Application");

WHEREAS, on April 11, 2022, the Morgan County Planning Commission held a duly noticed public hearing on the application;

WHEREAS, during the public hearing, the Planning Commission received testimony and evidence from the Owner, Morgan County staff and the public and recommends approval;

WHEREAS, on April 26, 2022, the Board of County Commissioners (Board) held a duly noticed public hearing on the Application;

WHEREAS, during the public hearing, the Board received testimony and evidence from the Owner, Morgan County staff and the public; and

WHEREAS, the Board desires to approve the Application.

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

1. The Board, having reviewed the application, all information provided and testimony heard, finds that:
 - a. The application documents are complete and represent how the subdivision will be laid out including infrastructure, easements and access.
 - b. The subdivision is in conformance with the Morgan County Comprehensive Plan and there is access to established public infrastructure.

- c. The subdivision is compatible with surrounding land uses.
2. The Board hereby approves the 7/S Land and Cattle Minor Subdivision, located in the SE1/4 of Section 24 and in the NE1/4 of Section 25, Township 4 North, Range 58 West of the 6th P.M. Morgan County, Colorado,

DATED this ____ day of May, 2022.

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

Jon J. Becker, Chair

Mark A. Arndt, Commissioner

Gordon H. Westhoff, Commissioner

ATTEST:
(SEAL)

Susan L. Bailey, Clerk to the Board

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

RESOLUTION NO. 2022 BCC 13

**A RESOLUTION AMENDING THE MORGAN COUNTY SUBDIVISION
REGULATIONS CONCERNING THE TIMEFRAME TO PROVIDE TITLE
COMMITMENTS AS PART OF THE SUBMITTAL REQUIREMENTS FOR
SUBDIVISIONS**

WHEREAS, the Board of County Commissioners desire to increase the timeframe for title commitments provided by applicants as part of the submittal requirements for certain subdivision applications;

WHEREAS, on April 11, 2022, the Planning Commission held a duly noticed public hearing on the proposed amendments and recommended ap proval;

WHEREAS, on April 26, 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 Subdivision 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 6-120(B)(4) of the Morgan County Subdivision Regulations is repealed and reenacted to read as follows:

Proof of ownership consisting of a title commitment issued within the previous six (6) months. If the application is incomplete, the County may require that the title commitment be updated.

Section 2. Section 6-180 of the Morgan County Subdivision Regulations is amended by the addition of a new subsection (E) to read as follows:

A title insurance commitment or policy including a schedule of exceptions to title dated or endorsed to a date no more than six (6) months prior to the date of application, showing that the applicant is the fee title owner of all subject property. If such property is encumbered, it shall be required that such lien holder join in any dedication, if applicable. If the Board of County Commissioners grants approval to such plat with a dedication, it may be a condition to such approval that applicant provide a title insurance policy to the County prior to recording of the plat.

Section 3. Section 8-170(A) of the Morgan County Subdivision Regulations is amended to read as follows:

A title insurance commitment or policy including a schedule of exceptions to title dated or endorsed to a date no more than six (6) months prior to the date of application, showing that the applicant is the fee title owner of all subject property. If such property is encumbered, it shall be required that such lien holder join in any dedication, if applicable. If the Board of County Commissioners grants approval to such plat with a dedication, it may be a condition to such approval that applicant provide a title insurance policy to the County prior to recording of the plat.

Section 4. Section 8-210 of the Morgan County Subdivision Regulations is amended to read as follows:

Following approval of the minor subdivision plat by the Planning Commission, the Staff shall retain the plat, assuming there are no corrections, together with all supplemental documents for transfer to the Board of County Commissioners at its next regular meeting. The subdivider shall make a presentation to the Board of County Commissioners explaining the plat and the documents. The Board of County Commissioners shall check the plat, especially with regard to proper signatures, required improvements and acceptance of the area dedicated for public use, and shall approve or disapprove the plat. If applicable, the Board shall consider a subdivision improvement agreement for any required public improvements.

Section 5. Section 9-150(C)(3) of the Morgan County Subdivision Regulations is repealed and reenacted to read as follows:

Proof of ownership in the form of a title insurance commitment or policy, including a schedule of exceptions to title, dated or endorsed to a date no more than six (6) months prior to the date of application, showing that the applicant is the fee title owner of all subject property. If such property is encumbered, it shall be required that such lien holder join in any dedication, if applicable. If the Board of County Commissioners or the Planning Administrator grants approval to such plat with a dedication, it may be a condition to such approval that applicant provide a title insurance policy to the County prior to recording of the plat.

Section 6. Section 10-100(D)(3) of the Morgan County Subdivision Regulations is amended to read as follows:

Proof of ownership that includes an updated or current title information binder or insurance policy issued no more than 6 months prior to the date of application. If the application is incomplete, the County may require that the title commitment be updated.

Section 7. Section 10-200(D)(3) of the Morgan County Subdivision Regulations is amended to read as follows:

Except for changes to plat note or condition, proof of ownership that includes an updated

or current title information binder or insurance policy issued no more than 6 months prior to the date of application. If the application is incomplete, the County may require that the title commitment be updated.

Section 8. Sections 10-400(D)(3), 10-500(D)(3), and 10-600(D)(3) of the Morgan County Subdivision Regulations are amended to read as follows:

Proof of ownership that includes an updated or current title information binder or insurance policy issued no more than 6 months prior to the date of application. If the application is incomplete, the County may require that the title commitment be updated.

APPROVED this _____ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

Jon J. Becker, Chairman

Gordon H. Westhoff, Commissioner

Mark A. Arndt, Commissioner

ATTEST:
(SEAL)

Susan Bailey, Clerk to the Board

COMMISSIONERS CALENDAR

April 29, 2022 through May 10, 2022

April 29, 2022		Daily County Business
May 2, 2022	11:00 a.m. 12:00 p.m. 1:00 p.m. 2:30 p.m.	Office Meeting Human Resources Department Meeting Grant Discussion Public Works Department Meeting
May 3, 2022	9:00 a.m. 10:00 a.m. 2:00 p.m.	Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) City/County Meeting District Attorney's Office Update
May 4, 2022		Daily County Business
May 5, 2022		Daily County Business
May 6, 2022		Daily County Business
May 9, 2022	11:00 a.m. 12:00 p.m. 1:00 p.m.	Office Meeting Human Resources Department Meeting Communications Department Meeting
May 10, 2022	9:00 a.m. 10:00 a.m. 11:00 a.m. 12:00 p.m.	Ambulance Department Meeting County Attorney Office Hours Finance Department Meeting Justice Center Update

Unless otherwise noted, all meetings with department heads and other non-BOCC elected officials listed above may include an update on the status of the department, a general discussion of projects, any matters or concerns that the County needs to address, and activities and operations of the department.

Department meetings may be by conference call or virtual meeting upon request.

CALENDAR SUBJECT TO CHANGE DUE TO AGREEABLE CANCELLATIONS AND/OR WALK IN BUSINESS

Posted 04/29/2022 @ 4:00 P.M. by Karla Powell, Administrative Services Manager

** All meetings are held in the Commissioner's Office located at 218 West Kiowa Avenue, Fort Morgan unless otherwise noted

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