

AGENDA- SPECIAL MEETING
MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
Assembly Room, Administration Building
231 Ensign Street, Fort Morgan, CO 80701
Friday, October 10, 2025

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/87581945665> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 875 8194 5665

11:00 A.M.

A. WELCOME – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Becker
Commissioner Malone
Commissioner Bernhardt

C. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

1. Consideration of Approval – **Revised 1041 Permit Application** for site selection and construction of a major facility of a public utility deadline waiver agreement between Morgan County, Colorado and Tri-State Generation and Transmission Association, Inc. – Nicole Hay, Planning and Zoning Administrator.

E. ADJOURNMENT

*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

PREPARED BY: Mindi Cloyd, Administrative Services Manager for BCC
Agenda Posted on October 8, 2025 at 4:00 P.M.

**1041 PERMIT APPLICATION FOR SITE SELECTION AND
CONSTRUCTION OF A MAJOR FACILITY OF A PUBLIC
UTILITY DEADLINE WAIVER AGREEMENT**

**BETWEEN
THE COUNTY OF MORGAN, COLORADO**

AND

**TRI-STATE GENERATION AND TRANSMISSION
ASSOCIATION, INC**

INTRODUCTION

The County of Morgan, Colorado (the "**County**") and Tri-State Generation and Transmission Association, Inc. ("**Tri-State**") (each individually a "**Party**," or collectively the "**Parties**") hereby enter into this 1041 Permit Application for Site Selection and Construction of a Major Facility of a Public Utility Deadline Waiver Agreement (the "**Agreement**") effective as of October 10, 2025, to define the applicable deadlines for review and final action by the County on Tri State's 1041 Permit Application for Site Selection and Construction of a Major Facility of a Public Utility (the "**Application**").

RECITALS

WHEREAS, Tri-State is proposing to construct, operate, and maintain a new 230 kilovolt (kV) single-circuit, overhead electric power transmission line to connect its existing Big Sandy Substation in unincorporated Lincoln County, Colorado to the site for its proposed Badger Creek Switching Station in unincorporated Morgan County, Colorado (the "**Project**");

WHEREAS, the Project is subject to approval by the County pursuant to the Morgan County Guidelines and Regulations for Areas and Activities of State Interest (the "**Morgan County §1041 Regulations**");

WHEREAS, C.R.S. § 29-20-108 requires that a local government take final action on an application for a major electric facility of a public utility within 90 days after receipt of the final application;

WHEREAS, C.R.S. §24-65.1-501(2) requires a local government to publish a hearing notice for a 1041 application within 30 days after receipt of an application;

WHEREAS, similarly, Section 2-301 of the Morgan County 1041 Regulations requires that not later than thirty (30) days after receipt of a completed application for a permit the Board of County Commissioners shall set and publish notice of the date, time and place for hearing on said application;

WHEREAS, Tri-State desires to waive the deadlines set forth above and propose an alternative timeline for notification and scheduling of the public hearing and for final action regarding Tri-State's application; and

WHEREAS, the County and Tri-State mutually acknowledge that this Agreement is supported by appropriate and adequate consideration.

TERMS OF AGREEMENT

The Parties stipulate and agree to the following:

Section 1. Tri-State hereby waives the deadlines set forth in C.R.S. §§ 29-20-108, 24-65.1-501(2), and Section 2-301 of the Morgan County 1041 Regulations related to notice of and scheduling of a public hearing and for a final action by the County (collectively, the “**Deadlines**”).

Section 2. The Parties agree that the public hearing shall occur on December 16, 2025 with notice of such hearing to be provided as required by the County regulations and state law. Should the public hearing date be continued by the County, the public hearing and the issuance of a final decision on the Application may not be postponed any later than February 27, 2026.

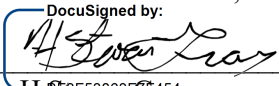
Section 3. Other than the waiver of the Deadlines, by entering into this Agreement neither party waives any rights or obligations under state law or the Morgan County 1041 Regulations applicable to the Project.

Section 4. This Agreement shall not be binding on any future applications for projects, by Tri-State or otherwise, within the County.

[Signatures on the following page.]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed and delivered as of the date set forth below.

Date: 10/8/2025

Tri-State Generation and
Transmission Association, Inc.
DocuSigned by:
By: 
Name: H. Steven Gray
Title: Vice President, Land,
Water and Environmental
Resources

COUNTY OF MORGAN, COLORADO

Date: _____

By: _____
Name: _____
Title: _____

Attest:
Morgan County Clerk of the Board

By: _____
Deputy Clerk of the Board

Date: _____

APPROVED AS TO FORM:

By: _____
Name: _____
Title: _____

Date: _____