

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
January 16, 2024

As reflected in posted agenda:

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/87823156609> 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 Friday January 12, 2024.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/87823156609> listen via phone, please dial: 1-312-626-6799, Meeting ID: 852 6660 6489

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/87823156609> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 878 2315 6609

The Board of Morgan County Commissioners met Tuesday, January 16, 2024 at 9:00 a.m. with Chairman Mark Arndt appearing remotely, Commissioner Jon Becker and Commissioner Gordon Westhoff being present. Chairman Arndt asked Commissioner Jon Becker to lead the meeting in the Pledge of Allegiance.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – 2023 Mill Levies Certification For Tax year 2023 and Budget Year 2024

Morgan County Information Services Director, Karol Kopetzky appearing remotely presented to the Board for approval the 2023 Mill Levies Certification for Tax Year 2023 and Budget Year 2024. Ms. Kopetzky summarized the information provided to the board stating that all taxing agencies have reported to the County in a timely manner.

Ms. Kopetzky read aloud the school district information certifying the following as:

Buffalo RE-4 School District as being 31.011 mills
Brush RE-2(J) School District as being 48.940 mills
Fort Morgan RE-3 School District as being 36.892 mills
Weldon Valley RE-20(J) School District as being 40.890 mills
Wiggins RE-50(J) School District as being 37.056 mills
Briggsdale RE-10 School District as being 14.226 mills
Aims Community College as being 6.336 mills

Ms. Kopetzky further summarized the mill levy for Morgan County as:

Morgan County certifying general fund 19.553 mills, road and bridge 7.500 mills, public welfare 2.000 mills with the total being 29.053 mills; which includes general fund, road and bridge and social services.

Ms. Kopetzky further summarized the mill levies for Morgan County's cities and towns as follows:

City of Brush as being 15.660 mills
City of Fort Morgan as being 13.254 mills
Hillrose as being 16.381 mills
Log Lane as being 17.784 mills
Wiggins as being 32.212 mills

Further local fire districts were then summarized with the fire districts being referenced as:

Brush Rural Fire Protection District as being 3.379 mills
Fort Morgan Rural Fire Protection District as being 2.860 mills
Hillrose Rural Fire Protection District as being 7.719 mills
New Raymer-Stoneham Fire Protection District as being 2.588 mills
Wiggins Rural Fire Protection District as being 7.000 mills

The following Water Districts were summarized as being:

Morgan County Quality Water District as being 0.824 mills
Prairie View Ranch Water District, LLC as being 0.000 mills

The following Water Conservancy Districts were summarized as being:

Central Colorado Water Conservancy as being 0.891 mills
Central Colorado Water Conservancy - Groundwater Management Subdistrict as being 1.300 mills
Lower South Platte Water Conservancy District as being .0977 mills

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Northern Colorado Water Conservancy as being 1.000 mills
Well Augmentation Subdistrict of Central Colorado Water Conservancy District as being 9.153 mills

Ms. Kopetzky further summarized the County Pest Control Districts indicating:

Fort Morgan Pest Control District as being 0.269
Wiggins Community Pest Control District as being 0.417 mills

The remaining mill levies were summarized for the following as:

Bijou Metropolitan District as being 72.760 mills
East Morgan County Hospital District as being 4.500 mills
East Morgan County Library District as being 3.500 mills
Morgan Conservation District as being 0 mills
Munn's Addition Water & Sanitation District as being 0 mills
North Kiowa Bijou Groundwater Management as being 0.019 mills
Roberts 81 Business Improvement District as being 25.000 mills
Snyder Sanitation District as being 8.334 mills

Ms. Kopetzky then summarized the assessments per acre foot, well or unit as:

Bijou Irrigation District as being 19,177 acres at \$46.580/acre
Hillrose Irrigation District 7,374 acres at \$4.500/acre
North Kiowa Bijou Special Association 366 wells \$30.000/each
Northern Colorado Water Conservancy District Class "D" 445 acres at \$30.600/acre a with an acre foot unit
Riverside Irrigation District 22,154 acres at \$2.00/acre an acre foot unit
Weldon Valley Drainage District 679 units at \$250.00/unit

Commissioner Becker stated he has heard from a few landowners that would like the Board to vote no on the Lower South Platte Water Conservancy District it is being appealed and they would like to have the support of the Board. Commissioner Becker stated no matter if the Board votes no it still goes through and gets approved, the landowners stated that the court was using the Boards approvals as a basis. Commissioner Becker would like the Lower South Platte Water Conservancy District be considered separately.

Commissioner Becker made a motion to pull the approval of the Lower South Platte Water Conservancy District and consider it separately with Commissioner Westhoff seconding the motion, motion carried 3-0.

Commissioner Westhoff made a motion to approve the 2023 Mill Levies Certification For Tax year 2023 and Budget Year 2024 as presented by Morgan County Information Services Director Karol Kopetzky, and pulling out the Lower South Platte Water Conservancy District with Commissioner Becker seconding the motion. At this time, the motion carried 3-0.

Commissioner Becker stated that he believes they can leave this sit and allow the State to determine it or if the Chairman would rather have a motion. Chairman Arndt stated he would like to hear discussion and have either a motion to approve as certified or an explanation as to why it did not go forward.

Commissioner Becker stated he would be a no vote on the Lower South Platte Water Conservancy District mill levy it is still in court being appealed as a non-constitutional mill levy increase. It did go through the courts and it was found that it wasn't, now it is being appealed. He would like to have the State and the courts to decide.

Commissioner Westhoff asked how many years this has been with Commissioner Becker stating three years. Commissioner Westhoff stated that with advisement from the County Attorney it was stated the Board is to approve the certification, they do not have the authority to state that amount. Chairman Arndt stated that the Boards job is to send forward what has been given to the County to be certified, it is the States responsibility to figure out if it entity is out of compliance.

Commissioner Westhoff asked if this is denied it just shows record of the Boards action that the certification was denied of that mill levy. Chairman Arndt stated that is correct it will still be sent forward what was submitted for certification. Chairman Arndt stated that the Board would direct Ms. Kopetzky to certify to the State what the Lower South Platte Water Conservancy District has submitted to the County for certification, noting that the Board did not approve any raise they feel non-constitutional and it will be up to the State to determine.

Commissioner Westhoff made a motion to submit the Lower South Platte Water Conservancy District as presented with Chairman Arndt seconding the motion. Commissioner Becker understands Commissioner Westhoff's stance on this that the Board is just a mechanism to pass this through, they give us the number and we are not an entity to decide, he still believes this was increased illegally. Commissioner Westhoff stated he would rather have a judge make the decision on this action not the Board. Chairman Arndt asked for a copy of the approved minutes be sent to the State along with the certification noting the Board had discussion if there was a legal raise. At this time motion carried 2-1 with Commissioner Becker being the dissenting vote.

Being no further business the meeting was then adjourned at 9:15 a.m.

Respectfully Submitted,

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Randee Aleman
Deputy to the Board

(Minutes ratified January 23, 2024)

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

s/ Mark A. Arndt
Mark A. Arndt, Chairman

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

s/ Gordon H. Westhoff
Gordon H. Westhoff, Commissioner

(SEAL)
ATTEST:

s/ Kevin Strauch
Kevin Strauch