

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
February 4, 2025

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/84876573906> 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 February 3, 2025.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/84876573906> listen via phone, please dial: 1-312-626-6799, Meeting ID: 848 7657 3906

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/84876573906> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 848 7657 3906

The Board of Morgan County Commissioners met Tuesday, February 4, 2025 at 9:01 a.m. with Chairman Jon Becker, Commissioner Tim Malone and Commissioner Kelvin Bernhardt. Chairman Becker asked Morgan County Planning and Zoning Director, Nicole Hay to lead the meeting in the Pledge of Allegiance.

Commissioner Malone moved to move the item one from General Business (Two Quit Claim Deeds from Colorado Department of Transportation) to unfinished business. Commissioner Bernhardt seconded the motion. The motion carried 3-0.

CONSENT AGENDA

1. Ratify Previous Board Chairman Mark Arndt's signature on **Colorado Retail Liquor License Renewal Application** for NOCO Axe Throwing, Inc. dba After Hours Ft. Morgan, signed December 20, 2024.
2. Ratify Chairman Jon Becker's signature on **Stormwater Inspection Form**, dated January 29, 2025.
3. Ratify the Board of County Commissioners approval of **Morgan County Ambulance Service EMTS Funding** Grant Application.
4. Ratify the Board of County Commissioners approval of **Contract 2025 CNT 014 Northern Lights Therapy, PLLC**, Term of Contract January 1, 2025 through May 31, 2025

At this time, Commissioner Bernhardt made a motion to approve items 1-4 as presented with Commissioner Malone seconded the motion. The motion carried 3-0.

CITIZEN'S COMMENT

There was no citizen comment provided.

UNFINISHED BUSINESS

Consideration of Approval – Two Quit Claim Deeds from Colorado Department of Transportation for property related to the CDOT realignment project of County Roads 31 and U at Highway 6 and BSNF Crossing

Public Works Director, Bruce Bass, presented to the Board for approval Two Quit Claim Deeds from Colorado Department of Transportation for property related to the CDOT realignment project of County Roads 31 and U at Highway 6 and BSNF Crossing. He noted that this is an existing program to put in new crossing arms and other safety equipment. He stated his project would help to make the crossing safer by realigning the two roads at that point.

Commissioner Malone made a motion to approve Two Quit Claim Deeds from Colorado Department of Transportation for property related to the CDOT realignment project of County Roads 31 and U at Highway 6 and BSNF Crossing as presented with Commissioner Bernhardt seconding the motion. At this time the motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – Changes made to 457 Retirement Option for employees

Morgan County Finance Director, Lori Crispin, presented to the Board for approval the Changes made to 457 Retirement Option for employees. Ms. Crispin explained that this retirement option would be available for elected officials, with the exception of the county commissioners. There is also a choice to choose between a deferred Roth IRA or the traditional pretax 457.

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Chairman Becker asked if it needed to be stated that the employee didn't need to contribute the maximum amount. Director Crispin noted that they are planning for that choice to be on the opt-in form so that employees will be aware.

Commissioner Bernhardt made a motion to approve the Changes made to 457 Retirement Option for employees as presented by Morgan County Finance, Lori Crispin with Commissioner Malone seconding the motion. At this time the motion carried 2-1 with Chairman Becker dissenting.

Ms. Crispin noted that there has been positive feedback from employees and thanks to the commissioners.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Morgan County Sheriff, Dave Martin thanked the commissioners for the extended retirement option.

Morgan County Clerk and Recorder, Kevin Strauch noted that their office has begun to issue Passports. He stated that they are currently offering the services to county employees and their families and that they will begin offering them to the public soon.

Commissioners reviewed the calendar dated January 31, 2025 through February 11, 2025 with no changes.

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

Respectfully Submitted,

Kevin Strauch
Clerk to the Board

(Minutes ratified February 11, 2025)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

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

s/Timothy A. Malone
Timothy A. Malone, Commissioner

s/Kelvin S. Bernhardt
Kelvin S. Bernhardt, Commissioner

(SEAL)

ATTEST:

s/ Kevin Strauch
Kevin Strauch

PUBLIC HEARING

Chairman Becker called the hearing to order at 9:19 a.m. on Tuesday, February 4, 2025 in the Assembly Room of the Morgan County Administration Building.

Chairman Jon Becker, Commissioner Kelvin Bernhardt, and Commissioner Tim Malone were present. Planning Administrator Nicole Hay, Attorney Kathryn Sellars, Planning Technician Jenafer Santos and IT Director Karol Kopetzky were also present.

OLD BUSINESS: Amended Special Use

Applicants and Landowner: Public Service Company of Colorado (Xcel Energy)

Legal Description: Located in Sections 17, 18, 19 and 20 Township 3 North, Range 56 West of the 6th P.M., Morgan County, Colorado. Also known as 14940 CO RD 24, Brush, CO 80723.

Request: To modify the existing Special Use Permit to convert Pawnee Power Station from Coal to a Gas Electric Generating Station.

DISCUSSION:

Attorney Kathryn Sellars explained the two draft resolutions that were presented, noting that there are 2 versions of Condition E.

Chairman Becker asked if this was sent to Xcel for their review?

Attorney Kathryn Sellars confirmed it was sent to their attorney.

Hans Rodvik, Area Manager, 1500 6th Ave, Greeley stated that their preference is that the Board adopts the first option of Condition E as it provides flexibility and capacity to make sure that they can do the inclusion without having to come back to the Board if it takes longer than 120 days.

Kalan Falbo, ROW & Permitting Specialist, 1123 W 3rd Ave, Denver added that they are working on all documents required and will submit them promptly.

PUBLIC COMMENT OPEN: None

PUBLIC COMMENT CLOSED:

BOARD OF COUNTY COMMISSIONER COMMENTS:

Commissioner Malone asked for clarification on Condition E.

Attorney Kathryn Sellars explained that the first Condition E is the one that was outlined in the staff report. Within 120 days they have to provide an updated agreement with the Brush Rural Fire Protection District or an inclusion order. The second Condition E states that they have to include within those 120 days and they cannot exclude without the County's permission.

Chairman Becker noted that he is in favor of the alternative Condition E. He believes all other conditions listed in the alternative resolution are agreeable by all parties

Commissioner Bernhardt moved to approve Resolution 2025 BCC 05 with the alternate condition E.

Commissioner Malone seconded.

Motion carries, 3-0.

Being no further business the meeting was then adjourned at 9:33 a.m.

Respectfully Submitted,
Jenafer Santos
Planning Technician

(Minutes ratified February 11, 2025)

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

_____ s/Jon J. Becker

Jon J. Becker, Chairman

_____ s/Timothy A. Malone

Timothy A. Malone, Commissioner

_____ s/Kelvin S. Bernhardt

Kelvin S. Bernhardt, Commissioner

(SEAL)

ATTEST:

_____ s/ Kevin Strauch

Kevin Strauch