

# COMMISSIONERS PROCEEDINGS 1

MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
Minutes of Meeting  
July 1, 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/83420976900> If you cannot connect via Zoom, you may submit written public comment to [morgancountybcc@co.morgan.co.us](mailto:morgancountybcc@co.morgan.co.us) by email by 4 p.m. on Monday June 30, 2025.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/83420976900> listen via phone, please dial: 1-312-626-6799, Meeting ID: 834 2097 6900

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/83420976900> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 834 2097 6900

The Board of Morgan County Commissioners met Tuesday, July 1, 2025 at 9:02 a.m. Chairman Jon Becker, Commissioner Tim Malone and Commissioner Kelvin Bernhardt were in attendance. Chairman Becker asked Morgan County Clerk and Recorder, Kevin Strauch to lead the meeting in the Pledge of Allegiance.

CITIZEN’S COMMENT

Josh McElwain of 15455 County Road 7.3 spoke for Stable Ridge Estates. He noted that he would like County Road 8 to a paved road and that he brought a petition to label as high impact road.

Yvonne Lorenzini of 7676 County Road P.3 stated that she spoke with Sheriff Dave Martin to do a traffic study. She noted that eighty residents, there is a water treatment plant, and farm trucks. She stated that the road graders have been inconsistent in results and in scheduled. She also noted that it has been difficult to contact the department.

Doug Trevithick, supported the previous comments. He provided several numbers of the amount of traffic on the road. He believes that trying to fix the road would be more expensive than paving it. He noted that he also believes that the road is dangerous and needs fixed.

CONSENT AGENDA

- 1. Ratify the Board of County Commissioners approval of **BCC meeting minutes** dated June 17, 2025.

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

UNFINISHED BUSINESS

There was no unfinished business.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

**Legislative update - Representative Dusty Johnson**

Colorado State Representative Dusty Johnson gave the Board a legislative update.

Commissioner Bernhardt thanked Rep. Johnson for the support and the communication.

Chairman Becker asked about the new landfill regulations. Rep. Johnson noted that Morgan County and Logan County will be affected. She noted that meetings will take place with commissioners and stakeholders to mitigate the effects of this bill on the local communities.

Chairman Becker asked about the school funding for local counties. Rep. Johnson noted that local school districts would not change as opposed to losing funding as other small districts.

Chairman Becker asked about the increase of delivery fees. Rep. Johnson noted that she knows it increased but was unsure of the exact figure. Chairman Becker noted that these fees are supposed to go to road funds but they are not.

**County ordinance in relation to Special Conditions for School Districts. Morgan County School District Superintendents:**

- Marsha Cody – Brush School District RE-2J
- Rob Sanders – Fort Morgan School District RE-3
- Trent Kerr – Wiggins School District RE-50J

# 2 COMMISSIONERS PROCEEDINGS

David Olson – District Counsel

David Olson, counsel for the above school districts noted that he is here to discuss impact fees. He noted that from 2008, there were no longer any impact fees paid to the school districts. He noted that the county is required to collect the impact fees not the school districts. He stated that they are here to collect these fees that are owed. He noted that he submitted a CORA request to find payments made and that there were none that were found. He requested that a commissioner work with the districts to figure out what needs to be done.

Trent Kerr of the Wiggins School District spoke that the Wiggins Town Council and school district entered into an IGA but the county did not join. He noted that these funds would have helped with capital improvement in his district with a growing population. He noted that the fees would be \$2,564 per unit in 2020.

Rob Sanders of the Fort Morgan School District discussed how that these fees need to be found for the past but also need to be planned for the future. He noted that the current buildings in the district have surpassed their allotted size and will need attention in the future.

Chairman Becker noted that he believes that part of the reason that it’s difficult to attract new homes and businesses is the large mill levies for the districts. He also noted that with five school districts in one county, it’s very expensive to run administration for those districts for the citizens. He noted that he doesn’t believe there’s an impact to the school districts when homes are added. He noted that a commissioner will be assigned to work with the districts to best solve the problem for the whole community.

Mr. Kerr noted that the impact fees do not affect business and that in Wiggins, there is constant home growth.

**COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS**

Clerk and Recorder, Kevin Strauch noted that Recording fees have officially been set at forty dollars with a three-dollar surcharge.

Chairman Becker encouraged everyone to attend the 4<sup>th</sup> of July Rodeo in Brush.

Commissioners reviewed the calendar dated June 27, 2025 through July 8, 2025 with no changes.

Being no further business the meeting was adjourned at 9:49 a.m.

Respectfully Submitted,

Kevin Strauch  
Clerk to the Board

(Minutes ratified July 15th, 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

BOARD OF COUNTY COMMISSIONERS  
PLANNING AND ZONING — MINUTES  
TUESDAY, JULY 1, 2025

Chairman Becker called the hearing to order at 9:53 a.m. on Tuesday, July 1, 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, Planning Technician Jenafer Santos, and IT Director Karol Kopetzky were also present. Attorney Kathryn Sellars was present via ZOOM.

**OLD BUSINESS: Continued Hearing from June 17, 2025 — Regulation Amendments regarding Solar Collector Facilities, Battery Energy Storage System Facilities, and Wind Energy Facilities and 2025 BCC 29.**

**DISCUSSION:**

**Administrator Hay** briefly described all items that were needed for discussion from the continuation of

**PUBLIC COMMENT OPEN:**

**Jeremiah Garrick, Community Engagement & Strategy Manager with COSSA addressed at 1536 Wynkoop St Suite 104, Denver**, commented that the appeals process for the BESS seems redundant when there are still the County emergency powers.

**Sarah Murphy, AYPa addressed at 909 E. 7<sup>th</sup> Ave, Broomfield**, commented that in Section 4-860 (F)(2), there should be a time frame on when the Planning Administrator will approve the restarting of the affected area.

**PUBLIC COMMENT CLOSED:**

**BOARD OF COUNTY COMMISSIONER DISCUSSION:**

**Chairman Becker** asked Administrator Hay if adding a time frame on restarting operations on the affected area of the BESS is feasible.

**Administrator Hay** does not believe she would be comfortable putting a time frame on that decision, as some of the items we receive would go out to consultants and it may be difficult to restrict them with time constraints.

**Chairman Becker** noted that he liked the proposed language of the BESS appeals.

**Commissioner Bernhardt** motioned to approve 2025 BCC 29, a resolution amending the Morgan County Zoning Regulations for clarifications, submittal requirements, standards, and decommissioning requirements for solar collector facilities, battery energy storage system (BESS) facilities, and wind energy facilities.

**Chairman Becker** noted that there was a grammatical error that was changed and updated into the resolution.

**Commissioner Malone** seconded.

**Motion carries, 3-0.**

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**OLD BUSINESS: Continued Hearing from June 17, 2025 — Regulation Amendments regarding Subdivisions and 2025 BCC 30.**

**DISCUSSION:**

**Administrator Hay** briefly described all items that were needed for discussion from the continuation of the June 17, 2025 hearing.

**PUBLIC COMMENT OPEN:**

BOARD OF COUNTY COMMISSIONERS  
PLANNING AND ZONING — MINUTES  
TUESDAY, JULY 1, 2025

**Robert Pennington addressed at 18410 Acoma, Fort Morgan,** believes that there should be an extend timeframe for minor subdivisions to be done back to back. He suggested 10 years. The 10 years would allow the County to plan for long term planning.

**PUBLIC COMMENT CLOSED:**

**BOARD OF COUNTY COMMISSIONER DISCUSSION:**

**Commissioner Malone** noted that he likes the 5 year timeframe.

**Commissioner Bernhardt** agreed, adding that it balances property rights and the County Regulations.

**Commissioner Malone** motioned to approve 2025 BCC 30, a resolution amending the Morgan County Subdivision Regulations concerning miscellaneous subdivision clarifications, major subdivisions and minor subdivisions.

**Commissioner Bernhardt** seconded.

**Motion carries, 3-0.**

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**NEW BUSINESS: General Business Item — Fee Schedule**

**DISCUSSION:**

**Administrator Hay** briefly described all items that were proposed changes to the Morgan County Planning & Zoning fee schedule.

**Commissioner Bernhardt** asked if Administrator Hay spoke with other counties regarding their fees?

**Administrator Hay** stated she did look at other county fee schedules, and they are inconstant. She believes these fees proposed fit into our current fee schedule aligning with the other fee's that are in there.

**Commissioner Malone** moved to approve 2025 BCC 31, a resolution amending the Morgan County Fee Schedule for Planning and Zoning and the Building Department

**Commissioner Bernhardt** seconded.

**Motion carries, 3-0.**

Being no further business, the meeting was adjourned at 10:34 a.m.

Respectfully Submitted,

*Jenafer Santos*

Planning Technician

**(Minutes ratified July 15th, 2025)**

BOARD OF COUNTY COMMISSIONERS  
PLANNING AND ZONING — MINUTES  
TUESDAY, JULY 1, 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