

COMMISSIONERS PROCEEDINGS 1

**BOARD OF COUNTY COMMISSIONERS
Morgan County Board of Social/Human Services
Minutes of Meeting
December 17, 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/87986137971> 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 November 18, 2024.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/87986137971> listen via phone, please dial: 1-312-626-6799, Meeting ID: 879 8613 7971

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/87986137971> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 879 8613 7971

The Board of Morgan County Commissioners met on Tuesday, December 17th, 2024 at 9:17 a.m. with Chairman Mark Arndt, Commissioner Jon Becker, and Commissioner Gordon Westhoff in attendance.

At this time, the Board convened as the Morgan County Board of Social/Human Services. Arndt noted that Jacque Frenier, Morgan County Department of Human Services Director, and Accounting Manager Susan Nitzel were present.

Consideration of Approval –DHS Minutes dated November 19th, 2024

Chairman Arndt presented for review and approval the Department of Human Services Minutes dated November 19th, 2024. A motion was made by Commissioner Westhoff to approve the minutes as presented with Commissioner Becker seconding the motion. The motion carried 3-0.

Consideration of Approval – DHS WARRANTS – October 2024

Susan Nitzel, Accounting Manager presented to the Board for their review and approval of the Department of Human Services Warrants for the month of October 2024. Ms. Nitzel summarized the operating warrants as being a total of \$274,770.14 for operating costs and direct deposits for payroll were \$206,385.98, which totaled \$481,156.12. Ms. Nitzel stated that September and October there was a decrease of around \$9,000 because of a variation in normal costs.

Commissioner Becker made the motion to approve the warrants as presented for October 2024 in the amount of \$481,156.12 as presented and authorized the Chairman to sign with Commissioner Westhoff seconding the motion. Motion carried 3-0.

Consideration of Approval – DHS CERTIFICATION OF PROVIDER AND VENDOR BENEFIT AUTHORIZATIONS – October 2024

Susan Nitzel, Accounting Manager presented to the Board for their review and approval the Department of Human Services Certification of Provider and Vendor Benefit Authorizations for October 2024. Ms. Nitzel summarized the Certification of Provider and Vendor Benefit Authorizations indicating the monthly total of \$898,363.73. Ms. Nitzel stated there was an increase of \$27,000, half of it was in foster care from month to month. From the previous year, there was a decrease of around \$28,000 due mostly to a decrease in food stamps, and increases in Core Services, and TANF. She noted that this was a return to normal.

Commissioner Westhoff made the motion to approve the Certification of Provider and Vendor Benefits as presented for October 2024 in the amount of \$898,363.73, as presented and authorized the Chairman to sign, with Commissioner Becker seconding the motion. Motion carried 3-0.

Jacque Frenier, Morgan County Department of Human Services Director reported that a new law passed that came into effect in September that had an effect on the child care total from October. She also thanked the community for the support of the foster care program.

Chairman Arndt asked about a foster family who was honored. Director Frenier noted that a local foster family was honored by the State. Chairman Arndt thanked everyone involved in the process.

Kevin Strauch
Clerk to the Board

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

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

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s/ Jon J. Becker

Jon J. Becker, Commissioner

s/ Gordon H. Westhoff

Gordon H. Westhoff, Commissioner

s/ Jacque Frenier

Jacque Frenier, Human Services Director

(SEAL)

ATTEST:

s/ Kevin Strauch

Kevin Strauch

COMMISSIONERS PROCEEDINGS 1

MEETING OF THE BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
December 17th, 2024

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The Board of Morgan County Commissioners met Tuesday, November 19, 2024 at 9:04 a.m. Chairman Mark Arndt, Commissioner Jon Becker, and Commissioner Gordon Westhoff in attendance. Commissioner Arndt asked the longest tenured employee receiving a service award, Morgan County Road and Bridge Supervisor, Bruce Bass to recite the pledge of allegiance.

Commissioner Westhoff motioned to remove item four from the consent agenda (Purchase and Sale Agreement between Morgan County and Grasslyn, Inc.) and switch it with the fourth item on the agenda 2024 3rd and 4th Quarter Employee Service Awards.

2024 3rd and 4th Quarter Employee Service Awards.

2024 3rd Quarter

5-year Anniversary

April Johnson
Kristina Dillon-Weathers
Marion Sutton-Wommack

10-year Anniversary

Chad Wettstein
Travis Freeman

15-year Anniversary

Randee Aleman

20-year Anniversary

Lori Crispin

30-year Anniversary

Jana Sena

2024 4th Quarter

5-year Anniversary

Jose Loredon-Padron
Maribel Sintas

10-year Anniversary

James Pyburn
Jason Johnson

25-year Anniversary

Jana Hamik
Angela Sneddon
Susanne Brown

35-year Anniversary

Bruce Bass

At this time, the meeting was adjourned for the to be the Board of Social/Human Services.

The meeting was reconvened at 9:21 am.

2 COMMISSIONERS PROCEEDINGS

CITIZEN'S COMMENT

Howard Wickham of 90 Bachar Drive in Fort Morgan and Dave Rebol, represented the Morgan Heights Water and Sewer Inc. Board. They noted that the regulations for discharge of treatment of sewer water in the South Platte River have been changed by the State of Colorado. These new changes will need to be met by 2030. They noted that the costs to meet these new regulations would be astronomical and could not be met by their current plant. The City of Fort Morgan has agreed to help them with this issue but it is the responsibility of Morgan Heights Water and Sewer Inc. to get the wastewater there. They asked for the commissioners to sign a letter of support to help them as they try to acquire funds. It was also mentioned that a right of way would be needed. The commissioners agreed to support them as much as possible.

CONSENT AGENDA

1. Ratify the Board of County Commissioners approval of **BCC meeting minutes** dated December 10, 2024.
2. Ratify the Board of County Commissioners approval of **Planning and Zoning hearing minutes** dated December 10, 2024.
3. Ratify Chairman Mark Arndt's signature on **Colorado Retail Liquor License Renewal Application** for The Flame Steakhouse, signed December 5, 2024.

At this time, Commissioner Becker made a motion to approve items 1-3 as presented; Commissioner Westhoff seconded the motion. The motion carried 3-0.

UNFINISHED BUSINESS

There was no unfinished business.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Commissioner Becker recused himself for items one and two on the agenda

Consideration of Approval – Resolution 2024 BCC 53, A Resolution granting a use by special permit for the property described as Lot 2, Paige Estates Minor Subdivision.

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION 2024 BCC 53

A RESOLUTION GRANTING A USE BY SPECIAL REVIEW PERMIT FOR THE PROPERTY DESCRIBED AS LOT 2, PAIGE ESTATES MINOR SUBDIVISION IN THE NE¼ OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO

WHEREAS, Jon and Christal Becker (the "Owners") own property described as Lot 2, Paige Estates Minor Subdivision in the NE¼ of Section 13, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado (the "Property");

WHEREAS, the Owners applied for a special use permit to allow individual storage units and covered RV and boat storage ("Application");

WHEREAS, on November 12, 2024, 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 Applicants, Morgan County staff, and the public, and recommended conditional approval;

WHEREAS, on December 10, 2024, 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 Applicants, Morgan County staff, and the public; and

WHEREAS, the Board desires to conditionally approve the Application.

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

COMMISSIONERS PROCEEDINGS 3

1. APPROVAL.

The Application is hereby granted, subject to the conditions set forth herein. This Resolution shall constitute the special use permit (hereinafter referred to as this "Resolution" or the "Permit").

2. FINDINGS OF FACT

The Board, having reviewed the application, all information provided, and testimony heard, finds that:

- a. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan. Specifically, to encourage development where it is in proximity to the activity centers. The property is across the road from the City of Fort Morgan municipal boundary. With the increase of future development in Fort Morgan, this proposed project will offer much needed storage for existing and new residents in the area.
- b. The Application and associated documents are complete and present a clear picture of how the use is to be arranged on the site.
- c. The site plan conforms to the district design standards of these Regulations.
- d. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvement, site plan requirements or other mitigation measures. Access from County Road Q has been approved by Morgan County Road & Bridge Department.
- e. The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County. There is only one residence located adjacent to the east of this property. Other adjacent uses include farm ground to the south. The municipal boundary of the City of Fort Morgan is across County Road Q to the north.
- f. The special use poses no risk to the public health, safety, and welfare.
- g. The special use proposed is located on a conforming parcel.
- h. The applicant has adequately documented a public need for the project. The applicant has submitted all pertinent technical information, has demonstrated that it has adequate financial resources to implement the project, and has paid all County fees and review costs.
- i. The special use proposed does not require water.

3. CONDITIONS.

The approval of the special use is conditioned upon the following:

- a. A drainage plan will be submitted to the Planning and Zoning Department prior to any construction.

4. GENERAL PROVISIONS.

- a. The Board of County Commissioners retains continuing jurisdiction over this Permit to ensure compliance with this Permit and the Morgan County Zoning Regulations. County Representatives are authorized to inspect the Property at any reasonable time upon notice to the Applicant. This approval is conditioned on compliance with all information and representations contained in the Application and presented by the Owners and Owners' agent, which are incorporated into this Permit. If any representations or information presented by the Owners or Owners' agent during the public hearing or the Application are found to be erroneous, lacking a factual basis or otherwise inaccurate, the County may institute enforcement proceedings to address such representations or information and require the Owners to take measures to correct such representations or information. The County, subject to notice and hearing, may amend, add, or remove any conditions on this Permit or exercise any action provided for in the Morgan County Zoning Regulations.
- b. The Owners shall comply with all governmental and regulatory agency requirements and permits, including without limitation those promulgated for the protection of health, safety, and welfare of the inhabitants of Morgan County. Such compliance shall include without limitation compliance with the regulations of the Colorado Department of Public Health and Environment, the Colorado Department of Agriculture, and the United States Environmental Protection Agency.
- c. The Owners shall comply with all requirements, conditions and design standards set forth herein. Noncompliance shall be grounds for revocation of this permit by the Morgan County Board of Commissioners after notice and hearing.

DATED this 17th day of December, 2024, *nunc pro tunc* December 10, 2024.

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**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

Nicole Hay, Morgan County Planning and Zoning Administrator presented to the Board for approval Resolution 2024 BCC 53, a Resolution granting a use by special permit for the property described as Lot 2, Paige Estates Minor Subdivision. Ms. Hay stated that on November 12, 2024, the Planning Commission held a public hearing on an application submitted by Jon and Christal Becker for a special use permit to allow individual storage units and covered RV and boat storage. The permitted area is described as Lot 2, Paige Estates Minor Subdivision in the NE $\frac{1}{4}$ of Section 13, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado. The Planning Commission recommended approval on a vote of 4 - 0. On December 10, 2024, the Board of County Commissioners considered the application and approved it on a vote of 2-0, with Commissioner Becker recusing himself. Resolution 2024 BCC 53 reflects the outcome of that hearing.

Commissioner Westhoff made a motion to approve Resolution 2024 BCC 53 a Resolution granting a use by special review permit for the property described as lot 2, Paige Estates Minor Subdivision. Chairman Arndt seconded the motion and motion carried 2-0. Commissioner Becker recused himself for the hearing.

Consideration of Approval – Resolution 2024 BCC 54, A Resolution approving a conditional use permit application for the property located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, section 1, township north, range 59 West of the 6th P.M., Morgan County Colorado.

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

RESOLUTION 2024 BCC 54

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT APPLICATION FOR
THE PROPERTY LOCATED IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 1, TOWNSHIP 4 NORTH,
RANGE 59 WEST OF THE 6th P.M., MORGAN COUNTY, COLORADO.**

WHEREAS, Reed and Kelly Covelli (the “Owners”) own the property located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 4 North, Range 59 West of the 6th P.M., Morgan County, Colorado, otherwise known as 11839 Hwy 144 Weldon, CO 80653 which is zoned Agriculture Production (the “Property”);

WHEREAS, the Owner applied for a conditional use permit to allow public outdoor storage of up to 60 recreational vehicles (RVs) and boats (“Application”);

WHEREAS, after holding a duly noticed public hearings on September 9 and November 12, 2024, the Morgan County Planning Commission recommended that the Application be denied;

WHEREAS, on December 10, 2024, 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 Applicants, Morgan County staff and the public; and

WHEREAS, the Board desires to conditionally approve the Application.

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

3. APPROVAL

The Application is hereby granted, subject to the conditions set forth herein. This Resolution shall constitute the conditional use permit (hereinafter referred to as this “Resolution” or the “Permit”).

COMMISSIONERS PROCEEDINGS 5

2. FINDINGS OF FACT

The Board, having reviewed the application, all information provided and testimony heard, finds that:

- a. The application documents are complete and present a clear picture of how the use is to be arranged on the site.
- b. The requirement of a site plan was waived by the Planning Administrator. The site plan provided included sufficient information for the proposed use.
- c. There are no off-site impacts imposed by the conditional use proposed that require additional infrastructure (utilities, drainage, and roads) or upgrades by the County of special districts. There is an existing access to the property from State Highway 144.
- d. The use proposed is compatible with the surrounding uses and adequately buffered as necessary.

3. CONDITIONS

The approval of the conditional use is conditioned upon the following:

- a. Prior to any storage of RVs or boats on the Property pursuant to this Permit, the permitted area for the conditional use must be surveyed and the corners marked. The Owners shall supply the Planning and Zoning Department a copy of the survey upon its completion. The survey permitted area shall be the same area identified by the Owners in their Application.
- b. The Owners shall supply a picture of the existing drainage berm located on the west side of the permitted area to the Planning and Zoning Department prior to any storage of RVs or boats.
- c. After the traffic count has been supplied, the Owners shall supply the Planning and Zoning Department a copy of Colorado Department of Transportation’s determination letter within fifteen (15) days of receipt by the Owners.
- d. No RVs or boats stored on the Property pursuant to this Permit shall be used for human occupancy at any time.

5. GENERAL PROVISIONS.

- d. The Board of County Commissioners retains continuing jurisdiction over this Permit to ensure compliance with this Permit and the Morgan County Zoning Regulations. County Representatives are authorized to inspect the Property at any reasonable time upon notice to the Applicant. This approval is conditioned on compliance with all information and representations contained in the Application and presented by the Owners, which are incorporated into this Permit. If any representations or information presented by the Owners during the public hearing or the Application are found to be erroneous, lacking a factual basis or otherwise inaccurate, the County may institute enforcement proceedings to address such representations or information and require the Owners to take measures to correct such representations or information. The County, subject to notice and hearing, may amend, add, or remove any conditions on this Permit or exercise any action provided for in the Morgan County Zoning Regulations.
- e. The Owners shall comply with all governmental and regulatory agency requirements and permits, including without limitation those promulgated for the protection of health, safety, and welfare of the inhabitants of Morgan County. Such compliance shall include without limitation compliance with the regulations of the Colorado Department of Public Health and Environment, the Colorado Department of Agriculture, and the United States Environmental Protection Agency.
- f. The Owners shall comply with all requirements, conditions and design standards set forth herein. Noncompliance shall be grounds for revocation of this permit by the Morgan County Board of Commissioners after notice and hearing.

DATED this 17th day of December 2024, *nunc pro tunc* December 10, 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

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s/ Gordon H. Westhoff

Gordon H. Westhoff, Commissioner

(SEAL)

ATTEST:

s/ Kevin Strauch

Kevin Strauch

Nicole Hay, Morgan County Planning and Zoning Administrator presented to the Board for approval Resolution 2024 BCC 54, a Resolution granting a use by conditional use for the property located in the SE1/4SE1/4, section 1, township north, range 59 West of the 6th P.M., Morgan County Colorado. Ms. Hay stated that The Planning Commission held public hearings on September 9th and November 12th, 2024, regarding an application submitted by Reed and Kelly Covelli for a conditional use permit to allow public outdoor storage of up to 60 recreational vehicles (RVs) and boats. The permitted area is a portion of property located in the SE¼SE¼, Section 1, Township 4 North, Range 59 West of the 6th P.M., Morgan County, Colorado, otherwise known as 11839 Hwy 144 Weldona, CO 80653. The Planning Commission recommended denial on a vote of 3 - 1. On December 10, 2024, the Board of County Commissioners considered the application and approved it on a vote of 2-0, Commissioner Becker recused himself. Resolution 2024 BCC 54 reflects the outcome of that hearing.

Commissioner Westhoff asked if any of the documents requested have been provided. Ms. Hay stated that they haven't been received and she doesn't expect them until the Spring.

Commissioner Westhoff made a motion to approve Resolution 2024 BCC 53 a Resolution granting a use by special review permit for the property described as lot 2, Paige Estates Minor Subdivision. Chairman Arndt seconded the motion and motion carried 2-0. Commissioner Becker recused himself for the hearing.

Consideration of Approval – 2025 Lease Agreement, Fort Morgan Water Company, LTD., 1 Share Jackson Lake Reservoir and Irrigation Company Capital Stock, Certificate number 1421.

Morgan County Administrative Services Manager, Mindi Cloyd presented to the Board 1 Share of Jackson Lake Reservoir Water Bid Tabulation, Award and Lease Agreement. Ms. Cloyd stated that they renewed the lease with Fort Morgan Water Company, LTD. The lease will continue to be \$501.00.

Chairman Arndt asked if this was put out to bid. Ms. Cloyd noted that it had not been sent out to bid but it was it a mutually agreed to renew by both parties.

Commissioner Becker made the motion to approve the Lease of 1 Share Jackson Lake Reservoir Water Bid Tabulation, Award and Lease Agreement in the amount of \$501.00, a one-year lease with the term dates of January 1, 2025 through December 31, 2025 to Fort Morgan Water Company, LTD as recommended by Morgan County Administrative Services Manager Mindi Cloyd. Commissioner Westhoff seconded the motion and motion carried 3-0.

Ratify Chairman Mark Arndt's approval and signature on Purchase and Sale Agreement between Morgan County and Grasslyn, Inc.

Commissioner Becker presented the item. He stated that this dealt with a purchase of land in Snyder for \$70,000 for ten acres. The purpose would be for a road grader shed. He noted that all parties have agreed to the agreement.

Commissioner Westhoff noted that they have been looking for land in this area to meet their criteria but have failed until this point. They are currently parked in the City of Brush. He noted that this would save wear and tear on the roads and would save money in the operation of these machines.

Commissioner Becker moved to approve the on Purchase and Sale Agreement between Morgan County and Grasslyn, Inc. Commissioner Westhoff seconded the motion. Chairman Arndt thanked Chuck Miller for helping them to identify and purchase this property. Chuck Miller noted that he was an employee of Grasslyn, Inc. and is not operating in the capacity of a real estate broker. The motion passed 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Chairman Arndt thanked Robin Halley with CSU Extension and noted how important the relationship is and how much he appreciated it.

Commissioners reviewed the calendar dated December 13th, 2024 through December 24th, 2024 with no changes.

The meeting was adjourned at 9:47 a.m.

Respectfully Submitted,

COMMISSIONERS PROCEEDINGS 7

Kevin Strauch
Clerk to the Board

(Minutes ratified January 7th, 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