

MORGAN COUNTY PLANNING COMMISSION
November 10, 2025

The Morgan County Planning Commission met on Monday, November 10, 2025 at 6:00 P.M. in the Assembly Room of the Morgan County Administration Building. The meeting was called to order by Chairman, Nathan Troudt.

Chairman, Nathan Troudt, Vice Chairman, Erik Mohrlang, Robert Pennington, Dave Musgrave and Julie Padilla were present. Britt Dinis was absent. Nicole Hay, Planning Director, Cheryl Brindisi, Planning and Zoning Administrative Assistant and Jenafer Santos, Planning and Zoning Technician also attended. IT Specialist, Vicki Jump attended via Zoom.

PROCEDURAL: Chairman, Nathan Troudt, read the application hearing process for the meeting.

APPROVAL OF AGENDA: It was moved by **Erik Mohrlang** and seconded by **Dave Musgrave** to approve the Agenda as presented. Motion passed 5-0.

APPROVAL OF MINUTES: It was moved by **Robert Pennington** and seconded by **Julie Padilla** to approve the Minutes from October 6, 2025 as presented. Motion passed 5-0.

It was moved by **Robert Pennington** and seconded by **Julie Padilla** to approve the Minutes from October 14, 2025 as presented. Motion passed 4-0. **Erik Mohrlang** abstained.

NEW BUSINESS:

KS Land, LLC-Amended Special Use

PROCEDURAL: Chairman Nathan Troudt read the application hearing process for the meeting.

Planning Administrator, Nicole Hay, read the file summary as follows:

APPLICANTS AND LANDOWNERS:

KS Land, LLC has submitted an application to amend its special use permit for Four X Ranch Gravel Pit, which was originally granted through Resolution 2014 BCC 31. The original SUP was issued for aggregate mining. The amendment would allow for its expansion.

The current permitted area is approximately 33 acres, the expansion will increase the acreage to approximately 77 acres to include a part of the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 5 North, Range 57 West of the 6th P.M., Morgan County, Colorado. The property is zoned Agriculture Production and is in the New Raymer Fire District.

The Four X Gravel Pit Construction Materials Permit expansion has been approved by the Colorado Division of Reclamation, Mining and Safety. A phased mining and reclamation plan has been incorporated in which no more than 30 acres may be disturbed by mining or pre-reclamation phases.

Included with this packet are referral responses from Xcel and Colorado Energy and Carbon Management Commission (ECMC). ECMC recommends any ground disturbance be done with caution because of a plugged and abandoned oil and gas well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15. The applicant located the location of the well with the coordinates sent by ECMC and it is outside of the proposed expanded mining boundary.

In reviewing this application, the Planning Commission and Board of County Commissioners are required to make a finding that the criteria for granting a Use by Special Review in Section 2-455 of the Morgan County Zoning Regulations has been met.

Section 2-455 Special Use Permit Criteria:

- A. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan. Specifically:

Comprehensive Plan goals include:

AG-1 Goal: Develop and implement zoning regulations that preserve agricultural use and promote economic benefits for agricultural landowners. Maintain the viability of agricultural operations and support them by continuing to allow supplemental uses with appropriate permitting and regulations. *The proposed expansion will allow for efficient processing of gravel and aggregates before restoring the land to its use as agricultural grazing land.*

E-2 Goal: Create a collaborative environment that fosters the growth of the local economy and local workforce. *The proposed expansion, the company will be able to move forward with their business plan to hire additional equipment operators and additional support staff adding to the County's economic development.*

- B. All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.

The application satisfies this criteria.

- C. The site plan conforms to the district design standards of these Regulations.

The site plan satisfies this criteria.

- D. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.

The operation impacts are expected to be minimal. A phased mining and reclamation plan has been incorporated in which no more than 30 acres may be disturbed by mining or pre-reclamation phases. The access to County Road 21 will remain the same.

- E. The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.

Adjacent uses include pasture ground. The current use is only expanding and continues to be compatible with the surrounding uses.

- F. The special use poses only the minimum amount of risk to the public health, safety and welfare as set by either federal, state or county regulation, whichever is the strictest.

The proposed special use amendment will not increase the risk to public health, safety or welfare.

- G. The special use proposed is not planned to be developed on a non-conforming parcel.

The proposed amended special use is located on a conforming parcel.

- H. The applicant has adequately documented a public need for the project, all pertinent technical information, adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.

The future needs and trends of Morgan County include additional infrastructure and housing. The increased capacity to produce aggregates is in line with the increased demand.

- I. For any special use requiring a supply of water for human consumption that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity, quality, and reliability. For any special use which does not require a supply of water for human consumption, an adequate source of water for the proposed use in terms of quantity and reliability must be obtained prior to commencement of the use.

No water will be used in conjunction with mining activities. Water for dust control on the access road and pit area will be implemented as needed using water hauled from a well located on land owned by the applicant.

Recommendation

The application generally meets the criteria as explained above and staff recommends approval of the application.

Nicole Hay,
Morgan County Planning Administrator

Applicant **Russell Smith**, owner of KS Land, LLC, 11822 Kristi Ln., Overbrook, OK, 73453, presented this application to the Planning Commission.

DISCUSSION:

Robert Pennington asked for the depth of the gravel at that location.

Russell Smith explained that it is approximately 30 feet deep.

Robert Pennington asked about reclamation requirements.

Russell Smith described in further detail the process to include removing the topsoil and reseeding with native grass.

Dave Musgrave asked about the oil well drilled in the 1950's. He asked if the applicant knew exactly where it was located?

Russell Smith explained that he had the general location of it.

Dave Musgrave explained that it could be hazardous if the oil well was hit while excavating.

PUBLIC COMMENT OPEN: None

PUBLIC COMMENT CLOSED

It was moved by **Erik Mohrlang** to approve the application as presented.

Dave Musgrave seconded the motion.

Motion passed 5-0.

Erik Mohrlang motioned to adjourn the meeting.

Dave Musgrave seconded that motion.

Motion passed 5-0.

Meeting was adjourned at 6:35 P.M.

Respectfully Submitted,

Cheryl Brindisi

Planning and Zoning Administrative Assistant