

COMMISSIONERS PROCEEDING 1

**BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
March 2, 2010**

The Board of Morgan County Commissioners met on Tuesday, March 2, 2010 at 9:00 a.m. with Chairman Brian McCracken and Commissioner Laura Teague in attendance, Commissioner Carlson was absent. Chairman Brian McCracken called the meeting to order with Fleet Manager Bruce Bass leading the Pledge of Allegiance to the Flag.

CONSENT AGENDA

The following items were on the Consent Agenda:

Consideration of Approval of Minutes dated February 23, 2010

Ratify the Board of County Commissioners signatures on support letter addressed to Secretary of the Interior Ken Salazar in regards to the oil and gas industry

Ratify Chairman Brian McCracken's signature on Impact Assistance Grant Application, Colorado Division of Wildlife

Ratify the Board of County Commissioners signatures on Impact Assistance Grant Application, Colorado State Parks

Commissioner Teague made a motion to approve all items on the Consent Agenda. The motion was seconded by Chairman McCracken. Motion carried 2-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

RESOLUTION 2010 BCC 09

To Request an Exemption From Certain Regulations Adopted by the Colorado Oil and Gas Conservation Commission

WHEREAS, the Board of County Commissioners has determined that it would be desirable to request an exemption from certain regulations adopted by the Colorado Oil and Gas Conservation Commission in the interests of the citizens of Morgan County; and

WHEREAS, oil and gas production in Morgan County is critical to the economy and well being of the citizens; and

WHEREAS, due to the land area of the County being over 1200 square miles and the population base of approximately 28,593 within the County, the visual impact of oil and gas equipment is negligible; and

WHEREAS, pursuant to the language contained in 801. Introduction of the Rules and Regulations of the Colorado Oil and Gas Conservation Commission (COGCC) as adopted on April 1, 2009, this Board may request an exemption from 804. Visual Impact Mitigation relating to the repainting of oil and gas equipment a uniform tan color;

WHEREAS, at a regular Board meeting held on this date the Board has discussed this matter and therefore have determined to take the following action.

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

1. The Board of County Commissioners hereby formally requests an exemption from the aforementioned Visual Impact Mitigation regulation relating to the repainting of all oil and gas equipment / activities located within Morgan County to a uniform tan color.
2. The reason for this request is that this Board is of the opinion that enforcement of this rule is not necessary to ensure the protection of health, safety, and welfare of the citizens and residents of Morgan County.
3. The ad valorem taxes collected from the operators of producing oil and gas wells are an important source of revenue for Morgan County. We believe this requirement, which would force most operators to incur additional operating expenses by repainting all of their equipment to a uniform tan color, could result in the premature plugging and abandonment of economically marginal producing wells.

2 COMMISSIONERS PROCEEDING

4. Should the Colorado Oil and Gas Conservation Commission require any additional supporting documentation in order to grant this exemption, please contact the Morgan County Commissioners Office at 970-542-3500, extension 1410.
5. The Clerk to the Board is hereby directed to forward this resolution to the COGCC as soon as possible to show the action by the Board on this date.

DATED this 2nd day of March, 2010

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

s/ Brian McCracken
Brian McCracken, Chairman

s/ Laura Teague
Laura Teague

ATTEST:

(SEAL)

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

Administrative Services Manager Susan Bailey presented to the Board for approval Resolution 2010 BCC 09. This resolution would allow the oil and gas industry that has tanks at well sites in Morgan County be exempt from the Colorado Oil and Gas Conservation Commission mandatory painting of tanks. The oil and gas industry require that all tanks be painted a uniform tan color. Chairman McCracken stated this would be an undue expense to the oil and gas industry in our area. Planning and Zoning also will be adding an amendment exempting the painting of oil and gas tanks. Commissioner Teague made a motion to approve Resolution 2010 BCC 09 and Commissioner McCracken seconded the motion. Motion carried 2-0.

CONSIDERATION OF APPROVAL-CONTRACT-SHARE-TANF DOMESTIC VIOLENCE SAFEHOUSE

Human Services Director Steve Romero presented for approval the SHARE Incorporated Contract. Romero noted this has been a long term arrangement Morgan County has had with SHARE for the past ten years. Romero stated domestic violence is rising which requires the protection of victims and children. This would provide shelter care for victims, children, provide legal counsel, court advocacy and training services in schools. The amount of the contract is \$26,700.00 and would be from January 1, 2010 through December 31, 2010. Commissioner Teague made a motion to approve the SHARE Incorporated Contract for the amount and time stated. Commissioner McCracken seconded the motion. Motion carried 2-0.

CONSIDERATION OF APPROVAL-CONTRACT-MORGAN COUNTY ATTORNEY OFFICE

Human Services Director Steve Romero presented for approval the contract between Human Services and the Morgan County Attorney's Office. This is an agreement that has been used for several years successfully. The County Attorney's Office will provide legal services per statute to the Department of Human Services. The billing arrangement will be fee for service based on the hourly rate for the County Attorney and Assistant County Attorney. Romero stated the agreement provides adult protection, strong fraud investigative and child support services. The contract also provides salary and benefits for support staff. Commissioner Teague made a motion to approve the contract not to exceed \$100,000.00 and would be from January 1, 2010 through December 31, 2010. Commissioner McCracken seconded the motion. Motion carried 2-0.

CONSIDERATION OF APPROVAL-CONTRACT-RITCHIE BROTHERS AUCTIONEERS

Fleet Manager Bruce Bass presented for approval the contract to auction three pieces of Morgan County surplus equipment. Bass noted Ritchie Brothers has been used successfully in the past, with a wider sale base than locally because of the larger demand for that type of equipment. The sale would be March 16, 2010 and March 17, 2010 with a discounted ten percent commission rate on sales over \$2,500.00. Commissioner Teague made a motion to approve the equipment sale on March 16, 2010 and March 17, 2010 and authorized the chairman to sign the contract. Commissioner McCracken seconded the motion. Motion carried 2-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar for February 26, 2010 through March 9, 2010 with changes.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT PERIOD

There were no citizen comments. The meeting was recessed at 9:28 am.

Respectfully submitted,

COMMISSIONERS PROCEEDING 3

Janet Thomas
Deputy Clerk to the Board

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

Brian McCracken
Brian McCracken, Chairman

Laura Teague
Laura Teague

ATTEST:

(SEAL)

Connie Ingmire
Connie Ingmire, Clerk to the Board

4 COMMISSIONERS PROCEEDING

--