

COMMISSIONERS PROCEEDING 1

**BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
March 23, 2010**

The Board of Morgan County Commissioners met on Tuesday, March 23, 2010 at 9:00 a.m. with Chairman Brian McCracken and Commissioner Tony Carlson in attendance. Commissioner Teague was absent. Chairman Brian McCracken called the meeting to order with Morgan County Assessor Bob Wooldridge leading the Pledge of Allegiance to the Flag.

CONSENT AGENDA

The following items were on the Consent Agenda:

Consideration of Approval of Minutes dated March 16, 2010

Commissioner Carlson made a motion to approve the minutes of the March 16, 2010 meeting as written. Chairman McCracken seconded the motion. Motion carried 2-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

**RESOLUTION
2010 BCC 10**

A RESOLUTION CORRECTING THE LEGAL DESCRIPTION OF PRECINCT 11

WHEREAS, it has been discovered that the legal description of Morgan County Precinct 11, adopted by Resolution 94BCC08 on March 9, 1994, is incorrect, and

WHEREAS, it is necessary to correct this error prior to the next election.

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

1. Morgan County Precinct 11 is hereby described as follows:

PRECINCT 11

Beginning at the intersection of Main Street and Riverview Avenue, as platted in the City of Fort Morgan, Colorado; thence Northerly one-half mile along said Main Street (known also as State Highway No. 52) to the centerline of the South Platte River; thence Northwesterly along said South Platte River approximately 7 ½ miles to County Road 12 and the West line of Twp. 4 North, Rge. 58 West of the 6th P.M.; thence Northerly one-half mile along said County Road 12 to County Road W.5 and the W¼ corner of Section 7, Twp. 4 North, Rge. 58 West; thence Easterly along said County Road W.5 one mile to County Road 13 and the E½ corner of said Section 7; thence Northerly one-half mile along said County Road 13 to County Road X and the Northeast corner of said Section 7; thence Easterly one mile along said County Road X to County Road 14 and the Southeast corner of Section 5, Twp.4 North, Rge. 58 West; thence Northerly along said County Road 14 one mile to County Road Y and the Northeast corner of said Section 5; thence Easterly along said County Road Y one-quarter mile to County Road 14 and the Southeast corner of Section 32, Twp. 5 North, Rge. 58 West; thence Northerly along said County Road 14 four miles to County Road CC and the Northeast corner of Section 17, Twp. 5 North, Rge. 58 West; thence Easterly one-half mile along County Road 14.5 and the S½ corner of Section 9, Twp. 5 North, Rge. 58 West; thence Northerly one mile along said County Road 14.5 to County Road DD and the N½ Corner of said Section 9; thence Easterly three-eighths mile along said County Road DD to Wildcat Creek; thence Northwesterly approximately seven miles along the course of said Wildcat Creek to County Road 10 and the E ½ corner of Section 10, Twp. 6 North, Rge 59 West; thence Northerly along said County Road 10 one and one-half miles to County Road KK and the North side of said Morgan County and the North side of said Twp 6 North; thence Easterly along said County Road KK and said North County line 13 miles to County Road 23 and the Northeast corner of Section 2, Twp., 6 North; Rge. 57 West; thence Southerly along said County Road 23 twelve miles to County Road Y and the Southeast corner of Section 35, Twp. 5 North, Rge. 57 West; thence Easterly along said County Road Y one-half mile to county Road 24 and the Northeast corner of Section 1, Twp.4North,Rge. 57 West; thence southerly along said County Road 24 four and one-half miles to the South Platte River; thence Westerly along said South Platte River to the centerline of County Road 20; thence Southerly along said County Road 20 to the Southeast corner of Section 32, Twp. 4, Rge. 57 West; thence Westerly to the centerline of Vickie Street, thence north approximately 750 feet to the centerline of Interstate 76, thence westerly approximately 1 mile along said Interstate 76 to the point of beginning.

2. Resolution 94 BCC 08 is hereby amended to the extent necessary to reflect this change.

DATED this 23rd Day of March, 2010.

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BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

s/ Brian McCracken
Brian McCracken, Chairman

s/ Tony Carlson
Tony Carlson, Commissioner

ATTEST:
(SEAL)

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

County Clerk and Recorder Connie Ingmire presented to the Board for approval Resolution 2010 BCC 10. Ingmire stated the Information Technician Department, while working with Morgan County roads and boundaries, had discovered the boundaries made in 1994 for Precinct 3 and Precinct 11 were over-lapped. Ingmire proposed Resolution 2010 BCC 10 to correct the boundaries which were mainly in the Log Lane area noting this does not change any voters from their original Precinct status. Commissioner Carlson made a motion to approve Resolution 2010 BCC 10 correcting the legal description in Precinct 11. Chairman McCracken seconded the motion. Motion carried 2-0.

CONSIDERATION OF APPROVAL-WELDON VALLEY FARM LEASE-BID AWARD

Finance and Accounting Director Michelle Covelli presented to the Board two bid proposals for the 55.17 acre Weldon Valley Farm Lease that includes five shares of Weldon Valley Ditch water. The bids were opened March 11, 2010 with Groves Farm bid of \$3,034.35 and Lorenzini Farms bid of \$2,400.00. Covelli's recommendation to the Board was the highest bidder being Groves Farms. Morgan County Assessor Bob Wooldridge presented to the Board information on a tax requirement which would affect the property to be leased. When a tax exempt entity such as Morgan County leases to a private individual or entity, the lessee would be subject to a possessory interest tax lien. Wooldridge explained this is a tax law that affects a tax exempt authority when the property is leased to a private person or entity working for profit. The tax requirement would be effective 2011 to be paid in 2012. Wooldridge suggested the bidders were probably unaware of this tax requirement and the information should have been included in the bid proposal packet. Commissioner Carlson made a motion to table the Weldon Valley Farm Lease until Groves Farm has been notified of the tax bill information which will be included in the lease proposal. Chairman McCracken seconded the motion. Motion passed 2-0.

CONSIDERATION OF APPROVAL-2010-0304 MOTOR GRADER RFP-BID AWARD

Morgan County Fleet Manager Bruce Bass presented to the Board four bid returns from three companies for the purchase of two motor graders. Adobe Equipment presented a bid for a Case 865 VHF in the amount of \$204,432.48 per machine with a trade value of \$65,000.00 per machine for a cash out-lay amount of \$278,864.96. Adobe Equipment also had a bid proposal for one new Case 865 VHF machine at \$204,432.48 and one demo machine at a cost of \$189,000.00 with a trade value of \$65,000.00 per machine for the total cash out-lay amount of \$263,432.48. Wagner Equipment bid two Cat 140M machines at \$211,926.00 with a trade value of \$135,000.00 for a total amount of \$153,852.00. Colorado Machinery had a bid proposal for two new Deere 770G machines for \$198,715.00 per machine with a trade value of \$95,000.00 per machine. The total out-lay amount for the two Deere 770G machines would be \$207,430.00. Bass recommended to the Board accepting the Wagner Equipment bid. Commissioner Carlson made a motion to accept the Wagner Equipment bid, however, he stated because of the current economy the County would continue to use the grader equipment they now have and purchase one new 2010 motor grader for a cash total of \$76,926.00 and keep on grader for two years while under warranty and then trade. Chairman McCracken seconded the motion. Motion carried 2-0. Rick May from Wagner Equipment presented to the Board information that next year the price on the motor graders would increase ten percent and there would be emission restrictions enforced. John Strong from Colorado Machinery presented to the Board a proposal stating he had won the bid in 2008 and was proposing three new motor graders to replace the 2008 John Deere graders in the County Fleet. Strong stated there was a high demand for used Deere graders. Commissioner Carlson recommended the proposal be put on the next Commissioner's Board Meeting Agenda noting it was not on the agenda item for this meeting.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar for March 19, 2010 through March 29, 2010 with no changes.

UNFINISHED BUSINESS

There was no unfinished business.

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CITIZEN'S COMMENT PERIOD

There were no citizen comments. There being no further business the meeting was adjourned at 9:22 a.m.

Respectfully submitted,

Janet Thomas
Deputy Clerk to the Board

BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

Brian McCracken, Chairman

Tony L. Carlson, Commissioner

(SEAL)
ATTEST:

Connie Ingmire, Clerk to the Board