

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting January 5, 2016

The Board of Morgan County Commissioners met on Tuesday, January 5, 2016 at 9:10 a.m. with Chairman Brian McCracken, Commissioner Laura Teague and Commissioner James Zwetzig in attendance. Chairman Brian McCracken called the meeting to order and asked Morgan County Sheriff James Crone to lead the meeting in the Pledge of Allegiance.

CONSENT AGENDA

Ratify the Board of County Commissioners approval of Minutes dated December 22, 2015
Ratify the Board of County Commissioners approval of Contract 2015 CNT 221, S & B Refrigeration, Repairs at Justice Center Kitchen, Term of Contact November 11, 2015 until completed
Ratify the Board of County Commissioners approval of Contract 2015 CNT 222, Quad County Plumbing and Heating, Inc, Repairs to Pawnee Tower, Term of Contract December 10, 2015 until completed
Ratify the Board of County Commissioners approval of Contract 2015 CNT 223, S & B Refrigeration, Repairs at 4-H Building Freezer, Term of Contact December 14, 2015 until completed
Ratify the Board of County Commissioners approval of Contract 2015 CNT 224, Blake Electric, Repairs at Justice Center, Term of Contract December 22, 2015 until completed
Ratify the Board of County Commissioners approval of Contract 2015 CNT 225, Weldon Valley Farm Lease to Lorenzini Farms, Term of Lease January 1, 2016 to December 31, 2016
Ratify the Board of County Commissioners approval of Contract 2015 CNT 226, Fort Morgan Farm Lease to Douglas Chalk, Term of Lease January 1, 2016 to December 31, 2016
Ratify the Board of County Commissioner's signature on Letter of Budget Transmittal dated December 15, 2015
Ratify Commissioner Laura Teague's signature on Budget Award Letters to Intergovernmental Agencies dated December 24, 2015
Ratify Commissioner Laura Teague's signature on Stormwater Inspection Form dated December 24, 2015

Commissioner Teague made a motion to approve all items on the Consent Agenda as presented. Commissioner Zwetzig seconded the motion and motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION – 2015 BCC 34 – Vacation of a Portion of Morgan County Road 14

RESOLUTION 2015 BCC 34

A RESOLUTION APPROVING THE VACATION OF A PORTION OF MORGAN COUNTY ROAD 14 WITHIN MORGAN COUNTY, COLORADO

WHEREAS, Gary L. Teague (“Applicant”) has submitted an application requesting the vacation of the Morgan County Road 14 right-of-way south of Morgan County Road P, and as more specifically described as follows: That portion of the 60-foot right-of-way for County Road 14 commencing on the south right-of-way line of County Road P and continuing south along the section line between Sections 20 and 21, Township 3 North, Range 58 West of the 6th PM and between Sections 28 and 29, Township 3 North, Range 58 West of the 6th PM to the termination of the presently dedicated and maintained road, Morgan County, Colorado (the “Roadway”);

WHEREAS, the Roadway is currently a public right-of-way located entirely in the County and outside of the boundaries of a municipality, and is owned and maintained by Morgan County;

WHEREAS, pursuant to C.R.S § 43-2-303(1)(b), the Board of County Commissioners may vacate any roadway, or any part of a roadway, that is located entirely within the County, provided the roadway is outside the limits of a municipality;

WHEREAS, pursuant to C.R.S. § 43-2-302(1)(f), the Board of County Commissioners has authority to vest title in owners of land abutting the vacated roadway; and

WHEREAS, after a duly noticed public hearing held on December 22, 2015, the Board of County Commissioners of Morgan County, Colorado, decided to vacate the Roadway and vest title in the abutting property owners, subject to the reservation of an easement for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone, and similar lines and appurtenances, in accordance with C.R.S. § 43-2-303(3), which shall include the right to maintain, repair, replace and expand their facilities within the Roadway.

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

1. The Board of Commissioners hereby finds that vacation of the Roadway satisfies all criteria under applicable law, and hereby orders that title shall vest in accordance with C.R.S. § 43-2-302(1)(f) in Triple T Investments, LLC, Teague Enterprises LLC, and Teague Ranch Company LLC, which are owners of the abutting property, subject to the reservation of an easement for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for existing ditches or canals and appurtenances, and for existing electric, telephone, and similar lines and appurtenances, in accordance with C.R.S. § 43-2-303(3), which shall include the right to maintain, repair, replace and expand such existing facilities within the Roadway.

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2. The County shall have no further obligation to inspect, maintain, repair, or replace the Roadway or any improvements located therein.

3. The Board of County Commissioners shall record this Resolution in the Morgan County Clerk and Recorder's Office, pursuant to C.R.S. § 43-2-303(2)(f).

DATED this 5th day of January, 2016.

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

s/ Brian K. McCracken
Brian K. McCracken, Chairman

s/ James P. Zwetzig
James P. Zwetzig, Commissioner

(recused)
Laura D. Teague, Commissioner

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey, Clerk to the Board

At this time Commissioner Laura Teague recused herself regarding this agenda item as to any discussion and decision.

Commissioner Zwetzig presented to the Board Resolution 2015 BCC 34 a Vacation of a portion of County Road 14. Commissioner Zwetzig asked the applicant to approach the podium, Gary Teague, who stated his address as 15366 County Road O, Fort Morgan, Colorado stating he has two comments in regards to the resolution, as part of the resolution referencing existing and other parts did not and asked that it be consistent throughout the document. Commissioner Zwetzig provided Mr. Teague a copy of the revised resolution to review at this time with Mr. Teague reviewing the document and agreed with the revisions that have been made in regards to his concerns.

At this time Commissioner Zwetzig brought the resolution forward and made a motion to approve Resolution 2015 BCC 34, a Vacation of a Portion of County Road 14 as outlined in the resolution document. Chairman McCracken seconded the motion and at this time Commissioner Zwetzig asked that it be noted that the County Attorney made several revisions to the prior resolution which was presented at the public hearing. He further read aloud the revision "subject to the reservation of an easement for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, for existing ditches or canals and appurtenances, and for existing electric, telephone, and similar lines and appurtenances, in accordance with C.R.S. § 43-2-303(3)", which shall include the right to maintain, repair, replace and expand such existing facilities within the Roadway. Commissioner Zwetzig stated with these notations it is in the best interest of the County to approve the resolution and at this time, the motion passed 2-0.

Consideration of Approval – RIGHT OF WAY PERMIT – 2015 PMT 44 – Xcel Energy

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 44 with Xcel Energy. Mr. Goodman stated this is a right of way permit for the purpose of installation of new ¾" polyethylene. Trench crossing approximately 430 feet east of Highway 52, starting 13 feet south of County Road T, ending north of County Road T at 18084 County Road T, Morgan County, Colorado. Mr. Goodman stated he has completed the necessary inspection and all fees are attached in the amount of \$150.00.

Commissioner Teague made a motion to approve Right of Way Permit 2015 PMT 44 with Xcel Energy as reflected in the permit document and outlined by Mr. Goodman and authorized the Chair to sign. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – CONTRACT – 2015 CNT 227 – Morgan County Department of Human Services for Human Resource Services

Morgan County Department of Human Services Interim Director Jacque Frenier presented to the Board for approval, Contract 2015 CNT 227, a contract between Morgan County Department of Human Services for Human Resource Services in the amount of \$2,174.00 per month and the term of the contract is January 1, 2016 thru December 31, 2016. Ms. Frenier stated this contract is for the Morgan County Human Resource Department to provide services to the Department of Human Services for this fiscal year.

Commissioner Teague made a motion to approve Contract 2015 CNT 227 for Human Resource Services to be provided to Morgan County Department of Human Services as presented by Ms. Frenier in the amount not to exceed \$2,174.00 per month for the period of January 1, 2016 through December 31, 2016. Commissioner Zwetzig seconded the motion and at this time, Commissioner Zwetzig asked to clarify if this is a set rate and will it increase at any time, with discussion following that it is based on the number of full time employees as of January 1, 2016. At this time, motion carried 3-0.

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Consideration of Approval – CONTRACT – 2015 CNT 228 – Morgan County Department of Human Services and Veteran’s Affairs

Morgan County Department of Human Services Interim Director Jacque Frenier presented to the Board for approval, Contract 2015 CNT 228, a contract between Morgan County Department of Human Services and Veterans’ Affairs in the amount of \$200.00 per month and the term of the contract is January 1, 2016 thru December 31, 2016. Ms. Frenier stated this contract is to provide space and support for Veterans Affairs. Chairman McCracken stated he knows Mr. Gray appreciates this space for his program and it works very well.

Commissioner Zwetzig made a motion to approve Contract 2015 CNT 228 between Morgan County Department of Human Services and Veterans’ Affairs as presented by Ms. Frenier in the amount of \$200.00 per month for the period of January 1, 2016 through December 31, 2016 and authorized the Chair to sign. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – CONTRACT – 2015 CNT 229 – Morgan County Department of Human Services for Legal Services

Morgan County Department of Human Services Interim Director Jacque Frenier presented to the Board for approval, Contract 2015 CNT 229, a contract for legal services to be provided to the Morgan County Department of Human Services in the amount not to exceed \$91,000.00 and the term of the contract is January 1, 2016 thru December 31, 2016. Ms. Frenier stated this contract is to provide legal services to the department with the exception of the child support program.

Commissioner Teague made a motion to approve Contract 2015 CNT 229 for legal services to be provided to Morgan County Department of Human Services as outlined by Ms. Frenier in an amount not to exceed \$91,000.00 for the period of January 1, 2016 through December 31, 2016. Commissioner Zwetzig seconded the motion and Commissioner Teague noted these services are those provided by David Bute, Human Services County Attorney and any other services that may be required would be provided by our contracted County Attorney, Jeff Parker. At this time the motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated December 31, 2015 through January 12, 2016 with changes.

Commissioner Zwetzig stated he has spoken with Janice Dixon, Director of Extension Services, yesterday in regards to the Morgan County Fair and the importance of the 4-H events, and there will be a future meeting held Thursday, January 14th, 2016 at 7:00 p.m. hosting a planning meeting for those 4-H shooting sports clubs in regards to moving forward in enhancing and improving shooting sports facilities in the County.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN’S COMMENT

There were no citizen comments.

Being no further business, the meeting was adjourned at 9:24 a.m.

Respectfully Submitted,
Susan L. Bailey
Clerk to the Board

(Minutes ratified January 12, 2016)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Brian K. McCracken
Brian K. McCracken, Chairman

s/Laura D. Teague
Laura D. Teague, Commissioner

s/James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey, Clerk to the Board