

COMMISSIONERS PROCEEDINGS 1

BOARD OF MORGAN COUNTY COMMISSIONERS

Minutes of Meeting

October 21, 2014

The Board of Morgan County Commissioners met on Tuesday, October 21, 2014 at 9:00 a.m. with Chairman Jim Zwetzig, Commissioner Brian McCracken and Commissioner Laura Teague in attendance. Chairman Zwetzig called the meeting to order with Morgan County Deputy Clerk Dee Loose leading the Pledge of Allegiance to the Flag.

CONSENT AGENDA

- Consideration of Approval of the Board of County Commissioners Meeting Minutes dated October 14, 2014
- Consideration of Approval of the Board of County Commissioners 2014 Financial Audit Presentation Meeting dated September 29, 2014
- Ratify the Board of County Commissioners approval of the Morgan County Ambulance Collections Proof for 10/13/2014
- Ratify the Board of County Commissioners approval of Contract 2014 CNT 124 – Addendum to 2014 CNT 118, adding the second scope of services for Prairie Dog Control at the Pawnee Tower
- Ratify Chairman James Zwetzig's signature on the letter to Caring Ministries regarding TANF funds dated October 13, 2014
- Ratify Chairman James Zwetzig's signature on the letter to Colorado Department of Safety regarding Grant #NRCS-EWP 14NRC14MC dated October 15, 2014
- Ratify the Board of County Commissioners approval of the Morgan County Solid Waste Management 2015 Disposal Fee Schedule, Other Fees and Charges – 2015, 2015 Short Form Acceptance Policy and the 2015 Landfill Holiday Schedule
- Ratify Chairman James Zwetzig's signature on the Department of Human Services Financial Meeting Minutes dated September 8, 2014
- Ratify the Board of County Commissioners approval for disposal of assets, (1) 2010 Ford Crown Victoria and (1) 2006 Chevrolet Trailblazer dated October 13, 2014

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

CONSIDERATION OF APPROVAL-CONTRACT-2014 CNT 123-HART INTERCIVIC

Morgan County Clerk and Recorder Connie Ingmire presented to the Board for approval Contract 2014 CNT 123 with Hart Intercivic which was tabled from the October 07, 2014 Board meeting. Ingmire noted the contract is for extended warranty on electronic election equipment in the amount of \$7,315.00 with the term to begin upon date of signing. Ingmire stated at the present time, Morgan County has borrowed an eScan from Yuma County and Morgan County may want to consider purchasing used equipment for a backup. Commissioner Teague made a motion to approve Contract 2014 CNT 123 with Hart Intercivic for extended warranty on electronic election equipment in the amount of \$7,315.00 effective one year from signing of the contract and authorize the Chairman to sign. Commissioner McCracken seconded the motion. Motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated October 17, 2014 through October 28, 2014 with no changes.

LIQUOR LICENSE

RETAIL LIQUOR LICENSE-RENEWAL APPLICATION-ROBADA LLC DBA HIGH PLAINS LIQUOR

Public Hearing opened at 9:06 a.m.

Morgan County Clerk and Recorder Connie Ingmire presented to the Board for approval the Retail Liquor Store Renewal Application for Robada LLC dba High Plains Liquor located at 17601 Highway 34, Fort Morgan, CO noting the license expires October 30, 2014. Ingmire stated the renewal application had been tabled from the October 7, 2014 and October 14, 2014 Board meeting. Ingmire reported all the appropriate documents were submitted and the fees are attached. Morgan County Undersheriff Dave Martin had nothing negative to report. There was no public comment. Public Hearing closed at 9:08 a.m. Commissioner McCracken made a motion to approve the Retail Liquor Store License Renewal Application for Robada LLC dba High Plains Liquor noting the fees are attached and authorize the Chairman to sign. Commissioner Teague seconded the motion. Motion carried 3-0.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT PERIOD

There were no citizen comments.

We hereby adjourn and are in recess at 9:09 a.m.

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Respectfully submitted,

Dee Loose
Deputy Clerk to the Board

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

s/Jim Zwetzig
Jim Zwetzig, Chairman

s/Brian McCracken
Brian McCracken, Commissioner

s/Laura Teague
Laura Teague, Commissioner

(SEAL)

ATTEST:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

**MORGAN COUNTY BOARD OF HUMAN SERVICES
FINANCIAL MEETING MINUTES
September 8, 2014**

Present: Commissioner Jim Zwetzig - Chairman, Commissioner Brian McCracken, Commissioner Laura Teague, Director Steve Romero, Finance Director Michelle Covelli, Accounting Manager Susan Watkins, Accounting Specialist Anita Cornwell, Accounting Specialist Marylyn Riddle, and Administrative Services Manager Susan Bailey.

Meeting called to order by Chairman Zwetzig.

ITEMS REQUIRING ACTION

The minutes of the regular monthly Board meeting of August 11, 2014 were approved upon a motion by Commissioner Teague with authorization for Chair to sign. Commissioner McCracken seconded the motion.

Human Services Warrants for July 2014 were approved with authorization for Chair to sign upon a motion by Commissioner McCracken, with second by Commissioner Teague.

HMS warrants	\$ 211,779.51
HMS payroll	<u>\$ 123,448.43</u>
	\$ 335,227.94

Certification of Provider, Vendor and Benefit Authorizations for July 2014 was presented.

Temporary Assistance for Needy Families (TANF)	\$ 31,921.00
Child Care	15,097.39
Foster Care	181,432.19

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Core Services	14,694.53
LEAP	0.00
Aid to Needy Disabled (AND)	6,132.25
Old Age Pension (OAP)	38,262.81
Food Assistance Benefits	312,717.00
Employment 1 st	<u>725.00</u>
Total	\$ 600,982.17

The report was approved upon a motion by Commissioner Teague to approve with authorization for Chair to sign and second by Commissioner McCracken. Motion passes.

ITEMS FOR INFORMATION ONLY

Financial Reports:

- The Cash Reconciliation Report indicated a cash balance as of July 31, 2014 of \$917,483.21. This compared to the cash balance of July 31, 2013 of \$645,732.32. Discussion regarding cash balance and fund balance.
- Reviewed Monthly Balance Sheet.
- Actual Revenue to Actual Expenditures Report was submitted for review.
- The Budgeted to Actual Expenditure Reports were presented.
- The Allocation Report was presented.

There being no further business to bring before the Board of Human Services, the meeting was adjourned.

Date

Steve Romero, Director

Date

Chairman, Morgan County Board of Human Services

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Jim Zwetzig
Jim Zwetzig, Chairman

s/Brian McCracken
Brian McCracken, Commissioner

s/Laura Teague
Laura Teague, Commissioner

(SEAL)

ATTEST:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

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MORGAN COUNTY BOARD OF COMMISSIONERS October 21, 2014 MINUTES

The Morgan County Board of Commissioners met at their regular meeting on Tuesday, October 21, 2014 at 9:30 A.M. in the Assembly Room of the Morgan County Administration Building. Present were Commissioners Laura Teague, Brian McCracken and James P. Zwetzig. Also present were John Crosthwait, Planning Administrator; and Jody Meyer, Planning Assistant.

The hearing was called to order by Chairman Commissioner Zwetzig.

NEW BUSINESS:

APPLICANT: Gilbert and Stella Lujan

LANDOWNER: Same

Application for variance to minimum side yard setback from twenty feet to one foot located in the SE1/4SW1/4 of Section 27, T4N, R58W of the 6th P.M., Morgan County, Colorado, aka 15477 Hwy 144, Fort Morgan, Colorado 80701.

Gilbert Lujan was present to represent the file.

John Crosthwait presented the file, recommended approval, and noted the following:

The applicant is requesting the set back variance in order to replace an existing garage with a new one. The applicant states that this variance is necessary due to the arrangement of the existing house, the old garage was very small, inadequate, poorly built, and position of existing septic system.

Although this parcel has a Hwy 144 address, there are several lots that are accessed from a private driveway easement. The requested variance will not impair any vision from entering the driveway.

All appropriate notices, posting and publication requirements have been met. Property is zoned "ER" Estate Residential. Taxes are paid. Site is not in the floodplain.

Gil Lujan explained that he wanted to tear down the old garage and rebuild a new one keeping the same side setback on the north property line. He is extending the building to the south and east, both of which extend into his own parcel and are not setback issues. The north property line, which is a side set back, is the one requesting the variance of 1 foot. He presented pictures to the Commissioners, Exhibit "A", see file, and explained the layout of the new structure. His uncle, Mr. Sanchez, lives just north of his parcel where the variance requested is proposed.

There was no one present to speak in favor of or in opposition to this application.

John Crosthwait said there were no issues with adjoining landowners to the north. Mr. Sanchez came to the office to look at the file.

Commissioner Teague voiced general concerns about side yard setbacks saying if we don't follow the rules then why have them; are they necessary? It was discussed they were first put in place for fire codes. The County does not require fire proofing at this time. Commissioner McCracken said setbacks are common practice in other Counties also.

The following Resolution #2014 BCC 32 was presented to the Board:

RESOLUTION

2014 BCC 32

A RESOLUTION APPROVING A VARIANCE TO MINIMUM SIDE YARD SETBACK LOCATED IN THE SE1/4SW1/4 OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Morgan county, Colorado held a properly noticed and published hearing on October 21, 2014, on the application of Gilbert and Stella Lujan for a Variance to minimum side yard setback from 20' to 1' for the purpose of construction of a 26' X 25' garage to replace an old garage located on a parcel located in the SE1/4SW1/4 of Section 27, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado, aka 15477 Hwy 144, Fort Morgan, Colorado 80701, and

WHEREAS, the Board of County Commissioners heard testimony from the applicant regarding the application in which he stated that the variance was necessary to prevent exceptional and undue hardship, and

WHEREAS, there was no public comment on this application.

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

1. The application of Gilbert and Stella Lujan for a variance to minimum side yard setback from 20' to 1' for the construction of a garage located in the SE1/4SW1/4 of Section 27, Township 4 North, Range 58 West

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of the 6th P.M., Morgan County, Colorado, aka 15477 Hwy 144, Fort Morgan, Colorado 80701 is hereby granted.

2. Any past, present or future drainage problems on this property are the responsibility of the land owner and not that of Morgan County.

Dated this 21st day of October, 2014

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Jim Zwetzig

Jim Zwetzig, Chairman

s/Brian McCracken

Brian McCracken, Commissioner

s/Laura Teague

Laura Teague, Commissioner

(SEAL)

ATTEST:

s/ Connie Ingmire

Connie Ingmire, Clerk to the Board

It was moved by Commissioner Brian McCracken and seconded by Commissioner Laura Teague to approve the application of Gilbert and Stella Lujan for a variance to minimum side yard setback from 20' to 1' for the construction of a garage located in the SE1/4SW1/4 of Section 27, Township 4 North, Range 58 West of the 6th P.M., Morgan County, Colorado, aka 15477 Hwy 144, Fort Morgan, Colorado 80701. Motion carried 3-0 becoming Resolution #2014 BCC 32.

APPLICANT: Gerald and Pamela Lehman

LANDOWNER: Thomas J. Lehman Revocable Trust

Application for a variance to minimum front yard setback from 25 feet to 15 feet, and minimum side yard setback from 7.5 feet to 3 feet, and minimum rear yard setback from 10 feet to 6 feet. The property is located on lots 170 and 171, Jackson Lake Recreational Vehicle Park Subdivision, located in the W1/2NW1/4 of Section 27, Township 5 North, Range 60 West of the 6th P.M., Morgan county, Colorado. The property is also known as 171 Indian Way, Weldona, Colorado 80653.

Gerald Lehman was present to represent the file.

John Crosthwait presented the file, recommended approval, and noted the following:

The applicant is requesting this setback variance to build a garage on Lot 171 for storage of their boat and golf cart. The applicant states that the variance is necessary because the mobile home is 12 feet wide by 56 feet long, and the garage will need to be 15 feet wide, which will require the front, side, and rear yard variances.

All appropriate notices, posting and publication requirements have been met. Property is Zoned "JLV" Jackson Lake Village. Taxes are paid. Site is not in the floodplain.

There was no one present to speak in favor of or in opposition to this application.

John Crosthwait noted that the Jackson Lake Village HOA approved this application along with adjoining landowners. Again, fire proofing was not required by the County.

Mr. Lehman explained to the board that the front and side setbacks were both along roads (no neighbors) and that the rear setback was adjacent to a lot with no structures being directly behind the proposed garage.

The following Resolution #2014 BCC 33 was presented to the Board:

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RESOLUTION 2014 BCC 33

A RESOLUTION APPROVING A VARIANCE TO MINIMUM FRONT, SIDE, AND REAR YARD SET BACK LOCATED IN LOTS 170 AND 171, JACKSON LAKE RECREATIONAL VEHICLE PARK SUBDIVISION LOCATED IN THE W1/2NW1/4 SECTION 27, TOWNSHIP 5 NORTH, RANGE 60 WEST OF THE 6TH P.M. MORGAN COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Morgan County, Colorado, held a properly noticed and published hearing on October 21, 2014, on the application of Gerald and Pamela Lehman as applicants and Thomas J. Lehman Revocable Trust as landowner for a variance to minimum front yard setback from 25 feet to 15 feet and minimum side yard setback from 7.5 feet to 3 feet and minimum rear yard setback from 10 feet to 6 feet for the purpose of constructing a 15' X 30 foot garage. The subject property is located on Lots 170 and 171, Jackson Lake Recreational Vehicle Park Subdivision, located in the W1/2NW1/4 Section 27, Township 5 North, Range 60 West of the 6th P.M., Morgan County, Colorado. The property is also known as 171 Indian Way, Weldona, Colorado 80653, and

WHEREAS, the Board of County Commissioners heard the testimony from the applicant regarding the application in which he stated that the variance was necessary to prevent exceptional and undue hardship, and

WHEREAS, the Board of County Commissioners heard testimony from the Morgan County Planning Administrator who recommended approval of the application, and

WHEREAS, there was no public comment on this application.

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

1. The application of Gerald and Pamela Lehman as applicants and Thomas J. Lehman Revocable Trust as landowner for a variance to minimum front yard setback from 25 feet to 15 feet and minimum side yard setback from 7.5 feet to 3 feet and minimum rear yard setback from 10 feet to 6 feet for the purpose of construction a 15' X 30' garage, located on Lots 170 and 171, Jackson Lake Recreational Vehicle Park Subdivision, located in the W1/2NW1/4 Section 27, Township 5 North, Range 60 West of the 6th P.M., Morgan County, Colorado is hereby granted.
2. Any past, present or future drainage problems on this property are the responsibility of the land owner and not that of Morgan County.

Dated this 21st day of October, 2014

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Jim Zwetzig
Jim Zwetzig, Chairman

s/Brian McCracken
Brian McCracken, Commissioner

s/Laura Teague
Laura Teague, Commissioner

(SEAL)

ATTEST:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

It was moved by Commissioner Laura Teague and seconded by Commissioner Brian McCracken to approve the application of Gerald and Pamela Lehman as applicants and Thomas J. Lehman Revocable Trust as landowner for a variance to minimum front yard setback from 25 feet to 15 feet, and minimum side yard setback from 7.5 feet to 3 feet, and minimum rear yard setback from 10 feet to 6 feet for the purpose of constructing a 15' X 30' garage. The property is located on lots 170 and 171, Jackson Lake Recreational Vehicle Park Subdivision, located in the W1/2NW1/4 of Section 27, Township 5 North, Range 60 West of the

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6th P.M., Morgan county, Colorado. The property is also known as 171 Indian Way, Weldona, Colorado 80653. Motion carried 3-0 becoming Resolution #2014 BCC 33.

There being no further business, the meeting was adjourned.

Respectfully submitted, Jody Meyer, Planning Assistant

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Jim Zwetzig
Jim Zwetzig, Chairman

s/Brian McCracken
Brian McCracken, Commissioner

s/Laura Teague
Laura Teague, Commissioner

(SEAL)

ATTEST:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

Jim Zwetzig, Chairman

Brian McCracken, Commissioner

Laura Teague, Commissioner

(SEAL)

ATTEST:

Connie Ingmire, Clerk to the Board