

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS

Minutes of Meeting

February 3, 2015

The Board of Morgan County Commissioners met on Tuesday, February 3, 2015 at 9:02 a.m. with Chairman Brian McCracken, Commissioner Laura Teague and Commissioner Jim Zwetzig in attendance. Chairman Brian McCracken called the meeting to order with Morgan County Planning Administrator, John Crosthwait leading the meeting in the Pledge of Allegiance to the Flag.

CONSENT AGENDA

- Ratify the Board of County Commissioners Meeting Minutes dated January 27, 2015
- Ratify the Board of County Commissioners approval of the Special BOCC meeting minutes approving the 2015 Mill Levy Certification, dated December 19, 2014
- Ratify Commissioner Laura Teague's signature on the Morgan County Department of Solid Waste Management Credit Application-applicant being DM Insulating Co, dated January 27, 2015
- Ratify the Board of County Commissioners approval to appoint Susan Bailey, Clerk and Recorder, as filing agent of the Morgan County Building Authority
- Ratify Chairman Brian McCracken's signature on Morgan County Road and Bridge Department of Credit Application for Aggregate Industries-WCR, Inc. dated January 20, 2015
- Ratify Commissioner Laura Teague's signature on the Discharge Monitoring Report for Morgan County Solid Waste Department, dated January 26, 2015
- Ratify Commissioner Laura Teague's signature on the Storm Water Inspection Form for the Morgan County Landfill, Inspection dates December 30, 2014 and January 20, 2015
- Ratify Chairman Brian McCracken's signature on the Colorado Parks & Wildlife Impact Assistance Application, dated January 28, 2015
- Ratify Commissioner Laura Teague's signature on the letter to the State of Colorado DHSEM requesting an extension to the project completion deadlines for Permanent Work (Categories C-G) of March 14, 2015 agreement #FEMA-DR-4145-CO:14-D4145-14-L4145-050 dated January 23, 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 - RIGHT OF WAY PERMIT-2015 PMT 04-NE Colorado Cellular, Inc.

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 04, applicant being NE Colorado Cellular, Inc. for an extension of a fiber optic line explaining the project will require several county road crossings. He provided details of the permit to include that the fiber optic line will end in Sidney, Nebraska. Mr. Goodman stated that he has inspected all locations of this permit request. Commissioner Teague shared concerns about assets going in on top of one another in the County right of ways and no collaboration between entities requesting these permits. Commissioner Zwetzig asked Karol Kopetzky, Information Systems Manager to explain the mapping process that is currently taking place to assure that the utilities that are being placed in County right of ways are being documented appropriately. Ms. Kopetzky stated she has spoken with Wiggins Telephone Association and they have not completed the digitized portion of their mapping and that information has not been documented into our system. Ms. Kopetzky verified that new permits that are currently being submitted do require "as built mapping" information, but the older permits are not digitized as of this date. Mr. Zwetzig agreed with Commissioner Teague regarding the fact the County's rights of ways are becoming full and collaboration is important in the permit process. Commissioner Zwetzig asked Planning and Zoning Administrator, John Crosthwait, if he has had any inquiries about fiber build outs, with Mr. Crosthwait stating the only requests he has received have been for construction and placement of cell towers.

Mr. Goodman verified that the fees for this permit have been paid. Commissioner Zwetzig asked about the fee being charged in this matter as being similar to that of what was charged to Wiggins Telephone Association for a similar project, with Mr. Goodman stating it has been charged at the same rate only that NE Colorado Cellular is building out a bit further in distance. Commissioner Zwetzig asked Mr. Goodman to assure that the fee schedule is revised to be current with what is occurring within the County.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2015 PMT 04 noting that Road Supervisor, John Goodman has inspected the location and fees are attached and authorized the chair to sign. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval - RIGHT OF WAY PERMIT – 2015 PMT 05 – Amendment to Permit, NE Colorado Cellular, Inc.

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 05, an amendment to a prior permit with NE Colorado Cellular, Inc.. Mr. Goodman stated this reflects a deletion to the initial permit that was previously submitted, under separate application. The deletion is in reference to decreased footage and a decrease in the cost of the application fee. The area in question is County Road 16 to Highway 144, Fort Morgan, Colorado. Chairman McCracken inquired about the check being provided, with Mr. Goodman stating that he is not aware of why they would have submitted the payment. Further discussion followed with the Board indicating they will look further into the payment issue.

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Commissioner Teague made a motion to approve Right of Way Permit 2015 PMT 05, noting that payment has been received and asked that Mr. Goodman reconcile the accounting to be sure the appropriate fee has been collected and charged and authorized the chair to sign. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – RIGHT OF WAY PERMIT – 2015 PMT 06 – Kelly Carmin

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 06, summarizing the location of the permit stating it is for stock tank water. Mr. Goodman stated he did inspect the location, with Commissioner McCracken stating the fees are attached. Zwetzig asked about a culvert being in the area, but not in road crossing, with Mr. Goodman stating it was an old culvert from years ago, and Mr. Carmin was not able to relocate it. Commissioner Zwetzig made the motion to approve the permit as presented, noting the fees are attached and authorized the chair to sign, with Commissioner Teague seconding the motion. Motion carried 3-0.

Consideration of Approval – RIGHT OF WAY PERMIT – 2014 PMT 35 – REVISED – NE Colorado Cellular, Inc.

Morgan County Road Supervisor John Goodman presented to the Board Right of Way Permit 2015 PMT 35, noting this is a revision to the original approved permit. The applicant has revised the permit to indicate they will be crossing County Road R, Fort Morgan, Colorado at a different location. Mr. Goodman verified the initial payment of \$844 will cover the change in location appropriately. Commissioner Teague made a motion to approve the permit as presented by Mr. Goodman, noting it is only moving the direction of the crossing, authorizing the chair to sign, with Commissioner Zwetzig seconding the motion. Motion carried 3-0.

Consideration of Approval – BID AWARD – Fleet – Purchase of three Dodge Charger Police Sedans – State Bid Price Agreement #20150000000208

Morgan County Public Works Director Bruce Bass presented to the Board for approval, the purchase of three Dodge Charger Police Sedans. He summarized these will be three police pursuit vehicles that are included in the approved 2015 Fleet Budget, as part of the replacement schedule. He further summarized the State bid price agreement number, indicating this is Colorado State Bid pricing agreement. He further summarized the bid for these vehicles are for the vehicles only, the required police build will be at an additional cost. Mr. Bass stated the purchase price of each vehicle will be \$24,957 for a total cost being \$74,871. Mr. Bass stated the vehicles being replaced have anywhere from 100,000 to 120,000 miles and they are on a five year replacement schedule. Commissioner Zwetzig stated the board has had discussions regarding the possibility of moving to a seven year replacement plan to allow for additional revenue for salaries.

Commissioner Teague inquired about the numerous wrecked vehicles that are currently being held in county storage with Mr. Bass stating that there are a few of them that need to be disposed of but several of them are training vehicles that are located at that location.

Commissioner Teague made a motion to award the bid for the purchase of three Dodge Charger Police Sedans as presented by Public Works Director, Bruce Bass. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – BID AWARD – Fleet – Purchase of two Ram Police Pickups – State Bid Price Agreement #20150000000211

Morgan County Public Works Director Bruce Bass presented to the Board for approval the purchase of two Ram Police Pickups. Mr. Bass stated this purchase is a part of the approved 2015 Fleet Budget. He further explained that these vehicles will replace two other vehicles within the Patrol Support Deputy Department. He indicated this was a departmental request for these replacements with the Fleet Department in agreement. Mr. Bass named the state bid agreement, indicating the total bid as specified is \$26,572 with the total purchase price for the two being \$53,144. He noted the vehicles being replaced as being a 2002 Chevy 1500 pickup with 162,000 miles and a 2003 Chevy GMS Sonoma with 125,000 miles.

Commissioner Zwetzig made the motion to award the bid for the purchase of two Ram Police Pickups as presented by Public Works Director, Bruce Bass. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – BID AWARD – Fleet – Purchase of two Ford F250 Pickups – State Bid Price Agreement #20150000000246

Morgan County Public Works Director Bruce Bass presented to the Board for approval the purchase of two Ford F250 Pickups. Mr. Bass stated this purchase is a part of the approved 2015 Fleet Budget, as part of the five year replacement schedule. He summarized that the use of the vehicles will be that of one being used by the Bridge Department and the other being used by Road Department. The vehicle being replaced in the Road Department is a 2006 model which has 133,000 miles and the Bridge Department vehicle being a 2010 model with 63,000 miles. Mr. Bass stated the pickup with the lower miles will be transferred to the bridge fleet replacing a 2006 model with high miles. Mr. Bass indicated the purchase price for each vehicle as being \$25,988 with the total purchase cost being \$50,196.

Commissioner Zwetzig commented in regards to the possibility for both the City of Fort Morgan and Morgan County having the option to participate in purchasing CNG vehicles, and that this option should be reviewed if this should become available. Discussion followed regarding the fact that Morgan School District has utilized natural

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gas for their school buses. Sheriff Crone stated he is not aware of pursuit vehicles having that option given the nature of the fuel and will check further into the matter.

Commissioner Teague made the motion to award the bid for the purchase of two Ford F250 pickups as presented by Public Works Director Bruce Bass. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – BID AWARD – Fleet – Purchase of one Chevrolet Impala Administration Vehicle – State Bid #20150000000234

Morgan County Public Works Director Bruce Bass presented to the Board for approval the purchase of one Chevrolet Impala, to be the vehicle assigned to Administration. Mr. Bass indicated this is an approved 2015 budget item, stating this will replace the Board of County Commissioners vehicle which is a 2004 Ford Taurus. He will be transferring the 2004 Ford Taurus to another department to allow for greater use to allow for higher mileage. Mr. Bass further stated the bid specifications for the vehicle brings the purchase price to \$17,309.

Commissioner Zwetzig made a motion to award the bid for one Chevrolet Impala as presented by Public Works Director, Bruce Bass, with Commissioner Teague seconding the motion. Motion carried 3-0.

Consideration of Approval – BID AWARD – Fleet – Purchase of one 2015 1500 4x2 Chevrolet Pickup – State Bid Price Agreement #20150000000213

Morgan County Public Works Director Bruce Bass presented to the Board for approval the purchase of one 2015 1500 4x2 Chevrolet Pickup. Mr. Bass stated this is a budgeted 2015 item indicating it comes from the Fleet Department replacement schedule. This vehicle will replace a 2005 Chevrolet Pickup with 105,000 miles. He stated the current vehicle being replaced is being used by the Building/Maintenance Department. The agreement is through Dellenbach Motors with a total purchase price being \$21,325.00.

A motion was made by Commissioner Teague to award the bid for one 2015 1500 4x2 Chevrolet Pickup as outlined by Public Works Director Bruce Bass, with Commissioner Zwetzig seconding the motion. Motion carried 3-0.

Consideration of Approval – BID AWARD – Fleet – Purchase of one 2015 3500 Chevrolet 4x4 Pickup – State Bid Price Agreement #20150000000213

Morgan County Public Works Director Bruce Bass presented to the Board for approval the purchase of one 2015 3500 Chevrolet 4x4 Pickup. Mr. Bass stated this is also a 2015 budgeted stating it comes from Fleet Department replacement schedule. This vehicle will be assigned to the Bridge Department as a welding truck. Mr. Bass stated the state bid pricing is through Dellenbach Motors with the total purchase price \$26,600.

Commissioner Zwetzig made the motion to award the bid for one 2015 Chevrolet 3500 4x4 Pickup as presented by Public Works Director, Bruce Bass with Commissioner Teague seconding the motion. Motion carried 3-0.

Consideration of Approval- 2015 Morgan County Personnel Policy

Morgan County Human Resources Director Becky Snyder presented to the Board for approval the 2015 Morgan County Personnel Policy. Ms. Snyder summarized the revisions to the current policy indicating there will be one new personnel policy and two revised policies. She indicated the new policy is for Social Media and summarized what the policy states.

The two policies being revised are the Per Diem Policy and the Jury Duty Policy. She further summarized that the Per Diem Policy has been written to add a statement allowing for an advance to be available to an employee for training expenses and the responsibility of the employee in requesting this advance.

The Jury Duty Policy has been revised to allow employees to be paid their regular salary while serving Jury Duty with both part time and full time employees being paid their regular salary while completing jury duty and any monies they should receive for jury duty service will be turned back to the County, not including mileage.

Commissioner Zwetzig asked Ms. Snyder if the Elected Officials are required to sign off on the Personnel Policy, should their signatures not already been obtained. Commissioner Zwetzig asked Morgan County Clerk and Recorder, Susan Bailey and Morgan County Sheriff Jim Crone if they had reviewed these policies and were in agreement with them. Ms. Bailey indicated that she has reviewed both the revised policies and the new Social Media Policy and has no objections. Commissioner Zwetzig asked Sheriff Crone to specifically review the Social Media Policy given the nature of his employees' duties and how this policy is written wanting him to know that this policy will be strictly enforced. Sheriff Crone stated he is in agreement with the Social Media policy, but in regards to comments made by employees that would fall under an employee's First Amendment right, he feels there may be some employees who have been critical of the County for personal reasons, and this should not fall under the Social Media policy for discipline as those type of comments may not be detrimental to the department or an investigation. Commissioner Zwetzig stated he understands the difference and indicated he has attended a workshop regarding Social Media and feels all Elected Officials would benefit from attending this training.

Commissioner Teague stated the board has been very careful and has asked the County Attorney to review this policy, understanding the fact that county employees posting personal information from their personal view, but not posting county business that would be detrimental to operations. She believes it clearly differentiates the two different situations.

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Sheriff Crone inquired about County staff receiving a paycheck from the County for jury duty, and the fact that those employee working 24 hours, jury duty may not fall within their scheduled work day and asked for clarification. Commissioner Teague stated that the Board's intent as being they want to be fair to all County employees who may be compensated at a higher rate of pay than what they would receive when serving on a jury and want to assure that the employee is being paid in full for their service during the time they should serve on jury duty. Sheriff Crone expressed his feelings about making sure that any County employee, who may be asked to serve jury duty, is able to serve willfully and how important and critical it is to have citizens provide this service and shared his appreciation that the Board wants to assure that employees are being compensated fairly. Commissioner Teague asked that this policy clarify that an employee would not be compensated on a normal day off.

Commissioner Teague made a motion to approve the 2015 Personnel Policy as presented by Human Resource Director, Becky Snyder, pending all Elected Officials Signatures with Commissioner Zwetzig seconding the motion. Motion carried 3-0.

Consideration of Approval – 2014 Annual Road Mileage Certification

Morgan County Information Systems Manager Karol Kopetzky presented to the Board the 2014 Morgan County Annual Road Mileage Certification. Ms. Kopetzky outlined the road inventory stating the miles of road reflect back to the Highway Users Tax Funds that the County receives funds for. She explained that she and Road Supervisor John Goodman have worked together and the projects that were completed in 2014 have been reported in this information. Once this information is completed it is then reported to the Finance Department. Ms. Kopetzky summarized the six projects that were completed in 2014 and verified that the information has been included in the 2014 Annual Road Mileage Certification.

Commissioner Teague asked about what the threshold of a repair is in order to be included in this report, with Ms. Kopetzky stating the document that is submitted to her to prepare this report explains the criteria that is required in order to report the project. She stated that road widening is one of those criteria elements that require the report to be revised.

Ms. Kopetzky stated the information also provides a historical record to look back on what has been done on County roadways and there is statistical information also being collected. She explained the difference in conditions and the reporting that is done.

Commissioner Zwetzig clarified that this report only reflects County Roads, with the City's preparing their own reports, with Ms. Kopetzky stating that is correct. Ms. Kopetzky indicated stated she does have the ability to look at the other municipality segments, and stated the information is matched up to assure that what is being reported does match between the County and the municipalities.

Commissioner Zwetzig asked about the Wiggins disconnect situation noting that those roads were not listed on this current report. Ms. Kopetzky stated she would be happy to further check into this and bring back any changes there may be to recertify at next week's Board meeting if necessary. The Board agreed to have Ms. Kopetzky look further into the matter and report back to the Board as necessary.

Further discussion followed regarding how our mapping system works, with Karol providing a clarification on how those processes currently work. Commissioner Zwetzig stated the County currently has budgeted funding for the 2015 calendar year to complete a road inventory index and this information should be available to tie the mapping and other reports together to better utilize the information.

Commissioner Teague made a motion to approve the 2014 Morgan County Annual Road Certification as presented by Information Systems Manager, Karol Kopetzky with the approval of the Wiggins disconnect if that has been completed. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – Revision to 2015 Board of Adjustment Appointments

Commissioner Zwetzig clarified that at the 2015 Organizational Meeting Dwight Miller was omitted as a member of the Board of Adjustments and should be included as a member for the term of 2015-2019. He also noted the name of Viola Johnson should be listed as the alternate board member for an additional four year term.

A motion was made by Commissioner Zwetzig to add Dwight Miller to the list of Board Members of the Morgan County Board of Adjustments and Viola Johnson as an alternate. Commissioner Teague seconded the motion and motion carried 3-0.

Commissioner Zwetzig expressed the Board's appreciation for the two long term members of the Board of Adjustments, Corky Tomky and Rick Lorenzini.

Consideration of Approval – 2015 Morgan County Fee Schedule

Commissioner Teague presented to the Board the 2015 Morgan County Fee Schedule noting this matter had been tabled from the January 27, 2015 meeting to allow Morgan County Undersheriff Dave Martin to provide the fees that the Morgan County Sheriff's Department currently has in place. Commissioner Teague asked Mr. Martin to verify that all fees are now reflected in this 2015 Fee Schedule with Mr. Martin stating that he has reviewed the information and the information is complete. Ms. Teague stated this fee schedule reflects both statutorily required fees and those fees that are set by Morgan County for the cost of certain services and document retrieval.

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A motion was made by Commissioner Zwetzig to approve the 2015 Morgan County Fee Schedule. Commissioner Teague seconded the motion and motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Morgan County Planning and Zoning Annual Building Permit Report

Mr. Crosthwait presented to the Board for their review the Planning and Zoning Annual Building Permit Report for 2014. Mr. Crosthwait provided the number of new building permits issued in 2014 as well as the number of zoning permits. He provided the Board with the following information:

MORGAN COUNTY PLANNING & ZONING BUILDING PERMITS

2014

TOTAL BUILDING PERMITS ISSUED	81**	
Total Construction Cost		\$6,256,022
TOTAL ZONING PERMITS ISSUED	71**	
Total Construction Cost		\$3,049,411

(The following are included in above totals)

Single Family Residence			
Site Built	15**	Total Construction Cost	\$3,740,200
		Average Construction Cost	\$ 249,350
Manufactured	1**	Total Construction Cost	\$ 163,000
		Average Construction Cost	\$ 163,000
Mobile Homes	3**	Total Construction Cost	\$ 226,300
		Average Construction Cost	\$ 75,433
Commercial	5**	Total Construction Cost	\$ 779,000
		Average Construction Cost	\$ 155,800

Note of interest: 94 Roofing Permits were issued in 2014 (not included in above totals) \$ 996,064

2013

TOTAL BUILDING PERMITS ISSUED	100**	
Total Construction Cost		\$9,232,737
TOTAL ZONING PERMITS ISSUED	94**	
Total Construction Cost		\$5,752,930

(The Following are included in above totals)

Single Family Residence			
Site Built	19	Total Construction Cost	\$4,881,833
		Average Construction Cost	\$ 236.139
Manufactured	3	Total Construction Cost	\$ 399,000
		Average Construction Cost	\$ 133,000
Mobile Homes	2		
Commercial	8	Total Construction Cost	\$1,248,000
		Average Construction Cost	\$ 156,000

Note of interest: 54 Roofing permits were issued in 2013 (not included in above totals)

2012

TOTAL BUILDING PERMITS ISSUED	79**	
Total Construction Cost		\$9,189,865
TOTAL ZONING PERMITS ISSUED	79**	
Total Construction Cost		\$4,729,867

(The following are included in above totals)

Single Family Residence			
Site Built	18	Total Construction Cost	\$ 4,408,000
		Average Construction Cost	\$ 244,890
Manufactured	8	Total Construction Cost	\$ 684,942.50
		Average Construction Cost	\$ 85,618
Mobile Homes	8		
Commercial	5	Total Construction Cost	\$ 2,798,000
		Average Construction Cost	\$ 559,600

Note of interest: 132 roofing permits were issued in 2012 (not included in above totals)

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2011

TOTAL BUILDING PERMITS ISSUED	64**	
Total Construction Cost		\$5,353,264.72
TOTAL ZONING PERMITS ISSUED	68***	
Total Construction Cost		\$2,053,235.79

(The following are included in above totals)

Single Family Residence			
Site Built	12	Total Construction Cost	\$ 3,030,500
		Average Construction Cost	\$ 252,541
Manufactured	5	Total Construction Cost	\$ 467,900
		Average Construction Cost	\$ 93,580
Mobile Homes	2		
Commercial	6	Total Construction Cost	\$ 1,158,120
		Average Construction Cost	\$ 193,020

Note of interest: 98 roofing permits were issued in 2011 (not included in above totals)

Commissioner Zwetzig asked how many subdivided acre lots there are in Morgan County with Mr. Crosthwait stating he does not have that solid number. Mr. Crosthwait stated there are about 20 Planned Developments within Morgan County, with all having infrastructure in place at this present time.

Commissioner Zwetzig made a motion to approve the Planning and Zoning Annual Building Permit Report as presented by Planning Administrator John Crosthwait. Commissioner Teague seconded the motion and motion carried 3-0.

Commissioners reviewed the calendar dated January 30, 2015 through February 10, 2015 with no changes.

UNFINISHED BUSINESS

There was no unfinished business.

LIQUOR LICENSES

The Board of County Commissioners convened as the Morgan County Local Liquor Licensing Authority in the matter of:

Liquor License or 3.2 Beer License Renewal – Tavern (County) – A.J.'s Corner Tavern, Inc. – Applicant: Ernest A. Ruiz

Morgan County Clerk Susan Bailey presented to the Board for approval the Liquor License Renewal for A.J.'s Corner Tavern, Inc. stating the applicant being Ernest Ruiz. Ms. Bailey stated the type of license is a Tavern License and verified that Mr. Ruiz provided the appropriate documentation including a written response to question number four on the application concerning a prior violation. Ms. Bailey also indicated that the appropriate fees have been submitted and are attached. At this time, Ms. Bailey asked Sheriff Crone to provide his report to the Board.

Sheriff Crone reported to the Board information regarding the violation which occurred September 26, 2014 in which an employee was charged with serving an underage person and verified that it was not Mr. Ruiz who was charged, that it was an employee. Sheriff Crone stated that action was taken by the State of Colorado, Department of Revenue.

Clerk Susan Bailey provided information to the Board that she received from the County Attorneys in response to this matter. She stated there are four separate situations whereas the Board could deny the renewal of the license and the Board was not mandated to deny. Upon being questioned by Chairman McCracken as to how this type of issue was handled in the past, Ms. Bailey reported that in speaking with past Clerk and Recorder, Connie Ingmire, the Board did not take action and allowed the action taken by the State to be appropriate. Ms. Bailey reported that Mr. Ruiz was given the option to pay a fine and the suspension was stayed if the fine was paid in full. She further indicated that Mr. Ruiz is currently compliant with the stipulation that has been set forth by the State of Colorado Department of Revenue. Mr. Ruiz confirmed that he has paid the fine and is compliant with all the requirements of the stipulation at this time.

Commissioner Teague asked if any other measures have been taken to assure that Mr. Ruiz' staff will not repeat this type of violation with Mr. Ruiz stating in the past they had a trainer come on site to conduct training for his staff and that at this time they have a video that they require the employees to watch. Commissioner McCracken inquired whether or not this was TIPS training, with Mr. Ruiz stating he believe it was similar. They currently have two waitresses at this time and feel that they have the issue under control. He stated that the employee in question was terminated five days after the violation occurred. Sheriff Crone stated that he is not aware of any other violations since the issue in September of 2014.

Mr. Ruiz did report to the Board that he recently did have a dispute in which he is required to appear in court for, but feels that the issue will be resolved.

At this time, Chairman McCracken opened the matter for public comment with no one making comment.

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The Board then went into discussion and decision with Commissioner Zwetzig asking Mr. Ruiz if he felt he was able to present all the information he wished to present today with Mr. Ruiz stating yes. Commissioner Teague made a motion to approve the Liquor License or 3.2 Beer License Renewal – Tavern License – for A.J.'s Corner Tavern, Inc., applicant being Ernest A. Ruiz as presented and authorized the chair to sign. Commissioner Zwetzig seconded the motion. At this time, Sheriff Crone explained that the arrest this past weekend will not affect this license renewal as it is only an arrest at this time and if there should be a conviction, that information would be reviewed next year when the license comes for renewal. Commissioner Zwetzig asked if the arrest would hinder the applicant from operating the facility in any manner, asking what the arrest was for. Sheriff Crone deferred the decision to the Board. After further discussion, it was confirmed that the arrest has nothing to do with the serving of alcohol, the motion then went to vote, and motion carried 3-0.

CITIZEN'S COMMENT PERIOD

There were no citizen comments.

We hereby adjourn and are in recess at 10:19 a.m..

Respectfully Submitted,

Susan L. Bailey
Clerk to the Board

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Brian McCracken
Brian McCracken, Chairman

s/ Laura Teague
Laura Teague, Commissioner

s/ Jim Zwetzig
Jim Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan Bailey
Susan Bailey, Clerk to the Board