

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting May 26, 2015

The Board of Morgan County Commissioners met on Tuesday, May 26, 2015 at 9:02 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 Communications Director Danette Martin to lead the meeting in the Pledge of Allegiance to the Flag. Chairman McCracken then recognized Commissioner James Zwetzig for it being his birthday today.

CONSENT AGENDA

- Ratify the Board of County Commissioners approval of Special Meeting Minutes dated May 15, 2015
- Ratify the Board of County Commissioners approval of Meeting Minutes dated May 19, 2015
- Ratify the Board of County Commissioners approval of Planning and Zoning Public Hearing Minutes dated May 19, 2015
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 65, APEX Pavement Solutions – Small Projects Paving - Term of Contract May 20, 2015 until completed
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 66, Xerox – Maintenance and Supplies Solid Waste Management Copier – Term of Contract July 1, 2015 – June 30, 2016
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 68, Blake Electric – New Panel and Wire Fans Fairgrounds – Term of Contract May 13, 2015 until completed
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 69, Spotts Bros Furnace Company – AC Repair and Service Fairgrounds – Term of Contract April 22, 2015 until completed
- Ratify the Board of County Commissioners approval of transfer of debtors to the State Collections Agency, Ambulance Clients #9519473001, #9519473002, #9519471001, #9519463001, #9519472001, #9519475001 and #9519461001
- Ratify Chairman Brian McCracken's signature on the Tasting Permit Application for East Platte Avenue Liquor dated May 19, 2015

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

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION – 2015 BCC 11 – Special Use Permit – Wildcat Dairy

RESOLUTION 2015 BCC 11

A RESOLUTION GRANTING A USE BY SPECIAL REVIEW FOR ESTABLISHMENT OF A LIVESTOCK CONFINEMENT FACILITY LOCATED IN THE W1/2 AND A PORTION OF THE E1/2 OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 56 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO

WHEREAS, Wildcat Dairy, LLC (the "Applicant") has applied for a special use permit for a livestock confinement facility (the "Application") located in the W1/2 and a portion of the E1/2 of Section 6, Township 4 North, Range 57 West of the 6th P.M., as more specifically described in the attached **Exhibit A** (the "Property");

WHEREAS, on April 13, 2015, after holding a public hearing, the Morgan County Planning Commission recommended that the Application be approved;

WHEREAS, on May 5, 2015 the Board of County Commissioners of Morgan County, Colorado held a public hearing on the Application;

WHEREAS, notice of the public hearing was properly published and the Property was properly posted;

WHEREAS, the Board of County Commissioners received testimony and evidence from the Applicant;

WHEREAS, the Board of County Commissioners received public comment on the Application;

WHEREAS, the Board of County Commissioners received testimony from the Morgan County Planning Administrator, who recommended approval of the Application with certain conditions; and

WHEREAS, the Board of County Commissioners desires to approve the Application, subject to certain conditions set forth herein.

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

1. APPROVAL.

The Application is hereby granted, subject to the conditions set forth herein. This Resolution shall constitute the special use permit (hereinafter referred to as this "Resolution" or the "Permit").

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2. FINDINGS OF FACT.

Provided the Applicant meets all conditions set forth herein, the following findings are made:

- a. The use and its proposed location are in conformance with the Morgan County Comprehensive plan. Specifically:
 - i. The project will broaden employment opportunities for residents and will further economic growth.
 - ii. The proposed use is compatible with existing land uses and there is access to established public infrastructure.
 - iii. The use will protect existing agriculture operations by allowing it to continue while not restricting private property rights.
- b. The Application is complete and presents a clear picture of how the use is to be arranged on the site.
- c. The site conforms to the district design standards of Sections 4-109 through 4-260 of the Morgan County Zoning Regulations. Specifically:
 - i. Variances to Section 4-200, which prohibits livestock confinement facilities within 1,320 feet of an existing residence, were approved by the Morgan County Board of Adjustment at its April 20, 2015 public hearing for three existing residences via BOA 2015 Resolution 01, BOA 2015 Resolution 02, and BOA 2015 Resolution 03.
 - ii. The proposed dairy facilities are located at least 15 feet from any county, state or federal highway right-of-way.
 - iii. The manure management plan submitted to the County as part of the Application meets the requirements of Section 4-225 of the Morgan County Zoning Regulations and is approved and is required to be followed by the Applicant.
 - iv. The applicant shall construct the facility according to the Deer Valley Dairy Hydrology Summary including the additional design requirements requested by Riverside Irrigation District to adequately protect the ditch from a waste water discharge from a 7" rainfall event. This plan meets the requirements of Section 4-225 of the Morgan County Zoning Regulations.
 - v. Rodent and insect control are adequately addressed in the Applicant's nuisance control plan submitted as part of the Application and such plan is approved and must be followed by the Applicant. The rodent and insect control plan meets the requirements of Section 4-210 of the Morgan County Zoning Regulations.
 - vi. The fugitive dust control plan in the Application is approved and is required to be followed by the Applicant. The fugitive dust control plan meets the requirements of Section 4-230 of the Morgan County Zoning Regulations.
 - vii. The odor control plan in the Application is approved and is required to be followed by the Applicant. The odor control plan meets the requirement of Section 4-235 of the Morgan County Zoning Regulations.
- d. The special use is compatible with surrounding uses and is adequately buffered from any incompatible uses by distance and topography. Variances from residential distance limitations for three residential buildings located inside the 1,320-foot distance limitation have been approved by the Morgan County Board of Adjustment.
- e. The special use poses no or minimal risk to the public health, safety and welfare.
- f. The special use will not be located on a nonconforming parcel of land.
- g. The Applicant has adequately documented a public need for the project in the form of increased economic development. The Applicant has submitted all pertinent technical information, has demonstrated that it has adequate financial resources to implement the project, and has paid all County fees and review costs.
- h. The operation of the Property as contemplated in the Application will substantially increase traffic on Morgan County Road 24, which will cause substantial degradation of the roadway, increase maintenance costs, and negatively impact neighboring properties and their ability to use the roadway. Without roadway improvements, including paving, the operation of the dairy would not be compatible with existing land uses, and would limit reasonable access to Morgan County Road 24 by neighboring properties due to roadway degradation.

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3. CONDITIONS.

All on- and off-site impacts are determined to be satisfactorily mitigated, provided the following conditions are met:

- i. The Applicant shall rigorously follow and utilize all Best Management Practices for the dairy to mitigate dust, odor, and water runoff created by the facility.
- ii. If the proposed nuisance control methods for the suppression of insects, rodents, odor, and dust fail to adequately control these aspects of the operation, the County may order, after notice to the property owner and a public hearing, additional and more rigorous measures to control these items.
- iii. Access to the facility shall be limited to two (2) driveways from Morgan County Road 24, and one driveway from Morgan County Road Y at the locations set forth in the Application, which have been consented to by Morgan County Road and Bridge Department. One access point from Morgan County Road 24, commonly referred to as the Harvest access shall be 2675 feet south of the center line of Morgan County Road Y. The other access point from Morgan County Road 24, which is the main access to the Property, shall be 4950 feet south of the center line of Morgan County Road Y. An 18-inch culvert shall be installed under both of these access points. The access from Morgan County Road Y shall be 1060 feet south of the center line of Morgan County Road 24. No culvert is required for this access point. All accesses shall be forty feet in width.
- iv. This permit is for a maximum of 16,596 animal units consisting of 6,000 mature cows, 375 maternity, 820 dry cows, 615 springers, 5,700 heifers (600-1000 pounds), 1,200 calves (400-600 pounds) and 4,500 calves (babies). Any increase in animal units beyond that specified in this permit shall require an amendment to this permit.
- v. All waste water runoff from a seven inch 24 hour rain event must be controlled by the dairy, and not allowed to run into the Riverside Irrigation canal.
- vi. The facility shall operate in compliance with Colorado Water Control Commission Regulations 81 (5 CCR 1002-81) and 61 (5 CCR 1002-61), as amended. No manure or wastewater shall be discharged to surface waters unless permitted by Regulation 81 or by a Confined Animal Feeding Operation (CAFO) Colorado discharge permit issued in accordance with Regulation 61.
- vii. The results of any water and or soil testing required by the State of Colorado shall be copied to Morgan County Planning and Zoning Department upon request.
- viii. Center pivot sprinklers may be used to dewater lagoons. A low drop sprinkler system shall be used with no end guns utilized for waste water application/effluent.
- ix. Any past, existing, or future drainage problems on this property shall be the responsibility of the landowner, and not that of Morgan County.
- x. The Applicant shall fully cooperate with Morgan County in Morgan County's application for a Community Development Block Grant for road improvements and asphalt paving of Morgan County Road 24 between Morgan County Road W and Morgan County Road Y. If funds are awarded, the Applicant shall fully cooperate with Morgan County by providing all information required for compliance with the reporting requirements of the associated Community Development Block Grant. In addition, Applicant shall contribute \$159,634.00 (the "Road Impact Payment") to Morgan County, which shall be used by Morgan County for improvements to Morgan County Road 24. The Road Impact Payment shall be due upon the later of: (1) Morgan County's commencement of the road improvements; or (2) Applicant's commencement of construction of Phase 2 of the dairy (as Phase 2 is defined in the Application), provided that Applicant commences Phase 2 construction before December 31, 2017. If Applicant does not commence Phase 2 before December 31, 2017, then Applicant shall make such payment by the later of: December 31, 2017 or when Morgan County commences the road improvements.

4. ADDITIONAL CONDITIONS.

This approval is conditioned on compliance with all information and representations contained in the Application and presented by the Applicant, which are hereby incorporated into this Resolution.

5. GENERAL PROVISIONS.

- a. The Board of County Commissioners retains continuing jurisdiction over this Permit to ensure compliance with this Permit and the Morgan County Zoning Regulations. County representatives are authorized to inspect the Property at any reasonable time upon notice to the Applicant.
- b. The Applicant shall comply with all governmental and regulatory agency requirements and permits, including without limitation those promulgated for the protection of health, safety, and welfare of the inhabitants of Morgan County. Such compliance shall include without limitation compliance with the regulations of the Colorado Department of Public Health, the Colorado Department of Agriculture, and the United States Environmental Protection Agency.

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c. Material alterations to the proposed development as set forth in the Application shall require an amendment to this Permit, after hearings before the Morgan County Planning Commission and the Board of County Commissioners. Nonmaterial alterations may be approved by the Morgan County Planning Administrator, upon receipt of a written application requesting approval of the proposed alteration.

d. The Applicant shall comply with all the requirements, conditions and design standards set forth herein. Noncompliance shall be grounds for revocation of this permit by the Morgan County Board of Commissioners after notice and hearing.

DATED this 26th day of May, 2015

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

s/ Brian D. 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

Morgan County Planning Administrator John Crosthwait presented to the Board for approval the draft of Resolution 2015 BCC 11, a Resolution Granting a Use by Special Review for Establishment of a Livestock Confinement Facility Located in the W½ and a portion of the E½ of Section 6, Township 4 North, Range 56 West of the 6th P.M, Morgan County, Colorado. Mr. Crosthwait summarized the Resolution by reading aloud the various requirements and language pertaining to the most important requirements of the applicant.

Commissioner Teague expressed concern asking why this special use review would indicate compliance with Regulation 81 when we ask the applicant to follow the regulations set forth by the Colorado Department of Health and Environment and asked if the County can provide the permit without this language with Mr. Crosthwait stating yes. Commissioner Teague stated she does not want to see Morgan County become the Colorado Department of Public Health.

At this time, Tim Naylor, approached the podium stating his name and position indicating his address as that of 30560 37th Avenue, Greeley, Colorado and indicated that he had sent a revision of the Resolution to Planning and Zoning Administrator of what they would like to have changed in the Resolution. He stated that he did not get these revisions to Mr. Crosthwait until after 4 p.m. Friday, May 22, 2015.

Mr. Naylor stated he did not believe that the language is accurate, referencing Item C, #4. He stated that he would prefer to have this worded as “the applicant shall construct the facility according to the Deer Valley Dairy Hydrology Summary including the additional design requirements requested by the Riverside Irrigation District to adequately protect the ditch from wastewater discharge from a seven inch rainfall event.”

Mr. Naylor further stated that he does not believe his client should be responsible for public waters or other waterways, that it was their understanding that the agreement was only with the Riverside Irrigation District and it did not include the adjacent waters or other bodies of waters. He stated that he would prefer the language to read as he stated above.

He feels that they should not be responsible for public waters or other waterways, only the Riverside Ditch. Commissioner Teague stated that she would agree, the motion was specific to the Riverside Irrigation District, and it did not include the adjacent waters and other bodies of waters. Mr. Naylor stated he did attempt to send revisions to the Planning and Zoning Administrator but it was after 4 p.m. on Friday before he was able to get this information submitted.

Mr. Crosthwait stated he believes after reviewing the Resolution language, it does cover the concerns appropriately with Mr. Naylor arguing that he believes it is too specific. Commissioner Teague believes the applicant is correct, explaining that the land use regulations state they are required to follow the CDPHE regulations, but the testimony in the hearing was specific to those requirements being made by the Riverside Irrigation District. Commissioner Zwetzig stated that he believes he was the one who questioned about the dairy being built in a finite manner. He further summarized his remarks as explaining the motion and intent was to limit it to a minimum design and if Deer Valley chose to work with Riverside Irrigation and come up with a different design, that would be appropriate, but

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the approved permit should indicate the minimum requirements that comply with Morgan County Land Use Regulations. Mr. Naylor stated he agreed with Commissioner Zwetzig's comments.

Naylor stated that other than inserting the other two CDPHE, they would like to see statements regarding the center pivots, rather than it stating the center pivots "shall" he would like it to read "may", explaining in the future things could change.

Mr. Naylor then referenced the language in the Resolution pertaining to "end guns" and his concerns regarding the language "in times of emergencies". Commissioner Zwetzig stated he was not in favor of placing a stamp of approval on an agreement without it ensuring compliance with regulations. Commissioner Teague stated that she does not believe the stated motion in the public hearing contained that information, and asked Mr. Crosthwait to reference the land use regulations. Mr. Crosthwait stated the regulations do mention low drops.

Further discussion followed with Commissioner Zwetzig in disagreement that it did not include this information as it pertains to "other discussion" and feels they agreed there was only testimony to the two items left, which was road issues and drainage. Further discussion followed with Commissioner McCracken stating he remembers discussion that occurred regarding in times of emergency referencing the end guns matter.

Mr. Naylor stated that other than not wanting to be in violation of the permit, if the County were to change the language, and remove the verbiage "in the case of an emergency", allowing it to be an emergency situation, protects the applicant to remain in compliance with the permit.

Commissioner Zwetzig stated he still feels strongly that the language needs to remain as written and Commissioner Teague stated that it should be allowed to change the "shall" to "may" with all board members in agreement to this revision.

At this time, Mr. Ed Wilgenburg, approached the podium, stating his name and address as 24268 Morgan County Road 21, Fort Morgan, Colorado and explained the only end gun that could be in question would be the one located at the Woodward Ranch. Chairman McCracken stated he believes that given this location the end guns spraying lagoon water would not be any issue. Commissioner Zwetzig stated his belief is the situation could change and there could be homes surrounding the area in the future and believes there should be a rule in place that protects all County citizens and the County regulations should be consistent with what end guns are allowed to emit.

Discussion then followed with Mr. Naylor expressing his concerns about what can and cannot be discharged through an end gun. Commissioner Teague stated she believes they did speak about emergency dewatering in the first and second hearing. Chairman McCracken stated he believes if they are running ditch water, they cannot regulate this matter. Mr. Naylor stated that he is asking that the Resolution specifically denote waste water and if the emergency dewatering can be accommodated.

Planning and Zoning Administrator John Crosthwait then read aloud what the Resolution language should be revised to, with all those present in agreement. Further discussion followed with Commissioner Zwetzig stating he believes it is a Commissioner decision but wants to assure that the Board is meeting both the applicant and the concerns of citizens. Chairman McCracken stated that he believes the County does not want to be a part of the regulatory side of the matter, but does believe it is a Commissioner decision.

Commissioner Teague stated that she does not believe that Riverside Irrigation District thought the County was going to place language in the Resolution to protect the waters of the US, only to protect the waters of the Riverside Irrigation District.

Mr. Naylor made a suggestion to the Board that in the future it would be nice to have a basic resolution prepared and available at the time of the hearing for all to follow and revise appropriately. He stated that in some counties the Resolution is made available on a screen for review at the time of the hearing and stated he believes it saves time and frustration in determining what is being approved and clarifying the intentions of both parties.

At this time Commissioner Zwetzig offered an amendment to his original motion that the suggested changes be made to the Resolution and allow the Planning and Zoning Administrator to review those before presenting the final draft to the Board for approval. Commissioner Teague seconded the motion and offered the suggestion that the Board approve the Resolution as substantially presented with Commissioner Zwetzig asking for Mr. Crosthwait's input for the revised language to the final draft. Planning and Zoning Administrator Crosthwait then read aloud the paragraphs as they shall be amended to the Board with Naylor offering to sit down with the Board and work through the specific language as it is being suggested.

Commissioner Zwetzig stated he believes it would be appropriate to vote on the matter and allow Crosthwait the time to work through the language in its specificity. After this discussion, the motion on the table carried 3-0. The Board will approve the resolution in its final form upon the exact language upon it being presented by Planning and Zoning Administrator John Crosthwait.

Planning and Zoning Administrator John Crosthwait indicated that he did speak with Don Chapman, Riverside Irrigation District and he is in agreement with the language as written in the Resolution.

Further discussion followed in regards to how matters of this type are handled and suggested having the County Attorney present for legal direction.

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Consideration of Approval – RESOLUTION – 2015 BCC 14 – Repealing Resolution 93 BCC 52 Concerning Unclaimed Property

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2015 BCC 14

A RESOLUTION REPEALING RESOLUTION NO. 93 BCC 52 CONCERNING MORGAN COUNTY'S UNCLAIMED PROPERTY PROGRAM

WHEREAS, in 1993, the Board of County Commissioners of Morgan County ("County") adopted Resolution No. 93 BCC 52;

WHEREAS, Resolution No. 93 BCC 52 established a program to manage and dispose of unclaimed intangible personal property held by the County ("Program");

WHEREAS, as directed by Resolution No. 93 BCC 52, the County Treasurer promulgated regulations and policies to manage the Program;

WHEREAS, the Treasurer of the State of Colorado administers the Great Colorado Payback, pursuant to the Unclaimed Property Act, C.R.S. § 38-13-101 *et seq.*, a program that governing the statewide disposition of unclaimed intangible personal property;

WHEREAS, pursuant to the Unclaimed Property Act, the County may deliver unclaimed intangible personal property to the State Treasurer's office for handing and disposition under the Great Colorado Payback; and

WHEREAS, the County desires to repeal its Program and deliver all unclaimed intangible personal property subject to Unclaimed Property Act to the State Treasurer's office.

NOW THEREFORE, be it resolved by the Morgan County Board of County Commissioners as follows:

1. Resolution No. 93 BCC 52 and all associated regulations and policies are hereby repealed.
2. The Unclaimed Property Act shall apply to the handling and disposition of unclaimed intangible personal property that comes into the possession of the County from the date of the adoption of this Resolution.
3. County officials and staff shall work with the State Treasurer's office to handle the delivery and reporting of all unclaimed intangible personal property to the State Treasurer's office currently being held by the County.

APPROVED this 26th day of May, 2015.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Brian D. 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

Morgan County Treasurer and Public Trustee Robert Sagel presented to the Board for approval Resolution 2015 BCC 14, a Resolution Repealing Resolution 93 BCC 52 Concerning Unclaimed Property. Mr. Sagel explained that in 1993 the State implemented the Great Colorado Payback program and at that time we were requested to submit our unclaimed property. At that time, the County Attorney had determined the County could adopt its own policy and follow its own protocol in regards to unclaimed property. Mr. Sagel stated at that time it seemed to work fine, but at this time he is asking the Board to repeal the prior resolution to follow the local policy and approve this resolution to follow the State of Colorado's policy. He summarized historical data explaining that since 1986 he has had 244 checks that were not cashed by the appropriate individuals in the amount of \$15,797.51, and explained even though it is not a large amount; he feels it is necessary that these funds go back to those individuals. He stated that there was a larger check and stated they do attempt to notify citizens of these matters, but for some reason they do not always get a response from them. He stated he would like to begin following the new policy using the Unclaimed Property Act as set forth by the State of Colorado.

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Commissioner Teague made a motion to approve Resolution 2015 BCC 14 as outlined by Morgan County Treasurer and Public Trustee, Robert Sagel. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – RESOLUTION – 2015 BCC 15 – A Resolution Appointing the Administrative Assistant

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2015 BCC 15

A RESOLUTION APPOINTING AN ADMINISTRATIVE ASSISTANT TO THE BOARD PURSUANT TO C.R.S. § 30-11-107(1)(n)

WHEREAS, pursuant to C.R.S. § 30-11-107(1)(n) the Board of County Commissioners may appoint an Administrative Assistant to the Board.

NOW THEREFORE, be it resolved by the Morgan County Board of County Commissioners as follows:

1. Tracy L. Amen is hereby appointed as the Morgan County Administrative Assistant to the Board of County Commissioners with said duties as stated in the Morgan County Position (Exhibit A). Pursuant to C.R.S. § 30-11-107(1)(n), Mrs. Amen shall serve at the pleasure of the Board of County Commissioners.

APPROVED this 26th day of May, 2015.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Brian D. 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

Chairman Brian McCracken presented to the Board for approval Resolution 2015 BCC 15, a Resolution Appointing the Administrative Assistant to the Board of County Commissioners. Chairman McCracken explained this resolution is necessary according to Colorado Revised Statutes and recommended the Board follow this protocol and appoint Tracy L. Amen as the Administrative Assistant to the Board.

Commissioner Zwetzig made a motion to approve Resolution 2015 BCC 15 as outlined. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – RIGHT OF WAY PERMIT – 2015 PMT 14 – Don Carmin

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 14, with Don Carmin. Mr. Goodman stated this permit is for a stock water well line explaining the details of the location and the reason for the permit. He stated he has inspected the location and all fees have been submitted as necessary.

Commissioner Teague made a motion to approve Right of Way Permit 2015 PMT 14 with Don Carmin as outlined by Road Supervisor John Goodman 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 15 – Wildcat Dairy

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 15, with Wildcat Dairy. Mr. Goodman stated this permit is to trench cross County Road 24, explaining Vince DeRoche is the contractor. He explained the location of the permit and believes it is for a dewatering system. He stated the location has been inspected and all fees have been submitted as necessary.

Commissioner Zwetzig made a motion to approve Right of Way Permit 2015 PMT 15 with Wildcat Dairy and authorized the Chair to sign. Commissioner Zwetzig also stated that his motion is to include the condition the

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applicant provides the exact location details for mapping purposes to the Road and Bridge Department upon completion. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – RIGHT OF WAY PERMIT – 2015 PMT 16 – Wildcat Dairy

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2015 PMT 16, with Wildcat Dairy. Mr. Goodman stated this permit is to trench cross County Road 25, explaining it is for an irrigation line for dewatering. The exact location of this permit is also not known.

Commissioner Teague made a motion to approve Right of Way Permit 2015 PMT 16 with Wildcat Dairy and authorized the Chair to sign. Commissioner Teague also stated that her motion is to include the condition that the applicant provides the exact location details for mapping purposes to the Road and Bridge Department upon completion. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – CONTRACT – 2015 CNT 67 – Response Technologies, Inc.

Morgan County Clerk and Recorder Susan Bailey presented to the Board for approval Contract 2015 CNT 67 with Response Technologies, Incorporated. Ms. Bailey stated this contract is for the 2015 Coordinated Election Ballot Processing. She indicated that the 2015 approved budget line for ballot processing is \$21,700 and stated that the County will be reimbursed for some of these costs by the various entities who participate in the 2015 Coordinated Election. Ms. Bailey indicated that as per previous Clerk and Recorder, Connie Ingmire, this vendor is a single source vendor and has been approved by the State of Colorado for ballot processing. Ms. Bailey also summarized that in 2014 the County spent approximately \$43,000 for ballot processing and explained this was due to there being both a Primary Election and a General Election. She stated she is hopeful that the costs are lower than budgeted and asked the Board for its approval.

Commissioner Zwetzig made a motion to approve Contract 2015 CNT 67 with Response Technologies as outlined by Ms. Bailey indicating the term of the lease as upon signature of the Contract through December 31, 2015 and amount not to exceed \$21,700. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – CONTRACT – 2015 CNT 70 – Schneider Electric IT USA, Inc.

Morgan County Communications Director Danette Martin presented to the Board for approval Contract 2015 CNT 70 with Schneider Electric IT USA, Incorporated. Ms. Martin stated this contract is for service and maintenance on the Uninterrupted Power Supply which is equipment necessary to be in place in case of a power outage at the Justice Center. She stated this is a one year renewal contract in the amount of \$6,071.60. Commissioner Zwetzig asked if this backup power supply has ever been used with Ms. Martin indicating that it was used a few years ago during a snow storm and it worked well.

Commissioner Teague made a motion to approve Contract 2015 CNT 70 with Schneider Electric IT USA, Incorporated as outlined by Ms. Martin for the contract term of May 29, 2015 through May 28, 2016. Commissioner Zwetzig seconded the motion and motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated May 22, 2015 through June 2, 2015 with changes.

UNFINISHED BUSINESS

There was no unfinished business to report.

CITIZEN'S COMMENT PERIOD

Keith Bath, stating his address as 16134 County Road 23, Fort Morgan, spoke to the Commissioners thanking the Board for making sure that things are done right and keeping the public safe. He stated that he is here today to represent the agricultural community in Morgan County, explaining to the Board that at times when things happen in the community and someone wants to place a new business into the community that is great. He went on to state that he believes that when a Dairyman wants to come into our community that is huge, expressing his appreciation and feelings about what a dairy brings to a community, and the importance of getting milk to the community. He also stated that these dairies use 90 percent of their feed from the farmers in the community and stated that without these dairymen, farmers in the community could not make it economically. He further spoke about the competition between the dairies which creates a better market allowing farmers and producers to sell their services. He stated he believes that children and families benefit from these businesses. He stated that the other option could be to sell our water to the Front Range and our farmlands will dry up and the county would become a dust bowl. He reiterated how important these dairies are to our community and then spoke about the road maintenance stating that these roads are being used by farmers as well, not only the dairymen. He spoke about his feelings wanting to stress his opinion as someone representing the agricultural community, and stated that the County should be talking to these dairymen about what they can do to help them build here, not allowing them to move to other areas. He would hate to see the road issue become an issue in allowing dairies to come to Morgan County. He thanked the Board for their time and offered his assistance to the Board if they would like to visit further with them for anything they may need.

After no further discussion, the meeting adjourned at 10:10 a.m.

