

COMMISSIONERS PROCEEDINGS 1

BOARD OF MORGAN COUNTY COMMISSIONERS

Minutes of Meeting

June 24, 2014

The Board of Morgan County Commissioners met on Tuesday, June 24, 2014 at 9:03 a.m. with Chairman Jim Zwetzig, Commissioner Brian McCracken and Commissioner Laura Teague in attendance. Chairman Zwetzig called the meeting to order with Jenni Grubbs from the Fort Morgan Times leading the Pledge of Allegiance to the Flag.

CONSENT AGENDA

- Consideration of Approval of the Board of County Commissioners Meeting Minutes dated June 17, 2014
- Ratify the Board of County Commissioners signatures on the Certificate of Recognition to Chet McCoy, Walt Bailey and Iris Riley as volunteer drivers for Morgan County Veterans
- Ratify the Board of County Commissioners signatures on the Certification of Recognition to Ayala Newman as the 2014 Brush Rodeo Queen and to Madison Warfelli as the 2014 Brush Rodeo Lady in Waiting
- Ratify Chairman James Zwetzig's signature on the letter to the Town of Log Lane allowing one free roll off disposal for the town's spring cleanup
- Ratify Chairman James Zwetzig's signature on the CDPHE EMTS Funding Program Reimbursement Form, dated June 17, 2014
- Ratify the Board of County Commissioners for assignment of debt collection to the State of Colorado Central Collections Agency for Client #131865; #131494A; #140159; #131242: and #131685
- Ratify the Board of County Commissioners approval of Contract #2014 CNT 80, Bakers Garage Gym dba FarmBoy Cross Fit, Lease Renewal for 7/1/14-6/30/15
- Ratify the Board of County Commissioners approval of Contract #2014 CNT 82, Don Heer, Lease Renewal for 8/1/14-7/31/15
- Ratify the Board of County Commissioners approval of Contract #2014 CNT 85, Ideal Fencing, Corp., guardrail for Long Bridge Project as per bid award 6/10/14
- Ratify the Board of County Commissioners approval of the P.O.S.T. Grant award for 7/1/14-6/30/15

Commissioner McCracken made a motion to approve all items on the Consent Agenda. Commissioner Teague seconded the motion. Motion carried 3-0.

Chairman Zwetzig noted the Board of County Commissioners would like to recognize those citizens that go above and beyond and would like to recognize Chet McCoy, Walt Bailey and Iris Riley as volunteer drivers for Morgan County Veterans.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

CONSIDERATION OF APPROVAL-RESOLUTION-2014 BCC 20-ADOPTING THE RULES OF THE 2014 MORGAN COUNTY FAIR

RESOLUTION 2014 BCC 20

A Resolution adopting the Rules of the 2014 Morgan County Fair.

WHEREAS, the Board of County Commissioners is the governing body for the Morgan County Fair, and

WHEREAS, it is necessary to establish the Rules of the Morgan County Fair for the 2014 Morgan County Fair, and

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

1. The rules of the 2014 Morgan County Fair which are attached hereto are hereby adopted and shall apply to all participants in the 2014 Morgan County Fair.
2. Any alleged violations of the Rules of the 2014 Morgan County Fair shall be dealt with in accordance with Resolution 2004BCC32 concerning discipline for violation of County Fair Rules.

DATED this 24th day of June, 2014

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

s/Jim Zwetzig

Jim Zwetzig, Chairman

2 COMMISSIONERS PROCEEDINGS

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 Fair Board Secretary Jody Meyer presented to the Board for approval Resolution 2014 BCC 20 to approve the rules for the 2014 Morgan County Fair with several changes. Meyer noted the first change indicates that premium money will be available at the Morgan County Extension Office from 8 a.m. to 4 p.m., Tuesday, August 19, 2014 through Tuesday, September 30, 2014. The second change is for the animal exhibit release with goats to be released after the show or by thirty minutes after the conclusion of the show on Saturday, August 2, 2014 with non-sale market lambs, market swine and beef to be released the following day after judging at the discretion of the superintendents. The third change is for livestock entry times to allow exhibitors to get their animals ready between shows. The fourth change is in regard to the Rate of Gain Contest changing the beef maximum weight to one thousand five hundred pounds, lambs to a maximum of one hundred seventy pounds with goats staying the same. The fifth change is to the Grooming Rule whereas exhibitors will be given one warning if they are caught using a fitter to groom their show animal other than the approved people including an immediate family member. After the first warning, the exhibitor will not be allowed to show or sell that animal or any other animal of that species and if this rule is not followed, the exhibitor is in violation of the 4-H Code of Conduct and further consequences can occur. The sixth change states if any market beef animal has been fed Zilmax from the tag-in date through the fair, that animal cannot be exhibited at the 2014 Morgan County Fair. Meyer noted Zilmax is a growth enhancer and beef plants will not accept anything that has been fed Zilmax. The seventh change is in the swine division whereas market swine must be at the fairgrounds by 4:00 p.m., Sunday, August 3, 2014 with weigh-in times from 10:00 a.m. to 4:00 p.m. The eighth change is for sale weights changing the maximum weight to one thousand five hundred pounds for beef, changing the minimum weight of two hundred thirty pounds with the maximum of three hundred pounds for swine, a change of maximum weight of one hundred seventy pounds for sheep and everything else remains the same. The ninth change is in departments 635, 640, 645 and 650 where separate classes are listed for Adult and Junior with exhibitors eighteen and younger allowed to enter in the Junior Class. Commissioner Teague made a motion to approve Resolution 2014 BCC 20 to adopt the rules of the 2014 Morgan County Fair noting the rules are attached to the resolution. Commissioner McCracken seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL-RIGHT OF WAY PERMIT-2014 PMT 20-CENTURYLINK, INC

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2014 PMT 20 for CenturyLink, Inc. to remove a pedestal located at 18159 County Road 24, Fort Morgan, CO and place a new pedestal ninety feet to the north at 18601 County Road 24, Fort Morgan, CO. Goodman noted an inspection had been done and the fees were attached. Commissioner McCracken made a motion to approve Right of Way Permit 2014 PMT 20 to move a pedestal north ninety feet to 18601 County Road 24, Fort Morgan, CO and authorize the Chairman to sign. Commissioner Teague seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL-RIGHT OF WAY PERMIT-2014 PMT 21-CENTURYLINK, INC

Morgan County Road Supervisor John Goodman presented to the Board for approval Right of Way Permit 2014 PMT 21 for CenturyLink, Inc. to install a new pedestal at 15045 County Road 14, Fort Morgan, CO. Goodman noted an inspection had been done and the fees were attached. Commissioner Teague made a motion to approve Right of Way Permit 2014 PMT 21 for CenturyLink, Inc. to install a new pedestal and authorize the Chairman to sign. Commissioner McCracken seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL-CONTRACT-2014 CNT 83-E C POWER SYSTEMS-PAWNEE TOWER SITE

Morgan County Communications Center Director Danette Martin presented to the Board for approval Contract 2014 CNT 83 with E C Power Systems for service and maintenance on the generator at the Pawnee Tower site. Martin noted the amount of the contract is for one year in the amount of \$1,096.00 for the first year with the option to renew for an additional year in the amount of \$1,096.00 with the term of the contract running from July 2014 through July 2016 for the two year option. Martin noted E C Power Systems has done a good job in the past. Commissioner McCracken made a motion to approve the service and maintenance agreement with E C Power Systems utilizing General Fund dollars in the amount of \$1,096.00 per year with a two year option running from July 2014 through July 2016. Commissioner Teague seconded the motion. Motion carried 3-0.

COMMISSIONERS PROCEEDINGS 3

CONSIDERATION OF APPROVAL-CONTRACT-2014 CNT 84-E C POWER SYSTEMS-JESS TOWER SITE

Morgan County Communications Center Director Danette Martin presented to the Board for approval Contract 2014 CNT 84 with E C Power Systems for service and maintenance on the generator at the Jess Tower site. Martin noted the amount of the contract is for one year in the amount of \$1,096.00 for the first year with the option to renew for an additional year in the amount of \$1,096.00 with the term of the contract of two years running from July 2014 through July 2016. Commissioner Teague made a motion to approve Contract 2014 CNT 84 with E C Power Systems for two years in the amount of \$2,192.00 with the option to renew after the first year. Commissioner McCracken seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL-FIREWORKS DISPLAY PERMIT-WIGGINS RURAL FIRE DISTRICT

Morgan County Administrative Services Manager Susan Bailey presented to the Board for approval the Fireworks Display Permit for the Wiggins Rural Fire District on Friday, July 4, 2014 to expire July 5, 2014 at 12:01 a.m. Bailey noted the location of the display will be at the Keefe Construction building located at 16229 Hwy. 52, Wiggins, CO. Bailey stated approval from the Wiggins Fire Department has been received with the contingency if there should be a county-wide fire ban, the permit will be null and void. Commissioner McCracken made a motion to approve the Fireworks Display Permit for the Wiggins Rural Fire District to be held at the Keefe Construction building located at 16229 Hwy 52, Wiggins, CO contingent on a county-wide fire ban and authorize the Chairman to sign. Commissioner Teague seconded the motion. Motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated June 20, 2014 through July 1, 2014 with changes.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT PERIOD

There were no citizen comments.

We hereby adjourn and are in recess at 9:28 a.m.

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

4 COMMISSIONERS PROCEEDINGS

MORGAN COUNTY BOARD OF COMMISSIONERS June 24, 2014 MINUTES

The Morgan County Board of Commissioners met at their regular meeting on Tuesday, June 24 2014 at 9:30 A.M. in the Assembly Room of the Morgan County Administration Building. Present were Commissioners Jim Zwetzig, Brian McCracken and Laura Teague. Also present were John Crosthwait, Planning Administrator; and Jody Meyer, Planning Assistant, and Susan Bailey, Administrative Services Manager for Morgan County.

The hearing was called to order by Chairman Commissioner Zwetzig who stated this hearing had been tabled at the June 3, 2014 meeting in order for the applicant to turn in a drainage plan.

OLD BUSINESS:

Applicant: Robert Elrick

Landowners: Robert G. Elrick and Debra I. Elrick

Application for a Planned Unit Development of 9 lots located in the NW1/4SE1/4 of Section 12, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado, approximately ¼ mile north of Co Rd Q, West of Co Rd 17.7 (Nelson Rd), Fort Morgan, Colorado.

Bob Elrick was present to represent the file.

John Crosthwait stated he received a drainage plan from Colorado River Engineering of Rifle, Colorado. This plan has been designed for a 100 year/24 hour storm event. John has made two site visits to the property. This drainage plan was sent to the City of Fort Morgan for a courtesy review and Mr. Brad Curtis from the Engineering Dept. responded with observational comments. John Crosthwait noted this drainage plan will become part of this project. The retention pond shall have a required pond volume of 1001.88 cubic feet and should be overbuilt as a precaution. Maintenance would be the responsibility of the landowners/HOA and listed in the covenants. John said he met with the Road and Bridge Department this morning and made a site visit. Dick Early, Bridge Manager for Morgan County, revised his access letter to change culvert sizes as follows: Present driveway will need a 24 inch culvert, southern new driveway will need an 18 inch culvert and the northern lot will need a 24 inch culvert. John Crosthwait stated this drainage plan is good and the City of Fort Morgan agreed.

There was no one present for public comment.

Bob Elrick said he will follow the plans outlined in the drainage study. He will increase the ditch and have a bigger retention pond located in the northeast corner. He said the pond is not required but he is putting it in. He said the drainage study took into account the 80-acre farm to the west of this site.

Commissioner Zwetzig noted there were no requirements from the City of Fort Morgan, just suggestions.

John Crosthwait said percolation tests were done in 2003 with borings up to 15 feet.

Maintenance of the retention pond was discussed. Commissioner Zwetzig said maintenance and care of this pond needed to be added to the covenants. Commissioner Teague said it needed to be added to the resolution and state that applicant will follow the drainage plan to add the pond.

It was moved Commissioner Teague and seconded by Commissioner McCracken to approve an Application from Robert G. Elrick and Debra I. Elrick for a Planned Unit Development to create 9 lots located in the NW1/4SE1/4 of Section 12, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado, located approximately ¼ mile north of Co Rd Q, and west of Co Rd 17.7 (Nelson Rd), Fort Morgan, Colorado, with the following conditions:

1. Maintenance of easements and retention pond be maintained by the Home Owners Association and added to the Covenants.
2. Retention pond be constructed based upon minimal requirements of the Drainage study.

Motion carried 3-0, becoming Resolution #2014BCC21, see below.

RESOLUTION 2014 BCC 21

A RESOLUTION APPROVING A PLANNED DEVELOPMENT ZONE IN THE NW1/4 SE1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO

WHEREAS, on June 3, 2014, the Board of County Commissioners of Morgan County, Colorado held a properly noticed public hearing pursuant to the Morgan County Zoning Regulations on the application of Robert Elrick as applicant, and Robert G. Elrick and Debra I. Elrick as landowners for a Planned Development Zone to create a nine (9) lot residential subdivision in the NW1/4SE1/4 of Section 12, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado. The Planned Development is known as Prairie West Subdivision. The Subdivision is located ¼ mile North of Co Rd Q and West of Co Rd 17.7 (Nelson Road), Fort Morgan, Colorado, and

WHEREAS, the notice of the public hearing was properly noticed and the subject property was properly posted, and

COMMISSIONERS PROCEEDINGS 5

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

WHEREAS, the Board of County Commissioners received comments from the public, and

WHEREAS, the Board of County Commissioners received testimony of the Morgan County Planning Administrator who recommended approval of this application.

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

1. The application of Robert Elrick as applicant, and Robert G. Elrick and Debra I. Elrick as landowners for a Planned Development Zone to create a nine (9) lot residential subdivision in the NW1/4SE1/4 of Section 12, Township 3 North, Range 58 West of the 6th P.M., known as Prairie West Subdivision is hereby granted.
2. The Board of County Commissioners finds that the project is in compliance with the Morgan County Comprehensive Plan and that the criteria of Section 3-425 of the Morgan County Zoning Regulations have been met by the application and the terms and conditions of this resolution. Specifically:
 - a. The Morgan County Comprehensive Plan is complied with in that the proposed project is compatible with existing land uses and there is access to established infrastructure. (page 41-52, Morgan County Comprehensive Plan)
 - b. The project conforms to the policies for traffic and roads in rural areas (pages 60-62, Morgan County Comprehensive Plan).
 - c. The project is consistent with existing land uses in the neighborhood.
3. The entire contents of the application and the provisions of this Resolution shall constitute the Planned Development Zone Final Plat as referred to in the Morgan County Zoning regulations and shall be binding on the applicants and their successors and shall be the terms and conditions of this permit.
4. The covenants as submitted by the applicant are approved and binding on the applicants and their successors as a condition of this permit. Any proposed changes to the covenants must be submitted to the County for approval. Minor changes may be approved administratively by the County Planning Administrator. Major changes must be approved by the Board of County Commissioners. Determination of what is a major or minor change shall be at the sole discretion of the County Planning Administration.
5. A storm water retention pond shall be constructed in accordance with the Drainage Report to meet or exceed the sizing requirements.
6. The maintenance of easements and retention pond shall be maintained by the Home Owners Association, and this requirement shall be added to the covenants.
7. All uses, conditions, restrictions, design standards, and all other applications of the covenants submitted as part of the application shall be the design standards for this Planned Development Zone which may be enforced by Morgan County pursuant to the Morgan County Zoning Regulations. In areas and subjects not addressed by the covenants, Morgan County Zoning Regulations pertaining to the Estate Residential (ER) Zone shall apply to this Planned Development Zone.
8. Any past, present or future drainage problems on this site are the responsibility of the applicant or other successors and not the responsibility of Morgan County.
9. The applicants are required, as a condition of this permit, to furnish any purchasers or other successors in interest to any lot in this Planned Development with a copy of the Morgan County Right to Farm Policy as adopted by Resolution 96 BCC 41 on July 23, 1996, and the Receipt of Understanding of said policy. This Policy and Receipt of Understanding shall be recorded as addenda to any deeds conveying the permitted property from the applicant to any purchasers or other successors.
10. Applicable County Road Standards shall be used in the construction of the interior road within this Planned Development.
11. The interior roadway of this Planned Development shall be maintained by the applicants and their successors, The Homeowners Association, and not by Morgan County.
12. The Board of County Commissioners retains continuing jurisdiction on this permit to address possible future problems with the site in compliance with the Final Planned Development Plan. The County also retains jurisdiction and the right and authority of County personnel to inspect the site at any reasonable time.
13. The applicants and their successors and assigns shall be responsible for complying with the Final Planned Development Plan. Noncompliance with the Final Planned Development Plan may be reason for revocation of this permit and Resolution by the Board of County Commissioners after notice to the applicant or successors and hearing.

DATED this 24th day of June, 2014

6 COMMISSIONERS PROCEEDINGS

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:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board