

COMMISSIONERS PROCEEDINGS 1

**BOARD OF COUNTY COMMISSIONERS
Minutes of Meeting
June 7, 2016**

The Board of Morgan County Commissioners met on June 7, 2016 at 9:00 a.m. with Chair Laura Teague, and Commissioner Brian McCracken with Commissioner James Zwetzig absent. Chair Laura Teague called the meeting to order and asked Morgan County Sheriff Department, Lieutenant Jon Horton to lead the meeting in the Pledge of Allegiance to the Flag.

CONSENT AGENDA

- Ratify the Board of County Commissioners approval of Minutes dated May 31, 2016
- Ratify the Board of County Commissioners approval of Department Minutes for the month of May 2016
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 095, MPG Creative LLC, Tourism Advertising, Term of Contract May 20, 2016 through June 30, 2016
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 096, Latest Scoop Publishing, Tourism Advertising, Term of Contract June 1, 2016 through September 30, 2016
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 097, Bob's Upholstery Tent & Awning, Cover for Sound System at Fairgrounds Multi-Purpose building, Term of Contract May 27, 2016 until Completed
- Ratify Chair Laura Teague's signature on a letter of support for Morgan County Economic Development Corporation application for a grant under Blueprint 2.0 Initiative program for Incubator/Accelerator Best Practices dated May 26, 2016
- Ratify Chair Laura Teague's signature on a letter of support for Morgan County Tourism for a grant under the Blueprint 2.0 Initiative program for Tourism Promotion and Development dated My 31, 2016
- Ratify Chair Laura Teague's signature on a letter of designee for Jacque Frenier to represent on the Morgan County Interagency Oversight Group (IOG) dated June 2, 2016
- Ratify Chair Laura Teague's signature on the purchase order for two Truck Tractors from the bid award of 2016 0512-001 in the amount of \$226,440
- Ratify Chair Laura Teague's signature on the Storm Water Inspection Report for May 2016

Commissioner McCracken made a motion to approve all items on the Consent Agenda as presented. Chair Teague seconded the motion and motion passed 2-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION 2016-BCC 14 – A Resolution Opposing Amendment 69

**RESOLUTION
2016 BCC 14**

A RESOLUTION OPPOSING AMENDMENT 69

WHEREAS, the Board of County Commissioners have reviewed the proposed Colorado State Amendment 69.

NOW THEREFORE, be it resolved in opposing of Amendment 69 by the Morgan County Board of County Commissioners as follows:

1. Amendment 69 states it would raise Payroll taxes in Colorado by 10 percent. 6.67 percent of this tax would be paid by the employer, in the case of Morgan County, Morgan County taxpayers would pay approximately \$638,736.38 of additional tax on the current Morgan County payroll. 3.33 percent of this tax would be paid by Morgan County employees, currently an additional tax in the amount of \$318,889.38 based on current Morgan County payroll.
2. Amendment 69 states citizens earning non-payroll income will pay a 10 percent tax on business income, rental income, farm and ranch income, taxable pensions, taxable Social Security, taxable interest, dividends, taxable refunds and credits, capital gains, taxable IRA distributions, and other income.

APPROVED this 7th day of June, 2016

THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

s/ Laura D. Teague
Laura D. Teague, Chairman

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s/Brian K. McCracken
Brian K. McCracken, Commissioner

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

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Morgan County Administrative Services Manager Kristi Waite presented to the Board for approval, Resolution 2016 BCC 43, a Resolution Opposing Amendment 69. Ms. Waite stated the County has received calls from various organizations asking where the County stands in regards to this issue and it was decided to prepare a resolution which outlines the County's stance and read aloud the resolution as prepared. Commissioner McCracken stated this would require employees in the State of Colorado as well as employers to pay a separate tax for healthcare which had failed at the federal level.

Commissioner McCracken made a motion to approve Resolution 2016 BCC 14, a Resolution Opposing Amendment 69 as outlined by Morgan County Administrative Services Manager Kristi Waite. Chair Teague seconded the motion and motion carried 2-0.

Consideration of Revision – RIGHT OF WAY PERMIT - 2016 PMT 03 – NE Colorado Cellular, Inc. dba Viaero

Morgan County Road Supervisor John Goodman presented to the Board for approval, a revision to the Right of Way Permit 2016 PMT 03, with NE Colorado Cellular, Inc. dba Viaero. Mr. Goodman stated this revision of the Right of Way Permit is for the purpose of installation of new fiber optic telecommunication services to Morgan County, Colorado explaining the project has been completed from County Road Q to Highway 71, and they are requesting a refund in the amount of \$3,270.50 for the portion of Highway 71, at County Road F into Washington County. Commissioner McCracken stated that from this point on, if the Board should approve this refund, and the project would be completed from that location on, they would be required to apply for a new permit. Ron Christensen, who was in attendance representing Viaero, stated he understood this requirement.

Commissioner McCracken made a motion to approve the revised Permit 2016 PMT 03 NE Colorado Cellular, Inc. dba Viaero outlined in the permit document and as presented by Morgan County Road Supervisor John Goodman with the refund being in the amount of \$3,270.50 and authorized the Chair to sign. Chair Teague seconded the motion and motion carried 2-0.

Consideration of Approval – REVISED BID AWARD 2016-0519-001– Bottom Dump Trailers

Morgan County Public Works Director Bruce Bass presented to the Board for approval Revised Bid Award 2016-0519-001 Bottom Dump Trailers. Mr. Bass stated this is a request for a revision for the purchase order total in regards to the prior bid award, revision based on Commissioner McCracken's request to investigate the cost of changing the specification of a spring suspension to an air ride suspension on the trailers. Mr. Bass stated he did check with the vendor and this cost would be a total of \$900.00. He feels this would be money well spent and requested the Board approve the total at \$67,100.00 which would include the additional \$900.00 for the air ride suspension. Chair Teague clarified that none of the other bidders had submitted costs for this addition with Mr. Bass stating the bid was approved based upon the previous specifications and this would be considered an add-on and the next lowest bid would still have been higher than this bid with the additional costs.

Commissioner McCracken made a motion to approve the revised bid 2016-0519-001 Bottom Dump Trailers to add air ride suspension bringing the total cost to \$67,100.00 with a purchase order being prepared for MHC Bruckner Truck as outlined by Public Works Director Bruce Bass. Chair Teague seconded the motion and motion carried 2-0.

Consideration of Approval – ORDINANCE 2016-BCC 01 – Purchase and Sale Agreement with BM Processors LLC and the Sale of County Property

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2016 BCC 01

AN ORDINANCE RATIFYING THE APPROVAL OF THE PURCHASE AND SALE AGREEMENT WITH BM PROCESSORS LLC AND THE SALE OF COUNTY PROPERTY

WHEREAS, Morgan County ("County") is the owner of real property within the City of Brush, Morgan County, Colorado (the "Property");

WHEREAS, BM Processors, LLC desires to purchase and County desires to sell the Property;

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WHEREAS, the County desires to sell the Property to make certain funds, held on behalf of BM Processors for the Rosewood Subdivision, available for the construction infrastructure at the County Fairgrounds or other County-owned property as determined by the intergovernmental agreement between the City of Brush and the County,

WHEREAS, the Property is not being used for any governmental purposes pursuant to C.R.S. § 30-35-202(b) nor does the County foresee its use for any governmental purposes in the future; and

WHEREAS, the Board of County Commissioners finds and determines that it would be in the best interests of the County and its residents to sell the Property.

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

Section 1. The approval and execution by the Board of County Commissioners on May 3, 2016 of Purchase and Sale Agreement between the County and BM Processors, LLC, a copy of which is attached hereto and incorporated herein as **Exhibit A**, is hereby ratified.

Section 2. Any Commissioner is authorized to execute any related documents required to accomplish the County's sale of the Property, including all title- and closing-related documents.

APPROVED this 7th day of June, 2016.

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

s/ Laura D. Teague
Laura D. Teague, Chairman

s/Brian K. McCracken
Brian K. McCracken, Commissioner

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

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Chair Teague presented to the Board for approval, Ordinance 2016 BCC 01, an Ordinance for Purchase and Sale Agreement with BM Processors LLC and the Sale of County Property. Chair Teague stated this is a statutory requirement to approve the purchase and sale agreement with BM Processors LLC and the sale of County Property.

Commissioner McCracken made a motion to approve Ordinance 2016 BCC 01, an Ordinance for Purchase and Sale Agreement with BM Processors LLC and the Sale of County Property as outlined by Chair Teague. Chair Teague seconded the motion and motion carried 2-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated June 3, 2016, through June 14, 2016 with changes.

UNFINISHED BUSINESS

There was no unfinished business.

LIQUOR LICENSES

At this time, the Board of County Commissioners convened as the Morgan County Liquor License Authority in the matters of:

Liquor License or 3.2 Beer Renewal –Liquor Store (County)

Licensee: Shoreline Investments DBA as Shoreline Maria

Operating Manager: Margaret E. Pope

Morgan County Clerk and Recorder Susan Bailey presented to the Board a Liquor of 3.2 Beer License Renewal submitted by Margaret E. Pope for Shoreline Investments doing business as Shoreline Marina for a Liquor Store (county) license. Ms. Bailey stated that she has received the necessary documents and all fees have been submitted. She asked the Morgan County Sheriff's Department to report at which time Sheriff James Crone indicated he had nothing to report. Sheriff Crone stated that in the many years Ms. Pope has been managing this license, he was happy to report there had never been any issues with this business.

Chair Teague opened the matter for public comment at which time no comment followed.

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A motion was made by Commissioner McCracken to approve the Liquor Store liquor license renewal for Margaret E. Pope for Shoreline Investments doing business as Shoreline Marina and authorized the Chair to sign. Chair Teague seconded the motion and motion carried 2-0.

CITIZEN'S COMMENT

There was no citizen's comment.

Being no further business, the meeting was adjourned at 9:16 a.m.

Respectfully Submitted,
Susan L. Bailey
Clerk to the Board

(Minutes ratified June 14, 2016)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Laura D. Teague
Laura D. Teague, Chairman

s/Brian K. McCracken
Brian K. McCracken, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey