

COMMISSIONERS PROCEEDINGS 1

BOARD OF MORGAN COUNTY COMMISSIONERS

Minutes of Meeting

July 1, 2014

The Board of Morgan County Commissioners met on Tuesday, July 1, 2014 at 9:01 a.m. with Chairman Jim Zwetzig, Commissioner Brian McCracken and Commissioner Laura Teague in attendance. Chairman Zwetzig called the meeting to order with Officer Barney Padgett from the Morgan County Sheriff's Department leading the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Consideration of Approval of the Board of County Commissioners Meeting Minutes dated June 24, 2014
Ratify the Board of County Commissioners signatures on the Certificate of Recognition to Ed Wahlert for his years of service to the Town of Hillrose
Ratify the Board of County Commissioners signatures on the Certification of Recognition to the City of Brush for being selected as an All American City by the National Civic League
Ratify the Board of County Commissioners signatures on the Certification of Recognition to the Brush Rodeo for celebrating their 60th year of rodeo events
Ratify Chairman James Zwetzig's signature on the assignment of debt collections to Wakefield and Associates for Ambulance Service Client #81586

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 Ed Wahlert for his years of service to the Town of Hillrose, recognition to the City of Brush for being selected an All American City by the National Civic League and recognition to the Brush Rodeo for celebrating their 60th year of rodeo events.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

CONSIDERATION OF APPROVAL-RESOLUTION-2014 BCC 22-RULES AND REGULATIONS FOR THE USE OF FACILITIES AT THE MORGAN COUNTY FAIRGROUNDS

RESOLUTION 2014 BCC 22

A Resolution adopting the Rules and Regulations for Use of Facilities at Morgan County Fairgrounds (Amended July 1, 2014)

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

WHEREAS, it is necessary to establish the Rules and Regulations for Use of Facilities at Morgan County Fairgrounds, and

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

1. The rules and regulations for use of facilities at Morgan County Fairgrounds which are attached hereto are hereby adopted and shall apply to bookings as of July 1, 2014.

2. Any alleged violations of these Rules and Regulations shall be dealt with in accordance as stated in attached rules and regulations; see "Violations and Enforcement".

DATED this 1st day of July, 2014

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/Jim Zwetzig

Jim Zwetzig, Chairman

s/Brian McCracken

Brian McCracken, Commissioner

s/Laura Teague

Laura Teague, Commissioner

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(SEAL)

ATTEST:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

Morgan County Administrative Services Manager Susan Bailey presented to the Board for approval Resolution 2014 BCC 22 the resolution adopting the rules and regulations for use of the facilities at the Morgan County Fairgrounds. Bailey noted the rules and regulations are attached to the resolution effective July 1, 2014 with all events being booked through the Morgan County Commissioner's Office. Commissioner Teague made a motion to approve Resolution 2014 BCC 22. Commissioner McCracken seconded the motion. Commissioner Teague added the rules and regulations covers the new Morgan County contracted security personnel, bookings with alcohol and fairground fees with any entity, organization, individual or group permitted to use the facilities at the discretion of the Fairgrounds Coordinator. Commissioner Teague noted the Board of County Commissioners has the final decision on any booking transactions if concerns arise. Commissioner Teague noted that non-profit organizations will be treated the same as in the past. Motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated June 27, 2014 through July 8, 2014 with no changes.

UNFINISHED BUSINESS

There was no unfinished business.

RENEWAL APPLICATION FOR A HOTEL AND RESTAURANT LIQUOR LICENSE FOR MALT, VINOUS AND SPIRITUOUS LIQUOR-CSO LLC DBA COUNTRY STEAK OUT

Public Hearing opened at 9:06 a.m.

Morgan County Clerk and Recorder Connie Ingmire presented to the Board the approval the Renewal Application for a Hotel and Restaurant Liquor License for Malt, Vinous and Spirituous Liquor for CSO LLC dba Country Steak Out located at 19592 W. 8th Ave., Fort Morgan, CO. Ingmire reported the fees were attached and all appropriate documents submitted. Morgan County Sheriff Jim Crone had nothing to report. There was no public comment. Public Hearing closed at 9:09 a.m. Commissioner McCracken made a motion to approve the Renewal Application for a Hotel and Restaurant Liquor License for Malt, Vinous and Spirituous Liquor for CSO LLC dba Country Steak Out and authorize the Chairman to sign. Commissioner Teague seconded the motion. Motion carried 3-0.

CITIZEN'S COMMENT PERIOD

There were no citizen comments.

We hereby adjourn and are in recess at 9:15 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

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(SEAL)

ATTEST:

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

MORGAN COUNTY BOARD OF COMMISSIONERS July 1, 2014 MINUTES

The Morgan County Board of Commissioners met at their regular meeting on Tuesday, July 1, 2014 at 9:30 A.M. in the Assembly Room of the Morgan County Administration Building. Present were Commissioners Laura Teague, Brian McCracken and James P. Zwetzig. Also present were John Crosthwait, Planning Administrator; and Jody Meyer, Planning Assistant, and Susan Bailey, Administrative Services Manager for Morgan County.

The hearing was called to order by Chairman Commissioner Zwetzig.

NEW BUSINESS:

APPLICANT: MILDRED WALKER TRUST

LANDOWNER: ROBERT W. WALKER AND MILDRED R. WALKER TRUST

Application for a Minor Subdivision to create three lots – one of 2.55 acres with existing improvements, one of 3.32 acres, with existing improvements and one of 4.46 acres of vacant land. Total acres involved in this Minor Subdivision are approximately 10.33 acres. This Minor Subdivision is located in the SW1/4 of Section 23, Township 4 North, Range 60 West of the 6th P.M., Morgan County, Colorado, aka 4381 Morgan County Road U, Wiggins, Colorado 80654.

Don Jones and Monty Thomas from McFeeders Realty were present to represent the application along with Mildred Walker and Mark Haake.

John Crosthwait presented the application as follows:

The applicant wants to subdivide this property into three lots to facilitate the sale of their farmland and preserve Lot 1 containing 2.55 acres for their daughter who resides in the home on this lot. Lot 2 contains 3.32 acres contains the house and the improvements where the applicant lives. Lot 3, containing 4.46 acres, and they plan to sell this lot sometime in the future for residential purposes.

The file contains a letter from the Northeast Colorado Health Department indicating that Lot 1 and 2 are served by private septic systems, and Lot 3 may be served by an approved septic system. Lot 1 is served by an existing private domestic well, permit #262096, complete with a water quality test from the Northeast Colorado Health Department. Lot 2 is served by Morgan County Quality Water tap #0519. Lot 3 has an uninstalled domestic well, bearing permit #293430, issued 1/30/2014.

This file contains Driveway access approval from Morgan County Road and Bridge Department.

Soils are listed as not limited or acceptable. Taxes are current; property is not located in the floodplain. Property is zoned "A" Agriculture. All appropriate notices and publication requirements have been met.

John Crosthwait noted the Planning Commission approved this application with one dissenting vote.

Don Jones told Commissioners that Mildred Walker is selling the farm ground and keeping the sprinkler corner which has two residences on it. She wants to subdivide this corner into 3 lots and is asking for approval to do this.

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

John Crosthwait told the Commissioners a neighbor to the south had come in to the office and was at the Planning Commission hearing regarding this application. Her objections were not pertinent to this subdivision (no new neighbors).

Monty Thomas noted that the name of the subdivision will change from Walker Minor to Cheyenne Minor Subdivision. There is already a Walker Subdivision in the County, so renaming will keep from have duplicate names in the system.

Well/Water Issues:

Commissioner Teague asked about the well permits for this application. Monty Thomas noted there are three permits, two of which the wells are installed and one new permit for Lot 3, which has not been installed. Don Jones said the well permits could be a secondary source of water if needed. Lot 3 will use the well permit for its

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source of water. There is no quality water on this lot. Monty Thomas said a well permit is in place for Lot 3, but they do not know when it will be drilled.

John Crosthwait discussed State Statute 30-28-133 Subdivision Regulations (3)(d) about having adequate evidence of water in terms of quality, quantity, dependability and potability. These requirements are in Morgan County Subdivision Regulations under Section 5-100 Water Service. Because the well has not been drilled, we don't know if there is quantity, quality or reliability of a water source.

John said the some of the Planning Commission members thought evidence of a well on Lots 1 and 2 was enough to show there is water in the area.

Commissioner Teague stated that the Well Permit has an expiration date after two years which could lead to a dry lot. Commissioner Zwetzig stated we need assurances that there is quality and quantity of water which are not based on adjoining lot.

Don Jones said it is kind of a catch 22 scenario – you spend a lot of money to drill and complete a well not knowing if the subdivision will be approved; and if not approved you are out the money spent on placing the well. He said there needs to be some reasonable request on this issue. Don Jones said they are intending to sell Lot 3 and there is no adverse condition on this lot.

There was discussion on Quality Water / Developers' agreements and well permits / placement and what would be acceptable for proof of water and an informed decision needs to be made. Commissioner Zwetzig has no problem with the three lot subdivision but he wants the applicant to prove up water; buy a Quality Water tap or drill the well.

It was moved by Commissioner Teague and seconded by Commissioner McCracken to approve an Application for a Minor Subdivision (known as Cheyenne Minor Subdivision) to create three lots – one of 2.55 acres with existing improvements, one of 3.32 acres with existing improvements, and one lot of 4.46 acres of vacant land. Said Minor Subdivision is located in the SW1/4 of Section 23, Township 4 North, Range 60 West of the 6th P.M., Morgan County, Colorado, aka 4381 Morgan County Road U, Wiggins, Colorado 80654. Motion carried 3-0 becoming Resolution #2014BCC23.

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