

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting April 19, 2016

The Board of Morgan County Commissioners met on April 19, 2016 at 9:15 a.m. with Chair Laura Teague, Commissioner Brian McCracken and Commissioner James Zwetzig in attendance. Chair Laura Teague called the meeting to order and asked Morgan County Tourism Marketing Coordinator, Kristine Rodine, to lead the meeting in the Pledge of Allegiance to the Flag.

CONSENT AGENDA

- Ratify the Board of County Commissioners approval of Minutes dated April 12, 2016
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 058, Reliant Heating & Air Conditioning – On Call HVAC repairs, Term of Contract March 17, 2016 through March 31, 2017
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 059, American Veteran Environmental, LLC, air sampling at Judicial Center, Term of Contract March 18, 2016 until completed
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 060, Rocky Mountain Microfilm & Imaging (RMMD), archive Commissioner and survey books, Term of Contract April 7, 2016 through August 1, 2016
- Ratify the Board of County Commissioners approval of Contract 2016 CNT 061, Ehrlich Toyota East, replacement windshield in Unit 288, Term of Contract April 14, 2016 until completed
- Ratify the Board of County Commissioners approval for disposal of assets, (1) 2010 Ford Crown Victoria, dated April 15, 2016
- Ratify the Board of County Commissioners approval of PROCLAMATION – National Public Safety Telecommunicator's Week April 10-16, 2016
- Ratify Chair Laura Teague's signature on the Mass Mutual Plan Sponsor Request for Internet Security Access for Tracy Amen, HR Director
- Ratify Chair Laura Teague's signature on the Mass Mutual Plan Sponsor Request to delete Internet Security Access for Becky Snyder.
- Ratify the Board of County Commissioners approval of amended 2016 Morgan County Fee Schedule amended April 15, 2016
- Ratify the Board of County Commissioners approval of the amended Morgan County Rules and Regulations for use of Facilities at Morgan County Fairgrounds Amended April 15, 2016

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

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – ADDENDUM to 2015 CNT 205 – RockSol Consulting Group, Inc

Morgan County Public Works Director Bruce Bass presented to the Board for approval, an Addendum to Contract 2015 CNT 205 with RockSol Consulting Group, Inc, a contract for the Cooper Bridge Project. Mr. Bass stated this addendum will change the term of the existing contract from August 2016 to December 2016. He stated the reason for the change in the term of the contract is due to the plans for the project being completed during the high water runoff of the South Platte River so are changing the dates to begin construction July 1st, 2016, weather permitting, and believes the construction phase should take four to five months so is requesting to extend the term of the contract for this period of time to ensure completion of the project.

Commissioner McCracken made a motion to approve the Addendum to Contract 2015 CNT 0205 with RockSol Consulting Group, Inc, as outlined by Morgan County Public Works Director Bruce Bass changing the term of the contract from August 2016 to an amended date of December 2016 and authorized the Chair to sign. Commissioner Zwetzig seconded motion and motion carried 3-0. Commissioner Zwetzig stated this was also discussed with adjoining landowners who are in agreement with this change.

Consideration of Approval – BID AWARD 2016-0317-001–Tourism Newspaper Advertising

Morgan County Tourism Marketing Manager Kristine Rodine presented to the Board for approval Bid Award 2016-0317-001 Tourism Newspaper Advertising. Ms. Rodine provided a brief overview for the reason of going to bid for this process explaining the tourism panel is looking at bringing in more tourism into the communities and by doing this broader advertising will assist in bringing more people into the area hoping that people will choose to travel into the area as well as stay overnight at local hotels. Ms. Rodine stated she received five bids from different newspaper companies; however there are a total of 20 different newspapers in those five groups. Ms. Rodine stated the newspaper medium are not as cost effective providing the resources that are needed to advertise tourism. After visiting with the coordinators of several events, it was recommended to look more at the Greeley area and they are now using the Greeley Tribune, The Tribune Extra, stating that out of those in review this will be at a cost of \$840.40 which will circulate to approximately 26,000 capita explaining this was the most cost effective source.

Chair Teague asked about how they will make the request to Ms. Rodine with her stating the event holder will appear in front of the tourism panel and being this rate has then been determined, that will allow for a lower cost in advertising. She believes there will be more advertising using this process. Commissioner McCracken asked about a request to place an advertisement in a magazine, with Ms. Rodine stating this is an option and will utilize this as what she considered the "other" option explaining that by utilizing the magazine itself to ensure it will hit on those specific groups of individuals necessary.

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Commissioner McCracken made a motion to approve award the 2016-0317-001 Tourism Newspaper Advertising to Greeley Tribune, The Tribune Extra, in the amount of \$840.40 as presented by Morgan County Tourism Marketing Manager Kristine Rodine. Commissioner Zwetzig seconded the motion, and asked to amend the motion to include subject upon approval of the Tourism Panel, and the amended motion carried 3-0. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – BID AWARD 2016-0317-002– Tourism Radio Station Advertising

Morgan County Tourism Marketing Manager Kristine Rodine presented to the Board for approval Bid Award 2016-0317-002 Tourism Radio Station Advertising. Ms. Rodine stated she received five bids from different radio companies; however there was a total of eighteen different radio stations in those five groups. Ms. Rodine stated this goes along with the same premise as the newspaper choice for advertising. Out of the eighteen radio stations, they reviewed the outreach of those stations and upon further research they believed that KYGO, KIGN, KRZD and KSID were the four who would reach the most individuals. The total comes to \$31,012.50 for all four radio stations.

Chair Teague asked about the plan to ensure the expenditure being approved is completed with Ms. Rodine stating that any advertising that may not cover the specific events will then be utilized to cover general tourism advertising. Ms. Rodine stated she and the panel reviewed their overall budget and what they planned on utilizing what event planners had asked for in the past and the remainder of the amount is what was

Commissioner McCracken made a motion to approve award the 2016-0317-002 Tourism Radio Station Advertising to the four radio stations, KYGO, KIGN, KRZD and KSID as presented by Morgan County Tourism Marketing Manager Kristine Rodine in the amount of \$31,012.50 with the caveat that the Tourism Panel accept these bids as well and authorized the Administrative Services Manager to execute the necessary contracts to be ratified by the Board upon completion. Commissioner Zwetzig seconded the motion and motion carried 3-0. Commissioner Zwetzig noted the funding for these expenditures come from the County's lodging tax.

Consideration of Approval – BID AWARD 2016-0407-001 – Three (3) Color Copiers

Morgan County Information Systems Manager Karol Kopetzky presented to the Board for approval Bid Award 2016-0407-001 Three (3) Color Copiers. Ms. Kopetzky stated she received six bids from vendors and summarized that one copier will be placed in the Finance Department, one in the Planning and Zoning Department and the other in the Sheriff's Office. She summarized each individual bid that each vendor submitted indicating the cost and model which were proposed by each vendor. She stated the lowest bidder was submitted by Kinoca Minolta Business Solutions, USA, Inc. and stated that the County has contracted with this vendor in the past for machines that are located within county departments. She further summarized how she projected the costs for each machine explaining she utilized the finance department's data given they use their machine the most. She further summarized the costs between the machines utilizing the warranty information and cost analysis using data to determine which machine would be at the lowest cost to the County. Ms. Kopetzky recommended based on the warranty information and cost analysis that was completed to award the bid to the local vendor Great Copier for the Samsung model as proposed.

Commissioner Zwetzig made a motion to approve award the 2016-0401-001 Three (3) Color Copiers to Great Copier Service in the amount of \$16,675.68 as presented by Morgan County Information Systems Manager Karol Kopetzky and authorized the Administrative Services Manager to execute the necessary contract to be ratified by the Board upon completion. Commissioner McCracken seconded the motion and motion carried 3-0. Commissioner Zwetzig asked the notes also reflect that based on prior comments from the Information Systems Manager that based on usage and costs, the proposal from Great Copier is at the lower cost to the County.

Consideration of Approval – PURCHASE AND SALE AGREEMENT – BM Processors LLC

Chair Teague stated there is a pending purchase and sale agreement process with BM Processors LLC as well as an MOU which is not available at this time, with Commissioner Zwetzig in agreement asking that this matter be tabled until this IGA is finalized.

Commissioner Zwetzig made a motion to table this matter until an acceptable IGA is readily available from the City of Brush for approval. Commissioner McCracken seconded the motion and motion carried 3-0.

Consideration of Approval – INTERGOVERNMENTAL AGREEMENT – City of Brush for purchase and sale agreement with BM Processors LLC

Chair Teague stated this matter is connected to the aforementioned matter and asked that the above motion be amended to include the intergovernmental agreement as well.

Commissioner Zwetzig made a motion to table the Intergovernmental Agreement until such time an acceptable agreement can be presented. Commissioner McCracken seconded the motion and motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated April 15, 2016 April 26, 2016 with no changes.

UNFINISHED BUSINESS

There was no other unfinished business.

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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 New-Concurrent Application – Hotel and Restaurant with optional premise liquor license (County)

Licensee: City of Fort Morgan, a Municipal Corporation dba Quail Dunes Golf Course

Operating Manager: John “Ty” Hamer

Morgan County Clerk and Recorder Susan Bailey presented to the Board an application submitted by the City of Fort Morgan, a Municipal Corporation dba Quail Dunes Golf Course for a new Hotel and Restaurant with optional premise liquor license (County) (concurrent review). Ms. Bailey stated the City has submitted all the appropriate documentation necessary to make this application complete as well as having submitted the necessary fees to both the State of Colorado (in which the checks have been submitted to, as the applicant requested a concurrent review of this application) and to Morgan County for the license fees as well as the necessary CBI background checks which have been completed with no issues found. She further indicated the applicant provided her office with completed petitions in which a total of 72 signatures were verified approving this license request. A total of 89 signatures were submitted with 14 of the signatures being duplicate signatures, two signatures were not able to be verified given residency status within Morgan County and one signature was undetermined as to whether it was marked as yes or no. She stated that given her this office did not receive any negative comments nor did it receive any written correspondence against this application, she would verify the 72 approved signatures as approving the application as the majority. She further indicated that depending upon today’s public hearing if there should be public comment for or against this application; it was her recommendation to accept the petition process in favor of this license application. She further verified that the proper public postings and publications have been conducted regarding today’s hearing. She then recommended approving the application as submitted stating the City has demonstrated a professional and complete application for the Board’s review today.

Chair Teague asked Ms. Bailey to report on the Sheriff’s information since Sheriff Crone was not available for the hearing due to another commitment, with Ms. Bailey indicating she had received comment from Under Sheriff Dave Martin who had indicated their background check did not reflect any issues with this applicant.

Chair Teague opened the matter for public comment at which time no comment followed. Mr. “Ty” Hamer presented himself to the Board stating he was present today for any questions the Board may have.

A motion was made by Commissioner McCracken to approve the New-Concurrent Liquor License for the City of Fort Morgan, a Municipal Corporation dba Quail Dunes Golf Course and authorized the Chair to sign. Commissioner Zwetzig seconded the motion and motion carried 3-0.

CITIZEN’S COMMENT

Aaron Columbia, 16610 County Road 7, Wiggins, Colorado, stating he is a Morgan County resident and owner of Business Mart, informed the Board about his business and the fact they will have a fully operated website and will be able to compete with the bigger box vendors asking for the County’s office supply business. He stated as the consumer utilizes their website his business will be able to determine what individuals needs are and able to provide those materials accordingly.

Chair Teague asked to recess the meeting for a brief amount of time to allow for the Clerk to continue with the appropriate recording.

PUBLIC HEARING

Application for Variance to Minimum Front Yard Setback from 30 ft. to 0 ft. to place a row of grain bins located in the SW1/4 of Section 15, Township 6 North, Range 60 West of the 6th P.M., Morgan County, Colorado aka 33176 Co Rd 3, Orchard, CO 80649

The hearing was called to order by Chair Teague at 9:49 a.m. in the Assembly Room of the Morgan County Administration Building. Present were Chair Laura Teague, Commissioner James Zwetzig and Commissioner Brian McCracken. Also present were John Crosthwait, Planning Administrator and Cary Wickstrom, the applicant.

APPLICANT: WICKSTROM, INC
LANDOWNERS: WICKSTROM, INC

Chair Teague asked Morgan County Planning Administrator John Crosthwait to present the file and invited the applicants to the front. Mr. Crosthwait presented the file noting the applicants have submitted an application for a variance to minimum front yard setback from 30 feet to 0 feet located in the SW1/4 Section 15, Township 6 North, Range 60 West of the 6th P.M., Morgan County, Colorado, aka 33176 Co Rd 3, Orchard, Colorado 80645.

The applicant and landowners are requesting the setback variance in order to place a new grain bin of approximately 110,000 bushels. The applicant states that because of the configuration of the existing grain bins on the property, the placement of the existing elevator leg, and trees, this variance is necessary to prevent undue hardship.

All appropriate notices, posting and publication requirements have been met. Property is zoned “A” Agriculture. Taxes are paid. Site is not in the floodplain. Mr. Crosthwait recommended approval of the application.

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Cary Wickstrom, applicant, stated his address as 33040 Road 4, Orchard, CO, and indicated he has spoken with the State regarding the road issue and the possibility of vacating a section of road and did not feel they had a problem but that they usually do not support this type of action because they are not sure of the impact on the land. Chair Teague stated the only reason this was suggested is due to future ability to maintain a road with a zero setback and how this can create contention. It was not known at the time that there was a section the State of Colorado owns. Commissioner Zwetzig asked about a line of trees that are located in this area that may need to be removed with Mr. Wickstrom asking about the County's policy with further discussion ensued regarding the road matter.

At this time, Chair Teague opened the matter for public comment in which there was no comment. Chair Teague moved to discussion and decision.

A motion was then made by Commissioner Zwetzig to approve Resolution 2016 BCC 011 Granting a Variance to Minimum Front Yard Setback from 30 ft. to 0 ft. to place a row of grain bins located in the SW1/4 of Section 15, Township 6 North, Range 60 West of the 6th P.M., Morgan County, Colorado aka 33176 Co Rd 3, Orchard, CO 80649 as requested by Wickstrom, Inc. Commissioner McCracken seconded the motion and motion carried 3-0.

RESOLUTION

2016 BCC 011

A RESOLUTION APPROVING A VARIANCE TO MINIMUM FRONT YARD SET BACK LOCATED IN THE SW1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 60 WEST OF THE 6TH P.M. MORGAN COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Morgan County, Colorado held a properly noticed and published hearing on April 19, 2016, on the application of Wickstrom, Inc. as applicant and Donald L. Wickstrom and Patricia R. Wickstrom as landowners for a Variance to Minimum Front Yard Setback from the required 30 feet to 0 feet for the purpose of constructing a new grain storage bin of approximately 110,000 bushels. The property is located in the SW1/4 of Section 15, Township 6 North, Range 60 West of the 6th P.M., Morgan County, Colorado, aka 33176 Co Rd 3, Orchard, Colorado 80649, and

WHEREAS, the Board of County Commissioners heard testimony from the applicant regarding the application in which the applicant stated that the variance was necessary to prevent exceptional and undue hardship, and

WHEREAS, the Board of County Commissioners heard testimony from the Morgan County Planning Administrator who recommended approval, and

WHEREAS, there was no public comment on the application.

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

1. The application of Wickstrom Inc. as applicant and Donald L. Wickstrom and Patricia R. Wickstrom as landowners for a variance to Minimum Front Yard Setback from 30 feet to 0 feet for the construction of a new grain storage bin of approximately 110,000 bushels located in the SW1/4 of Section 15, Township 6 North, Range 60 West of the 6th P.M., Morgan County, Colorado, aka 33176 Co Rd 3, Orchard, Colorado 80649 is hereby granted.
2. Any past, present or future drainage problems on this property are the responsibility of the landowner and not that of Morgan County.

Dated this 19th day of April, 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

