

Moffat County Board of County Commissioners
1198 W Victory Way Craig, CO 81625

February 25, 2025

In attendance: Melody Villard, Chair; Tony Bohrer, Board Member; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Candace Miller; Kathy Kuehl; Bill Kuehl; Lois Wymore; Dan Miller; Garry Rhoden; Cheryl Fultz; Mike Mack; Deb Mack; Glenda Ayres; Jim Ayres; Steve Foster; Bret Grandbouche; Heather Brumbrow; James Brumbrow; Travis Stowers; Eric Anderson; Jake Timmer; Malcom Pious; David Johannes; Libby Fortin; Johnathan Lambert; Evan Jones; Graham Basecke; Mark Anderson; Kacey Green; Ernest Schukar; Ramona Quick; Donald Quick; Terry Arnold; Ernie Arnold; Don Smith; Daisy Smith; Dave Toelle; Toni Toelle; Mark Olsen; Lois Olsen; Cal Drennan; Kay Cruz; Patricia Foster; Norman Fedde; Bethany LaBonte; JaCie Colding; Brian Coldong; Genevieve Yazzi; Jane Yazzi; Larry Yazzi; Stacie Ossen; Summer Simpson; Heidi Meats; Colton Murray

Call to Order
Pledge of Allegiance

Commissioner Villard called the meeting to order at 8:30 am

Villard made a motion to approve the agenda as presented. Bohrer seconded the motion. Motion carried 3-0.

Consent Agenda –

Review & Sign the following documents: (see attached)

Minutes:

- a) February 11; February 19 – Special Meeting

Resolutions:

- b) 2025-20: Transfer of Intergovernment Funds for December 2024
- c) 2025-21: Transfer of Intergovernment Funds for January 2025
- d) 2025-22: A/P for December 2024
- e) 2025-23: A/P for February 2025
- f) 2025-24: Payroll
- g) 2025-25: P-Cards

Contracts & Reports:

- h) Yampa Valley Bar & Grill Liquor License renewal application
- i) Greater Sandhill Crane week proclamation
- j) Colorado Department of Public Health & Environment Stormwater Annual Report(s) for Sand and Gravel Pits (13)
- k) GIS Services contract w/Schneider Geospatial

Villard made a motion to approve the consent agenda items A-K. Broom seconded the motion. Motion carried 3-0.

Please note that the Board may discuss any topic relevant to County business, whether or not the topic has been specifically noted on this agenda

Public Comment/General Discussion:

There was no public comment.

Board of County Commissioners

- Joint appointment to Airport Advisory Board (see attached)

The City and the County jointly appoint a seat on the Airport Advisory Board. Alva Jones sent a letter of interest for this open seat to both entities.

Broom moved to appoint Alva Jones to the Airport Advisory Board. Bohrer seconded the motion. Motion carried 3-0.

- Appoint Vice-Chair

Bohrer made a motion to appoint Commissioner Broom to the Vice-Chair seat. Villard seconded the motion. Motion carried 2-0.

Staff Reports:

Development Services – Candace Miller

- Resolution 2025-19: Intergovernmental Agreement w/City of Craig re: Building Contractor registration (see attached)

Miller presented Resolution 2025-19 on behalf of the Office of Development Services. This resolution will allow the City Board of Adjustments to determine building contractor eligibility/registration to operate within both the City of Craig and Moffat County. And because both entities share a building inspector, this will add to the consistency across the board for the City & County. Miller read the resolution for the record.

Broom moved to approve Resolution 2025-19. Bohrer seconded the motion. Motion carried 3-0.

Road & Bridge Department – Dan Miller

- Bid recommendation for Sander replacement (see attached)

Two bids were received for four sanders:

Holman (Commerce City)	\$27,785.00 each plus \$4300 for freight	Total bid	\$115,440.00
O.J. Watson (/Denver)	\$25,980.00 each	Total bid	\$103,920.00

Miller recommended awarding the bid to O.J. Watson for \$103,929.00.

Bohrer moved to approve awarding the bid for four Monroe brand sanders from O.J. Watson for \$103,920.00. Broom seconded the motion. Motion carried 3-0.

- Request waiving bid process for Chip Seal Oil (see attached)

Miller requested waiving the bid process for Chip Seal Oil for the Chip Seal project on CR 29 in July. The City and County schedule purchases and deliveries to coincide. The oil is purchased from SunCor Energy, at a quoted price of \$670.00/ton, which is down \$16/ton from last year. SunCor allows both the City and the County road departments to piggyback on CDOT contracts allowing both to purchase at high volume prices.

Bohrer clarified that they also need a motion to approve the purchase of Chip Seal Oil from SunCor Energy.

Bohrer moved to waive the bid process for Chip Seal oil for CR 29. Broom seconded the motion. Motion carried 3-0.

Bohrer moved to approve the purchase of Chip Seal Oil from SunCor Energy for \$670/ton. Broom seconded the motion. Motion carried 3-0.

8:45 am

Public Hearing:

Villard read the Public Hearing protocol and declared the Public Hearing(s) open.

Planning & Zoning Department – Candace Miller

- **Resolution 2025-14:** Amendments to Moffat County Zoning Regulations (see attached)

Miller gave a brief background on the process that was gone through to get to this point.

This item was tabled until the March 11th meeting to allow the community enough time to read and understand the amendments. It will not be in a Public Hearing at that time.

Villard called for Public Comment.

Collette Erickson came up before the BCC to express her opposition to the portion of the amendments regarding temporary conditional use as it relates to man camps.

In regular session, Bohrer made a motion to move Resolution 2025-14 to the March 11th BCC meeting. Broom seconded the motion. Motion carried 3-0.

- **AES:** Zone Change (R 25-01) & Conditional Use Application (C 25-01) (see attached)

Miller gave a brief introduction to the zone change and the conditional use applications submitted by AES Clean Energy/Yampa Valley Solar, LLC. AES originally reached out to the Planning Office to express interest in late 2022. Applications were submitted to the Planning & Zoning Department on January 15, 2025; those applications were reviewed by the Planning & Zoning Commission at their February 4th, 2025 meeting. Miller also described the process by which the application process for these types of projects was upgraded.

Graham Basecke and Libby Fortin from AES came before the BCC with a presentation about AES and this project.

There are 3850 leased/privately owned acres in this project, with 1466 acres being used for the solar array/battery storage facility area. The project is bordered by County Road 30, and would also affect Roberts Road and Glaab Lane. AES attempted to provide simulation pictures on what would be visible from several different viewpoints.

At this point in the process, these applications are strictly preliminary; there are many other conditions/studies/plans that have to be met/obtained before final approval would be given. This project is estimated to cost \$500,000,000 and produce an estimated \$15,000,000 in taxes over the life of the project.

Miller came back before the BCC to explain the Zone Change process – Agricultural to Heavy Industrial. The Planning & Zoning Commission gave preliminary approval to both the Zone Change and the Conditional Use Permit. It was again emphasized that this is for preliminary approval only and there are many other conditions/studies/plans that have to be met/obtained before final approval would be given. There was discussion regarding the Zone Change aspect – from Agricultural Land to Heavy Industrial vs Public Utility. It was stated that some more research would need to be done on that.

Commissioner Villard called for Public Comment.

The following individuals came forward to testify against the project:

Cheryl Fultz	Kacey Green
Mike Mack	Ernie Schukar
Stacie Ossen	Bethany LaBonte
David Johannes	Ramona Quick
Toni Tolle	Heather Brumblow
Jake Timmer	James Brumblow
Jane Yazzi	Seth Schwolert
Johnathan Lambert	Colton Murray
Larry Yazzi	Bill Keuhl
Genevieve Yazzi	Glenda Ayres
Kay Cruz	Deb Mack
JaCie Colding	Jim Ayres
Brian Colding	Norman Fedde
Summer Simpson	

They expressed these concerns:

- Not being well informed on the project
- County road conditions
- One way in/One way out access
- Wildland fire
- Fires at battery storage facilities
- Emergency services response time
- Equipment failure
- Water/washing of panels
- Construction/traffic noise
- Power generated would not be for Craig – for the front range
- Reclamation
- How viable is the project in light of the new Federal administration's energy policy?
- Impacts on wildlife corridors & habitats
- Taking away from Ag land
- Plenty of land away from population

Bret Grandbouche, one of the property owners of the proposed site, spoke about how this project would not only allow him to actually make money on his property, but he would also still be able to lease/farm a large portion of the adjacent property that wouldn't be taken up by the solar array.

Miller came back up before the BCC and again emphasized that the application is still very much in the preliminary stage. She also gave more explanations to questions that had been asked in the public comment

portion of the hearing, and detailed specifics on requirements for AES to obtain the final approval on this project.

Travis Stowers (AES) came up and answered questions about how previous fires in existing facilities had been handled.

Libby Fortin (AES) came up and answered questions related to an Environmental Impact Study. They had prepared a Biological Resources Survey & Report for the project and also incorporated data from CPW. This information is an appendix of their Habitat Review, which AES had not given to Planning & Zoning, but they would get that additional report to Miller.

The next question was about noise levels. Fortin explained that during construction, noise levels would be consistent with construction noises. That would be just during the day, no night construction. Any noise from the completed project would be contained to the site, barely above background noise.

Villard closed the public hearing.

Back in regular session, Bohrer thanked everyone for coming and expressing their opinion. He commented that as a Commissioner, some of the hardest things he has ever had to deal with has been land owner rights, and he has really struggled with this project.

Broom and Villard both stated that it's very tough to draw a line between property owner rights, development and being able to make money from your property.

Villard questioned if it would be a necessity to change the zoning – from Heavy Industrial to Public Utility, and feels like they need to obtain legal advice to proceed with that, and possibly table this application until that advice is acquired.

Fortin answered more questions about feasibility studies, alternative access, road studies/conditions/maintenance, etc.

Bohrer expressed that he feels like AES should have a definitive interconnection power agreement in place before the County would go to all the trouble to grant this preliminary application. Fortin replied that while it's also frustrating for them, utilities like Tri-State always require that they have an approved permit in place before they grant an interconnection power agreement.

There were no other questions. Villard asked what was the Board's pleasure?

Bohrer stated that at this time he was not ready to make a motion.

Broom stated that if this is tabled, there needed to be a timeline on it. Fortin suggested that if it is tabled, 30 days would be a good time frame to address more concerns. There was discussion about if that would need to be another public hearing.

Broom moved to deny both items at this time. Bohrer seconded the motion. Bohrer stated that they could bring this back, with the understanding that they had a power agreement first. Motion carried 3-0.

Meeting adjourned at 12:22 pm

The next scheduled Board of County Commissioners meeting is Tuesday, March 11, 2025

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: Melody Hubbard

Carol R. Brown

Approved on: March 11, 2025

Attest by: Erin Miller

Link to view this meeting on the Moffat County Government YouTube channel:

<https://www.youtube.com/channel/UC0d8avRo294jia2irOdSXzQ>

