

Moffat County Board of County Commissioners  
1198 W Victory Way Ste 104 Craig, CO 81625

April 25, 2023

**In attendance:** Tony Bohrer, Chair; Melody Villard, Board Member; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Roy Tipton; Jeff Comstock; Bruce White; Dan Miller; Candace Miller; Tom Kleinschnitz; Cathy Nielson; Rachel Bower; Rebecca Tyree; Michael Gush; John Doane; Julie Grobe; Loretta Earle; Tracy Winder; Bonnie Hampton; Jim Howell; John Williams; Allison Adair; Dan Haskins; Chris Nichols; Brenda Nichols; Shannon Lukens

**Call to Order**  
**Pledge of Allegiance**

Commissioner Bohrer called the meeting to order at 8:30 am and welcomed everyone to the first meeting in the new courthouse.

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

**Consent Agenda –**

Review & Sign the following documents: (see attached)

Approve minutes:

- a) April 11; April 4 – Special Meeting

**Resolutions:**

- b) 2023-47: Payment of Warrants for the month of April
- c) 2023-48: Payment Cards
- d) 2023-50: Payroll
- e) 2023-51: Voided Warrants for the month of April

**Contracts & Reports:**

- f) Department of Public Health Immunization contract w/Colorado Department of Public Health & Environment
- g) Department of Public Health Child Fatality Prevention System contract w/Colorado Department of Public Health & Environment
- h) Yampa Valley Golf Course liquor license renewal

Bohrer made a motion to approve the consent agenda items A-H. 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:**

- 2<sup>nd</sup> Amendment discussion

A citizens group had sent the Board of County Commissioners proposed resolutions regarding 2<sup>nd</sup> Amendment/Constitutional rights. Tracy Winder, John Williams, Carol Haskins, Allison Cutler got up and commented.

Commissioner Bohrer stated that he has already taken an oath when he was sworn into office to uphold both the Constitution of the United States and the State of Colorado, and signing this resolution will not change that in any way.

Commissioner Villard commented that these resolutions are merely affirmations, and have no teeth. How do we fund this fight?

The Commissioners had questions about some of the content of the resolutions and requested a workshop with the group to clarify.

### Board of County Commissioners

Moffat County Day of Prayer proclamation (see attached)

Julie Grobe and Loretta Earle came up before the BCC to present a proclamation for the annual Day of Prayer on May 4<sup>th</sup>. There are two locations this year, the Courthouse and New Creation Church, where it will be live streamed.

Bohrer moved to proclaim May 4<sup>th</sup>, 2023 as Moffat County Day of Prayer. Villard seconded the motion. Motion carried 3-0.

### Natural Resources Department – Jeff Comstock

#### Sign:

- Tri-State Water Augmentation Plan contract (see attached)

The purpose of this contract is to minimize the impacts from the State over-appropriation call on the Yampa River to water rights owners. Tri-State has agreed to pay \$25,000 to the Colorado River Water Conservation District to assist in developing a water augmentation plan.

Villard moved to approve the Tri-State Water Augmentation Plan agreement as presented. Broom seconded the motion. Motion carried 3-0.

- Programatic Solar Environmental Impact Study (see attached)

This is a standard BLM cooperative agency agreement; it lets the County have pre-decisional information and have a part in the planning process. This is the 6<sup>th</sup> planning document presented to us this year.

Broom moved to approve the Programatic Solar Environmental Impact Study. Villard seconded the motion. Motion carried 3-0.

Bohrer gave a brief recap on SB-256, concerning the 10J rule on wolves.

**Public Hearing:****9:00 am****Planning & Zoning – Candace Miller**

- Yoder/McCleery/Thompson Replat – S-23-01 (see attached)

Bohrer read the Public Hearing protocol and declared the Public Hearing open.

This is replat of lots currently owned by Michael Thompson, Michael McCleery and Theron Yoder

Location: T6N R91W SEC 12

Access: South on MCR 107 (South Ranney); left onto Rangely Way

This Agenda item was advertised in the paper on March 17, 2023, and approved by the P & Z Commission at the April 4<sup>th</sup> meeting with no stipulations.

There was no testimony either for or against the proposed replat.

Back in regular session, Villard move to approve the Yoder/McCleery/Thompson Replat – S-23-01. Broom seconded the motion. Motion carried 3-0.

- Cook Exemption – E-23-01 (see attached)

This is an 82-acre parcel, of which 5 acres will be exempted. Mr. Cook will continue to own the 82 acres and will include the 5 acres with the sale of the house.

Location: T7N R90W SEC 10 - NW 4, NE 4

Access: Hwy 13 N to CR 18S to CR78 to CR 78B

This Agenda item was advertised in the paper on March 24, 2023, and approved by the P & Z Commission at the April 4<sup>th</sup> meeting.

There was no testimony either for or against the proposed exemption.

Back in regular session, Broom moved to approve the Cook Exemption. Villard seconded the motion. Motion carried 3-0.

**Planning & Zoning – Candace Miller**

- Airport Hanger lease contract w/Moffat Hanger Group, LLC (see attached)

This three-year lease expired April 30<sup>th</sup>. A legal ad was posted on March 24, with the bid being due April 5. The only bid we received was from the Moffat Hanger Group, which has held the three-year lease for the last nine years. This updated contract includes new fees.

Villard moved to approve the Airport Hanger lease contract w/Moffat Hanger Group, LLC as presented. Broom seconded the motion. Motion carried 3-0.

- Present Planning & Zoning Commission by-laws revisions for approval (see attached)

The Planning & Zoning Commission by-laws have not been reviewed or updated since 2006. The Commission unanimously agreed to update the layout and some information contained in there. Miller presented the BCC with a red-line copy of the old by-laws as well as the updated version for comparison.

Villard moved to approve the Planning & Zoning Commission by-laws revisions as presented. Broom seconded the motion. Motion carried 3-0.

#### **Human Resources Department – Rachel Bower**

- **Resolution 2023-52:** Amendment to Resolution 2016-106 re: Snow Bank (see attached)

This resolution concerns on-call provisions for County operations for Road & Bridge Department snow removal. It extends the Snow Bank accrual from March 31 or to an appropriate date (depending on the weather that year), and amends the accrual cap from 40 to 50 hours. The Board of County Commissioners will also consider adding Snow Bank accrual for Road & Bridge fill-in employees whose normal job duties do not include snow removal

Broom moved to approve **Resolution 2023-52:** Amendment to Resolution 2016-106 re: Snow Bank. Villard seconded the motion. Motion carried 3-0.

#### **Presentation:**

##### **Yampa Valley Golf Association – John Doane & Michael Gush**

- Discuss ARPA funds disbursement (see attached)

The Golf Course board was tasked by the BCC to examine, prioritize & budget any infrastructure needs at the golf course. The board addressed that request and brought the budget along today. The funding source for these needs will be coming from ARPA monies. A power point slide show was presented.

Meeting adjourned at 9:32 am

The next scheduled BOCC meeting is Tuesday, May 9, 2023

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: 

Melodyillard

Conrad Brown

Approved on: May 9<sup>th</sup>, 2023

Attest by: Erin Miller



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

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