

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

May 9, 2023

In attendance: Tony Bohrer, Chair; Melody Villard, Board Member; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Roy Tipton; Jeff Comstock; Candace Miller; Tom Kleinschnitz; Rebecca Tyree; Tracy Winder; Bonnie Hampton; Jim Mathey; Thomas Morley; Allison Adair; Dan Haskins; Bill Laster; John Carmony

**Call to Order
Pledge of Allegiance**

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

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

Consent Agenda –

Review & Sign the following documents: (see attached)

Approve minutes:

- a) April 25; April 20 – Special Meeting

Resolutions:

- b) 2023-54: Resolution correction
- c) 2023-56: Payment of Warrants
- d) 2023-57: Adopting Maybell Wastewater Treatment Facility Billing & Delinquency Policy
- e) 2023-58: Payroll

Contracts & Reports:

- f) Norvell Ditch project letter of support
- g) Maybell Rodeo Club Lease Agreement
- h) Economic Development Administration Certification as to Project Site, Rights of Way and Easements
- i) Fair Entertainment agreement w/John King Music
- j) Airport Grant resolution
- k) Department of Public Health & Colorado Department of Public Health & Environment Emergency Preparedness and Response contract - Amendment #5

Bohrer made a motion to approve the consent agenda items A-K. Villard seconded the motion. Motion carried 3-0. There was some clarification on item “H”. Bohrer has to sign one portion of this and County Attorney, Rebecca Tyree, needs to sign, after doing some additional research.

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:

Allison Adair commented that the Planning & Zoning Commission was not in compliance with their by-laws.

Bill Laster encouraged the BCC to take a stand on the firearms issue.

- Resolution 2023-53: 2nd Amendment Rights (see attached)
- Resolution 2023-59: Constitutional Rights

The BCC met with a citizens group regarding the content of these two resolutions. Bohrer reiterated that they all believe in Constitutional Rights and 2nd Amendment Rights. Some things are passed to make a statement and let everyone know what we stand for.

Villard moved to approve **Resolution 2023-53: 2nd Amendment Rights**. Broom seconded the motion. Motion carried 3-0.

Villard moved to approve **Resolution 2023-59: Constitutional Rights**. Broom seconded the motion. Motion carried 3-0.

Staff Reports:

Office of Development Services – Roy Tipton

- Change Order – United Companies - Parking lot Asphalt (see attached)

This change order is to pave the entire Courthouse parking lot. The original contract was to pave only the drive lanes; we were able to tag onto a paving job with the Road & Bridge Department. This will be funded with LATCF monies that the County received last year. The amount is \$795,842, which will get us 100% complete by September of this year. Bohrer also pointed out that if we hadn't been able to tag in on the Road & Bridge Department paving, that it would have cost a whole lot more.

Broom made a motion to approve the Change Order with United Companies for Parking lot Asphalt at \$795,842. Villard seconded the motion. Motion carried 3-0.

- Pay Applications:
 - BHI #18 (see attached)

This pay app is in the amount of \$242,623.35. We are at 98.2% complete, which does not include the outside work. We are still waiting on some materials that were ordered nine months ago; BHI will be onsite until September.

Villard moved to approve BHI Pay Application #18 in the amount of \$242,623.35. Broom seconded the motion. Motion carried 3-0.

Tipton went over the Pay Application Summary.

Public Hearing:

9:00 am

Planning & Zoning – Candace Miller

- Carmony Exploration Gathering Lines CUP – C-23-01

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

This Conditional Use Permit had previously been approved in 2017 by a former Board of County Commissioners, but due to the gap in time, they had to resubmit. Since there was not a quorum at the last Planning & Zoning Commission meeting, Miller made a staff recommendation for approval based on the previous approval. John Carmony was present and gave a slide show to better illustrate the project.

Tracy Winder, as a citizen and a mineral owner got up to speak in favor of the project.

Back in regular session, Villard move to approve the Carmony Exploration Gathering Lines CUP – C-23-01. Broom seconded the motion. Motion carried 3-0.

Meeting adjourned at 9:22 am

The next scheduled BOCC meeting is Tuesday, May 23, 2023

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: *[Signature]*

Melody Villard

Candace Broom

Approved on: *May 23, 2023*

Attest by: *Erin Miller*



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

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