

Moffat County Board of County Commissioners
221 W Victory Way Suite 130 Craig, CO 81625

June 14, 2022

In attendance: Donald Broom, Chair; Tony Bohrer, Board Member (ZOOM); Melody Villard, Board Member; Erin Miller, Deputy Clerk & Recorder; Rebecca Tyree; Roy Tipton; John Williams; Denise Williams; Jim Howell; Carol Haskins; Allison Cutler; Dave Haskins; Gail Cattoor; Jeff Comstock; Tom Kleinschnitz; Tracy Winder; Tammy Raschke; Bruce White; Ed Wilkinson; Lennie Gillam; Pete Pleasant; Dennis Fredrickson; Kelly Hayes

Call to Order
Pledge of Allegiance

Commissioner Broom called the meeting to order

Broom 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) May 24; June 2 & 6 – Special Meeting(s)
- b) 2022-63: Resolution for Transfer of Payroll Warrants
- c) 2022-64: Resolution for Payment of Warrants
- d) Core Services contracts:
 - Mental Health Services/K. Gibbs
 - Mental Health Services/Ariel Clinical Services
 - Mental Health Services/J. Adams – Healthy Mind
- e) Colorado Works contract w/Prather Productions
- f) Colorado Child Care Assistance Program (CCCAP) MOU
- g) Colorado Works MOU
- h) Department of Public Health/Colorado Department of Public Health & Environment Task Order contract regarding Maternal/Child Health Services
- i) Department of Public Health/Colorado Department of Public Health & Environment Workforce Grant application
- j) Department of Public Health/Colorado Department of Public Health & Environment Contract Amendment #4
- k) Treasurer's Report
- l) Youth Substance Assessment & Treatment Grant application
- m) Maybell Rodeo Club lease
- n) Fairgrounds Sound System Agreement #2

Broom made a motion to approve the consent agenda items A-N. Bohrer 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:

Ed Wilkinson got up to ask if there was anything that could be done about an eyesore property on south Ranney Street? Commissioner Villard responded that she had some information regarding the property that she could share it with him after the meeting.

Dan Haskins, John Williams, Allison Cutler – Voter discussion (see attached)

John Williams presented and read a revised resolution regarding Electronic Voting Systems. This resolution replaces one that had been previously presented in April, but was tabled to allow for more information gathering. The group requested that because time was so short (prior to election judge training and the primary elections), that the BCC review and sign the resolution today. If it could not be signed today, they requested an emergency BCC meeting in order to sign the resolution. Villard asked County Attorney, Rebecca Tyree, for clarification on the fact that because the resolution had not been in the BCC board packet 24 hours in advance of the meeting, they could not make any kind of ruling on it. Tyree confirmed this. The group complained that they had been ignored and they were up against the wall (time-wise). Villard explained that they had not been ignored and had brought a lot of good information to the table. There has been a lot of work going on in the background and the County has been working at the “speed of government” because our hands are sometimes tied as to what we can do. It’s important to get information from both sides and make a decision in the middle.

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- Election discussion

Commissioner Bohrer commented that he felt from the beginning of this controversy, it was an easy compromise to only use paper ballots and the tabulating machine; to not use the hand-held (ICX) voting machines (or discourage their use), only having them on hand if someone absolutely wanted (or needed) to use them. Commissioner Broom agreed and said he wouldn’t deny anyone that choice.

Villard moved to the extent that Moffat County can, and in compliance with State and Federal law, instruct the Moffat County Clerk not to use electronic voting machines. Bohrer seconded the motion. Motion carried 3-0.

- Appoint Land Use Board Environmental seat (see attached)

Miranda Kawcak submitted a letter of interest for the Environmental alternate seat on the Land Use Board.

Villard moved to appoint Miranda Kawcak to the Land Use Board as the Environmental seat alternate. Bohrer seconded the motion. Motion carried 3-0.

8:45 am

Public Hearing(s):

Office of Development Services – Roy Tipton

- USDA Financial Assistance (Congressionally Directed Spending) (see attached)

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

Tipton explained that Moffat County was awarded Congressionally Directed Spending monies and that the USDA is the conduit for the distribution of these funds. This Public Hearing is merely a box to “check” in the process.

Broom asked the audience if there was anyone that would like to speak for or against the approval of the USDA Financial Assistance. Dan Haskins asked what strings were attached to the federal money and what it's for? Tipton explained it's for the new courthouse project; site development, solar field and repurposing of the current courthouse site. There is no match money from the County.

Villard moved to accept the USDA Financial Assistance application for the Congressionally Directed Spending for the Courthouse. Bohrer seconded the motion. Motion carried 3-0.

Planning & Zoning – Jerry Hoberg

- Shreiner Replat – S-21-03 (see attached)

This is a replat of lots 2 and 3, owned by the applicant. Both lots will have access off of MCR 31. The Planning Commission approved the application. This Public Hearing notification was advertised in the legal section of the Craig Press (May 20, 2022) and posted on the Moffat County website.

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

Hoberg explained that the applicants, Kelly and Janet Hayes, are just moving the lot line on their acreage so they can have a more efficient use (water and access) of the two five acre lots. The Planning & Zoning Commission approved this application at their June 7, 2022 meeting.

Broom asked the audience if there was anyone that would like to speak either for or against the Shreiner Replat. There was no testimony or comments.

Broom closed the Public Hearing

In regular session, Villard moved to approve the Shreiner Replat – S-21-03, as presented. Bohrer seconded the motion. Motion carried 3-0.

- Fredrickson CUP – C-22-03 (see attached)

Applicant wants to put in dwelling for temporary workers.

This Public Hearing notification was advertised in the legal section of the Craig Press (May 27, 2022) and posted on the Moffat County website.

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

Hoberg described how Fredrickson would like to develop temporary housing for powerline workers that will be in the area soon. Hoberg got one letter of concern from a nearby homeowner concerned about a shared driveway; Fredrickson is willing to with them to make it work for everyone involved. Broom asked for clarification about the type of housing that it was (oilfield man camps/heavy duty trailer houses).

Broom asked the audience if there was anyone that would like to speak either for or against the Fredrickson CUP – C-22-03. John Williams asked what guarantee there was that this would be only temporary? Thirty years ago, Shadow Mountain Village was only supposed to be temporary. Fredrickson replied that to his knowledge, the County reserves the right to revoke the Conditional Use Permit at any time.

There was no other testimony or comments. Broom closed the Public Hearing

In regular session, Bohrer moved to approve the Fredrickson CUP – C-22-03, as presented. Villard seconded the motion. Motion carried 3-0.

Office of Development Services – Roy Tipton

- Future of current Moffat County Courthouse (see attached)

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

This is the second Public Hearing regarding this process.

Tipton presented a slide show detailing the history of the current courthouse and described how we got to the point of building a new courthouse:

- The new Moffat County Courthouse Occupancy Expected January 2023
- Combines Existing Courthouse Offices; Extension Office; Department of Human Services; Veterans Services; Public Health, and the County Employee Wellness Clinic into one building
- The current Courthouse needs a lot of costly work. Not practical to repurpose the building because of its condition and cost. Feasibility study done prior to purchasing K-Mart building; \$45 million to rehab the current building
- Maintaining one new building verses 4 old buildings.
- New building will be more efficient and less costly to maintain
- Utility Costs are \$87,000 per year for the Courthouse; \$101,979 for all 4 buildings.
- Projected Utilities for new Courthouse and administration offices is \$70,000 per year
- Once vacated, the buildings cannot remain as county property and will be sold.
- Property tax dollars will be recouped by selling existing buildings and or properties
- Phase II Environmental Study beginning August 2022. Already know there is asbestos that will need remediation
- Prepare for demolition Summer of 2023. County applied for Congressional Directed Spending and was awarded \$2.6 million for the demolition

Broom asked the audience if there was anyone that would like to speak either for or against the future of the current Moffat County Courthouse. There was no testimony or comments.

Broom closed the Public Hearing

Villard stated that she had heard from some citizens about the location of the Veteran's Memorial. If we were to sell the lot that the Courthouse sets on, where would the memorial go? Tipton described how on the new site, there will be a park-like area where he anticipated putting that. But, he is open to suggestions, depending on what would happen to the site of the current Courthouse.

Villard also commented about a tour that Lennie Gillam, Maintenance Director, conducted yesterday for a few people that had concerns about the building being demolished. After the tour, one of the individuals commented that he understands why it needs to come down, but he would like to see as much of the materials being salvaged as possible.

There was also some discussion about traffic control (onto Victory Way).

Villard asked Tipton, given the amount of attendance we had at the evening meeting on June 8th and the amount of comment at this meeting, did he feel that it was necessary to have any other Public Hearings on this topic? Tipton advised to see if the BCC got any more comments following this and the meeting with the City on July 13th. The BCC should be able to make an informed ruling on this at the July 26th meeting.

Office of Development Services – Roy Tipton

- New Courthouse project monthly progress report (see attached)

1. Exterior walls in Public Health and Commissioner Offices framing and insulation installed
2. Excavation started for maintenance building and new vestibule
3. Passed flow test for fire sprinklers
4. Old RTU's have been removed, new units are on site
5. Solar tube sky lights are installed
6. Drywall hard ceilings have started to be installed
7. Most of the East side of the building painted

Tipton showed a power point of slides of progress on the project and presented the following information:

- 4- week look ahead schedule
- BHI Pay Application #7 in the amount of \$1,374,346.00
- Treanor HL Pay Application #6 in the amount of \$50,985.00
- NWCC Pay Application #4 in the amount of \$6,614.00
- Contingency Log
- To date expenses: \$8,788,219.23

Villard moved to approve the BHI Pay Application #7 in the amount of \$1,374,346.00. Bohrer seconded the motion. Motion carried 3-0.

Villard moved to approve the Treanor HL Pay Application #6 in the amount of \$50,985.00. Bohrer seconded the motion. Motion carried 3-0.

Villard moved to approve the NWCC Pay Application #4 in the amount of \$6,614.00. Bohrer seconded the motion. Motion carried 3-0.

- Bid Recommendation:

- New Courthouse Furniture, Fixtures & Equipment (see attached)

Tipton spoke about how we will be reusing as much furniture as we can from the old to the new building. We will be replacing desks and some conference room furniture. Three bids were received: BC Industries - \$778,

158.58; Office Outfitters - \$776,184.76; Workplace Resource - \$702,631.47. Tipton had asked Workplace Resource as the low bidder to also give us an alternate bid for task chairs; that bid was \$70,684.65. Tipton recommended awarding the bid to Workplace Resource for \$702,631.47 plus the \$70,684.65; Tipton will renegotiate the contract and bring the final number back in two weeks, at the next BCC meeting. Workplace Resource is providing all of the furniture on the courts side of the building and the Court Clerks office purchased some items from them a year ago, so we know what kind of quality we would be getting. This furniture also has a 12-year warranty on it. The total amount would be \$773,316.12. The budgeted amount for these items is \$940,000.

Villard moved to approve the low bid with Workplace Resource for \$702,631.47 and to include the task chair cost of \$70,684.65, up to \$773,316.12. Bohrer seconded the motion. Motion carried 3-0.

The Commissioners emphasized that while we will try to reuse all the furniture that we can, for the sake of efficiency and time, the new furniture that will already be set up in the new building will allow for the fastest turn around time for public service.

- Solar Field Design contract (see attached)

This contract is for the 206-kilowatt solar field that will be located on the east side of the new courthouse, which will be paid for with the funds from the Congressionally Directed Spending. McKinstry has already done the solar field at the Public Safety Center, this would amend that contract to include the new courthouse. This falls under an Energy Performance contract, which should be a \$30,000/year energy savings.

Villard moved to approve the Solar Field Design contract with McKinstry as presented. Bohrer seconded the motion. Motion carried 3-0.

- EV Charging Station grant application (see attached)

This grant covers a Level II charging (6-8 hours of charging time) station, with conduits for expansion for two more stations. An employee survey was sent out to see what level of interest there was; we got 28 surveys back, with four people saying they either have an electric vehicle or were interested in buying one. Anyone using the stations would have to pay for the utility. The grant is for \$9,000; our total expense is \$35,706; the balance would be coming out of the Congressional Directed Spending money.

Villard moved to approve the EV Charging Station grant application with Charge Ahead Colorado as presented. Bohrer seconded the motion. Motion carried 3-0.

Road & Bridge Department – Bruce White

- Bid Recommendation(s): (see attached)
 - Mini-Excavator
 - Front-End Loader

The bid recommendation for the Front-End Loader was originally presented at the May 24th BCC meeting, but was tabled in favor of a workshop, which was held on June 7. Because of the cost overages on the Front-End Loader, the Road & Bridge Department is requesting to cancel the purchase of the Mini-Excavator. The HUTF monies that would have been spent on the excavator, plus money from a wrecked truck, will now be repurposed towards the purchase of the Front-End Loader. White recommended going with the bid from Wagner Equipment Company for a Cat 972BR Front-End Loader for \$449,978.31.

Bohrer moved to accept the bid from Wagner Equipment Company for a Cat 972BR Front-End Loader for \$449,978.31. Villard seconded the motion. Motion carried 3-0.

Natural Resources Department – Jeff Comstock

- Beeman Oil & Gas Well Division Orders (see attached)

These Division Orders are for the Bulldog 26-34H-894 well and the Diamond T Sheep 7-92-2-26 well. These wells were sold by Southwestern to Beeman Oil & Gas. By signing the Division Orders, it confirms the Royalty Percentage for each, and the County will continue to get monthly royalty checks (the School District get 60% of this).

Villard moved to approve signing the Beeman Oil & Gas Well Division Orders for the Bulldog 26-34H-894 well and the Diamond T Sheep 7-92-2-26 well. Bohrer seconded the motion. Motion carried 3-0.

- Letter of Support for Banjo Renewables LLC Solar Project (see attached)

Pat O'Toole, owner of this solar project, has been asking Senators Bennet and Hickenlooper for support on this project. The senators said that they couldn't give their support unless the County was on board. This project was granted a zoning change in June of 2020 by Moffat County Planning & Zoning Commission and Moffat County has been granted Cooperating Agency status by the BLM in connection with this project.

Bohrer moved to approve signing the Letter of Support for Banjo Renewables LLC Solar Project. Villard seconded the motion. Motion carried 3-0.

- BLM Cooperating Agency agreement (see attached)

This agreement allows Moffat County to participate in any access or BLM related issues regarding the Banjo Renewables LLC Solar Project. The biggest part of their interest in the project is access across Federal lands.

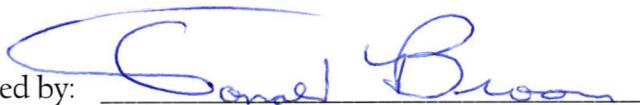
Villard moved to approve the Memo of Understanding between the BLM and Moffat County for Cooperating Agency status. Bohrer seconded the motion. Motion carried 3-0.

Meeting adjourned at 9:47 am

The next scheduled BOCC meeting is Tuesday, June 28, 2022

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: 



Approved on: June 28th, 2022

Attest by: Erin Miller

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

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

