

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

June 25, 2019

In attendance: Don Cook, Chair; Ray Beck, Vice Chair; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Jeff Comstock; Sandy Chamberlain; Paul James; Clay Thorp; Rebecca Tyree; Ann Wagner; Ken Wergin; Vickie Huyser; Dan Miller; Jerry Hoberg; Sherrie Johnson; Meghan Francóne; Sherry Kurz; Chip McIntyre; Charlene Abdella; Janell Husband; Melvin Snyder; Andrew Maneotis, Jr; Tony Maneotis; Shauana Merrill; Mark Webb; Lonnie Gustin; Yvonne Gustin; Peggy Gentle

Call to Order
Pledge/Opening Prayer

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

Consent Agenda -

Review & Sign the following documents: (see attached)

- a) Approve minutes: June 11; Board of Health – June 11
- b) 2019-62: Resolution for Transfer of Payroll Warrants
- c) 2019-64: Resolution for Payment of Warrants
- d) 2019-65: Resolution Corrections
- e) 2018 National Forest payment letter
- f) Core Services contracts:
 - Community Education Centers – Substance Abuse Services
 - Schmidt Polygraph and Consulting – Sexual Abuse Treatment
- g) Youth Substance Assessment and Treatment contract w/Colorado Correctional Treatment Board
- h) CO Youth Detention Continuum contract
- i) Pre-Hospital (Ambulance) Provider License(s) w/
 - Community Clinics at Memorial Regional Health EMS
 - Maybell Ambulance
 - Moffat County Emergency Management EMS Reserves
 - Event Medical Solutions Unlimited
 - Colo Wyo Coal Company
- j) Child Care Provider Fiscal Agreement(s) w/
 - K. Cattoor
 - Giant Step Preschool/I. Reed
 - S. Hixson
 - J. McClanahan
 - L. Nichols
 - B. Shipman
 - Y. Teeter

Beck made a motion to approve the consent agenda, items A-J. Broom seconded the motion. Motion carried 3-0.

Public Comments, General Discussion & BOCC Reports:

BOCC:

- General Discussion was held among the Board:
 - ✓ Broom: No Comment
 - ✓ Beck:
- BOCC and staff members attended the John Wesley Powell expedition 150th anniversary celebration June 18th in Echo Park. Complimented MCTA on the event.
- Potential flooding
- Due to all of the rain, whitetop proliferation. Weed & Pest is working on it.
- YVEA Annual meeting today in Steamboat
- "Building a Better Colorado" meeting at CNCC today
- AGNC in GJ tomorrow
- Rededication of the Major Adams VA Tele-Clinic tomorrow at the Centennial Mall
- NRA community discussion at the Pavilion on June 27th
- 4th of July parade and BBQ hosted by the veterans
- ✓ Cook:
 - Trying to acquire Cooperating Agency status with Surface Transportation Board

Public Comment:

Ann Wagner asked for clarification about the ownership of the school district building. Commissioner Cook stated that the School District is strictly in charge of those.

Resolutions: (see attached)

- 2019-60: Approving Support for the Creation of a CNCC and CCCS Leadership Partnership
 - Cook explained that the purpose of this resolution is to get CNCC to be more of an economic driver, to bring more students to the community, and to try and get the college to be what it could be. Beck commented that this is a direct result of the community meeting that was organized by Andy Daniels and held last week at the Pavilion.

Beck made a motion to sign Resolution 2019-60: Approving Support for the Creation of a CNCC and CCCS Leadership Partnership. Broom seconded the motion. Motion carried 3-0.

- 2019-61: A Resolution in Support of a Compact between and amongst Colorado Counties for Freedom, Energy and Electricity Production, Mining and Agriculture
 - Beck explained that this resolution was originally signed by AGNC, to send a message to state legislators, about what we oppose and support. Cook commented that the western counties are trying to work together on a lot of things, and the statehouse is still not listening to us. We are part of Colorado and it would be nice if they would listen to us.

Beck made a motion to sign Resolution 2019-61: A Resolution in Support of a Compact between and amongst Colorado Counties for Freedom, Energy and Electricity Production, Mining and Agriculture. Broom seconded the motion. Motion carried 3-0.

Presentations:**EMS Council – Sherrie Johnson**

EMS Mapping Boundaries discussion (see attached)

Johnson came before the BOCC to discuss changes to the EMS Boundaries map. Colo Wyo only wants to respond for transport within their mine boundaries because it's cost prohibitive to them, and they don't want to be a licensed transport agency to either MRH or Pioneer Hospital in Meeker. This will be effective

July 1st. The BOCC needs to ratify the map and requested something in writing. Johnson said they would have something available for the July 9th BOCC meeting.

Broom made a motion to approve ratifying the EMS Boundary map. Beck seconded the motion. Motion carried 3-0.

Open Hearts Advocates – Meghan Francone & Sherry Kurz

- Permission was requested to make changes to the safe house that Advocates leases from the County. Windows and flooring are needed to bring the building up to code and for aesthetics. Advocates will pay for these improvements, as stated in their lease.

Beck made a motion to approve the request by Open Hearts Advocates to upgrade the safe house. Broom seconded the motion. Motion carried 3-0.

Staff Reports:

9:00 Planning & Zoning – Jerry Hoberg

- Public Hearing regarding:
 - Wells Second Residence CUP C-19-02

Beck read the Public Hearing protocol.

Hoberg explained that Mark Wells wants to create a second residence on his 35 acre parcel. Mark Wells explained the upgrades that have been done to the property to accommodate this additional residence. Hoberg said he has met all of the requirements, and none of the adjacent property owners had any comment when notified. The Planning and Zoning Commission passed this when they met on June 4th, 2019.

Beck asked the required three times if there was anyone in the audience that wanted to testify for or against this minor subdivision; there was none. In regular session, Beck made a motion to approve the Wells 2nd residence CUP C-19-02. Broom seconded the motion. Motion carried 3-0.

- Road Vacation of a portion of MCR 64 (Resolution 2019-63)

Beck declared the Public Hearing open.

Road closure requests do not go before the Planning & Zoning Commission. Hoberg explained the road vacation application filed by Lonnie and Yvonne Gustin, begins at the intersection of County Road(s) 64 & 76; they would put a gate up that would block off the road until it joins in with County Road 15. The only adjacent property owners (Diamond T Sheep, Andrew Maneotis, Sippy Cup Ranch) are also part of the application. A letter was received from residents of the Big Gulch area protesting the road vacation, as it acts as a connector for them from County Road 15 to 64 for various purposes.

The road policy was discussed and it was stated that this would be considered a preliminary meeting and a formal hearing would be in two weeks.

Lonnie Gustin came up to testify in favor of this road vacation. He explained that due to weather conditions at various times of the year, this portion of the road becomes impassable as it is not plowed in the winter months. The public really doesn't need to be back there; they only do damage. The County Road 15 residents have two other points of access.

Andrew Maneotis, Jr. testified in favor of the vacation. He questioned the validity of some of the reasons the Big Gulch residents gave for maintaining County Road 64 for general access.

Tony Maneotis testified in favor of the vacation due to motorists driving too fast and killing livestock and destruction of a water well windmill.

No one in the audience testified against the road vacation. Commissioner Cook asked Dan Miller if he had any issues with this road closure. Miller stated he said he would like to see the gate on the CR 15 side. Law enforcement (Abdella and McIntyre) were asked if they had any objections from a law enforcement stand point, and they had none. Public hearing was closed. There was some discussion regarding additional noticing of the next meeting, which will be July 9th, 2019. It was decided that an additional ad would be run in the paper. There was also reading of the County Road policy.

Road & Bridge Department – Dan Miller

Monthly report:

- Crusher – We moved to the Villard pit and are crushing everything that is left in the pit.
- Truck crew hauled to CR1, 28, 30, 37, 39 and 49.
- Mag chloride finished up last Thursday
- The construction crew finished rebuilding County road 56. They cleaned the ditches and installed culverts. They also spent a couple days locating and uncovering sewer manholes in Maybell so they can be surveyed and the main lines jetted.
- We have started the demo and rebuild of out fuel tanks that were hit by lightning last year.
- Landfill – We got the new compactor for the landfill. The sheriff has continued letting us use inmates for trash pick-up.
- We had a call about CR 65 Friday night. There was a rock slide that left a couple large boulders in the road as well as a big hole in the road where they hit. We went out Saturday to remove the rocks and repair the road. When we got there The Sullivans and the Seelys had used their farm tractors to push the boulders off the road. They trammed several bucket loads of pitrun to the hole for us, we bladed it out and hauled in roadbase to cap it with. This isn't the first time they have helped us out with slides, we really appreciate their efforts.

Natural Resources Department – Jeff Comstock

- Letter to the Surface Transportation Board regarding Cooperating Agency status.

Moffat County is routinely granted Cooperating Agency status with the BLM, Forest Service, etc.

The Surface Transportation Board (STB) has limited experience with counties and believes they only have to invite Federal Agencies for Cooperating Agency status, which is incorrect. The County's outside contract attorney wrote a letter to STB to let them know they are misinterpreting the regulations established by the Council of Environmental Quality. Cooperating Agency status gives the County pre-decisional information in a planning process, in this case, it's for the proposed railroad project. It's been 50 years since this board had to do a railroad project. Commissioner Beck and Comstock met with two board members while they were in Washington, DC.

Beck made a motion to sign a letter to the Surface Transportation Board regarding Cooperating Agency status. Broom seconded the motion. Motion carried 3-0.

Adjournment:

Cook adjourned the meeting at 9:43 am.

Meeting Adjourned

Submitted by: Erin Miller, Deputy Clerk and Recorder

Approved by: Don Wok

Fay Beck

Donald Brown

Approved on: 7/9/2019

Attest by: Jammy Raschke

