

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

September 12, 2023

In attendance: Tony Bohrer, Chair; Melody Villard, Vice-Chair; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Roy Tipton; Candace Miller; Tom Kleinschnitz; Jeff Comstock; Rebecca Tyree; Paul Everitt; Ann Dodd; Arloa Gerber; Kymm Gresset; Stacy Morgan; Sarah Colding; Ashley Dishman; Cathy Nielson; KC Hume; Allison Adair; Dan Haskins; Tracy Winder; Mario Lewis; Heather Brumblow; Wendy Buckley; Janet Willshire; Sandra Kuhn; Mindy Newell; Paul Backes (ZOOM)

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. Villard seconded the motion. Motion carried 3-0.

Consent Agenda –

Review & Sign the following documents: (see attached)

Minutes:

- a) August 22

Resolutions:

- b) 2023-93: Payroll
- c) 2023-94: Special Payroll
- d) 2023-95: Amend Resolution 2022-141 – Observed Holidays for 2023
- e) 2023-96: Payment of Warrants
- f) 2023-97: Voided Warrants for the month of September

Contracts & Reports:

- g) Final payment letter for Road Paving
- h) Striping contract w/Stripe-a-Lot
- i) Department of Human Services Core Services Program – Mental Health Services contract
w/:
 - Baker Neuropsychology and Learning Center
 - Liz Smith Counseling
- j) Department of Human Services Core Services Program – Substance Abuse Treatment Services contract
w/Reflect, Resolve, Recover, LLC
- k) Treasurer's Report
- l) Electronic Recording Technology grant award letter
- m) RTU Replacement contract w/Masterworks
- n) Propane gas agreement
- o) Department of Public Health Memo of Understanding w/Colorado Department of Public Health &
Environment for Vaccine Storage

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

Tracy Winder stated that she was confused about the junk ordinance and asked for some clarification.

Paul Everitt asked if it would be possible to put an item on the upcoming agenda to defund CNCC due to mismanagement of the Craig campus. He feels Colorado Mountain College could better handle the school.

Kymm Gresset, the new Field Director for the BLM Little Snake Field Office introduced herself to the Board.

Ann Dodd & Arloa Gerber, with the Augusta Wallihan Chapter of the Daughters of the American Revolution, presented and read a proclamation (see attached) for the 236th Anniversary for the signing of the Constitution. Constitution week is September 17-23 every year.

Broom made a motion to proclaim September 17-23 Constitution Week in Moffat County. Villard seconded the motion. Motion carried 3-0.

Natural Resources Department – Jeff Comstock (see attached)

- Memo(s) of Understanding w/:

- The Juniper Water Conservancy District
- The Great Northern Water Conservancy District

Comstock presented Memo(s) of Understanding from the two regional water conservancy districts in our area, that state they support our Water Augmentation Plan in their jurisdiction.

Villard moved to approve the Memo(s) of Understanding with the Juniper Water Conservancy District and the Great Northern Water Conservancy District, as presented today. Broom seconded the motion. Motion carried 3-0.

8:45 am

Public Hearing:

Planning & Zoning – Candace Miller (see attached)

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

- Resolution 2023-99: Adopt 2018 International Property Maintenance Code

County Attorney, Rebecca Tyree, came up to the table with Miller and explained that even though the original resolution, 2023-82, was approved at the last BCC meeting, it was done without a public hearing. That resolution needs to be rescinded and a new amended resolution, 2023-99, will need to be passed today. Miller reminded everyone that this is just an updated version of the 2000 version of the IPMC, that Moffat County has been using since 2013. She read and explained the amendments that are attached to the 2018 version, and emphasized that this is not an ordinance, it is only used in extreme cases; the majority of the IPMC refers mostly to building codes.

Miller also pointed out that because we share the building inspector with the City of Craig, and he already follows the 2018 IPMC, it helps us to be on the same page.

Bohrer called for public comment either for or against adopting the 2018 International Property Maintenance Code.

Dan Haskins questioned why it's called the "International" Property Maintenance Code? He totally opposes it, feels it's too "nit-picky" for people that live outside the city limits and is unconstitutional.

Allison Adair testified that she is against any past or present property maintenance rules; she feels this is unconstitutional and does not consent to any outside control over her property.

Back in regular session, Bohrer emphasized the that majority of the IPMC is building codes; there has to be some kind of outline to follow. Commissioner Villard stated that she has had several people approach her to say that they appreciate the opportunity to have some kind of assistance when the actions of others encroach on their property.

Broom moved to rescind **Resolution 2023-82**. Villard seconded the motion. Motion carried 3-0. Bohrer apologized that we jumped the gun on this last time. Dan Haskins asked if the public's objections to this are noted? The answer was "yes" that the meetings are recorded.

Bohrer asked Miller what was the consensus of the Planning & Zoning Board regarding adoption of the 2018 IPMC? She stated that there had been some updating to some definitions that they had been opposed to, so those were removed. All but one board member had voted against passing the adoption.

Broom moved to approve **Resolution 2023-99** Adopting the 2018 International Property Maintenance Code. Villard seconded the motion. Motion carried 3-0.

- Coyote FED Temporary Use Permit – T-23-02

Back in Public Hearing, Miller clarified that the applicant for this TUP is Anschutz Exploration Corporation.

Location: T3N, R97W, NWNW- Section 14

The applicant requests use of Oil & Gas well pad to temporarily house drilling and completion field personnel in the development of 6 wells. Applicant anticipates up to 4 living trailers and 2 office trailers will be situated on the pad. 3 potable water tanks and 3 sewer tanks will also be onsite. They will have staff onsite September 1, 2023 to January 27, 2024 and then July 1, 2024 to November 30, 2024. Once they are done, all structures will be gone. The Planning & Zoning Board unanimously approved this Temporary Use Permit application.

This agenda item was advertised in the Craig Press on August 25, 2023

There was no testimony either for or against.

Back in regular session, Villard moved to approve the Coyote FED Temporary Use Permit – T-23-02 as presented. Broom seconded the motion. Motion carried 3-0.

Staff Reports:

Planning & Zoning – Candace Miller

- Lewis Variance Request

Mario Lewis, the property owner joined Miller in the presentation. Miller explained that Mr. Lewis had reached out to her about relocating an older mobile home. Section 511 of the Moffat County Zoning Code regulates the use of mobile homes older than 1977, and one of the requirements is that the owner must come before the Board of County Commissioners for determination. As part of personal economic downsizing, Lewis and his wife want to rehab this trailer that they got for free, to live in and rent their house out. He and his wife run a business that grows/sells specialty mushrooms. Lewis has been working closely with Building Inspector, Marlin Eckhoff, on any upgrades that the trailer might need. A copy of a letter that Eckhoff had sent to Lewis with a list of required repairs and/or upgrades was shared with the BCC.

Villard moved to approve the **Lewis Variance Request** on the condition that all items on the Building Inspector's list be completed. Broom seconded the motion. Motion carried 3-0.

Office of Development Services – Candace Miller

- Library carpet replacement bid recommendation (see attached)

The Moffat County Library went out for bid on July 11 on a long-overdue carpet replacement project.

Three bids were received:

Office Outfitters	\$33,565.99
TLC	\$35,963.57/\$41,963.57
SGLC	\$37,461.00

The BCC asked why there are two prices from TLC? Miller explained they had a couple of variables built into the bid process concerning the moving of the books, shelves, etc. or just going up to the edges of the shelves. Miller stated that she had tried to contact TLC prior to the meeting for some pricing clarification, but had been unable to get in touch with them. The BCC commented that the local bidder was preferable in the long run, due to warranties, follow-up work, etc.

Villard moved to approve awarding the **Library carpet replacement** contract to TLC for \$35,963.57. Broom seconded the motion. Motion carried 3-0.

Office of Development Services – Roy Tipton (see attached)

- Old Courthouse demolition bid recommendation & contract award

Tipton reviewed the bid process and compared the bid prices. Due to environmental studies, mitigation, etc. this project will have to be done in phases, and will have a large change order attached after the first phase.

Phase two will be a not to exceed amount. The funding for this project will be from the Congressionally Directed Spending award we got.

Three bids were received:

SGLC	\$493,492.00
FCI	\$2,627,964.00
X-Field Services	\$2,998,775.00

Tipton recommended awarding the bid to SGLC for \$493,492.00.

Villard moved to award the old Courthouse demolition project bid to SGL Consulting in the amount of \$493,492.00. Broom seconded the motion. Motion carried 3-0.

Villard moved to approve the old Courthouse demolition contract with SGL Consulting for \$493,492.00. Broom seconded the motion. Motion carried 3-0.

- BHI change order #8

There are three items on this change order:

NVR Recording equipment changes	\$61,798.26
French Drain at ADA Parking	\$2,444.20
Unsuitable Grade Replacement	<u>\$45,365.58</u>
Total	\$109,599.04

We are so close to being completely done with the new Courthouse project and are just trying to get the last few things completed. There is probably still about \$10,000.00 in remaining change orders, but we are still within budget.

Villard moved to approve BHI Change Order #8 for \$109,599.04. Broom seconded the motion. Motion carried 3-0.

Clerk & Records Office – Stacy Morgan & Elections Office – Sarah Colding (see attached)

- Election Materials print vendor bid recommendation revision
- Ballot Print and Mail Services agreement w/Fort Orange Press

Morgan stated that they had originally recommended at the July 25th BCC meeting to go with K&H for the Election Materials printing vendor. However, since then, K&H has proved to be difficult to work with and have asked for information that we could not provide to them at this time. Fort Orange Press was one of the other vendors on the Bid Tabulation Sheet; their cost is \$20,250.00 (actually a little less than K&H) and has agreed to this pricing through December 2024.

Broom moved to rescind the prior bid recommendation for K&H Election Services and accept the bid recommendation for Fort Orange Press for \$20,250.00. Villard seconded the motion. Motion carried 3-0.

Villard moved to approve the ballot print and mail services agreement with Fort Orange Press for \$20,250.00. Broom seconded the motion. Motion carried 3-0.

Presentation:

McMahon & Associates – Paul Backes (ZOOM)

- Present 2022 Audited Financials (see attached)

Paul Backes, CPA, with McMahan and Associates, presented the 2022 official Independent Auditor’s Report to the Board of County Commissioners.

Meeting adjourned at 10:11 am

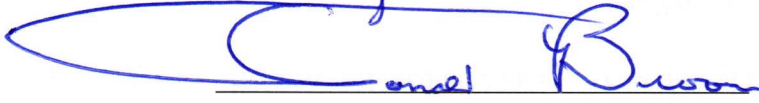
The next scheduled BOCC meeting is Tuesday, September 26, 2023

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: 

Melody Pittard

 Council Bureau

Approved on: September 26, 2023

Attest by: Erin Miller

