

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

September 23, 2025

In attendance: Melody Villard, Chair; Donald Broom, Vice-Chair; Erin Miller, Deputy Clerk & Recorder; Candace Miller (ZOOM); Max Salazar; Jeff Comstock; Chris Nichols; Tracy Winder; Carol Haskins; Chip McIntyre; Todd Wheeler; Jnl Lisacum; John Williams; Kathy Shea; Karen Burley; Rebekah Greenwood; Christin Skrowonski; Lois Wymore; Dale Peterson; Jake Timmer; Tennison Brady; Steve LaDelfa; Devraj Banerjee; Eric Wood; Mark Hamilton

Call to Order
Pledge of Allegiance

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

Commissioner Bohrer was absent

Villard made a motion to approve the agenda as presented. Broom seconded the motion. Motion carried 2-0.

Consent Agenda –

Review & Sign the following documents: (see attached)

Minutes:

- a) September 9

Resolutions:

- b) 2025-87: A/P
- c) 2025-88: Payroll
- d) 2025-89: Department of Public Health Designation /Rate of Pay for Call Outs
- e) 2025-90: P-Cards

Contracts & Reports:

- f) School Security Officer Independent Contractor Services Agreement
- g) Inmate Detention Services Agreement w/Rio Blanco County
- h) Department of Human Services/Prowers County – Hotline County Connection Center MOU
- i) Department of Human Services/Advanced Copier Solutions – Annual Renewal Maintenance Agreement
- j) Department of Public Health/Colorado Department of Public Health & Environment - Maternal and Child Health & Child Fatality Prevention Program(s) contract
- k) Library grant application
- l) Department of Public Health/Colorado Department of Public Health & Environment Indirect Cost Negotiation agreement
- m) Parking & Storage agreement for Loudy-Simpson Park Ice Arena parking lot w/Center Ice Group
- n) Ratify:
 - Public Safety Center Electric Gate Installation contract w/Taylor Fence
 - Loudy-Simpson Park Irrigation System Design contract w/Hines, Inc
 - Public Safety Center RTU Installation contract amendment #1 w/Masterworks
 - American Legion Post #62 Vehicle Lease Agreement; Purchase Agreement; Uniform Commercial Code Security Agreement; Promissory Note

- Coroner's Office/TransUnion Pricing Supplemental
- Road & Bridge Department/State Land Board – Solid Mineral Lease/Lease Term Extension Rider (2)
- Letter to BLM re: transfer of Brown's Park School building

Villard made a motion to approve the consent agenda items A-N. Broom seconded the motion. Motion carried 2-0.

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:

John Williams came up before the BCC to present information regarding electronic voting/voter election fraud.

General Discussion:

Board of County Commissioners & Natural Resources Department – Jeff Comstock

- Discuss:
 - Letter to Routt County Commissioners (see attached)

This letter is in reference to a letter that Routt County wrote to the Energy & Carbon Management Commission (ECMC) opposing a proposed project in Moffat County by Petroleum Resource Management (PRM). Routt County would not experience any negative impacts from this project, yet this letter was cited by the ECMC as a reason for postponing PRM's permit application during their first hearing. PRM has been operating in and openly communicating with Moffat County for 19 years and we welcome their tax revenues, employment opportunities and community support. Routt County did not communicate their concerns with either PRM or Moffat County in advance of sending this letter to the ECMC.

Broom moved to send this letter to the Routt County Commissioners. Villard seconded the motion. Motion carried 2-0.

- Unfunded State Mandates (see attached)

This letter addressed to the governor, senate president, and speaker of the house of representatives is concerning unfunded state mandates. Several counties from across Colorado have expressed concerns about adequate funding not being provided. Mesa County alone has documented over \$7M in unfunded mandates that affect them. These unfunded mandates, issued without the financial support required to implement them, place an unsustainable burden on local governments and citizens. Colorado Revised Statute §29-1-304.5 was cited as clearly stating that when the State increases the level of service required by law, it must also provide adequate funding. If it does not, such mandates are not binding – they are optional.

Broom moved to approve sending the Unfunded State Mandates letter to the state government. Villard seconded the motion. Motion carried 2-0.

There was also discussion about the letter sent to the BLM regarding expediting the process of the transfer of the Brown's Park School building to Moffat County before the end of the year.

8:45 am - Public Hearing:

Villard read the Public Hearing protocol and declared the Public Hearing open.
Miller appeared via ZOOM.

Planning & Zoning – Candace Miller

Resolution 2025-73: Amendment to Zoning Regulations (see attached)

This resolution, which allows for Conditional Uses in Agricultural Districts, came about due to the many energy related projects that are coming into play in Moffat County. Once the project is complete, the zoning reverts from Heavy Industrial, back to Agricultural.

There was no public comment.

Broom moved to approve Resolution 2025-73: Amendment to Zoning Regulations. Villard seconded the motion. Motion carried 2-0.

Villard closed this portion of the Public Hearing so that Morel could present their project slide show.

Christy Eichorn - Morel Energy

- Project slide show (see attached)

This battery storage facility is proposed for a site directly west of the current Tri-State Power Plant on State Land Board property. Morel specializes in large scale battery storage, which allows for grid reliability and resiliency. Benefits to Moffat County include future energy needs, tax benefits, continued safe and reliable electricity service, and jobs. This facility will have low impact – minimal traffic, no air emissions, minimal audible impacts, no water needed to operate the facility, security lights only. If approved, this project would not begin construction until 2028 and is expected to be complete by 2030.

- Morel Energy – Zone Change R-25-02 (see attached)

As explained above, Morel Energy Storage, LLC, would like to build/ install a battery storage facility which would tie into the Tri-State power grid. Morel is currently under a planning lease with the State Land Board for a 32-acre site, that is just west of the power plant. This parcel is currently zoned as Ag. Miller explained that since the Tri-State Power Plant is already zoned Heavy Industrial, it is totally appropriate for this Zone Change for the Morel project. The Zone Change will only apply to the proposed project site, not the entirety of the State Land Board parcel. The Zone Change application is contingent upon Morel providing the County with an executed production lease with the State Land Board for the proposed project site. The Planning & Zoning Commission reviewed the application and approved it 3-0, with the following conditions:

- Once the final location of the project is identified within the lease area, a survey of the area must be provided to the Planning Office to be filed and recorded.
- In the event the Production Lease terminates prior to commencement of construction, the Applicant or the State Land Board shall notify the County of the same within 180 days of any such termination. In the event that the Applicant fails to provide required project status reports, or if Applicant or the State Land Board provides notice to the County that the Production Lease has terminated, then the zone change approval and conditional use approval for the project shall automatically lapse, and be of no further force or effect, such that the zoning of the entire project site shall automatically revert from Heavy Industrial (H-I) to Agricultural (A), and the County planner shall update the County zoning map accordingly.

Commissioner Villard asked for public comment.

John Williams asked if the power stored in this facility would be for use in Moffat County or would it go to other locations? **Christy Eichorn** (Morel) answered that the power just goes into the general grid, but the tax dollars would stay in Moffat County.

Jake Timmer asked the BCC to consider the following:

- Runoff/drainage (mineral levels)
- Fire mitigation
- Dust control
- Road access
- Do we really need battery storage if the power plant is shutting down?
- Visual effect from his property
- Why is this project not on Tri-State property?

Christy Eichorn stated that they have been working with CDOT for an alternate access point, trying to take everyone's concerns into consideration. She also stated that they will have to have a Stormwater Runoff/Protection plan, as regulated by outside agencies. No additional water is required for the project.

Commissioner Broom emphasized that he hoped that Morel will take all citizen concerns seriously.

There was no further comment.

Back in regular session, Broom moved to approve Morel Energy – Zone Change R-25-02. Villard seconded the motion. Motion carried 2-0.

- Morel Energy – Conditional Use Permit (Battery Storage) C-25-08 (see attached)

Miller stated that this Conditional Use application was reviewed at the same Planning & Zoning Commission meeting as the Zone Change. Several individuals attended this meeting to express concerns about this project. The Commission voted 3-0 to recommend approval of the Zone Change with the following conditions:

- Administrative & Legal
- Agreements & Permits
- Safety & Emergency Services
- Environmental & Land Use
- Haul Route, Access, and Road Improvements
- Decommissioning & Reclamation (dictated by State Land Board)
- Landscaping & Visual Mitigation

There was no Public Comment.

Back in regular session, Broom moved to approve Conditional Use Permit (Battery Storage) C-25-08. Villard seconded the motion. Motion carried 2-0.

Staff Reports:

Office of Emergency Management – Todd Wheeler

- Bid recommendation: HazMat Disposal for the disposal of barrels of hazmat waste from CR 103 and CR 10N (see attached)

Wheeler explained that on August 26, 7 barrels of automotive paint and solvent were found abandoned on CR 103. The barrels were rusted and damaged and had begun leaking into the ground near a wetland. Clean-up of the dump site was handled by Moffat County Road & Bridge Department. 4 other barrels of an oil/water mixture are also being stored at the Road & Bridge Department shop from another incident. An active investigation is still underway in locating the person responsible for the illegal dumping.

Two Colorado-based waste disposal companies submitted estimates for the transportation and disposal of the 11 barrels.

Clean Management Environmental \$15,672.22

ADCO Environmental: \$22,425.00

Wheeler recommended awarding the bid to Clean Management Environmental for \$15,672.22.

Broom moved to award the bid to Clean Management Environmental for \$15,672.22. Villard seconded the motion. Motion carried 2-0.

Presentation:

Senior Social Center – Rebekah Greenwood

- Program Update

Greenwood (along with several board members & staff) from the Senior Social Center came up before the BCC to present a slide show regarding their programs, activities & services. They thanked the BCC for the rental support that they have provided.

Meeting adjourned at 9:52 am

The next scheduled Board of County Commissioners meeting is Tuesday, October 14, 2025

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by: Melody Villard

Erin Broom

Approved on: Oct. 14th, 2025

Attest by: Erin Miller



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

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