

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

December 12, 2023

In attendance: Tony Bohrer, Chair; Melody Villard, Vice-Chair; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Neil Binder; Candace Miller; Tom Kleinschnitz; Rebecca Tyree; Cathy Nielson; Heather Brumblow; Roy Tipton; Grant Cunningham; Barry Barnes; Kathyjo Carey; Dean Carey; Mindy Newell; Janet Willshire; Chris Cooper; Megan Cook; KC Hume; Chip McIntyre; Jeff Comstock; Sandra Kuhn; Wendy Buckley; Kacey Green; Nickie Boulger

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) Approve minutes:
- November 28

Resolutions:

- b) 2023-122: Transfer of Intergovernment Funds for the month of October 2023
- c) 2023-123: Payment of Payroll Warrants
- d) 2023-124: Observed Holidays for 2024
- e) 2023-125: Transfer of Intergovernment Funds for the month of November 2023
- f) 2023-126: Accounts Payable
- g) Memo of Understanding between Department of Public Health & Colorado Department of Public Health & Environment regarding Contract Maintenance Policy
- h) Tech support services agreement between Treasurer's Office & Avenu Enterprise Solutions, LLC – 5th Amendment
- i) Treasurer Report
- j) Contract Amendment # 2 w/Brown & Brown for Insurance Services agreement
- k) Loudy-Simpson Park walking path construction contract w/Duran & Pearce
- l) Snowplowing contract w/CDOT for State Highway(s) 317, 318, & 394

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

There was no public comment

The Commissioners & Jeff Comstock, Natural Resources Department, presented Erin Miller, Commissioner Assistant & Deputy Clerk & Recorder, with a gift basket, to mark her 18th anniversary with the County, and thanked her for her service.

Natural Resources Department – Jeff Comstock

- Bid Recommendation: Pumped Hydro Socio-Economic Assessment (see attached)

Comstock presented a bid tab sheet for a socio-economic study for the proposed \$1.5 billion pumped hydro project. rPlus Hydro, the contractor for this project, has to have this study in place in order to get their FERC permitting. rPlus and Comstock reviewed the three bids that were received; because they were all close in price, they tried to judge them on other qualifications. One of the requirements is to complete the assessment by April 4, 2024.

SWCA	\$126,640.67
AECOM	\$127,569.00
Cicero	\$129,000.00

Comstock (and rPlus Hydro) recommended SWCA, not only for price, but also for experience working in the rural environment. Comstock also reminded the BCC that the money for this study comes from the Just Transition fund.

Broom moved to approve the recommended bid from SWCA for \$126,640.67. Villard seconded the motion. Motion carried 3-0.

- Ratify Drought Task Force comment letter (see attached)

Comstock presented a letter for ratification regarding comments on the Colorado Drought Task Force's draft recommendations. Due to a quick turnaround time, this letter was signed last week by Commissioner Bohrer. Comments were consistent with past water positions the County has taken. Comstock highlighted comments on industrial water use proposals and other proposals that were in front of the Task Force last week. Comstock noted he felt the letter was relevant and successfully impacted decisions the Task Force made last week.

Villard moved to approve the Drought Task Force comment letter as presented. Broom seconded the motion. Motion carried 3-0.

County Attorney – Rebecca Tyree

Ride the Rockies Facility Use Agreement(s) for Fairgrounds (see attached)

The Ride the Rockies event has requested using the Fairgrounds park area for overnight camping for their participants in June of 2024. It was necessary to make some changes to the standard Facility Use Agreement, which Erin Miller, as Facility Coordinator will sign. There is also an agreement (Obligations of Parties) between Ride the Rockies, City of Craig and Moffat County, that the City and the County will sign today. Later this morning, there will be a site walk through with all concerned parties.

Villard moved to approve the Obligations of Parties in Relation to the 2024 Ride the Rockies event. Broom seconded the motion. Motion carried 3-0.

8:45 am

Public Hearing:

Finance Department – Cathy Nielson & Heather Brumblow

Approval of the 2024 Final County Budget (which includes): (see attached)

- 2023-127: Resolution to Appropriate Sums of Money
- 2023-129: Resolution to adopt 2023 budget
- 2023-130: Appointment of Budget Officer to Serve as Authorized Party to Certify Tax Levies Pursuant to Colorado Revised Statutes 39-1-III
- 2023-131: Amending Resolution 2021-137 – Distribution of Sales Tax

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

Nielson explained that a citizen had come forward with concerns about how recent activity by the State Legislature would affect finalization of our 2024 budget. The State has extended the deadlines for both the mill levies and budget submittals. Some counties are going ahead and submitting their budgets by the regular December 15th deadline, and then doing a supplemental when they have the final, necessary assessed values and some are waiting for the extended January 10 deadline. The BCC decided to go ahead and move forward and approve the budget at this meeting and make any necessary changes later on. Bohrer emphasized that we are aware of what the State is doing, and we are not going into this blind.

Nielson presented the final 2024 County Budget and explained the various components.

There was no testimony either for or against the budget presentation.

Bohrer thanked the Finance Department for all of their hard work on the budget process.

Back in Regular Session, Villard made a motion to approve the 2024 Budget in its entirety as presented with the following necessary resolutions:

- 2023-127: Resolution to Appropriate Sums of Money
- 2023-129: Resolution to adopt 2023 budget
- 2023-130: Appointment of Budget Officer to Serve as Authorized Party to Certify Tax Levies Pursuant to Colorado Revised Statutes 39-1-III
- 2023-131: Amending Resolution 2021-137 – Distribution of Sales Tax

Broom seconded the motion. Motion carried 3-0.

Public Hearing:

Planning & Zoning – Candace Miller & Megan Cook

Cook Minor Subdivision Application – S-23-02 – Final Hearing (see attached)

Bohrer declared the Public Hearing open.

Miller presented the final plat for the Cook Minor Subdivision. At the last meeting, covenants were discussed, but the Cook sisters have decided not to create covenants and will be communicating with the sale of each parcel the responsibility of each property owner for road maintenance, as well as the fact that these parcels are

cistern only as no well permits are available at this time. There was also some discussion about State regulations on well permitting.

Dean Carey came up to ask about a requirement for minimum square footage dwellings on these parcels. Miller explained that under the current Ag zoning regulations, there is a minimum square footage (200 square feet) requirement and only one dwelling per parcel is allowed. Cook explained that they felt like there was already enough rules and regulations in place, to not require additional covenants.

Back in regular session, Villard moved to approve the Cook Minor Subdivision Application – S-23-02 – Final Hearing. Broom seconded the motion. Motion carried 3-0.

Planning & Zoning – Candace Miller

- Planning & Zoning Board applicants for approval (see attached)

Miller explained that currently, there are only two filled seats on the Planning & Zoning Commission. She received letter of interest from Martin Minnich, for a County seat and Megan Cook, for a City seat, which would give her enough members for a quorum. That way, they would be able to be a functional board and make decisions. Miller commented that she has had lengthy conversations with both of these individuals and feels good about their participation on this board.

Broom moved to appoint Megan Cook & Martin Minnich to the Planning & Zoning Board. Villard seconded the motion. Motion carried 3-0.

- Amendment to Library flooring contract w/TLC Carpet One Floor & Home (see attached)

Miller explained that the original contract (funded by ARPA monies) was to just carpet the main areas of the Library. After reviewing the totals, they decided to go ahead and re-carpet offices and the Board of Trustees meeting room. Also included in that would be the costs associated with moving and prep work. The original contract amount was \$35,963.57. The amendment is an increase of \$15,570.20, bringing the total contract to \$51,533.77. This is still under the budgeted amount of \$55,000 of ARPA funds.

Broom moved to approve the contract amendment with TLC Carpet One Flooring with the increase of \$15,570.20, making the total \$51,533.77. Villard seconded the motion. Motion carried 3-0.

Office of Development Services – Neil Binder

- Bid recommendation: Loudy-Simpson Park Baseball Diamond fencing

Commissioner Bohrer recused himself, as his company had submitted a bid for this project.

Binder explained that two bids were received for replacement of the Loudy-Simpson Park baseball field backstop:

Ivory Tip Fencing	\$76,725.83
McCarty Fencing	\$71,950.00

\$80,000 is the budget for this project and considering that the first part of this redevelopment project went 10% over, it's good to see both bids come in under the budgeted amount. As a local business, Office of Development Services recommends awarding the bid to Ivory Tip Fencing.

Villard moved to accept the Loudy-Simpson Park baseball field backstop fencing bid from Ivory Tip Fencing for \$76,725.83. Broom seconded the motion. Motion carried 2-0.

- SGLC contract amendment for old Courthouse demolition

Grant Cunningham, from SGLC, joined Binder in this discussion.

SGLC was awarded the contract for demolition of the old courthouse on September 12, for \$493,492.00. It was understood at that time, pending the asbestos survey, this amount would have to increase. A survey on asbestos levels was done and it's been determined that there is approximately 33,000 square feet of asbestos in the roof alone, let alone in the balance of the building, that will need to be abated before demolition. There is asbestos on the exterior of the building as well, which will require tenting to complete. SGLC is looking to begin the demolition the second week of January and hopes to be done by June 1, 2024. Contract Amendment #1 increases the contract in the amount of \$1,992,234. The total contract amount, including this change, is \$2,486,176.

Binder reminded everyone that this demolition project is being funded totally by grants.

Villard moved to approve the SGLC contract amendment for old Courthouse demolition in the amount of \$1,992,234. The total contract amount, including this change, is \$2,486,176. Broom seconded the motion. Motion carried 3-0.

Meeting adjourned at 9:32 am

The next scheduled BOCC meeting is Thursday, December 28, 2023

Submitted by:

Erin Miller, Deputy Clerk and Recorder

Approved by:

[Handwritten signature]

Melody Villard

Conal Broom

Approved on:

December 28, 2023

Attest by:

Erin Miller

