

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

March 21, 2017

In attendance, Frank Moe, Chairman; Ray Beck, Vice Chair; Don Cook, Board Member; Lila Herod, Moffat County Clerk & Recorder; Delaine Voloshin; Adam Cozzens; Pam Foster; Arloa Gerber; Roy Tipton; Jeff Comstock; John and Mary Lou Allen; Melody Villard; Cathy Nielson; Rebecca Tyree; Laruen Blair; Dan Miller; Tanya Stoffle

**Call to Order
Pledge/Opening Prayer**

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

Consent Agenda:

Beck made a motion to approve the consent agenda consisting of:

- a) Approved the minutes from March 14, 2017.
- b) Approved Resolutions 2017-45 and 2017-46 payment of payroll warrants for the payroll ending March 10, 2017 in the amounts of \$201,931.85 and \$474,664.40.
- c) Approved Resolution 2017-47 transfer or payment of warrants for the month of March 2017 in the amount of \$405,747.32.
- d) Approved the Women's Professional Rodeo Association application for a barrel racing event during the County Fair.
- e) Approved the Five County core services contract with Wendy Nadolny for mental health services.

Cook seconded the motion. Motion carried 3-0. See attached.

Public Comments, General Discussion & BOCC Reports:

General discussion was held among the Board:

- ✓ Beck reported on the Emergency Management Tabletop exercise that was held in Maybell. He also complimented the Save the Barn Committee on their successful St. Patrick's Day event
- ✓ Cook reported on the Fair Board meeting and their preparations for County Fair.
- ✓ Moe also discussed the Emergency Management Tabletop training, and he reported on the Cattleman's meeting and dinner.
- ✓ Lauren Blair encouraged everyone to complete the Daily Press "Readers Survey".

Staff Reports:

Road and Bridge- Dan Miller

Miller requested the bid process be waived for the oil for the 2017 chip seal project. The oil is purchased from Sun Corp. The price was negotiated with the CDOT contract. The cost of the product has increased \$18 per ton.

Cook made a motion to waive the bid for oil for the 2017 Chip Seal Project. Beck seconded the motion. Motion carried 3-0.

Tom Kleinschnitz and Nolan Sharpe present.

Office of Development Services- Roy Tipton Maybell Volunteer Fire Department- Tanya Stoffle

Stoffle discussed purchasing a mini-pumper truck for the Maybell Volunteer Fire Department. The current equipment is very old. The truck is a 1993 that was acquired from Yampa Valley Electric. The Maybell Fire Department works with the Craig Ambulance Service and they respond to an area of 2,700 miles within the County.

Bill Baker was able to locate a used truck in Arizona that is set up. It comes with a ninety day warranty. The quote is from First in Fire Trucks LLC on a 2003 Ford truck equipped with water pump, tanks, compressed air foam system, lights, etc. in the amount of \$87,600.00.

Stoffle reported their annual budget is \$24,000. They have been able to save \$40,000 towards this purchase and hope to have excess budget funds to continue rolling into the equipment replacement costs

Commissioner Moe expressed his thanks for the work and commitment of the Maybell Fire Department volunteers. This has been a two year process, trying to save funds for the replacement equipment. Stoffle reported they have not been successful in acquiring grants because they don't have a high number of call outs.

Beck made a motion to purchase the 2003 Ford mini-pumper- rescue truck from First in Fire Trucks LLC in the amount of \$87,600.00. Cook seconded the motion.

Beck requested the Maybell Fire Department Volunteers complete the wildfire and emergency training within the next three months.

Motion carried 3-0. See attached.

Shirley Lawton present

County Attorney- Rebecca Tyree
Save the Luttrell Barn Committee- John Allen and Pam Foster
Tyree reviewed a bill of sale agreement for the Luttrell Barn.

The Barn is part of the cultural and historic heritage of Moffat County; however the Barn Committee will continue to pursue their own non-profit designation. The Barn has fallen into disrepair, and the County is not in a financial position to repair it, maintain it or operate it. As the value of the building is minimal, the County has agreed to sell the Barn and its personal property to the Community Foundation of Northwest Colorado in the amount of \$100.00.

It is agreed that the Barn will continue to be known as the Luttrell Barn and it will be designated for community use.

The County will also consider a ground lease for the property located at 411 Emerson Street in the amount of \$100.00 per year. The ground lease will be for the term of ten years, unless terminated sooner for default or failure to complete the improvements and repairs to the Barn within three years.

Amanda Arnold, Michael Toothaker, Karen Brown, Kristin Olsen and Betsy Overton present.

Cook made a motion to approve the Bill of Sale between Moffat County and the Community Foundation of Northwest Colorado (aka, Save the Barn Committee) for the building and personal property known as the Luttrell Barn. Beck seconded the motion.

Allen indicated the committee was of the understanding that the County had \$100,000 set aside for repairs and they were disappointed to learn that this is not true.

Beck expressed his appreciation to the Committee for their efforts to save the barn. Their passion and dedication to this purpose is very beneficial to the community.

Motion carried 3-0. See attached agreement and personal property list.

Tyree reviewed the ground lease agreement, which authorizes the Committee to use the barn and property, or tear down the barn if that becomes necessary. The lease is in the amount of \$100 per year.

Beck made a motion to approve the ground lease agreement between Moffat County and the Community Foundation of Northwest Colorado (aka, Save the Barn Committee) for property located at 411 Emerson Street in the amount of \$100 per year. Cook seconded the motion. Motion carried 3-0. See attached.

Commissioners Beck and Cook both made a donation to the Save the Barn Committee. For the record, Ray Beck loaned Commissioner Cook \$100 cash ☺

Jerry Hoberg and Laura Willems present.

Planning & Zoning- Jerry Hoberg

Hoberg presented a letter from ColoWyo Coal Company adding an amendment to the Collom Pit expansion conditional use permit C-05-05.

ColoWyo has been working with the Road Department in order for the haul road to cross County Road 51. An elevated crossing design has been agreed upon. Construction of the Collom Mine is planned for this spring with development of the road, primary sediment control structures and facilities development.

Cook made a motion to approve the amendment to C-05-05 conditional use permit for ColoWyo Coal Company Collom Mine Expansion. Beck seconded the motion. Motion carried 3-0. See attached.

Hoberg also discussed changing the zoning of the Shadow Mountain Clubhouse and lots that are being sold at public auction. He recommends changing the zoning from MH1 to Business in order to align with the rest of the Business District. This will also give potential buyers more opportunities for future development.

The Commissioners agreed with this suggestion and will take this under advisement of the Planning and Zoning Board.

The Commissioners will also meet in a workshop to discuss the Blue Mountain conditional use permit.

Museum of Northwest Colorado- Jeff Comstock

Comstock reviewed an oil and gas lease for the Museum and Three Crown Petroleum. The lease is on 320 acres located in Section 27, T4N, and R97W in the amount of \$50 per acre. The first payment of 5% (\$800) is paid up front with the remaining 95% (\$15,200) paid as set forth in the lease agreement.

Beck made a motion to approve Resolution 2017-48 Oil and gas lease between the Museum of Northwest Colorado and Three Crown Petroleum LLC and also to approve the promissory note as corrected. Cook seconded the motion. Motion carried 3-0. See attached

Presentations:

United Way- Amanda Arnold

Arnold discussed the Human Resource Council and allocation process.

The City of Craig and Moffat County partnered with United Way in 2001 to form the Human Resource Council. Each jurisdiction funded \$40,000 to be disbursed to health and human

agencies within Moffat County. The HRC Council is represented by the City, County, United Way and community members.

Karen Brown reported the Community Budget Center received \$14,000 last year from the HRC. They were able to help 97 residents with temporary shelter, and in addition the new travel program, which helps local residents with transportation to doctor appointments and grocery shopping.

Michael Toothaker reported funding from HRC helped to serve 39 residents at Horizons, assisting with developmental delays and programs. This funding is critical to the success of their program.

Betsy Overton discussed the Connections 4 Kids program and reported HRC funding helped fund parent education programs where they served 97 families. In addition they were able to provide children with Kindergarten preparedness kits.

Kristin Olsen reported on the Bridges out of Poverty program and their funding helps low income residents who are participating in the Getting Ahead program.

Arnold reviewed the allocation reports. \$81,000 was disbursed to thirty one agencies in the County. She thanked the Commissioners for their partnership and continued support. See attached.

Human Resources – Mindy Curtis reporting Social Services- Laura Willems

Curtis reviewed a personnel requisition for Social Services. This is an opening for a full time staff assistant. The position supports the self-sufficiency unit and shares reception duties with two other staff members.

The position is currently at an Administrative Assistant grade 19 and will be filled at a Staff Assistant entry level creating cost savings.

Cook indicated the decision to approve future personnel requisitions must become stricter as we are facing critical budget cuts. This position receives 80% of its funding from the State.

Cook made a motion to approve the personnel requisition for a full time staff assistant at Social Services. Beck seconded the motion. Motion carried 3-0. See attached.

Other Business:

County Attorney- Rebecca Tyree

Beck made a motion to enter into executive session pursuant to CRS 24-6-402 (4)(e) to determine positions relative to matters that may be subject to negotiations, developing

negotiations and instructing negotiations regarding the position of the County on sale of public land. Cook seconded the motion. Motion carried 3-0.

The Executive Session included Chairman, Frank Moe, Commissioners Don Cook, and Ray Beck, County Attorney, Rebecca Tyree and Natural Resources, Jeff Comstock

The executive session adjourned at 10:25 a.m. No minutes or formal action were taken during the executive session.

The Commissioners directed the attorney to send a letter to the Ute Indian Tribe for further clarification and inquiry:

- 1) Notify the Tribe that we have many questions about the 2,400 acre purchase they would like to make.
- 2) Ask the Tribe if they are willing to waive its sovereign immunity so any agreements with them about uses of the land could be enforced.
- 3) Ask whether the Tribe is willing to seek approval from the Secretary of the Interior so any agreements that might encumber the land could be enforced for more than seven years, assuming they are willing to waive sovereign immunity.
- 4) Ask whether the Tribe is willing to amend its Tribal Constitution and Bylaws which currently prohibits them from approving an encumbrance on tribal lands for a period not exceeding five years.

Adjournment:

Moe adjourned the meeting at 10.34 a.m.

Meeting Adjourned

Submitted by: Lila Herod, County Clerk and Recorder

Approved by:

Frank Moe

Don Cook

Raymond Beck

Approved on:

March 28, 2017

Attest by:

Lila Herod

