

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

**July 25, 2017**

**In attendance**, Frank Moe, Chairman; Ray Beck, Vice Chair; Don Cook, Board Member; Lila Herod, Moffat County Clerk & Recorder; Jennifer Riley; Dan Miller; Ken Wergin; Ken Rice; Dollie Rose; Nicole Shatz; Roy Tipton; Cathy Nielson; Mike Foreman; Becky Tyree; Lauren Blair, Jeff Comstock; Shauna Merrill

**Call to Order  
Pledge/Opening Prayer**

Cook made a motion to amend the agenda, and move the Memorial Regional Health Community Clinics sublease agreement as the first report. 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 July 18, 2017
- b) Approved Resolutions 2017-99 and 2017-100 Payment of payroll for the payroll ending July 14, 2017 in the amounts of \$194,551.32 and \$477,575.31.
- c) Approved Resolution 2017-101 Transfer of payment of warrants for the month of July in the amount of \$425,506.41.
- d) Approved Resolution 2017-97 Voided warrants for the month of July in the amount of \$1,205.99.
- e) Approved the Community Services Block Grant reimbursement.
- f) Approved the Collaborative Management Program Incentive Funding Award Attestation Statement.
- g) Approved the Core Services contracts with Ariel Clinical Services for Life Skills with Ariel Clinical Services and the Denver Children's Home for Day Treatment.
- h) Approved the addendums to the Core Services mental health services contracts with Denver Children's Home and Wendy Nadolny.
- i) Approved the reimbursement request for the Emergency Management Program Grant.

Cook seconded the motion.

There was further discussion regarding Social Services core services contracts. The Commissioners questioned the dates on the contracts and funding sources.

Motion carried 3-0. See attached.

**Public Comments, General Discussion & BOCC Reports:**

General discussion was held among the Board:

- ✓ Cook gave a brief update from the Fair Board and fair events.

- ✓ Beck discussed the Yampa River Legacy Board meeting and Leafy Spurge control efforts.
- ✓ Beck announced he will attend AGNC and Club 20 meetings this week.
- ✓ The BLM will be taking public comments today on the travel management plans.
- ✓ Moe reviewed the Nine Rules of Civility and reiterated the importance of these characteristics, especially during these challenging times.
- ✓ Ken Rice expressed concern with the sublease agreement being presented by the Memorial Regional Health and questioned how the County could take ownership of the property, and then sublease it to a third party. This seems in conflict with budgetary issues because it takes the property off of the tax rolls. These questions will be answered during the scheduled MRH presentation.
- ✓ Comstock discussed the BLM's Travel Management Plans, where various road closures will be considered. The County will carefully review their own County Road Inventory and make recommendations in the planning process.

Paul Backes and Nolan Shape present.

### **Staff Reports:**

#### **BOCC- Memorial Regional Health Ground and Site Lease**

Riley discussed the statutes and rules regarding the governance of a County Hospital. All property is considered tax exempt. The Hospital Board of Trustees cannot own property so it must be titled in the name of Moffat County. All Hospital property (past and present) is titled in the name of Moffat County.

Riley reported that the property near Wal-Mart was carefully considered for the future community clinic, and is part of the Master Facility Plan. A developer will build and own the clinic, but then sublease it to the Hospital. Buy out opportunities will be made available throughout the life of this lease.

Riley discussed the challenges with Medicare and Medicaid reimbursements and also the cost savings approach the Hospital is making.

Mindy Curtis, April Anthony, Charity Neal, Tom Kleinschnitz, and Jerry Hoberg present.

The Commissioners reviewed the ground and site lease for the Memorial Regional Health community clinics and discussed the lease amount, which is \$10.00.

Beck recommends the lease amount be changed to \$100.00 and then this will be consistent with other lease agreements.

Cook made a motion to approve the ground lease agreement between Moffat County and Community Clinics at Memorial Regional Health. Beck seconded the motion.

### **Planning & Zoning- Jerry Hoberg**

Hoberg reviewed the conditional use permits from Mercury Towers LLC and Bridger Wireless, which were both tabled last week.

Mercury Towers LLC has requested a conditional use permit for the installation of a multi carrier communication tower on Larry Osborn's property located in Hamilton. The tower will provide space for a minimum of four broadband carriers.

Bridger Wireless is also requesting a conditional use permit for a cell tower on John Charchalis' property on South Highway 13. The service will provide coverage for Highway 13 and the Wilson Reservoir area.

Hoberg reported he reviewed the lease area requirement, which is listed as 100 x 100. There is concern if this is adequate in case the tower falls. Hoberg reported he contacted the land owners who agreed that the land the lease area is adequate and if the towers were to fall, it would still be on the private property. Hoberg has received a letter from Larry Osborn with his consent to the Mercury Towers CUP.

Hoberg recommends approval of the Bridger Wireless CUP contingent on receiving the property owner's letter of consent.

Beck made a motion to approve C-17-15 Conditional Use Permit for Mercury Towers LLC for installation of a multi-communication tower. Cook seconded the motion. Motion carried 3-0. See attached.

Cook made a motion to approve C-17-16 Conditional Use Permit for Bridger Wireless for a cell tower located on South Highway 13, contingent on a letter of acknowledgement from the landowner will be provided. Beck seconded the motion. Motion carried 3-0. See attached.

### **Office of Development Services- Roy Tipton**

Tipton discussed the delinquent payments in Shadow Mountain Village Local Improvement District. Seventy three properties are delinquent and will go to tax sale. If it goes to the tax sale, the property owner will have to pay the entire amount of \$2,005.32 instead of the agreed upon annual installment of \$109.08.

Tipton reviewed the history of the improvement district and agreed assessments.

Tipton recommends sending a letter to the delinquent property owners notifying them of the outstanding debt and the intent to refer the property to the annual tax sale on November 2, 2017. If the debt is brought current, the property owner can then continue to make their annual payment rather than paying the full amount.

Cook made a motion to rescind the previous motion in order to include the official resolution number and lease amount. Beck seconded the motion. Motion carried 3-0.

Cook made a motion to approve Resolution 2017-103 Ground Lease between the Board of Moffat County Commissioners and the Community Clinics at Memorial Regional Health, with the amendment to change the lease amount to \$100.00. Beck seconded the motion. Motion carried 3-0. See attached.

Kelton Rochelle present

Riley discussed the lease agreement between the Hospital and the Developer. Colorado Statute requires the County approve this lease. The lease is a triple net lease between Moffat County and Springfield Properties LLC. The Hospital will in turn lease the property from Springfield Properties.

Beck made a motion to approve Resolution 2017-104 the Sub-sublease between Springfield Properties Group LLC and the Board of Trustees of Memorial Hospital. Cook seconded the motion. Motion carried 3-0. See attached.

#### **Road & Bridge- Dan Miller**

Miller reviewed the bids for the Highway striping project. Bids were received from:

Stripe A Lot	\$34,922.00
Patriot Highway Markings	\$32,996.00

Miller recommends awarding the bid to Stripe A Lot because of past experience with Patriot Highway Markings and the poor work that was done in the past.

Cook made a motion to award the bid for the highway striping project to Stripe A Lot in the amount of \$34,922.00. Beck seconded the motion. Motion carried 3-0. See attached.

Miller requested a temporary closure of County Road 17 for the bridge deck replacement work and reviewed the map for road detours. The road closure includes 6.34 miles south of the intersection of Highway 40 and County Road 17 at the bridge crossing the Yampa River and 13.27 miles north of the intersection of State Highway 13 South and County Road 17. The bridge decking will be replaced on the bridge located at Mile Marker 13.27.

The closure will be effective August 14 through September 8 or until closure signs have been removed upon completion of the project.

Beck made a motion to approve Resolution 2017-102 Temporary Closure of County Road 17 for Bridge Deck Replacement. Cook seconded the motion. Motion carried 3-0. See attached.

Cook indicated his concern that funding from grants allows the Department to grow and he questioned if it will eventually be rolled over into another position. Rose assured the Board this grant is only for a one year, temporary position.

Moe clarified the grant amount is \$75,000 for one year only and this will be disclosed in the employment application.

Charity Neal explained how data supports these kinds of services keep clients out of other programs and this reflects direct cost savings and healthy outcomes.

Nicole Shatz reviewed the statistics for child abuse and neglect referrals in Moffat County and explained how the program would reduce the work load and risk to families.

Moe expressed his concerns of the severe social challenges in our County and that we need all the help we can get.

Cook asked that at 32 hours a week, if we had to provide benefits? Mindy said no, because it is a part-time/temporary position.

Beck and Cook both stated they struggle with this decision because of the extreme budget cuts within the County. They agreed there are extreme social needs and thanked Social Services for their work. Beck also questioned even if this is a temporary position, whether it meets the recently imposed 90 day hiring moratorium.

Tyree discussed placement issues and indicated the program has great possibility to serve the community and prevent abuse and neglect.

Cook questioned if any other employee could take on this responsibility. Rose stated there is not.

Cook made an amendment to his motion clarifying this is a part-time, temporary position that will end with the end of the grant funding.

Motion carried 3-0. See attached.

#### **Natural Resources- Jeff Comstock & Mike Foreman**

Comstock presented a letter of support for the City of Craig's Recreation Master Plan. The City is applying for a grant from DOLA to create a master plan for recreation opportunities in both the City and County. This will include the Yampa River Diversion Park, Loudy Simpson Park, OHV trails, bike trails, outdoor amphitheater, hunting and agriculture tourism, etc.

Beck made a motion to sign and send a letter to the Colorado Division of Local Government in support of the City of Craig's implementation of a Recreation Master Plan. Cook seconded the motion. Motion carried 3-0. See attached.

Beck made a motion send the letter of delinquent payments to residents of the Shadow Mountain Local Improvement District pursuant to the formation of the district as approved by the voters in 2013. Cook seconded the motion. Motion carried 3-0. See attached.

**IT Department- by Jeff Comstock and Rebecca Tyree**

Kelton Rochelle, from High Rapids Networks reviewed the tower lease agreement. High Rapids Networks will lease the communication towers in order to provide more high speed internet services, specifically to Maybell and other rural areas.

The sublease of the radio communication towers located at the Museum of NW Colorado, the Landfill, Cedar Mountain, and Juniper Mountain. The lease agreement is for the term of five years, beginning July 25, 2017 and will be automatically extended for two additional five years periods. The term of this agreement as it pertains to the Juniper Mountain site is subject to approval by the BLM and the right of way agreement with the County.

The County will accept two business internet connections for the County's use and a total of eight business internet connections will be permitted.

Rochelle expects the equipment and service to be deployed in Maybell within the next few weeks.

Beck made a motion to approve Resolution 2017-98 Tower Lease Agreement with High Rapids Networks. Cook seconded the motion. Motion carried 3-0. See attached.

**Human Resources- Mindy Curtis  
Department of Social Services- Dollie Rose**

Curtis reviewed the personnel requisition for the Department of Social Services Colorado Community Response Coordinator.

The Department was awarded a grant by the State of Colorado in order to fund this position. This is a temporary, part-time position to support a program for voluntary prevention working with families who have been reported to County Child Protective Services for alleged child abuse or neglect.

Moe discussed the Commissioners decision to place a hiring freeze on employees and the conflict with this opening. This position is available because of a grant from the State of Colorado and will provide much needed services.

Cook made a motion to approve the personnel requisition for Social Services Colorado Community Response Coordinator. This is a part-time, fully funded position from Colorado grant funds. Beck seconded the motion.

The most sensitive issues estimates affecting the financial statements were:

- Estimated allowance for uncollectable receivables at December 31, 2016.
- Estimated useful life for capital assets subject to depreciation.
- Estimated asset value of gravel inventory.
- Estimated liability for closure and post-closure costs for the Landfill.

These estimates were all evaluated and found reasonable based on the industry practice and experience.

Corrected and uncorrected misstatements- the following misstatements were detected and corrected by management:

- Adjust investments to market value.
- Adjust depreciation expense to agree to supporting detail.
- Adjust capital assets and notes receivable to reflect current year activity.

Recommendations:

- Suggested procedures to improve the Clerk and Recorder's cash collection procedures and reconciliation processes.
- Credit card purchasing limits- there were instances where credit card purchases exceeded the department approval levels and were not sent to the commissioners for approval. Recommendation to enforce approval levels on both traditional purchase orders and credit card purchases.
- Recommend Commissioners received paid leave requests from Department Heads and approve paid leave and payroll.
- Recommends the Road and Bridge Department have employees be responsible for completing their own time sheets in Y-Time.

Backes reviewed the financial statements, balance sheets and Highway Users Tax Fund reports. There was discussion regarding the reserve fund. A higher reserve fund has always been recommended because of the high percentage of energy tax payers in Moffat County.

Financial Highlights:

- Moffat County assets exceeded its liabilities at the close of the most recent fiscal year by \$75,321,345 (net). Of this \$24,310,163 may be used to meet ongoing obligations to citizens and creditors.
- The net position increased \$1,380,971. The increase is due from conservative spending in multiple funds, with the General Fund generating \$1,030,006 and the Road and Bridge Fund generating \$613,103 in increased net. Other County funds had a decrease in net position, utilizing reserved fund balances to offset expenditures.
- At the close of the year, the combined ending fund balance is \$28,553,165, an increase of \$842,684. Approximately \$21,651,809 of the fund balance is available for spending discretion.
- At the end of the year, the General Fund balance was \$9,968,655 or 82% of the total general fund expenditures and transfers out.

Commissioner Beck had to leave for a previous scheduled meeting.

**Northwest Colorado Public Health- Charity Neal**

Neal reviewed the contract for the Colorado Department of Public Health and Environment for the pass through of federal and state public health funds to the Northwest Colorado Public Health. The contract is not to exceed \$46,275.41.

Neal reviewed the core public health services that are provided with this funding.

Cook made a motion to approve the contract between the Colorado Department of Public Health and Environment and Moffat County Waiver # 154 funding for Northwest Colorado Public Health in the amount of \$46,275.41. Beck seconded the motion. Motion carried 3-0. See attached.

Neal announced she will be leaving NW Department of Public Health and that she and her family will be relocating to Maine. Her last day is September 5<sup>th</sup>. Neal also introduced April Anthony who will serve as the interim Public Health Director.

The Commissioners thanked Neal for all of her work and welcomed Ms. Anthony to her new position.

**Presentations:**

**Moffat County Visitor Center- Christina Oxley**

Oxley gave an update from the Moffat County Visitors Center. See attached.

- Visitation numbers are equal to last year with many inquiries about hunting season.
- Homestead and Cemetery inquires.
- New staff and office improvements
- Sixth grade local history presentation on the Marcia Car and Moffat County.
- Channel 191 – Charter public access channel for “Explore Moffat County”.
- New Board Members.
- Visitors Survey to help assist with Community Branding Initiative
- Annual Mixer- “Taste of Craig” at the Chamber of Commerce

**McMahan & Associates- Paul Backes**  
**Finance- Mindy Curtis**

Backes reviewed the 2016 Audit. The final copy of the 2016 Audit will be on the County’s website.

Backes reported there were no significant changes in the accounting polices during 2016 and there were no transactions entered into during the year for which there was a lack of authoritative guidance or consensus,



Beck asked Mr. Counts if he has used the property for agricultural purposes. Counts stated he has not personally, but he has allowed another to graze livestock on the property. Cobb requested some type of written proof of the Ag land parcel.

Moe questioned if there is a written agreement available which grants permission to graze on this property. He indicated this would be acceptable proof of a change in use.

Tyree reminded the Board they have the option to continue this hearing in order to allow further evidence and documentation, but it must be done by August 5<sup>th</sup>.

Beck made a motion to continue the protest hearing for Mr. Counts aka Tarango Inc. Account number R011272. Cook seconded the motion.

Cobb indicated if the protest is approved it will lower his taxes by a few hundred dollars.

Motion carried 3-0. See attached.

**Lone Tree LLC R006472:** Property location is 1002 Yampa Avenue, State Addition Block 7A Craig, Colorado. The property classification as Residential and valued at \$107,991.00. The petitioner has estimated the value at \$60,000.00.

The petitioner is not present for this hearing.

Donna Anderson reviewed the subject property and assessed valuation for land and structure. It is identified as below construction value and the additional duplex is listed as uninhabitable. The Assessor recommends denial because it is already at a minimum and improvements have recently been made and it is now occupied.

Cook made a motion to deny the stipulation of valuation for Lone Tree LLC R006472 and accept the Assessors valuation of \$107,991.00. Beck seconded the motion. Motion carried 3-0. See attached.

### **Craig Properties 2008, LLC**

**R012183:** The property location is on East 9<sup>th</sup> Street, Tri Star Subdivision #2 Lot 17, Block 2. The Assessor's value is \$25,307.00. Petitioner has estimated the value at \$7,500, but agrees to the value of \$25,307.00.

**R012182:** Location Tri Star #2 Lot 18, Block 2. The Assessor's value is \$25,307.00. Petitioner estimates the value at \$7,500.00, but agrees to the value at \$25,307.00.

**R012181:** Location Victory Heights Subdivision - 50A less Tri Star 1 & 2. Petitioner estimated the value at \$25,000. The Assessor's value is \$117,848 and after review, estimates the value at \$88,386.00. The petitioner estimates the value at \$64,386.00.

The petitioner is not present.

Backes reports that overall the \$9.9 General Fund balance is good news and there is still a solid reserve of approximately 27%. There was discussion regarding a realignment of reserve funds for future budgets.

Backes reported that historically the County has under estimated revenues and cautioned us to be more accurate in budget numbers.

Cook made a motion to approve the 2016 Audit report as presented. Moe seconded the motion. Motion carried 2-0. See attached.

The meeting adjourned at 11:50 a.m. and will reconvene at 1:00 p.m.

### **County Board of Equalization Hearings**

The County Board of Equalization Hearing was called to order.

Rebecca Tyree, Chuck Cobb, Ed Counts, Donna Anderson, Lindsey Nasshorn, and Shauna Merrill present.

Commissioner Moe reviewed the procedures for the Board of Equalization Hearing. The Assessor and property owner will each have opportunity to present evidence and testimony.

**Tarango Inc. R011272:** Property location is 325 County Road 2, Section 17, T7N, R91W. The property is currently classified as Industrial and the valuation is \$104,900.

Ed Counts presented a map of the subject property of 64 -acres. He indicated he also owns the adjoining property, which is classified Agriculture. He has asked the Commissioners to contact Judge Michael O'Hara regarding the "false testimony" from regulatory agencies that have created hardships for him and the operations of his facility. Mr. Counts claims that under Colorado State mandates he can no longer use the subject property for industrial use, so he has allowed another party to graze livestock and he is building fence around the property.

Cobb reviewed the appeal. The Assessor's Office has inspected the property which was originally designed as a waste facility site. The land has been valued at \$104,900 and the buildings have been assessed separately. Cobb indicated all the surrounding property is classified as Grazing #4. If the industrial category is changed to Ag it would lower his valuation, however there has been no evidence of a "change in use".

Counts stated he has been unable to show any income from the facility since 2009. He reiterated this has been a difficult process since the laws changed in 2009, and this is why he wants to bring this to this Boards attention.

Cook indicated his only concern is if Mr. Counts wants to bring the facility back into use. Cobb stated they value property by usage. The Facility has not been open since 2011.

There are three properties being protested containing 8.27 acres in the Tri Star Subdivision. The two smaller lots, are each valued at \$25,307.00 and have also been given a subdivision discount. The largest parcel has already been reduced to \$88,386.00. Mr. Winslow has agreed to the values of \$25,307.00 on the smaller lots, but is requesting the large parcel be reduced to \$64,386.00.

The property is currently on the market and they are asking \$115,000.00. See attached. If the property is adjusted to the petitioners estimate it will reduce the taxes in the amount of \$575.44.

Beck made a motion to deny the stipulation of valuation for Craig Properties 2008 LLC Account number R012181 and accept the Assessor's value of \$88,386.00. Cook seconded the motion. Motion carried 3-0. See attached

Cook made a motion to approve the stipulation of valuation for Craig Properties 2008 LLC Account numbers R012183 and R012182 for both properties in the amount of \$25,307.00. Beck seconded the motion. Motion carried 3-0. See attached.

Board of Equalization hearings will continue on August 1<sup>st</sup>.

**Adjournment:**

Moe adjourned the meeting at 2:05 p.m.

**Meeting Adjourned**

Submitted by: Lila Herod, County Clerk and Recorder

Approved by: *John Amor*

*Fay Beck*

Approved on: August 1, 2017

Attest by: \_\_\_\_\_

RESOLUTION 2017-99  
 PAYMENT OF PAYROLL WARRANTS  
 PAYROLL ENDING 07/14/2017

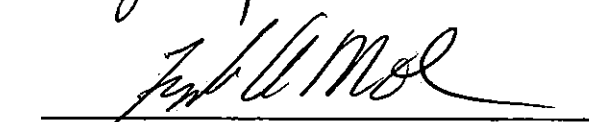
WHEREAS, The Board of Commissioners of Moffat County, Colorado, have approved the payment of various debts and obligations from the various county funds:

AND WHEREAS, the warrants issued in payment of said debts and obligations have been issued against the Moffat County Warrant Fund:

NOW THEREFORE, BE IT RESOLVED that the Moffat County Treasurer be and he is hereby authorized to transfer money among the various funds as follows:

		<b>7/24/2017</b>	
<b>FROM FUND:</b>			
General	0010.7000	<u>\$74,070.33</u>	cr
Road & Bridge	0020.7000	<u>\$66,320.13</u>	cr
Retirement	0040.7000	<u>\$0.00</u>	cr
Landfill	0070.7000	<u>\$4,180.83</u>	cr
Airport	0120.7000	<u>\$291.74</u>	cr
Library	0130.7001	<u>\$7,549.19</u>	cr
Maybell Sanitation	0280.7000	<u>\$233.08</u>	cr
Health & Welfare	0080.7000	<u>\$0.00</u>	cr
Senior Citizens	0170.7000	<u>\$2,818.55</u>	cr
Mo Co Tourism	0320.7000	<u>\$0.00</u>	cr
PSC Jail	0072.7000	<u>\$0.00</u>	cr
Social Services	0030.7100	<u>\$30,083.84</u>	cr
SM I	0168.7000	<u>\$1,904.50</u>	cr
SM II	0169.7000	<u>\$2,210.08</u>	cr
Museum	0310.7000	<u>\$4,889.05</u>	cr
<b>TO FUND:</b>			
Warrant	0100.1000	<u>\$194,551.32</u>	dr

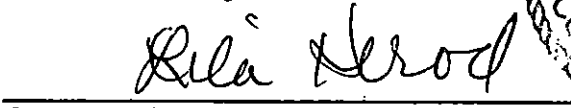
Adopted this 25 day of July A.D. 2017

  
 \_\_\_\_\_  
 Chairman

STATE OF COLORADO     )  
   )ss.  
 COUNTY OF MOFFAT     )

I, Lila Herod, County Clerk and Ex-officio Clerk to the Board of County Commissioners, County of Moffat, State of Colorado do hereby certify that the above and foregoing is a true and complete copy of the resolution as adopted on the date stated.

WITNESS my hand and seal this 25 day of July A.D. 2017

  
 \_\_\_\_\_  
 County Clerk & Ex-officio

