

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

**February 19, 2019**

**In attendance**, Don Cook, Chairman; Ray Beck Vice Chair; Donald Broom, Board Member; Erin Miller, Deputy Clerk & Recorder; Jeff Comstock; Jerry Hoberg; Roy Tipton; Linda DeRose; Ken Wergin; Mindy Curtis; Tom Kleinschnitz; Rebecca Tyree; KC Hume; Melody Villard; Clay Thorp; Gena Hinkemeyer; Harold Rollins; Tara Wojtkiewicz; Andrew Maneotis; Vickie Steele; Bryanne Cossey; Dan Johnson; Levi Johnson; Lloyd Powers; Esther Burke; **TransWest**: Garry Miller; Mark Degner; Randall Coleman; Lisa Christian; Mike Takac; Garrett Aston; Mark Davis;

**Call to Order  
Pledge/Opening Prayer**

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

**Consent Agenda:**

Broom made a motion to approve the consent agenda.

Review & Sign the following documents: (See attached)

- a) Approve minutes: February 5
- b) Resolution(s) 2019-18, 19, 20: Transfer of Intergovernment Funds
- c) 2019-21: Resolution for Transfer of Payment of Warrants for the month of December
- d) 2019-22: Resolution for Payment of Warrants
- e) 2019-23: Resolution for Transfer of Payroll Warrants
- f) 2019-24: Transfer of Funds for the month of February
- g) Memo of Understanding between Dept of Human Services and Moffat County Attorney's Office
- h) Landfill APEN Modifications
- i) Professional Services agreement w/Armstrong Consultants
- j) Fair Rodeo contract with Triple V Rodeo (PRCA/WPRA)

Beck seconded the motion. Motion carried 3-0.

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

Cook asked that as there was most likely to be lengthy public comments during the Planning & Zoning Public Hearings, that this portion of the agenda be put on hold so that staff could make their presentations (as time allowed) and get back to work.

**General Business & Administrative Items:**

General discussion was held among the Board:

✓ **Beck:**

- Discussed current bills coming out of the State Legislature that are concerning: HB 1157 (Increase of ownership tax for specific machinery less than 25 years old for highway funding); SB-042 (eliminates electoral votes); HB-1037 (powerplant closure incentives). The BOCC opposes these three points of legislation.
- Met w/BLM regarding Lands w/Wilderness Characteristics
- Had a phone conference w/David Bernhardt (DOI) and Garfield County BOCC re: Sage Grouse Policy
- AGNC meeting tomorrow in Hayden
- Upcoming Club 20 meetings in Grand Junction
- 1<sup>st</sup> Conservation District banquet & meeting tonight

✓ **Broom:**

- Commended MCTA on their booth at the Tourism Show in Grand Junction

✓ **Cook:**

- Commented on article in Craig Press about the Fair PRCA/WPRA rodeo contract. The article made it sound like it was funded by the BOCC, which it is not.
- Commented on Sage Grouse policy

**Staff Reports:****Road & Bridge Department – Linda DeRose**

Bid Recommendations: (See attached)

- Cattle Guards
- Mag Chloride

DeRose presented the bids received for Cattle Guard metal.

Bids were received from:

- |                           |              |
|---------------------------|--------------|
| - Axis Steel (Craig)      | \$11, 345.56 |
| - Craig Steel (Craig)     | \$11, 463.05 |
| - Recla Metals (Montrose) | \$11, 829.21 |

DeRose recommended awarding the bid to Craig Steel, because of some bid irregularities. Beck made a motion to award the bid for Cattle Guard metal to Craig Steel, in the amount of \$11, 463.05. Broom seconded the motion. Motion carried 3-0.

DeRose presented the bids received for Mag Chloride.

Bids were received from:

- |                   |              |           |
|-------------------|--------------|-----------|
| - GMCO Corp       | “Dust Guard” | 0.742/gal |
| - Desert Mountain | “Road Saver” | 0.830/gal |

DeRose recommended awarding the bid to GMCO; Road & Bridge Department has used this company for the last two years and has no complaints. This is one of the largest expenses for this department and it covers about 170 miles. Beck made a motion to award the bid for Mag Chloride product to GMCO, in the amount of \$0.742/gal. Broom seconded the motion. Motion carried 3-0.

**Office of Development Services - Roy Tipton**

Bid Recommendation: (See attached)

- BOCC Fleet Vehicle

Bids were received from:

- Johnson Auto Plaza	Chevy Tahoe	\$38,935
- Daniels Long Chevrolet	Chevy Tahoe	\$36,161.50
- Phil Long Ford	Ford Expedition	\$38,259
- Cook Ford	Ford Expedition	\$38,500
- Cook Chevrolet	Chevy Tahoe	\$39,506

Tipton presented the bids received for a new BOCC fleet vehicle. This vehicle will replace the 2012 Ford Expedition; this vehicle will go to another department and a 2007 Ford Expedition will be used as a trade-in. The bid from Daniels Long Chevrolet for a Chevy Tahoe at \$36,161.50 was the lowest for a full-sized vehicle, in the State Government Price Agreement. This price is \$1395 over the budget; Tipton wondered if the BOCC wanted to accept or reject this and look at a smaller vehicle. The budget for this vehicle was set last July and there has been a huge jump in prices between the 2018 and 2019 vehicles. All of the BOCC felt like it was important to maintain the larger vehicle size for the fleet as there are times when at least six people need to make the drive to a meeting or training.

Broom made a motion to award the bid for a BOCC fleet vehicle to Daniels Long Chevrolet, in the amount of \$36,161.50. Beck seconded the motion. Motion carried 3-0.

**Juvenile Services – Tara Wojtkiewicz**

Wojtkiewicz presented a nomination letter for Donald Broom to serve on the 14<sup>th</sup> Judicial District Juvenile Services Planning Commission, as the Moffat County representative. Commissioner Broom is the Ex-Officio for the Juvenile Services office and it makes the most sense. This 13-15 person board meets quarterly (generally), and there is supposed to be representation from each county within the Judicial District. At this time, they are only replacing the open Commissioner seat on the board, as there is quite a bit of juvenile justice reform measures in front of the legislature at this time, so it might change the make-up of this board. Judge O'Hara will be presented with nominations and make the selection.

Beck moved to accept the nomination of Commissioner Donald Broom to the JSPC; Cook seconded; Motion carried 3-0.

**Volunteer Board Appointments: (See attached)**

- Airport
- ~~Land Use Board~~

Roy Tipton was appointed to fill the year left on Bill Johnston's seat on the Airport Board since he is moving out of the community. Tipton has been attending the board meetings at the behest of Commissioner Beck for the last year and a half and feels he may as well be a regular board member.

Beck made the motion to appoint Roy Tipton to represent the County on the Airport Advisory Board; Broom seconded. Motion carried 3-0.

Mike Camblin had submitted a letter of interest for any openings on the Land Use Board. Jeff Comstock commented that the Land Use Board was in the process of reorganizing some of the seats and asked the BOCC to just hold onto Mike's letter.

**Commissioner Cook** made some additional remarks:

- Article in the paper made it sound like the rodeo for the County Fair was paid for by the Commissioners, instead of the Fair Board. Last year, for the 100 year Fair, the Fair Board got some major sponsorship from Victory Motors/Dodge and other donations. Money made in one year is rolled over to the next year.
- Conversations have been held with the DOI regarding Sage Grouse policy. Moffat County has been asking that the affected Colorado counties don't get left out of the decision making process. The way the policy is currently worded, makes it very difficult for energy development on public lands.
- Cook will be in Washington DC the first week of March for the NACO Legislative Conference, and hopes to have an in-person meeting with Secretary Bernhardt at the DOI plus other Colorado legislators.

**9:00 Planning & Zoning – Jerry Hoberg**

Public Hearing regarding: (See attached)

- Vacation of Part of Main Beam Road (Resolution 2019-17)
- Dan Johnson Minor Subdivision S-19-01
- TransWest Transmission Lines CUP C-19-01

**Vacation of Part of Main Beam Road (Resolution 2019-17):**

Beck read the protocol for a public hearing. (No decisions were made during the Public Hearing)

Hoberg presented information regarding the re-subdivision of Wildlife Estates II and the replat of lots 34-40 & 44-60. Road vacation requests do not go before the Planning & Zoning Commission; they come directly to the BOCC.

In regular session, Beck made a motion to approve the application (Resolution 2019-17) of Vickie Steele to vacate a portion of Main Beam Road. Broom seconded the motion. Motion carried 3-0.

**Dan Johnson Minor Subdivision S-19-01:**

Beck read the protocol for a public hearing. (No decisions were made during the Public Hearing)

Hoberg presented information regarding creation of a minor subdivision by Dan Johnson, in Migration Acres III. Mr. Johnson wants to divide his lot (35.177 acres) into four lots (5 + acres each) as an early inheritance for his children, and cannot be sold outside the family. This minor subdivision is being created with the understanding that the property owners are responsible for the road. This subdivision request was approved by Planning & Zoning Commission at their February 5<sup>th</sup>, 2019 meeting.

In regular session, Broom made a motion to move forward with the application by Dan Johnson to create a minor subdivision. Beck seconded the motion. Motion carried 3-0.

**TransWest Transmission Lines CUP C-19-01:**

Beck read the protocol for a public hearing. (No decisions were made during the Public Hearing)

Hoberg presented information regarding the Conditional Use Permit application by TransWest for a transmission line project in northwest Moffat County. Hearings were held before the Planning & Zoning Commission on both January 8<sup>th</sup> and February 5<sup>th</sup>. At the February 5<sup>th</sup> meeting, the Commission placed one stipulation on their approval

before moving it on to the BOCC, that all landowner surface access agreements, leases and/or easements are complete and in place.

Garry Miller, VP of TransWest, introduced members of staff that accompanied him. They gave a slide presentation about the project. There was also discussion about the lengthy permitting process and the particular needs for this type of project.

Andrew Maneotis, Jr. testified against the project due to past negative experiences with other existing powerlines on his property, mostly contractors (WAPA) that come in for maintenance, etc. afterwards. He also commented on the negative effects on hunting seasons and expressed his concerns about condemnation. He recommended that the BOCC table the CUP until the BLM approval

Harold Rollins testified that the BOCC deny the CUP request until they have all of the landowner agreements/Right of Way easements in place. He did not feel that TransWest had offered his family's land partnership a fair agreement.

Broom and Cook both stated they wanted to make sure that all the landowners were protected in this process.

In regular session, Beck made a motion to approve the Conditional Use Permit of TransWest for a transmission line project with the provision that they make every concerted effort to satisfy all landowner surface access agreements, leases and/or easements, and all conditions covered in the original application. Broom seconded the motion. Discussion was held. It was asked what would happen if they tabled the approval of the CUP for 30 to 60 days? Miller replied that it wouldn't have any effect on the landowner negotiation part, and that land appraisals (for value) can take four to six weeks (or longer) to come in. Postponing it for 30 days might back the BLM permitting process up, by not having County permits in place. Beck wanted to make it clear that property rights are important to the BOCC.

Motion carried 3-0.

### **Presentations:**

#### **Moffat County Tourism Association – Tom Kleinschnitz**

Kleinschnitz presented a proclamation for Moffat County Tourism Week, May 4-11, 2019, and discussed how important tourism is to Colorado and what a huge industry it is in our state.

Highlights include:

- "Where the Hell is Maybell" – Road Bike Event May 4<sup>th</sup>
- "Maybell Great American Horse Drive: - May 4<sup>th</sup> & 5<sup>th</sup>
- "Grand Old West Days" – May 23<sup>rd</sup> - 27<sup>th</sup>
- "Whittle the Wood Rendezvous" – June 12<sup>th</sup> – 15<sup>th</sup>
- "John Wesley Powell Expedition 150<sup>th</sup> Anniversary celebration" – June 17<sup>th</sup> & 18<sup>th</sup>
- "Moffat County Balloon Festival" – August 3<sup>rd</sup> & 4<sup>th</sup>
- "Moffat County Fair" – August 2<sup>nd</sup> – 11<sup>th</sup>

Beck made a motion to approve the Proclamation declaring May 4<sup>th</sup> -11<sup>th</sup>, 2019 as Moffat County Tourism Week. Broom seconded the motion. Motion carried 3-0. (See attached)

**Adjournment:**

Cook adjourned the meeting at 10:38 am

**Meeting Adjourned**

Submitted by: Erin Miller, Deputy Clerk and Recorder

Approved by: Don Cook

Ray Beck

Samuel Brown

Approved on: March 5, 2019

Attest by: Erin Miller

