

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS Minutes of Meeting September 26, 2017

The Board of Morgan County Commissioners met Tuesday, September 26, 2017 at 9:00 a.m. with Chairman James Zwetzig, Commissioner Laura Teague and Commissioner Mark Arndt in attendance. Chairman James Zwetzig called the meeting to order and asked Morgan County Public Works Director Bruce Bass to lead the meeting in the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Commissioner Teague made a motion to adopt the agenda as presented, with Commissioner Arndt seconding the motion. Motion carried 3-0.

CONSENT AGENDA

- Ratify the Board of County Commissioners approval of meeting minutes dated September 12, 2017
- Ratify the Board of County Commissioners approval of meeting minutes dated September 19, 2017
- Ratify the Board of County Commissioners approval on Contract 2017 CNT 199, Concept Auto Body, repairs due to accident on unit #5502, Term of Contract September 14, 2017 until completed
- Ratify the Board of County Commissioners approval on Contract 2017 CNT 200, Wireless Advanced Communications, services related to emergency lighting on County vehicles, Term of Contract September 13, 2017 through September 12, 2018
- Ratify the Board of County Commissioners approval on Contract 2017 CNT 201, Followbright, Tourism website hosting fee, Term of Contract October 2, 2017 through October 1, 2018
- Ratify the Board of County Commissioners approval on Contract 2017 CNT 202, Followbright, Tourism website maintenance fee, Term of Contract September 13, 2017 through December 31, 2017
- Ratify the Board of County Commissioners approval for disposal of assets, (1) 2012 Chevrolet Tahoe 4x4 Undersheriff build, asset #1787, dated September 18, 2017
- Ratify Chairman Jim Zwetzig's signature on the American Fidelity Assurance application form to add Group Critical Illness option to the benefit plan signed on September 21, 2017
- Ratify Chairman Jim Zwetzig's signature on the Colorado Division of Water Resources change in owner name/ mailing address form for the property purchased by the fairgrounds known as 27693 County Road R, Brush CO signed on August 28, 2017
- Ratify the Board of County Commissioners approval of writing off the small balance on Morgan County Ambulance Service client #170031 due to death of client
- Ratify Chairman Jim Zwetzig's signature for assignment of debt collection to Wakefield and Associates for Morgan County Ambulance Service client #120888A

Commissioner Arndt made a motion to approve all items on the Consent Agenda as presented. Commissioner Teague seconded the motion and motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION - 2017 BCC 40 – A Resolution of the Board of County Commissioners of Morgan County, Colorado, terminating the administrative services agreement with Mass Mutual regarding the County's 401(a) and 457 retirement plans and directing the transfer of assets in those plans to similar plans administered by the Colorado County Elected Officials and Employees Retirement Association

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2017 BCC 40

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO, TERMINATING THE ADMINISTRATIVE SERVICES AGREEMENT WITH MASS MUTUAL REGARDING THE COUNTY'S 401(a) AND 457 RETIREMENT PLANS AND DIRECTING THE TRANSFER OF ASSETS IN THOSE PLANS TO SIMILAR PLANS ADMINISTERED BY THE COLORADO COUNTY ELECTED OFFICIALS AND EMPLOYEES RETIREMENT ASSOCIATION

WHEREAS, it has been determined to be in the best interest of the employees of Morgan County to provide for the retirement of employees;

WHEREAS, the Morgan County Board of County Commissioners has determined that it is in the best interests of the employees of Morgan County and the County to have the retirement plans available to employees administered by the Colorado County Elected Officials and Employees Retirement Association ("CCOERA"); and

WHEREAS, the Board desires to notify Mass Mutual of the termination of the Administrative Services Agreement between the County and Mass Mutual, executed by the County on September 10, 2007, and begin the process to transfer assets from Mass Mutual to CCOERA for the County's 457 and 401(a) Plans currently administered by Mass Mutual.

NOW, THEREFORE, be it resolved by the Morgan County Board of County Commissioners, Colorado, as follows:

2 COMMISSIONERS PROCEEDINGS

1. Morgan County hereby terminates the Administrative Services Agreement with Mass Mutual. The termination date shall be December 31, 2017.
2. The Board directs appropriate County staff to notify Mass Mutual of the termination and transfer of the 457 and 401(a) Retirement Plans to CCOERA and work with and coordinate with Mass Mutual and CCOERA to transfer plan assets.

APPROVED this 26th day of September, 2017.

**THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

s/ James P. Zwetzig
James P. Zwetzig, Chairman

s/Laura D. Teague
Laura D. Teague, Commissioner

s/ Mark A. Arndt
Mark A. Arndt, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Commissioner Teague presented to the Board for approval, Resolution 2017 BCC 40 a Resolution of the Board of County Commissioners of Morgan County, Colorado, terminating the administrative services agreement with Mass Mutual regarding the County's 401(a) and 457 retirement plans and directing the transfer of assets in those plans to similar plans administered by the Colorado County Elected Officials and Employees Retirement Association. Commissioner Teague stated the Board has done research and due diligence in turning the County's retirement plan back over to CCOERRA explaining the County has incurred additional costs by utilizing Mass Mutual which will be saved by turning back to COERRA and asked the Board to terminate the relationship with Mass Mutual and move to COERRA.

Tracy Amen, Morgan County Human Resources Director, noted that the County will continue with their relationship with Mass Mutual until December 31, 2017 and will enter into the agreement with COERRA as of January 1, 2018.

Commissioner Teague made a motion to approve Resolution 2017 BCC 40, a Resolution of the Board of County Commissioners of Morgan County, Colorado, terminating the administrative services agreement with Mass Mutual regarding the County's 401(a) and 457 retirement plans and directing the transfer of assets in those plans to similar plans administered by the Colorado County Elected Officials and Employees Retirement Association as presented with Commissioner Arndt seconding the motion. Chairman Zwetzig confirmed that item #1 in the resolution reflects the effective termination date. At this time, the motion carried 3-0.

Consideration of Approval – RESOLUTION - 2017 BCC 41 – A Resolution of the Board of County Commissioners of Morgan County, Colorado, approving Morgan County becoming an associate member in the Colorado Counties Officials and Employees Retirement Association for the purposes of participating in the CCOERA's 401(a) retirement plan

**MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2017 BCC 41

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO, APPROVING MORGAN COUNTY JOINING THE ASSOCIATION MEMBERSHIP IN THE COLORADO COUNTIES OFFICIALS AND EMPLOYEES RETIREMENT ASSOCIATION FOR THE PURPOSES OF PARTICIPATING IN CCOERA'S 401(a) RETIREMENT PLAN

WHEREAS, it has been determined to be in the best interest of the employees of Morgan County to provide for the retirement of employees under certain terms and conditions;

WHEREAS, the Colorado Statutes provide for the adoption of a retirement plan or system by a group of Colorado local governments; and

WHEREAS, the advantage of joining together with several other counties, municipalities and special districts in Colorado to adopt a retirement system for county, municipal, and district employees is to lower individual costs and thereby save tax money and employees' money.

COMMISSIONERS PROCEEDINGS 3

NOW, THEREFORE, be it resolved by the Morgan County Board of County Commissioners, Colorado, as follows:

1. Effective January 1, 2018, Morgan County hereby elects to become a part of the Colorado County Officials and Employees Retirement Association ("CCOERA") under the following terms and conditions:
 - a. CCOERA has submitted its Retirement Plan to Morgan County and said Plan is hereby approved, as evidenced by the executed 401(a) Retirement Plan Participation Agreement, which is attached hereto as **Exhibit A**.
 - b. From the date stated above, all new hires of Morgan County shall be covered by CCOERA's Retirement Plan.
2. Morgan County hereby designates **Human Resources Director** as their official representative to the CCOERA.
3. Morgan County certifies that as of the date of this Resolution the County has **275** employees.

APPROVED this 26th day of September, 2017.

**THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

s/ James P. Zwetzig
James P. Zwetzig, Chairman

s/Laura D. Teague
Laura D. Teague, Commissioner

s/ Mark A. Arndt
Mark A. Arndt, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Commissioner Teague presented to the Board for approval, Resolution 2017 BCC 41 a Resolution of the Board of County Commissioners of Morgan County, Colorado, approving Morgan County joining the association membership in the Colorado Counties Officials and Employees Retirement Association (CCOERA) for the purposes of participating in the CCOERA's 401(a) retirement plan. Commissioner Teague stated that as a follow up the recent resolution approved, the County will need to now joining the association membership in CCOERA whereas the County will participate in the 401(a) plan whereas the County will continue to contribute 4 percent into the employee's retirement plan and matching the 4 percent contribution commencing January 1, 2018.

Commissioner Teague made a motion to approve Resolution 2017 BCC 41, a Resolution of the Board of County Commissioners of Morgan County, Colorado, approving Morgan County joining the association membership in the Colorado Counties Officials and Employees Retirement Association for the purposes of participating in the CCOERA's 401(a) retirement plan as presented with Commissioner Arndt seconding the motion. Chairman Zwetzig stated the agenda was posted indicating the resolution as an associate member and it noted it should indicate that Morgan County is joining in the association membership in the Colorado Counties Officials and Employees Retirement (CCOERA). At this time, the motion carried 3-0.

Consideration of Approval – RESOLUTION - 2017 BCC 42 – A Resolution of the Board of County Commissioners of Morgan County, Colorado, approving Morgan County continuing as an associate member in the Colorado Counties Officials and Employees Retirement Association for the purposes of participating in CCOERA's 457 retirement plan

**MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2017 BCC 42

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO, APPROVING MORGAN COUNTY CONTINUING IN THE ASSOCIATION MEMBERSHIP IN THE COLORADO COUNTIES OFFICIALS AND EMPLOYEES RETIREMENT ASSOCIATION FOR THE PURPOSES OF PARTICIPATING IN CCOERA'S 457 RETIREMENT PLAN

WHEREAS, it has been determined to be in the best interest of the employees of Morgan County to provide for the retirement of employees under certain terms and conditions;

4 COMMISSIONERS PROCEEDINGS

WHEREAS, the Colorado Statutes provide for the adoption of a retirement plan or system by a group of Colorado local governments; and

WHEREAS, the advantage of joining together with several other counties, municipalities and special districts in Colorado to adopt a retirement system for county, municipal, and district employees is to lower individual costs and thereby save tax money and employees' money.

NOW, THEREFORE, be it resolved by the Morgan County Board of County Commissioners, Colorado, as follows:

4. Effective January 1, 1969, Morgan County Commissioners by resolution elected to become a part of the Colorado County Officials and Employees Retirement Association ("CCOERA").
5. On September 26, 2017 The Board of County Commissioners of Morgan County, Colorado have reaffirmed under the following conditions that:
 - c. CCOERA has submitted its Retirement Plan to Morgan County and said Plan is hereby approved, as evidenced by the executed 457 Retirement Plan Participation Agreement, which is attached hereto as **Exhibit A** and effective 1/1/2018.
 - d. From the date stated above, all new hires of Morgan County shall be covered by CCOERA's Retirement Plan.
6. Morgan County hereby designates **Human Resources Director** as their official representative to the CCOERA.
7. Morgan County certifies that as of the date of this Resolution the County has **275** employees.

APPROVED this 26th day of September, 2017.

**THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

s/ James P. Zwetzig
James P. Zwetzig, Chairman

s/Laura D. Teague
Laura D. Teague, Commissioner

s/ Mark A. Arndt
Mark A. Arndt, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey

Commissioner Teague presented to the Board for approval, Resolution 2017 BCC 42 a Resolution of the Board of County Commissioners of Morgan County, Colorado, approving Morgan County continuing in the association membership in the Colorado Counties Officials and Employees Retirement Association for the purposes of participating in CCOERA's 457 retirement plan. Commissioner Teague stated again following the changeover from Mass Mutual to CCOERA, this resolution reaffirms the County's participation in the 457 plan where the County has been a member of since 1969. She stated employees will be directed to transfer their 457 retirement plan into an individual plan or to CCOERA to reduce the County's fiduciary costs.

Commissioner Teague made a motion to approve Resolution 2017 BCC 42, a Resolution of the Board of County Commissioners of Morgan County, Colorado, approving Morgan County continuing in the association membership in the Colorado Counties Officials and Employees Retirement Association for the purposes of participating in CCOERA's 457 retirement plan as with Commissioner Arndt seconding the motion. Chairman Zwetzig stated the agenda was posted indicating the resolution as an associate member and it noted it should indicate that Morgan County is continuing in the association membership in the Colorado Counties Officials and Employees Retirement (CCOERA) Chairman Zwetzig also asked that it be noted the County has been happy with the relationship they have had with the local advisor and there were no issues. At this time, the motion carried 3-0.

Consideration of Approval – RIGHT OF WAY - 2017 PMT 31 – Morgan County Quality Water District

Morgan County Roads Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2017 PMT 31, with Morgan County Quality Water District. Mr. Goodman stated this right of way permit is to bore in the south right of way under County Road T.7, starting at a point 620 feet east of County Road 8 at the existing 4 inch main on the south side of the right of way approximately 4 feet north of the south shoulder of the road and bore north under County Road T.7 for approximately 45 feet for the purpose of installing new water service. He stated the fees are attached in the amount of \$150.00 and the location has been inspected.

COMMISSIONERS PROCEEDINGS 5

Commissioner Arndt made a motion to approve Right of Way Permit 2017 PMT 31 with Morgan County Quality Water District as outlined in the narrative of the permit noting the fees are attached as presented by Morgan County Roads Supervisor John Goodman and authorized the Chair to sign. Commissioner Teague seconded the motion and motion carried 3-0.

Consideration of Approval – RIGHT OF WAY - 2017 PMT 32 – Western Sugar Cooperative

Morgan County Roads Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2017 PMT 32, with Western Sugar Cooperative. Mr. Goodman stated this right of way permit is to bore and trench on the west side of County Road 15, starting at a point near the north side of County Road S and trenching and boring 21,120 feet parallel to County Road 15 ending at a point near the south side of County Road O, for the purpose of installing new water line. Chairman Zwetzig noted that the fees need to be calculated for this permit, explaining that given it is not known where the trench or bore and crossings will take place and it still to be determined, and asked that this be at the request of the Public Works Department. Mr. Goodman requested that the calculation could be done after the project is started with Chairman Zwetzig stating as long as there is a general agreement that they can trench or bore as directed by the Public Works Department down County Road 15.

Rodney Perry, representing Western Sugar, stated his address as 18317 Highway 144, Fort Morgan, CO and further stated this project will allow for nutrient waters that come from the processed beets to be taken back into the fields located in Morgan County. He stated the nutrients do have a small amount of sugar but the nutrients from the soil can be beneficial to farm ground.

Commissioner Teague stated she will abstain from the vote of this matter with Chairman Zwetzig asking that this be noted as she has a conflict with the situation.

Discussion followed as to what the fees will be for this permit, with Mr. Goodman stating the current fee structure is \$100 per crossing and \$.10 per foot with Mr. Perry states they agree to work with the Public Works Department regarding the calculation of fees and remit to Morgan County.

Commissioner Arndt made a motion to approve Right of Way Permit 2017 PMT 32 with Western Sugar Cooperative as outlined in the narrative of the permit noting the intent is that representatives from Western Sugar will work with those who represent the County Public Works Department on the route and the crossings noting that as soon as the full plan is in place, the fees will be calculated as to what is owed to Morgan County and as outlined in the narrative of the permit as presented by Morgan County Roads Supervisor John Goodman and further amended the motion to authorize the Chair to sign. Chairman Zwetzig seconded the motion and motion carried 2-0.

Consideration of Approval – RIGHT OF WAY - 2017 PMT 33 – Western Sugar Cooperative

Morgan County Roads Supervisor John Goodman presented to the Board for approval, a Right of Way Permit 2017 PMT 33, with Western Sugar Cooperative. Mr. Goodman stated this right of way permit is to trench on the north side of County Road S, starting at a point near Highway 144 and trenching 18,480 feet on the north side of County Road S and ending at a point near County Road 15, for the purpose of installing new water line. Discussion followed with the fees being handled in the same manner as the above approved permit. Chairman Zwetzig stated it should be noted that it is not a water line; it is a discharge production line. Mr. Perry stated it mainly consists of water, but it is not a fresh water line, it is a non-potable water line with Chairman Zwetzig stating it needs to be mentioned as what would be approved by the Colorado Public Department of Health. Chairman Zwetzig stated the same conditions will exist boring and trenching as required with the Public Works Department as being agreeable as to the term and the cost. Mr. Perry agrees that he will collaborate in regards to the calculated amount of fees and the fees to be remitted to Morgan County.

Commissioner Arndt made a motion to approve Right of Way Permit 2017 PMT 33 with Western Sugar Cooperative noting the same conditions that they will work with the Public Works Department and the calculated amount when final design is completed will be remitted to Morgan County as outlined in the narrative of the permit as presented by Morgan County Roads Supervisor John Goodman and authorized the Chair to sign. Commissioner Teague abstained from the vote at this time. Chairman Zwetzig seconded the motion and asked that the motion be amended to allow for documenting the appropriate terminology given the water line.

Chairman Zwetzig stated going back to the original permit, Western Sugar needs to agree on the permit application to cross County Road S, the submitted permit stated to start on the south side of County Road S and it has been revised to start on the north side of County Road S, with Mr. Perry stating he was in agreement.

Chairman Zwetzig further stated he believes this will create a beneficial use and is a great win for Morgan County given the decision to put this in place, which will eliminate a controversial situation around Fort Morgan. At this time, the motion carried 2-0.

At this time, Chairman Zwetzig asked Commissioner Teague for her comments regarding the project. Commissioner Teague stated that projects such as this are good for all citizens in Morgan County and believes this will keep Western Sugar a viable business in the community.

Consideration of Approval – BID AWARD – RFP 2017-0914-001 Steel H Pile

Morgan County Public Works Director Bruce Bass presented to the Board for approval Bid Award RFP 2017-0914-001 Steel H Pile. Mr. Bass stated this is for one truckload of Steel H Pile and the bid was for price per foot. Mr. Bass stated he received three bids from Trinity Products, LLC from O'Fallon Missouri, Dominion Pipe & Piling

6 COMMISSIONERS PROCEEDINGS

from Puyallup Washington and Husker Steel from Columbus, Nebraska. Mr. Bass summarized the bids received. At this time, Mr. Bass recommended the Board award this bid to the lowest bidder, Husker Steel in the amount of \$19,266.00.

Commissioner Teague made a motion to approve bid award RFP 2017-0914-001 Steel H Pile to Husker Steel as outlined by Morgan County Public Works Director Bruce Bass in the amount of \$19,266.00 as recommended by Public Works Director Bruce Bass. Commissioner Arndt seconded the motion. At this time, the motion carried 3-0.

Consideration of Approval – BID AWARD – RFP 2017-0914-002 Fuel

Morgan County Public Works Director Bruce Bass presented to the Board for approval Bid Award RFP 2017-0914-002 Fuel. Mr. Bass indicated the bid is for the delivery cost only given the rack price of the fuel will change. Mr. Bass stated he received one bid from Hill Petroleum. Mr. Bass summarized the bid received. Mr. Bass stated the bidder has submitted the same delivery pricing as the previous bid award. Mr. Bass explained current mandatory fees totaling .0126 cents per gallon for unleaded and .02504 cents per gallon for diesel is not included in the reseller's price per gallon. The total bid for delivery of the fuel being \$11,580.10 which includes \$3,698.60 for the delivery of unleaded fuel and \$7,881.60 for the delivery of diesel fuel. At this time, Mr. Bass recommended the Board award this bid to the Hill Petroleum.

Commissioner Arndt made a motion to approve bid award RFP 2017-0914-002 to Hill Petroleum as outlined by Morgan County Public Works Director Bruce Bass and authorized a contract be prepared to be signed and ratified at a later date by the Chairman. Commissioner Teague seconded the motion. At this time, the motion carried 3-0.

Consideration of Approval – BYLAWS – Amended Morgan County Tourism Bylaws

Morgan County Tourism Board Robyn Northup provided a copy of the bylaws to the Board and presented proposed changes to the bylaws as amended by the Morgan County Tourism Panel.

Commissioner Teague made a motion to approve the Amended Morgan County Tourism Bylaws as presented by Morgan County Tourism Panel Board Member Robyn Northup with Commissioner Arndt seconding the motion. At this time, the motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated September 22, 2017 through October 3, 2017 with no changes.

Morgan County Clerk and Recorder Susan Bailey updated the Board about the upcoming Coordinated Election stating ballots are scheduled to be mailed to active registered voters the week of October 16, 2017. Ms. Bailey stated the date for Logic and Accuracy Testing will take place on October 10, 2017 starting at 8:30 a.m. Ms. Bailey further explained there will be residents that will not receive a ballot in this election given the Brush School District will not be participating so those citizens who reside in unincorporated Morgan County will not receive a ballot and informational cards will be sent to those residents notifying them of such.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT

There was no citizen's in attendance to provide citizens comment.

Being no further business, the meeting was adjourned at 9:33 a.m.

Respectfully Submitted,
Susan L. Bailey
Clerk to the Board

(Minutes ratified October 3, 2017)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ James P. Zwetzig
James P. Zwetzig, Chairman

s/Laura D. Teague
Laura D. Teague, Commissioner

s/Mark A. Arndt
Mark A. Arndt, Commissioner

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey