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

June 14, 2016

In attendance, Chuck Grobe, Chairman; Frank Moe, Vice Chair; John Kinkaid, Board Member; Lila Herod, Moffat County Clerk & Recorder; Roy Tipton; Patrick Kelly; Jeff Comstock; Ray Beck; Paul Boyd; Don Cook

Call to Order
Pledge/Opening Prayer
Consent Agenda

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

a) Approved the minutes from June 6, 2016.
b) Approved Resolutions 2016-57 and 2016-58 payment of payroll warrants for the payroll ending June 3, 2016 in the amounts of $200,580.80 and $211,054.49
c) Approved Resolution 2016-60 transfer of payment of warrants for the month of June 2016 in the amounts of $812,025.27.
d) Approved the monthly Treasurer's report.
e) Approved the Five County core services contracts with Yampa Valley Psychotherapist and Mind Springs for mental health services.
f) Approved the Five County core services contracts with Yampa Valley Psychotherapist and Mind Springs for substance abuse services.
g) Approved the contract with SunCor Energy for chip seal oil.
h) Approved the Cooperative Law Enforcement Annual Operating Plan between Moffat County Sheriff's Office and Medicine Bow Routt County National Forest.

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

General Discussion

General discussion was held among the Board:

- ✓ Grobe discussed waiving the fee for Loudy Simpson Park for the Balloon Festival. The Commissioners were in agreement.
- ✓ Grobe reported on the Land Use Meeting. The BLM will open the comment period for the Travel Management Plan. The County is leaning to support alternative B. The Land Use Board also approved the conservation easement resolution.
- ✓ Moe announced the next LMD will be held June 27th and they are still seeking applicants to serve on this board.
- ✓ Kinkaid reported he attended the last School Board meeting.
- ✓ Ray Beck reported Better City's will be meeting with the City Council tomorrow to discuss the possibility of consolidating services.
- ✓ The Legacy Weed Partnership will be hosting a river raft trip. Several government officials will be attending.

- ✓ Patrick Kelly gave an update on the fish recovery program and the process to electro-shock the river.
- ✓ Don Cook discussed Amendment 69, which is the ballot question on single source health care to be funded by taxpayers. CCI has taken a stance of opposition on this initiative.
- ✓ There was discussion regarding the Memorial Hospital Foundation golf tournament.
- ✓ Grobe discussed the Dinosaur Hang Glider event being planned for next year

Lloyd Powers, Penny Nichols, Robert Golden, Linda DeRose, and Rachel and Jerry May present.

Planning & Zoning- Jerry Hoberg

Hoberg reviewed a zoning change request for Northwest Ready Mix. The operation is a concrete batch plant in addition to fuel oil distribution and propane storage and distribution.

The property was originally zoned for light industrial and due to changes in current businesses it needs to be changed to heavy industrial. The zone change will then conform to current zoning in the area. The area being changed is lots 1, 2, 3, and 4 of Northwest Ready Mix Minor Subdivision.

Kinkaid made a motion to approve Resolution 2016-61 Zone Change for Northwest Ready Mix Minor Subdivision from light industrial to heavy industrial. Moe seconded the motion. Motion carried 3-0. See attached.

Hoberg reviewed the sketch plans for the May Re-subdivision. This property is located in Wildlife Estates #1. The parcel was originally 15.616 acres with three lots. This re-subdivision will change lots 26, 27, 28 into two 7.808 acre lots and then become lots 26A and 28A.

Moe made a motion to approve S-16-01 May re-subdivision sketch plans for James and Jerry May of lots 26, 27, and 28 of Wildlife Estates #1.. Kinkaid seconded the motion. Motion carried 3-0. See attached.

Hoberg reviewed proposed code changes on property development standards. This change is to address the new "Tiny Homes" concept. The existing text of section 410.5 (4) reading "Building Floor Area: *Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet"*

The proposed text reads "Building Floor Area: *Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 200 square feet."*

Section 410.5 (4a) proposed text: *"Dwelling units erected for the sole purpose of seasonal or recreational use shall be exempted from the requirements for an engineered foundation, energy code, running water, heat, and a functional bathroom and kitchen, provided that the unite will not be used more than 6 months out of the year and has a "footprint" of less than 1200 sq. ft. a "porta –john", composting toilet or approved outhouse is required."*

Jennifer Riley present.

A public hearing will be scheduled for approval of these changes.

Hoberg also discussed issues with various roads in our current subdivision developments. The Planning Commission has made the recommendation to adopt a policy requiring the developer to build the roads to county specifications.

Hoberg reviewed the regulations that are used in Routt County. The purpose of this regulation is to ensure that the streets and roads serving buildable lots of 35 acres or more provide adequate access to and from the public road system to such buildable lots, especially emergency vehicle access.

The standards for review shall be whether the applicant has obtained a road construction permit for any common roads providing access to the buildable lots shown on the plat or plans and 1) whether the applicant has obtained approval for the road construction permit from the Fire Protection District Chief, 2) whether common roads have been constructed or are guaranteed to be constructed and 3) that the alignment of the proposed road system shall be in conformance with any applicable sub-area plan. If all conditions have been satisfied, the Board shall approve the subdivision plat.

Comstock offered that the policy should be limited to residential subdivisions and not agriculture or industrial.

A public hearing will also be scheduled for approval of this regulation.

Wendy Moser (Charter Communications) present.

Road & Bridge- Linda DeRose

DeRose reviewed the monthly report from the Road Department.

Completed projects:

- ✓ Mag water roads
- ✓ Crack seal roads
- ✓ Repair culverts
- ✓ Repair washouts
- ✓ Repair signs
- ✓ Repair and clean cattleguards
- ✓ Replaced cattleguards
- ✓ Gravel roads

Projects in progress:

- ✓ Blading roads
- ✓ Set up crusher at Mantle Pit

Pending projects:

- ✓ Mag water roads
- ✓ Chip seal County Road 57
- ✓ Crushing at Mantle Pit

General and Landfill:

- ✓ Site work for new Fairgrounds shop
- ✓ Maybell Sewer treatment plant
- ✓ Mag water for Colorado State Parks at Elkhead Reservoir
- ✓ Staff attended sexual harassment training
- ✓ Building cattleguards
- ✓ Engineering Landfill Cells 7,8,9
- ✓ Mag water Landfill road

DeRose reviewed the Landfill Strategic Plan from NWCC. The scope of work and budget is related to the development of the strategic solid waste management plan and will identify potential new services, operations, operational efficiencies and cost estimates.

The plan consists of data gathering, data evaluation, workshop with the County Commissioner, development of the strategic sold waste management plan, and technical support and additional tasks.

The estimated cost is $60,910. Each task has an estimated cost attached.

Moe made a motion to approve the Landfill solid waste management strategic plan with NWCC. Kinkaid seconded the motion.

Moe amended the motion to include the total project cost of $60,910.00 with the stipulation that each task may be evaluated for budget purposes if necessary. Kinkaid seconded the amended motion. Motions carried 3-0. See attached.

Memorial Hospital- Jennifer Riley & Don Cook

Riley gave an update from the Memorial Hospital:

- Recruiting and hiring new physicians
- Reviewed financials.
- Community birthday celebration for all babies born at the Memorial Hospital.
- Board has decided to continue the search for the new CEO. The management contract with Quorum will terminate the end of June.
- The physical therapy clinic has moved to the Yampa Street location.
- Increase in patient numbers and new babies for OB GYN and surgery.
- New surgery options.
- Hospital Foundation golf tournament fundraiser raised over $11,000.

Office of Development Services- Roy Tipton & Wendy Moser

Tipton reviewed the franchise agreement from Charter Communications, which allows Charter to provide cable in the County right-of-ways. Currently the cabling is in the Shadow Mountain Subdivision.

This is a ten year agreement. The County will be paid a 5% franchise fee of gross annual revenues. Payments will be made quarterly.

Moe made a motion to approve the franchise agreement between Moffat County and Bresnan Communications LLC, dba Charter Communications. Kinkaid seconded the motion. Motion carried 3-0. See attached.

Chris Oxley present.

Natural Resources Department- Jeff Comstock

Comstock reviewed the right of way agreement between Moffat County and the Browns Park National Wildlife Refuge regarding repairs and future maintenance of the Swinging Bridge.

The estimated cost to repair the bridge is $1,420,000.00.

The right of way agreement is for a period of fifty years, and includes the Swinging Bridge and associated foundations, cables, cable anchors and guard rails. Additionally an easement included access to the sway cables and associated anchors on each side of the river.

The right of way grants the county authority to repair, maintain and mange the Swinging Bridge.

A cooperative agreement will be negotiated in a separate agreement which will detail the cost sharing of future bridge maintenance. It is the intent of the County that this will be a 50-50 agreement for future costs.

The right of way may be terminated by the Regional Director for failure to comply with the terms and conditions or for abandonment. The County Attorney provided additional protection and clarification of abandonment clause by indicating abandonment is a "deliberate failure" or failure to make significant progress with repairs or to secure funding.

An additional clause is that any vegetated surfaces which are disturbed during maintenance will be returned to original conditions or planted with native grass and that will be provided and determined by the Refuge Manager.

The agreement also specifies the County must give the Refuge prior notice when work is being done on the bridge, and the County must submit a biannual report of all repairs.

Tipton reviewed the next steps for the rebuilding process. An additional $100,000 must be secured from stakeholders and agencies for the grant application.

Moe made a motion to approve right of way agreement R1 between Moffat County and the United States Department of Interior Browns Park National Wildlife Refuge for repair and future maintenance of the Swinging Bridge. Kinkaid seconded the motion. Motion carried 3-0. See attached.

Melody Villard and Tom Soos present.

Clerk's Office- Lila Herod
&
Chamber of Commerce- Chris Oxley

The Chamber of Commerce has applied for a special events liquor license for the Whittle the Wood event. The event will be held at Loudy Simpson Park on June 17th and 18th.

The application and fees were submitted on May 31st. The application and supporting documents are attached and complete.

Moe made a motion to allow the Craig Chamber of Commerce to use the section of at Loudy Simpson Park for their event and to approve their special events liquor license for June 17 & 18th. Kinkaid seconded the motion. Motion carried 3-0. See attached.

Audine Evans and Tad Lee present.

MCTA- Melody Villard

Villard discussed partnering with economic development for funding the OHV marketing project with Miller Creative.

The strategic focus for MCTA has been OHV (Off Highway Vehicle) recreation. It is the most visitor-ready and visitor requested activity of late. The focus is on creating a sustainable campaign over the next 3 to 5 years. MCTA contracted with Miller Creative to assess and define deliverables for a 2016 campaign to increase OHV recreation awareness for Moffat County.

The proposal for gathering the campaign collateral was reasonable from an industry standpoint, but was high for what MCTA has available to move forward successfully with. MCTA asked Miller Creative to shave it down a bit and was able to come up with a cost savings of about $5,500 from the original $15,000 cap for collateral.

The MCTA has $5,000 in Projects and Development for the OHV program and is requesting assistance from the County for an additional $3,000 to preferably $5,000 to kick off the OHV marketing necessary to open doors to the assets and opportunities in Moffat County for outdoor and off highway recreation.

Grobe indicated Better City's plan should be finished in August and additional funds may be needed in order to complete this project. They will discuss the funding request with Mindy Curtis before making a commitment.

Audine Evans & Tad Lee—Landfill Hay Field Property

Audine Evans and Tad Lee discussed the issues with the gate Floyd Gutierrez installed on the road near the Landfill hay field. Evans and Lee did not show up for the BOCC meeting last week because they were given the wrong date for the BOCC meeting. The regularly scheduled Tuesday meeting was moved to Monday last week.

The gate and cable that Gutierrez installed prohibits Mr. Lee from having enough room to navigate his truck and plow. He suggested that Mr. Gutierrez could easily put the cable across his own property and accomplish the same purposes, or he could move the cable and give an extra 25 feet for access. He stated Mr. Gutierrez has created conflict and hindrance that is very unnecessary.

Mr. Lee also reported that he has encountered conflicts with Gutierrez in the past. Gutierrez has been argumentative with any attempts Lee makes when trying to plow and remove snow. Gutierrez has argued that Mr. Lee's mules will get in the hay field and damage the property, which he leases from the County. Lee contends his mules are manageable and that they have never gotten out.

Mrs. Evans reported Lee is taking care of her property and has helped plow the road to her house, where her granddaughter is living with a small baby. There is a health and safety concern in order to provide access to the road, especially in the winter. Evans stated Gutierrez has never discussed his decision to install a gate, and he did not have prior approval to do this. Mr. Gutierrez has threatened Mr. Lee and he is being unreasonable.

Grobe stated he will review this issue with the Road Department and he will also talk to Mr. Gutierrez and try to work out a comprise.

Office of Emergency Management- Tom Soos

Soos reviewed the updated evacuation plans for the Courthouse and Social Services. The intent of this plan is to provide an outline for evacuation processes. This is a living document and will continue to evolve.

Evacuation drills will be planned within the next couple of months. A Recovery Workshop has been planned next Tuesday with County Departments and the State.

Moe made a motion to approve the Moffat County Evacuation Plan and to move forward with an evacuation exercise, keeping in mind this is a living document and changes or amendments may be in order. Kinkaid seconded the motion. Motion carried 3-0. See attached.

Soos reviewed the updated Continuity of Government and Chain of Command resolution.

Kinkaid made a motion to approve Resolution 2016-62 amending Resolution 2012-98 Disaster Chain of Command. Moe seconded the motion. Motion carried 3-0. See attached.

Charlene Abdella, Dollie Rose, and Mindy Curtis present.

Human Resources Department- Lynnette Siedschlaw
&
Sheriff's Department- Charlene Abdella

Abdella discussed the amendment that was made to the on-call provisions for fire bank time. At the June 14 meeting the Sheriff's Department had requested the policy be amended to eliminate the fire bank time. It is now being recommended to amend the policy to reinstate on-call fire bank time, and eliminate the accrual of Fire Bank time for fill-in employees.

Moe made a motion to approve Resolution 2016-59 Reinstatement and amendment to on-call provision for County operations; Fire Bank Time. Kinkaid seconded the motion. Motion carried 3-0. See attached.

Meeting Adjourned

Submitted by: Lila Herod, County Clerk and Recorder

Approved by: _____

_____

_____

Approved on: 6-21-16

Attest by: Lila Herod

MOFFAT COUNTY SEAL COLORADO