

BOARD OF MORGAN COUNTY COMMISSIONERS
Minutes of Meeting
September 22, 2009

The Board of Morgan County Commissioners met on Tuesday, September 22, 2009 at 9:00 a.m. with Chairman Brian McCracken, Commissioner Laura Teague and Commissioner Tony Carlson in attendance. Chairman McCracken called the meeting to order with Human Resources Director Michelle Pape leading the meeting in the Pledge of Allegiance to the Flag.

CITIZEN'S COMMENT PERIOD

There were no comments.

PUBLIC HEARING

Chairman McCracken opened the public hearing for comments at 9:01 a.m. regarding the vacation of Morgan County Road X lying northwest of Morgan County Road 9 and all of Morgan County Road 7 lying north of the section line between Sections 6 and 7 T.4 N., R. 59 W. and located in Section 4, 5, 6, 9 and 10, T.4 N., R. 59 W. of the 6th P.M. Superintendent of the Fort Morgan Reservoir and Irrigation Company Ken Bohl voiced opposition the road should not be closed and stay the way it has been for years. Several landowners in the area voiced opposition. Dallas Bowles, land owner of one hundred forty-four acres at the end of County Road 7, stated he does not think the road should be closed and was not necessary for the County to maintain it. Gary Cleaver from D T Ranch opposed the road being closed. Bob Kelley reported County Road 7 is at the end of his property and that the ditch company and Dallas Bowles have to have the road open so they can get in and out of their property. Cleaver noted that is why landowners pay County taxes and are at the mercy of the County to keep it open. The landowners do realize that the road is not a high priority on the County's list to maintain and are understanding of that. Public comment closed at 9:04 a.m.

Chairman McCracken opened to the Board for discussion at 9:05 a.m. Commissioner Teague asked County Attorney George Monsson about the procedure on dedicating that part of the road. Monsson stated it would be a fairly easy procedure. The County would do a survey on thirty feet on either side of the road and Monsson would have to get the papers drawn up for the landowners to sign. Commissioner Teague stated she had concerns about the cost of the maintenance of the road. Monsson noted the road maintenance is up to the Commissioners. Chairman McCracken noted the road is not a top priority for the County to maintain. Commissioner Carlson noted if we are not going to vacate the road we would need to dedicate it. Commissioner Carlson made a motion not to vacate County Road X contingent on the landowners take down the private property signs and agree to dedicate it to the County. Commissioner Teague seconded the motion but noted the Commissioners take it under advisement. Motion carried 3-0.

Chairman McCracken closed the hearing at 9:16 a.m.

PUBLIC HEARING

Chairman McCracken opened the public hearing for comments at 9:18 a.m. regarding the vacation of Morgan County Road S.7 lying west of Palm Drive and located in NE ¼ of Section 35 T.4 N., R. 58 W. of the 6th P.M. Ralph Senseney, owner of the property next to the land has taken care of it for the last fifty-three years. Senseney noted he would like to have it put in his name so he can take care of it properly. Senseney thanked the County for paving the road on Palm Drive. Alan Van Vuren owns property next to Senseney and reported no one takes care of the property and thinks the County should vacate. Public comments closed at 9:21 a.m.

Chairman McCracken opened the public hearing for comments at 9:22 a.m. noting the land is thirty feet wide by sixty feet long and has never been maintained. Commissioner Teague made a motion to vacate Morgan County Road S.7 lying West of Palm Drive and location NE ¼ of Section 35 T.4 N., R. 58 W. of

ATTEST:

(SEAL)

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

CONSENT AGENDA

The following items were on the Consent Agenda:

Consideration of approval of minutes dated September 15, 2009
Ratification of approval of General Fund Expenditures, Warrant No. 9122242 through 9122434
Ratification of approval of Social Services Fund Expenditures, Warrant No. 1011352 through 1011430
Ratification of approval of 911 Emergency Telephone Fund Expenditures, Warrant No. 1600675 through 1600680
Ratification of approval of Conservation Trust Fund Expenditures, Warrant No. 2500138
Ratification of approval of Central Services Fund Expenditures, Warrant No 4108919 through 4108993
Ratification of approval of Ambulance Service Fund Expenditures, Warrant No. 4204954 through 4204993
Ratification of approval of Solid Waste Management Fund Expenditures, Warrant No. 4402829 through 4402856
Ratification of approval of Lodging and Tourism Fund Expenditures, Warrant No. 7200418 through 7200420
Ratification of Chairman's Signature for Morgan County Board of Human Services Financial Meeting Minutes dated July 13, 2009 and August 11, 2009
Ratification of Chairman's Signature for Certificate of Compliance for Morgan County Industrial Freight Rail Infrastructure Project TIGER Grant
Ratification of Chairman's Signature for assignment of debt collection to Affiliated Credit Services for Morgan County Ambulance Service client accounts
Ratification of Signatures of Board of County Commissioners for support letter to Senator Mark Udall and Senator Michael Bennett supporting the Eastern Transportation Planning Region protecting \$114.7 million dollars of funding for Colorado that is at risk by the SAFETEA-LU recession scheduled for September 30, 2009
Ratification of Signatures of Board of County Commissioners for support letter submitted to the City of Brush to apply for TIGER discretionary grant award

Commissioner Teague made a motion to approve all items on the Consent Agenda. Commissioner Carlson seconded the motion. Motion carried 3-0.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

CONSIDERATION OF APPROVAL-RESOLUTION 2009 BCC 37-RESOLUTION TO STOP PAYMENT-GENERAL FUND-CHECK #9121619

**RESOLUTION
2009 BCC 37**

**MORGAN COUNTY GOVERNMENT
RESOLUTION TO VOID CHECKS AND STOP-PAYMENT ORDER**

Be it resolved that on this 22nd day of September, 2009, the Morgan County Board of County Commissioners hereby authorizes the cancellation of the following warrants.

<u>Check#</u>	<u>Date</u>	<u>Category (Fund) Issued To</u>	<u>Amount</u>	<u>Reason</u>
9121619	04/22/09	GENERAL FUND Telewest IV Inc.	\$929.56	Lost Check

NOTE: The Morgan County Board of County Commissioners resolves that all warrants outstanding after the specified time period on the face of the warrant will be canceled, with the stipulation that should such warrant be presented for payment, a new warrant will be issued as a replacement warrant.

STOP PAYMENT ORDER

The Board of County Commissioners for the County of Morgan hereby orders stop-payment of the above cancellations.

Should one of these warrants, which have been reported canceled, be presented to the county treasurer, he will reject it to the bank as stale dated or lost. The county department will issue a new warrant and report this as an adjustment on the current appropriate "Statement of Expenditure".

Dated this 22nd day of September, 2009

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

s/ Brian McCracken
Brian McCracken, Chairman

s/ Tony L. Carlson
Tony L. Carlson,

s/ Laura Teague
Laura Teague

ATTEST:

(SEAL)

s/ Connie Ingmire
Connie Ingmire, Clerk to the Board

Administrative Services Manager Susan Bailey presented to the Board Resolution 2009 BCC37 for approval of a stop payment order on check number 9121619 to Telewest IV Inc. Commissioner Teague made a motion to approve Resolution 2009 BCC 37 and was seconded by Commissioner Carlson. Motion carried 3-0.

**CONSIDERATION OF APPROVAL-RIGHT OF WAY PERMIT 2009 PMT 20-APPLICANT
ROBERT PENNINGTON TO BORE NW CORNER OF PROPERTY LINE AT 16028 COUNTY
ROAD 28, BRUSH, CO TO INSTALL NEW SEWER LINE FROM HOUSE TO MAIN LINE**

Administrative Services Manager Susan Bailey presented to the Board for approval Permit 2009 PMT 20 for review. The permit would allow Robert Pennington to bore parallel to County Road 28 on the west side. The location of crossing is the northeast corner of property line located at 16028 County Rd 28, Brush, CO to install a new sewer line from house to main line. Fees of \$415.00 have been paid and approved by Road Supervisor John Goodman. The road and ditch shall be returned to equal or better

condition as found. Commissioner Carlson made a motion to approve Permit 2009 PMT 20 and authorize Chairman McCracken to sign the permit. Commissioner Teague seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL-RIGHT OF WAY PERMIT 2009 PMT 21-APPLICANT INFRASOURCE TO BORE ACROSS COUNTY ROAD Q AT 15934 MORGAN COUNTY ROAD 20, FORT MORGAN, CO TO INSTALL NEW TELEPHONE SERVICE

Administrative Services Manager Susan Bailey presented to the Board for approval Permit 2009 PMT 21 for review. The permit would allow Qwest to bore across Morgan County Road Q at 15934 Morgan County Road 20 to install new telephone service to 15934 Morgan County Road 20, Fort Morgan, CO. Fees of \$150.00 have been paid and approved by Road Supervisor John Goodman. The road and ditch shall be returned to equal or better condition as found. Commissioner Teague made a motion to approve Permit 2009 PMT 21 and authorize Chairman McCracken to sign the permit. Commissioner Carlson seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL-RIGHT OF WAY PERMIT 2009 PMT 22- APPLICANT DON CARMIN TO BORE PARALLEL TO ROAD 3/8 MILE EAST OF HIGHWAY 52 ON COUNTY ROAD EE, FORT MORGAN, CO TO INSTALL WATER LINE FOR STOCK TANK

Administrative Services Manager Susan Bailey presented to the Board for approval 2009 PMT 22 to bore parallel to road 3/8 mile east of Highway 52 on Morgan County Road EE, Fort Morgan, CO to install water line for a stock tank. Commissioner Carlson noted there is confusion whether Carmin is going to trench across and under or bore parallel to the road. Commissioner Teague made a motion to table the approval until the September 30, 2009 Board meeting and was seconded by Commissioner Carlson. Motion carried 3-0.

CONSIDERATION OF APPROVAL-RIGHT OF WAY PERMIT 2009 PMT 23- APPLICANT ROGER SCHIEL AND RICHARD HAMLIN-USE OF A PORTION OF WARREN STREET FOR OVERFLOW PARKING

Administrative Services Manager Susan Bailey presented to the Board for approval of Permit 2009 PMT 23. The proposed location of right of way is that portion of Warren Street in the Wilton Addition to the Town of Weldona, CO. The parcel is described as triangular and lying southeast of the seventy foot wide portion of Warren Street, northeast of the twenty foot wide alley between blocks one and three of the Wilton Addition and west of lots twelve, thirteen and fourteen of block three of the Wilton Addition. Commissioner Teague made a motion to approve Permit 2009 PMT 23 and authorize Chairman McCracken to sign the permit. Commissioner Carlson seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL OF CONTRACT-MORGAN COMMUNITY COLLEGE TO PROVIDE EXCEL TRAINING ON SEPTEMBER 18, 2009 AND SEPTEMBER 25, 2009 TO INTERESTED COUNTY EMPLOYEES

Human Resource Director Michelle Pape presented to the Board for approval a contract between Morgan Community College and Morgan County for Excel training. Pape noted the beginner class went well and had approximately eighteen people in the first class and twenty for the advanced class. Commissioner Teague made a motion to approve the contract with Morgan Community College to provide Excel training on September 18, 2009 and September 25, 2009 and authorize Chairman McCracken to sign the contract. Commissioner Carlson seconded the motion. Motion carried 3-0.

CONSIDERATION OF APPROVAL AND ADOPTION-EMPLOYEE REIMBURSEMENT POLICY

Human Resource Director Michelle Pape presented to the Board for approval the Employee Reimbursement Policy regarding meal and mileage reimbursements while traveling away from home which is paid on a per diem basis. The dollar amount limits allowed per meal are: breakfast is \$7.00, lunch is \$9.00 and dinner is \$12.00. Pape noted the rates remained the same as last year. Commissioner Carlson made a motion to approve the Employee Reimbursement Policy and was seconded by Commissioner Teague. Motion carried 3-0.

CONSIDERATION OF APPROVAL AND ADOPTION-MORGAN COUNTY GOVERNMENT PERSONNEL POLICY

Human Resource Director Michelle Pape presented to the Board for approval the Morgan County Government Personnel Policy. Pape stated a current and revised copy was given to the Board. Commissioner Teague made a motion to approve the revised Morgan County Government Personnel Policy and was seconded by Commissioner Carlson. Motion carried 3-0.

COUNTY OFFICAL AND DEPARTMENT HEAD REPORTS

The Commissioners reported on various roads in their district. Administrative Services Manager Susan Bailey noted that the City of Brush is doing a Solar Power kick off and is requesting Chairman McCracken to attend. The date of the kick off is September 25, 2009 from 10:30 a.m. until 11:30 a.m. at the southeast corner of Hospital Road and I-76. Chairman McCracken noted the Commissioners have approved the Morgan County Clerk's Office to be closed on Thursday, September 25, 2009 from the hours of 9:30 a.m. to 11:30 a.m. out of respect for Morgan County Clerk Connie Ingmire's mother.

UNFINISHED BUSINESS

There was no unfinished business.

ADJOURNMENT

With no further business, the meeting recessed at 9:42 a.m.

Respectfully Submitted,

Denise Gettman
Deputy Clerk to the Board