

# COMMISSIONERS PROCEEDING 1

## BOARD OF COUNTY COMMISSIONERS

### Minutes of Meeting

December 22, 2009

The Board of Morgan County Commissioners met on Tuesday, December 22, 2009 at 9:03 a.m. with Chairman Brian McCracken, Commissioner Tony Carlson and Commissioner Laura Teague in attendance. Chairman McCracken called the meeting to order with Fort Morgan Times Reporter Dan Barker leading the meeting in the Pledge of Allegiance to the Flag.

### CONSENT AGENDA

Consideration of Approval of Minutes dated December 15, 2009

Ratify Managing Commissioner Tony Carlson's signature on Credit Applications submitted by various vendors for the Morgan County Solid Waste Management Department

Ratify Chairman Brian McCracken's signature for assignment of debt collection to Affiliated Credit Services for Morgan County Ambulance client accounts

Ratify Chairman Brian McCracken's signature on the Morgan County Treasurer and Public Trustee Report for the month ending November 30, 2009

Ratify Chairman Brian McCracken's signature for Morgan County Board of Human Services Financial Meeting minutes dated November 9, 2009

Ratify Chairman Brian McCracken's signature an Affidavit for Service by Publication

Ratify the Automatic Renewal of 3N Everbridge Contract for the time period of 12-10-09 through 12-09-10

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

### GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

#### **CONSIDERATION OF APPROVAL-CONTRACT-STATE OF COLORADO-AGREEMENT FOR RECEIPT OF COURT SECURITY GRANT FUNDS**

Under Sheriff Dave Martin presented to the Board for approval a contract between Morgan County Sherriff's Office and the State of Colorado. Martin stated the contract is an offender funded program, which means the offenders have a surcharge on their fines and that is were the money will be dispersed from. The contract will run for a twelve month period and start January 1, 2010 through December 31, 2010 for the amount of \$48,900.00. The \$48,900.00 is for one full time employee, benefits and the remainder is for training. Commissioner Teague made a motion to approve the contract between Morgan County Sherriff's Office and the State of Colorado in the amount of \$48,900.00 and authorize the chair to sign the contract. Commissioner Carlson seconded the motion. Motion carried 3-0.

#### **CONSIDERATION OF APPROVAL-CONTRACT-IMAGE BASE-BACK FILE CONVERSION FOR HISTORICAL RECORDS**

County Clerk and Recorder Connie Ingmire presented the Board with a contract request from Image Base LLC for file conversion for historical records. The proposal is to convert General Record book images to a digital format which will include books 1-169 as well as convert the bound Grantor/Grantee Index book images to digital which will encompass books 1-9. This project began in 2005 in an effort to digitize all Morgan County's General Record books for historical purposes and provide backup in the event the originals are destroyed. Clerk Ingmire pointed out that there are many more documents which need to be captured in a digital format and indicated that the staff in house has digitized the plat maps for preservation purposes, as well as land survey plats, ditches and reservoirs and right of way maps. Ingmire indicated that this next phase of the project would begin in January 1, 2010 and end December 31, 2010. The contract is in the amount of \$31,252. Motion was made by Commissioner Teague to approve the contract and authorize the chairman to sign the contract. Commissioner Carlson seconded the motion. Motion carried 3-0.

#### **CONSIDERATION OF APPROVAL-CONTRACT/LEASE-COLORADO DIVISION OF WILDLIFE-JEAN K. TOOLE LAND**

Administrative Services Manager Susan Bailey presented to the Board for approval the contract/lease between Morgan County and Colorado Division of Wildlife. Bailey stated that this is a yearly renewal and will run from January 1, 2010 through December 31, 2010 with a cost of \$2,500.00. Commissioner Carlson made a motion to approve the contract between Morgan County and the Colorado Division of Wildlife for one year in the amount of \$2,500.00 and authorize the chair to sign the contract. Commissioner Teague seconded the motion. Motion carried 3-0.

#### **CONSIDERATION OF APPROVAL-GREAT OUTDOORS COLORADO-DECLARATION OF COVENANTS AND CONDITIONS-LEGION FIELD RENOVATION**

Accounting Manager Mari Oskarson presented to the Board for approval the declaration of covenants and conditions. Oskarson stated that Morgan County has been acting as the fiscal agent for the American Legion renovation project. The project has been completed and Morgan County needs to sign and submit the grant application to the Great Outdoors of Colorado we can get reimbursed \$93,000.00. Commissioner Teague made a motion to approve the Great Outdoors Colorado Declaration of Covenant and Conditions and authorize the chair to sign the grant. Commissioner Carlson seconded the motion. Motion carried 3-0.

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## **CONSIDERATION OF APPROVAL-BID AWARD-2009-1217 PRINTING BID**

Administrative Services Manager Susan Bailey presented to the Board for approval the 2010 printing bid. Bailey stated she sent out six requests for bids and Impressions by Bird is the only one that submitted a bid. Impressions by Bird has been awarded the bid for Morgan County's business for the last three years. The term of the contract will run from January 1, 2010 through December 31, 2010. Commissioner Teague made a motion to accept the bid from Impressions by Bird. Commissioner Carlson seconded the motion. Motion carried 3-0.

## **CONSIDERATION OF APPROVAL-BID AWARD-AUTOMOTIVE FILTERS 2009-1217**

Fleet Manager Bruce Bass presented six bids on the automotive fuel filters to the Board. The bids are as follows: Central Auto Parts with a total bid of \$429.19. Bid number two is from Carquest Auto Parts with a total bid of \$483.98. Bid three is from Sailsbery Supply for a total of \$419.36. Bid four is from Wickham Tractor for a total of \$420.43. Bid five is from Transwest for a total of \$415.77. The last bid is from Centilla for a total of \$423.48. Bass recommended the Board to go with Sailsbery Supply stating Transwest is the lowest amount but, Morgan County would like to keep the business locally and Sailsbery Supply is within the five percent bidding range. A motion was made by Commissioner Carlson and seconded by Commissioner Teague to accept the bid from Sailsbery Supply in the amount of \$419.36. Motion carried 3-0.

## **CONSIDERATION OF APPROVAL-BID AWARD-FUEL BID 2009-1217**

Fleet Manager Bruce Bass presented two fuel bids to the Board for approval. The first bid is from M & M Coop with point zero two additives per gallon for a total price of \$3,625.00, \$13,197.50 for diesel fuel and \$3,864.00 for unleaded with a total cost of \$17,061.50. The last bid is from Hill Petroleum with point zero two additives per gallon for a total price of \$3,625.00, \$13,912.50 for diesel fuel and \$4,370.00 for unleaded with a total cost of \$18,282.50. The term of the contract will be a nine month rotation then switch back to the six month rotation starting January 1, 2010 through September 31, 2010. This will be so they can get the winter blend fuel and summer blend fuel so Morgan County will not have to blend as much into their fuel. Commissioner Teague made a motion to accept the bid from M & M Coop for a total of \$17,061.50 and Commissioner Carlson seconded the motion. Motion carried 3-0.

## **CONSIDERATION OF APPROVAL-2010 MILL LEVY AND ASSESSMENT CERTIFICATION**

IT Director Karol Kopetzky presented the 2010 Mill Levy and Assessment Certification document to the Board for their review. Ms. Kopetzky indicated the agencies using the temporary tax credits this year included the Town of Hillrose using -2.317 for a 2010 total of 15.573; Fort Morgan Rural Fire Protection using -0.272 for a 2010 total of 3.241; Wiggins Rural Fire Protection using -1.120 for a 2010 total of 5.892; Wiggins Pest Control using -0.021 for a 2010 total of 0.430 and the Snyder Sanitation using -1.685 for a total of 10.217. Ms. Kopetzky indicated that all the Morgan County entities were Tabor compliant. Morgan County tax levy did not change from 2009 and will remain at 28.948. Motion was made by Commissioner Teague and seconded by Commissioner Carlson to accept the 2010 Mill Levy and Assessment Certification as submitted. Motion carried 3-0.

## **CONSIDERATION FOR APPROVAL-MORGAN COUNTY CLERK & RECORDER-MOTOR VEHICLE DIVISION REPORT**

Morgan County Clerk and Recorder Connie Ingmire reported to the Board the fees collected in the Motor Vehicle Department. The report compared the fees collected in June 2009 through November 2009 to the fees collected June 2008 through November 2008. Morgan County's Motor Vehicle Department received pay port machines which gives the customer the choice to use a debit card or credit card, there is a two point seven percent charge for the use. The State of Colorado has also started enforcing a late penalty fee which started June 1, 2009 in the amount of \$25.00 per month with a maximum of \$100.00 in penalty fees. The state has also started fining Special Mobile Machinery at the port of entry which can cost the customer \$500.00 up to the price it would cost to register the machinery. Commissioner Carlson made a motion to accept the report as given by Morgan County Clerk and Recorder Connie Ingmire. Commissioner Teague seconded the motion. Motion carried 3-0.

## **COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS**

Commissioners reviewed the calendar with changes. Susan Bailey stated on Thursday December 24, 2009 the Morgan County Offices will be closing at 12:00 p.m. for the holidays.

## **UNFINISHED BUSINESS**

### **RESOLUTION 2009 BCC 43**

#### **A RESOLUTION GRANTING A TAX REBATE FOR A PERIOD OF FOUR YEARS**

**WHEREAS**, Cascade Hotels, Inc. dba Clarion Inn Fort Morgan ("applicant") has proposed to establish a \$3,700,000 in capital improvements and 34 new full time employees for a full service hotel ("project"), and

**WHEREAS**, the project qualifies as a "new business facility" as defined by Section 39-22-508.2(3), excluding subparagraph (b), and

**WHEREAS**, the applicant has requested an economic incentive of a refund of fifty percent (50%) of the real property taxes for all taxes levied on the valuation of the real property in excess of \$525,000 attributable to the project for a period of four (4) years, and

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**WHEREAS**, the Board of County Commissioners is authorized to grant such a refund pursuant to the authority of Section 30-11-123 C.R.S., and

**WHEREAS**, the Morgan County Economic Development Corporation has completed an economic analysis of the project, its benefits, and the requested refund, and

**WHEREAS**, the Board of County Commissioners finds that the project will benefit Morgan County by providing new employment opportunities, increasing the tax base of the county, and overcoming conditions of unemployment and economic distress, and

**WHEREAS**, the Board of County Commissioners has determined that it is in the best interests of the health, safety, and welfare of the citizens of Morgan County to grant the applicant's request.

**NOW BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO:**

1. An economic development tax refund shall be made to the applicant equal to fifty percent (50%) of all county taxes levied on the valuation of the real property in excess of \$525,000 levied and paid to Morgan County (including but not limited to the County General Fund, Road and Bridge Fund, Social Services Fund, Capital Lease Purchase Fund), excluding any interest or penalty, on any real property attributed to the project for a four (4) year period commencing with the 2010 tax year (payable in 2011).
2. The refund shall only be made under the following conditions:
  - A. All taxes due to be paid to Morgan County are paid on time for each year for which the refund applies.
  - B. The applicant remains eligible to receive the refund and the County remains authorized to grant a refund under applicable Colorado statute.
  - C. Payment will be made only to the extent appropriations are made by the Board of County Commissioners each year for the purpose of such payment. The Board of County Commissioners is under no legal obligation to appropriate to make the payment.
  - D. The refund shall not be for any Morgan County personal property taxes levied on equipment used during construction of the project.
  - E. The Board of County Commissioners or its designee shall be the sole authority to determine the amount of the refund due pursuant to this resolution.
  - F. As a condition of this tax rebate the applicant shall be required to maintain at least 20 full time equivalent new jobs at 100% above the Morgan County Standard Industrial Classification (SIC) code for each position. The applicant shall be required to report annually, prior to January 30<sup>th</sup> of each year, the number of jobs for the previous calendar year, the months those jobs were occupied, the salary paid for those jobs, and the SIC code and Morgan County annual wage for those jobs.
3. The refund payments shall be made to the applicant within thirty (30) days of the receipt of the final tax payment for a particular year from the applicant for the taxes levied and paid on the project property.

**DATED** this 22 Day of December, 2009.

BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, COLORADO

\_\_\_\_\_  
s/ Brian McCracken  
Brian McCracken, Chairman

\_\_\_\_\_  
s/ Tony Carlson  
Tony Carlson

\_\_\_\_\_  
s/ Laura Teague  
Laura Teague

**ATTEST:**

(SEAL)

\_\_\_\_\_  
s/ Connie Ingmire  
Connie Ingmire, Clerk to the Board

Morgan County Economic Developer Kari Linker presented to the Board Resolution 2009 BCC 43 for approval granting a tax rebate for a period of four years to Cascade Hotels, Inc. dba Clarion Inn Fort Morgan. The site of the hotel will be off Highway 76 and Highway 34 Fort Morgan, Co. Linker stated the hotel has proposed to establish \$3,700,000.00 in capital improvements and thirty four new full time employees. An economic tax refund shall be made to the applicant equal to fifty percent of all county tax levied on the valuation of the real property in excess of \$525,000.00 levied and paid to Morgan County over a four year period commencing with the 2010 tax year. Bill

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Meyer, owner, stated he and his Sales Manager Greg Gotto are very excited about the hotel's grand opening that is set for mid January 2010 and the economic enhancement to Morgan County.

## CITIZEN'S COMMENT PERIOD

There were no comments.

## LIQUOR LICENSE-CLAVIS CLUB

Public Hearing opened 9:50 a.m.

Morgan County Clerk and Recorder Connie Ingmire presented to the Board for approval the dance license and liquor license application for the Clavis Club with all fees being paid. Ingmire stated the Clavis Club has a new board member and we are waiting for the fingerprint report to come in from the Colorado Bureau of Investigation. Morgan County Sheriff Jim Crone reported the background check came back clear with nothing to report. President Brenda Garfio thanked the Board for the opportunity to move forward in the community. Commissioner Teague made a motion to approve the Clavis Club liquor and dance application contingent on the new board member's fingerprints coming back clear. Commissioner Carlson seconded the motion. Motion carried 3-0.

Public Hearing closed 9:54 a.m.

There being no further business the meeting adjourned at 9:54 a.m.

Respectfully submitted,

Denise Gettman  
Deputy Clerk to the Board