

October 16, 2018

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Tuesday the 16th day of October, 2018, there were present:

Lea Ann Laybourn, chairman	present
Terry G. Hart, commissioner	excused
Leland Willeke, commissioner	present
Garland Wahl, clerk of the board	present
Madeline Meacham, county attorney	present

8:00 Invocation

Pledge of Allegiance

Work Session

8:15 Planning and Zoning-Annie Kuntz

Rod and Denise Bernhart EX18-09

Dianna Monk EX18-10

Sage Bluff Wind Project BP18-22

Shears Draw Wind Project BP18-23

Shears Draw Wind Project BP18-24

8:30 Public Hearing

Sage Bluff Wind/Cronk SP18-02

Shears Draw Wind/Johnson SP18-03

Shears Draw Wind/Binstock SP18-04

Yuma County Government SP18-05

8:30 Present at the **Planning and Zoning Public Hearing** were: Commissioners - Lea Ann Laybourn, Leland Willeke, Commissioner Hart was absent and excused; Clerk of the Board – Garland Wahl; County Attorney – Madeline Meacham; Planning and Zoning – Annie Kuntz; Owen Watson –ENGIE North America; and Otis Telegraph – Jerry Patterson.

Kuntz: presented three Applications for Use by Special Review

SP18-02 Sage Bluff Wind Project LLC/Owen Watson, Development Associate, Engle N. A. for an easement for Wind Energy Development on the NE1/4-32-3S-54W on Ken Cronk property.

SP18-03 Shear Draw Wind Project, LLC/Owen Watson, Development Associate, Engle N. A. for an easement for Wind Energy Development on the SE1/4-23-2N-53W on Clint Johnson Property.

SP18-04 Shear Draw Wind Project, LLC/Owen Watson, Development Associate, Engle N. A. for an easement for Wind Energy Development on the SE1/4-3-1N-53W on Melvin and Olga Binstock Property.

SP18-05 Yuma County Government for a communication tower on the E1/2NE1/4-14-2N-49W on Yuma County Government property.

Owen Watson, representative for the above mentioned applications stated they are considering the development of 197' meteorological towers. Each tower will be guy wired and everything will be removed when done. The anemometers have orange balls on each end.

Commissioner Willeke asked how long the towers will be in place. Watson the life span is one to ten years but the average is five to seven years. Every two to three years the towers are laid down to do maintenance work on them.

Watson said they will start to install towers in 4-5 weeks. It will be a year before consultants get through the data and give the information to the electric company.

Kuntz stated that the Yuma County Government Communication Tower will be put on the 6.9 acres next to a tower they already have on the property.

8:40 The Hearing was closed.

9:00 Public Comment/Work Session

9:30 Maintenance -Tom Hottinger

Sheriff Jon Stivers, Undersheriff Rob furrow, and Maintenance Tom Hottinger discussed **sealing cracks on the parking lot** at the Justice Center Complex. Sheriff Stivers said you have to get out and walk around to see them. Hottinger said there are many and it will cost less to seal them now rather than when they get big. McCormicks, one of the bidders was very thorough in his walk around. His bid is for more materials which is why it is higher than the bid submitted by A-ONE Rocky Mountain Pavement.

Sheriff Stivers discussed the remodeling they are doing with segregation cells and training room.

9:45 Business Meeting Convenes

Approve Consent Agenda

1. Schedule of bills for the County from the General, Road & Bridge, Health Care, TV Translator, Landfill, Justice Center Fund and Construction payables for October 16, 2018 in the amount of \$140,887.41
2. Nursing Home bills for October 16, 2018 in the amount of \$12,205.34
3. Pioneer Haven bills for October 16, 2018 in the amount of \$35.52
4. Minutes from prior meetings
 - a. October 2, 2018
 - b. October 9, 2018
 - c. October 11, 2018

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to approve the Consent Agenda without the October 11 minutes. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused.

RESOLUTION 79-2018

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to adopt the following resolution; to wit

WHEREAS, an application for Use By Special Review for a meteorological tower was received by Sage Bluff Wind Project (Case Numbers SP18-02) upon property owned by Ken Cronk along County Road P and Highway 36 which is a parcel of land in the NE1/4 of Section 32, Township 3 South, Range 54 West as heretofore approved by Washington County; and

WHEREAS, the Washington County Planning Commission recommended such use favorably in person at their regularly scheduled meeting on October 15th 2018; and

WHEREAS, the Board has considered this Use by Special Review application on this date, reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The property was properly posted pursuant to County requirements advertising the hearing at least 14 days prior to the hearing date. Therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.
2. The application submitted, subject to the terms, conditions and commitments of record submitted by the applicant, is compatible with the neighborhood and the health, safety and welfare of Washington County.

DECISION

3. That the Use by Special Review Permit is approved subject to the terms, conditions and commitments of record submitted by the applicant in their application, supporting materials and statements at the public hearing.
4. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 16th day of October 2018, by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted. Commissioner Hart was absent and excused.

RESOLUTION 80-2018

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to adopt the following resolution; to wit

WHEREAS, an application for Use By Special Review for a meteorological tower was received by Shears Draw Wind Project LLC (Case Numbers SP18-03) upon property owned by Clint Johnson along County Road 38 and County Road Z which is a parcel of land in the SE1/4 of Section 23, Township 2 North , Range 53 West as heretofore approved by Washington County; and

WHEREAS, the Washington County Planning Commission recommended such use favorably in person at their regularly scheduled meeting on October 15th 2018; and

WHEREAS, the Board has considered this Use by Special Review application on this date, reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The property was properly posted pursuant to County requirements advertising the hearing at least 14 days prior to the hearing date. Therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.
2. The application submitted, subject to the terms, conditions and commitments of record submitted by the applicant, is compatible with the neighborhood and the health, safety and welfare of Washington County.

DECISION

3. That the Use by Special Review Permit is approved subject to the terms, conditions and commitments of record submitted by the applicant in their application, supporting materials and statements at the public hearing.
4. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 16th day of October 2018, by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted. Commissioner Hart was absent and excused.

RESOLUTION 81-2018

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to adopt the following resolution; to wit

WHEREAS, an application for Use By Special Review for a meteorological tower was received by Shears Draw Wind Project LLC (Case Numbers SP18-04) upon property owned by Melvin and Olga Binstock along County Road 35 which is a parcel of land in the SE1/4 of Section 3, Township 1 North, Range 53 West as heretofore approved by Washington County; and

WHEREAS, the Washington County Planning Commission recommended such use favorably in person at their regularly scheduled meeting on October 15th 2018; and

WHEREAS, the Board has considered this Use by Special Review application on this date, reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The property was properly posted pursuant to County requirements advertising the hearing at least 14 days prior to the hearing date. Therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.
2. The application submitted, subject to the terms, conditions and commitments of record submitted by the applicant, is compatible with the neighborhood and the health, safety and welfare of Washington County.

DECISION

3. That the Use by Special Review Permit is approved subject to the terms, conditions and commitments of record submitted by the applicant in their application, supporting materials and statements at the public hearing.
4. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 16th day of October 2018, by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted. Commissioner Hart was absent and excused.

RESOLUTION 82-2018

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to adopt the following resolution; to wit

WHEREAS, an application for Use by Special Review for a communication tower was received by Yuma County Government. (Case Numbers SP18-05) along County Road ZZ and Highway 34 which is a parcel of land in the E1/2NE1/4 of Section 14, Township 2 North, Range 49 West as heretofore approved by Washington County; and

WHEREAS, the Washington County Planning Commission recommended such use favorably in person at their regularly scheduled meeting on October 15th 2018; and

WHEREAS, the Board has considered this Use by Special Review application on this date, reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The property was properly posted pursuant to County requirements advertising the hearing at least 14 days prior to the hearing date. Therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.
2. The application submitted, subject to the terms, conditions and commitments of record submitted by the applicant, is compatible with the neighborhood and the health, safety and welfare of Washington County.

DECISION

3. That the Use by Special Review Permit is approved subject to the terms, conditions and commitments of record submitted by the applicant in their application, supporting materials and statements at the public hearing.
4. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 16th day of October 2018, by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted. Commissioner Hart was absent and excused.

RESOLUTION 83-2018

Whereas, Rod and Denise Bernhardt (EX18-09) requested a subdivision exemption approval to divide a 124.12 acre parcel to create a 17.26 acre parcel located in the SW1/4 of Section 6, Township 1 North, Range 50 West, and

Whereas, the newly created 17.26 acre parcel contains a well, septic, the existing residence, three grain bins and one out buildings;

Whereas, said exemption was recommended favorably by the Planning Commission as submitted with no additional stipulations and conditions.

Now Therefore be it Resolved by the Board of County Commissioners of Washington County as follows:

1. Said exemption is hereby approved as recommended by the Washington County Planning Commission.

This Resolution was presented at the meeting held on the 16th day of October, 2018 by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted. Commissioner Hart was absent and excused.

RESOLUTION 84-2018

Whereas , Dianna Monk (EX18-10) requested a subdivision exemption to create a 3.45 acre parcel located in the NE1/4 of Section 2, Township 1 North, Range 49 West, and

Whereas, the newly created 3.45 acre parcel contains a well, septic, the existing residence, and two out buildings;

Whereas, said exemption was recommended favorably by the Planning Commission as submitted with no additional stipulations and conditions.

Now Therefore be it Resolved by the Board of County Commissioners of Washington County as follows:

1. Said exemption is hereby approved as recommended by the Washington County Planning Commission.

This Resolution was presented at the meeting held on the 16th day of October, 2018 by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted. Commissioner Hart was absent and excused.

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to approve the **Building Permit Application (BP18-22) for Sage Bluff Wind Project, LLC** to put a small building on the NE1/4-32-3S-54W. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused.

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to approve the **Building Permit Application (SP18-23) for Shears Draw Wind Project, LLC** to put a small building on the SE1/4-3-1N-53W. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused.

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to approve the **Building Permit Application (SP18-24) for Shears Draw Wind Project, LLC** to put a small building on the SE1/4-3-1N-53W. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to approve the **Request for Capital Purchase for the Justice Center to award the bid to McCormick Excavation & Paving**, Stratton, Colorado to crack seal the parking lot at a cost of \$9675.00. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused.

It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to approve the **Request for Capital Purchase for the Justice Center to purchase Repeater from Complete Wireless Technologies**, 621 C Innovation Circle, Windsor, CO 80550 at a cost of \$4436. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused.

9:53 It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to adjourn the meeting. On roll call vote, all votes being yes, the motion passed. Commissioner Hart was absent and excused.

Garland Wahl
Garland Wahl, Clerk of the Board

Lea Ann Laybourn
Lea Ann Laybourn, Chairman Board of County Commissioners