

MINUTES
March 25, 2019

BOARD OF COUNTY COMMISSIONERS
Rio Blanco County

The Board met at 11:06 a.m. in regular session at the RBC Courthouse, 555 Main St., Meeker, CO. Chairman Jeff Rector, Commissioner Si Woodruff, Commissioner Gary Moyer, Attorney Todd Starr, Board Assistant Talia Rosas, Budget & Finance Director Janae Stanworth, and Clerk to the Board Boots Campbell were present.

Call to order – Pledge of Allegiance: The meeting began with the pledge of allegiance.

AGENDA CHANGES

Commissioner Moyer moved to approve the March 25, 2019 agenda including any changes. Commissioner Woodruff seconded the motion. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

CONSENT AGENDA

Chairman Rector asked if there was any item on the consent agenda that should be moved to the business agenda at this time.

Consideration of the Board of County Commissioners meeting minutes of March 18, 2019

Commissioner Woodruff moved to approve the consent agenda. Commissioner Moyer seconded the motion. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

GENERAL BUSINESS:

Commissioner Moyer moved to approve an Annual Application for Nutrition Project Award under Title III C of the Older Americans Act - Revised 1992, for the use and benefit of the White River Roundup Rio Blanco County Department of Human Services. Commissioner Woodruff seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

Commissioner Woodruff moved to cancel a letter from the Board of County Commissioners of Rio Blanco County, Colorado to Governor Jared Polis, President of the Senate Leroy Garcia, and Speaker of the House K.C., opposing Senate Bill-181, approved on March 11, 2019, due to the Bill passing on Wednesday, March 13, 2019 and the letter not being prepared. Commissioner Moyer seconded. Roll call vote: Woodruff-Aye, Rector-Aye, Moyer-Aye.

Commissioner Moyer moved to approve a letter from the Board of County Commissioners of Rio Blanco County, Colorado to President Donald J. Trump, in support of David Bernhardt's nomination for Secretary of the Interior. Commissioner Woodruff seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

BID OPENINGS

2019 Rio Blanco County Crackfill Project

Clint Chappell opened the 4 bids received.

Kauffman Seal Coating from Glenwood Springs bid \$72,769.00

KSK LLC bid from Grand Junction bid \$76,237.34

Valley Pavement Maintenance from Grand Junction bid \$67,539.12

CKC Asphalt from Altamont, Utah bid \$42,186.47

BID AWARDS

Commissioner Woodruff moved to award the Piceance Creek Weed and Pest Herbicide Hand Spraying Project to Osborn Industries and Julius Ag, Inc., in an amount not to exceed \$100,000.00 each. Commissioner Moyer seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

Commissioner Moyer moved to award the Piceance Creek Weed and Pest Herbicide Aerial Spraying Project to Coulter Aviation in an amount not to exceed \$65,000.00. Commissioner Woodruff seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

Commissioner Woodruff moved to award the 2019 Lower White River Pest Control District Commercial Equipped Applicator Project to Rocky Mountain Weed Management and Elder Weed Spraying, Inc., in an amount not to exceed \$6,000.00 each. Commissioner Moyer seconded. Roll call vote: Woodruff-Aye, Rector-Aye, Moyer-Aye.

Commissioner Moyer moved to award the 2019 Lower White River Pest Control District Aerial Spraying Project to Coulter Aviation, in an amount not to exceed \$81,005.00. Commissioner Woodruff seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

MOU'S, CONTRACTS AND AGREEMENTS

Commissioner Woodruff moved to approve an Agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Civic Forum Associates, for the 2019 Rio Blanco County Columbine Park Multi-Purpose Indoor Arena Design Project, in an amount not to exceed \$185,700.00. Commissioner Moyer seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

Commissioner Moyer moved to approve the 2019 Rio Blanco County Annual Operating Plan between the Board of County Commissioners of Rio Blanco County, Colorado, the Colorado Division of Fire Prevention and Control, United States Forest Service - White River National Forest, United States Forest Service - Medicine Bow-Routt National Forest, Bureau of Land Management, and the National Park Service - Dinosaur National Monument. Commissioner Woodruff seconded. Roll call vote: Woodruff-Aye, Rector-Aye, Moyer-Aye.

Commissioner Woodruff moved to approve an Agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Osborn Industries, for the Piceance Creek Weed and Pest Herbicide Hand Spraying Project, in an amount not to exceed \$100,000.00. Commissioner Moyer seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

Commissioner Moyer moved to approve an Agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Julius Ag, Inc., for the Piceance Creek Weed and Pest Herbicide Hand Spraying Project, in an amount not to exceed \$100,000.00. Commissioner Woodruff seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

Commissioner Woodruff moved to approve an Agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Coulter Aviation, for the Piceance Creek Weed and Pest Herbicide Aerial Spraying Project, in an amount not to exceed \$65,000.00. Commissioner Moyer seconded. Roll call vote: Woodruff-Aye, Rector-Aye, Moyer-Aye.

Commissioner Moyer moved to approve a Project THOR Meet Me Center Host Agreement between the Board of County Commissioners of Rio Blanco County, Colorado and the Northwest Colorado Council of Governments, in an amount not to exceed \$6,160.00 per month for Broadband transport and a non-recurring cost after DOLA funding in an amount not to exceed \$56,337.27. Commissioner Woodruff seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

Commissioner Woodruff moved to approve an agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Rocky Mountain Weed Management, for the 2019 Lower White River Pest Control District Commercial Equipped Applicator Project, in an amount not to exceed \$6,000.00. Commissioner Moyer seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

Commissioner Moyer moved to approve an agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Elder Weed Spraying, Inc., for the 2019 Lower White River Pest Control District Commercial Equipped Applicator Project, in an amount not to exceed \$6,000.00. Commissioner Woodruff seconded. Roll call vote: Woodruff-Aye, Rector-Aye, Moyer-Aye.

Commissioner Woodruff moved to approve an agreement for Services between the Board of County Commissioners of Rio Blanco County, Colorado and Coulter Aviation, for the 2019 Lower White River Pest Control District Aerial Spraying Project, in an amount not to exceed \$81,005.00. Commissioner Moyer seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

Commissioner Moyer moved to approve a Purchase Agreement between the Board of County Commissioners of Rio Blanco County, Colorado and Stewart Welding & Machine, Inc., for the purchase of seventeen (16) secondary tower broadband platforms, in the amount of \$4,198.14 per site, for a grand total amount not to exceed \$67,170.24. Commissioner Woodruff seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

Commissioner Woodruff moved to approve and authorize the Chairman to sign out of session, the Memorandum of Understanding Between Colorado Energy Office, Utah Governor's Office of Energy, Wyoming Governor's Office and The Ute Indian Tribe Establishing The Western States and Tribal Nations Natural Gas Initiative (the "MOU"), and to take such other actions as may be necessary to confirm Rio Blanco County's status as a party to the MOU and support the goals of the MOU. Commissioner Moyer seconded. Roll call vote: Woodruff-Aye, Rector-Aye, Moyer-Aye.

RESOLUTIONS:

Commissioner Moyer moved to approve Resolution #2019-06, a Resolution of the Board of County Commissioners of Rio Blanco County, Pursuant to Ordinance No. 2006-3 Concerning Bans of Open Fires in the Unincorporated Areas of Rio Blanco County. Commissioner Woodruff seconded. Roll call vote: Rector-Aye, Moyer-Aye, Woodruff-Aye.

OTHER BUSINESS

Public Comments

Bob Amick updated the Board on the historical signage for the Meeker project and grant. County Attorney Todd Starr advised that there will be a 2nd informational meeting in the lawyer series on April 9th.

County Commissioner updates

Commissioner Woodruff attended the AGNC meeting with Commissioner Moyer. Si also attended a day long Defenders of Wildlife, wolf re-introduction meeting in Rifle and gave a brief summary of the meeting. Joe Engelhart from the S.W. corner of Alberta, Canada who is a cowboy pool rider for 31 ranches, Hillary Anderson from the Lady Big Ranch next to Yellowstone and Carter Niemeyer who is a retired Wildlife Services employee were in attendance. They are all in favor of wolf re-introduction and gave their experiences regarding wolf predation and how they've tried to lessen it. Mr. Niemeyer stated that one wolf has been poisoned in Piceance. It's said that 7 wolves have been seen in Moffat County and several wolves have been hit by cars in Colorado.

Commissioner Moyer attended the pre-bid for the Road & Bridge department for the Crackfill project. Colorado River District gave a presentation on the Demand Management. The priority is to keep Lake Powell and Mead to keep the turbines going. Presentation on WOTUS, Waters of the US. They felt the Demand Management was pure draconian and would be detrimental to the West since it would give authority over basically all the rivers and streams. 28 States were opposed to WOTUS and will receive a stay while it goes through the courts. President Trump's administration re-wrote the definition and it is being challenged in court and working its way through the process. Gary will be going to Denver Wednesday to another meeting regarding the new version of Waters of the US. Colorado's attorney general pulled out of the 28 state agreement so we're no longer protected against the original WOTUS law.

Chairman Rector went to Denver and testified for 10 hours on SB 19-181. He noted that we still don't know what's in the final draft of the bill. He stated there was good testimony on both sides and hopefully we got some things changed in it. Jeff helped with the broadband project this week. A constituent called regarding Dinosaur that has human waste sludge ponds. The water was drained 3 years ago and the fecal matter is very good fertilizer. Steve from West Water Engineering sent Jeff a report. All the readings and findings are there. A permit was issued through the state, and part of what disturbed people was that it was human waste. Jeff has spent hours reviewing bills again this week, and found it depressing for the most part.

Si stated the Colorado Governor wants a full day kindergarten and wants \$250 million to finance it. The Joint Budget Committee figures it would about \$150 million. The Governor suggests taking federal dollars out of federal mineral leasing and severance tax to fund it. Janae Stanworth stated we get paid back about \$2 million of those taxes.

Gary didn't think that when it got down to it, the government would totally wipe out the oil and gas industry because they will find out they do need the money. The only thing preventing taxes from being raised is TABOR law.

In response to a question from Jimmie Dearman, Jeff said the bill actually shuts down drilling permits and gives the Energy Commission the right to control permits. Local control is OK unless it supersedes what the Energy Commission wants. Rio Blanco's four largest producing companies just pulled \$350 million out of their 2019 budgets that they have rewritten just 10 days ago. That's money that would have been spent here.


The meeting was recessed at 12:04 pm and reconvened at 1:16 pm.

Commissioner Woodruff moved to go into Executive Session pursuant to §24-6-402(4)(b) to conference with the Rio Blanco County Attorney, Todd M. Starr, for the purpose of receiving legal advice on specific legal questions and §24-6-402(4)(e), C.R.S., relating to sales and use tax to determine positions relative to matters that may be subject to negotiation or to develop a strategy for negotiations. Commissioner Moyer seconded. Roll call vote: Moyer-Aye, Woodruff-Aye, Rector-Aye.

With no further business to come before the board, the meeting was adjourned at 1:48 pm.

Attest:


Boots M. Campbell, County Clerk


Jeff Rector, Chairman

