

**Phillips County Commissioner
Meeting Minutes¹
September 30, 2025**

The board held a 2026 budget work session after the meeting.

Call to order

Chairman Tom Timm called the meeting of the Phillips County Commissioners to order and opened with the Pledge of Allegiance at 8:00 a.m. on September 30, 2025, at the County Courthouse in the Commissioner meeting room.

County Attendees

Chairman Tom Timm, Commissioners Garold Roberts and Terry Hofmeister, Administrator/Planner Andrew Nygaard, County Clerk Beth Zilla, Emergency Manager Broc Pelle, and Department of Human Services Director Lori Lundgren

Additional Attendees

Janelle Krueger, Jeremy Thompson, and Rebecca Van Pelt

Additions or Corrections to the Agenda

Additions:

- 15) Updates from Commissioner Roberts
- 16) Gun range update
- 17) National Renewable Solutions update
- 18) Tree removal

Roberts moved to approve the agenda as amended. Hofmeister seconded the motion, which carried unanimously.

Approval of Consent Agenda

Hofmeister moved to approve the consent agenda as presented. Roberts seconded the motion, which carried unanimously.

Consent Agenda Items:

- a) Approval of the minutes of the BOCC 09.18.2025 meeting
- b) Approval of September payroll
- c) Approval of Invoice List
- d) Acknowledge receipt of HUTF Summary
- e) Acknowledge receipt of Building Permits log
- f) Acknowledge receipt of Event Center/BOC Pavilion/Facilities rentals

Public Comments

None presented.

Appointments

The board met with Administrator Andrew Nygaard, who reported on the following topics:

- The application for the Underfunded Courthouse Cash Fund Grant is due by 5:00 p.m. on September 30, 2025. One bid was received in the amount of \$23,796.29 from Junior's Handyman Service. The application for the grant is for \$25,000, and while there may be a match requirement in the event of approval, the initial application does not include a match.
- The first phase of transitioning from Fund Balance to ERP Pro through Tyler Technologies has begun. Upcoming training dates include the following:
 - Oct. 1, 10:00-10:30 a.m.
 - Oct. 15, 2:00-2:30 p.m.
 - Oct. 22, 11:00-11:30 a.m.
 - Oct. 29, 10:00-10:30 a.m.
- The Commissioners agreed to allow the administration office to be closed at those times so all staff can attend.
- The 2003 Cat Loader for Road and Bridge appears to have been vandalized while parked at the Jensen Pit. The steering wheel lift was broken and will not lock. It was the consensus of the board to wait for an estimate before submitting an insurance claim.

¹Minutes prepared by Andrew Nygaard are a summary of **discussions**, not a verbatim account.

- Regarding the Pleasant Valley Region One Translator Association tower that was struck by lightning, most repairs have been completed; there are just two remaining transmitter amplifiers that need to be replaced, and once the cost is received, it will be added to the insurance claim.
- The E911 budget meeting is scheduled for 7:00 a.m. on Monday, October 6, in the third-floor meeting room of the courthouse.
- The Annual Employee Meeting is scheduled for 8:00 a.m. on Wednesday, October 8, in the Biesemeier Room at the Phillips County Event Center. The Commissioner meeting that day will have a late start at 10:00 a.m.

The board discussed the request from Centennial Area Health Education Center Executive Director Melissa Jensen to waive the fees for their event at the Phillips County Event Center on October 18, 2025.

The board met with Phillips County Fair Manager Rebecca Van Pelt, who reported on the 2025 Phillips County Fair. She said the Fair Board will again be requesting \$37,300 from the county for the fair contribution in 2026. She reported that there are two vacancies on the Fair Board.

The board met with Emergency Manager Broc Pelle, who discussed the Homeland Security grant. He reported that the grant will now fund 100% of the thermal and radio requests from the Phillips County Sheriff's Office and Holyoke Police Department, for a total of \$29,900 in fiscal responsibility. Pelle said he would be the fiscal agent for Phillips County and the City of Holyoke, and there is \$1,495 set aside for management and administration of the grant. Regarding the EMPG grant, the state will have an update by October 1, and if the grant doesn't come through, the state has a back-up plan for providing some level of funding through June of 2026. The board also discussed alerts for city pages with City of Holyoke Superintendent Jeremy Thompson and Emergency Manager Broc Pelle.

The board convened as the Board of Human Services at 9:29 a.m., meeting with Director Lori Lundgren. The minutes from this portion of the meeting will be maintained by the Department of Human Services. The board reconvened as the Board of County Commissioners at 9:45 a.m.

Unfinished Business

None presented.

Executive Session

Roberts moved to go into executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I)&(II) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Hofmeister seconded the motion, which carried unanimously. The regular meeting recessed at 10:54 a.m. and reconvened at 11:19 a.m. Chairman Timm stated the participants in the executive session were Garold Roberts, Terry Hofmeister, Beth Zilla, Andrew Nygaard, and himself. Participants in the executive session were asked if they believed that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, to state their concerns for the record. No concerns were stated.

Motions/New Business

The board discussed tractor rentals for the Road and Bridge department. Hofmeister said he had spoken with Central Plains Equipment regarding a CASE rental available in 2026. The unit had just been received back from Sedgwick County. The Commissioners would like to be fair when it comes to renting from Central Plains Equipment and 21st Century, and the decisions will be based on cost and availability of the units.

Roberts reported that electrical work will begin shortly at the Pleasant Valley Road and Bridge building and that the work on the Haxtun Road and Bridge shop floor is done. He also reported that National Renewable Solutions, a wind energy company, has gone through a period of reducing some of their personnel levels.

Roberts reported on the meeting at the gun range that was held on September 25, 2025, to discuss the project proposed by Gary Engels. Some of the dirt work required can be done with county personnel. Engels is looking at installing 16' x 16' or 16' x 20' carports. The Commissioners estimated that the cost would be about \$10,000, and it was the consensus of the board that Engels should approach the Phillips County Recreation District for funding in 2026.

The board discussed trees in the county's right of way near the intersection of County Road 40 and County Road 61. The landowner will be contacted to come to a future Commissioner meeting to discuss.

Roberts moved to not waive rental fees for the Centennial Area Health Education Center event at the Phillips County Event Center on October 18, 2025, but to contribute a \$250 donation at the Helping Hand sponsor level for the event. Hofmeister seconded the motion, which carried unanimously.

Roberts moved to approve the request from County Administrator Andrew Nygaard to move Kerri Doleshall to GN40 Grade 26 Step 8, effective October 1, 2025.

Hofmeister moved to authorize the chairman to sign the Sales Tax Memorandum of Understanding for Control of Confidential Data appointing Andrew Nygaard as the 2026 county contact. Roberts seconded the motion, which carried unanimously.

Hofmeister moved to approve the proposal from Kelley Law Ltd to provide legal services for Phillips County in 2026. Roberts seconded the motion, which carried unanimously.

Roberts moved to authorize the chairman to sign the VALE grant application for 2025-2026. Hofmeister seconded the motion, which carried unanimously.

Roberts moved to approve the Underfunded Courthouse Cash Fund Grant application as presented. Hofmeister seconded the motion, which carried unanimously.

Hofmeister moved to adopt Resolution 2025-09-30-01 to place a moratorium on the processing of applications for utility-scale solar energy systems or battery energy storage systems within unincorporated Phillips County, Colorado, through March 30, 2026. Roberts seconded the motion, which carried unanimously. The Resolution reads:

WHEREAS, Phillips County ("County") is a statutory county vested with the authority by the Colorado Revised Statutes to enact laws to govern and regulate the use of land within the County; and

WHEREAS, under the County's current Land Use Code, utility-scale solar energy systems and battery energy storage system projects ("Projects") require Major Land Use Change Permits before such Projects can proceed in the County; and

WHEREAS, the existing County regulations do not sufficiently address the potential adverse impacts to the County of Projects; and

WHEREAS, regionally, counties are experiencing a significant increase in utility-scale solar energy systems and battery energy storage system development, and the County has experienced an increase in questions regarding its regulations; and

WHEREAS, the Phillips County Board of County Commissioners ("Board") has directed County staff to consider revisions to County regulations to address impacts of such Projects; and

WHEREAS, the County desires to institute a moratorium while undertaking revisions to the County regulations, during which time the County will not review and process applications for Projects; and

WHEREAS, at its September 30, 2025 public meeting, the Board considered instituting a moratorium on the processing of applications for Projects located wholly or partially in the County, pending the County revisions to its regulations regarding the same; and

WHEREAS, based on evidence presented at the public meeting and matters included in the record, the Board desires to adopt a six-month moratorium on processing Project applications while it develops or revises its regulations; and

WHEREAS, the County has express and implied authority granted by the Colorado Revised Statutes and multiple Colorado and federal appellate decisions upholding temporary moratoria on land use applications while considering amendments to regulations.

Now, therefore, be it resolved by the Board of County Commissioners of the County of Phillips, Colorado:

1. Findings. The above findings are hereby incorporated by reference as specific findings and determinations of this Board.

2. Moratorium Enacted. The Board hereby enacts a six-month temporary moratorium ("Moratorium") on processing applications for utility-scale solar energy systems and battery energy storage systems located wholly or partially within Phillips County. The Moratorium shall end on March 30, 2026, unless terminated or extended by a resolution of the Board.

3. Definitions. For purposes of this Moratorium, the following definitions shall apply.

A. "Utility-scale solar energy system" means an electricity generating facility consisting of ground-mounted solar arrays and associated control or conversion electronics, occupying more than 5 acres and used to produce utility power to offsite customers.

B. "Utility-scale battery energy storage system" means an energy conversion system that collects energy from the grid or from an electricity generating facility, stores it, and later discharges that energy as needed to provide electricity or other grid services to off-site customers.

4. **Direction to Revise Regulations.** The BOCC hereby directs County staff to review and revise the existing County regulations pertaining to utility-scale solar energy systems and battery energy storage systems to ensure that the regulations will sufficiently protect public health, safety, welfare, and the environment.

5. **Emergency Declared.** The Board hereby finds that that passage of this Resolution is necessary for the immediate preservation of the public peace, health, and safety, in order to prevent the filing of a Permit application for a utility-scale solar energy system or battery energy storage system until the County has had a reasonable opportunity to determine what regulations should be imposed or revised to address impacts from such projects. Failure to immediately impose the moratorium may create adverse impacts to the County. The Board further finds that adopting this Resolution as an emergency resolution is in the best interest of the County.

6. **Effective Date.** This Resolution shall take effect as of the date of the adoption of this Resolution by the Board.

Adjournment

Chairman Timm adjourned the meeting at 11:22 a.m.

Minutes submitted by Andrew Nygaard.

Next meeting is scheduled for October 8, 2025.

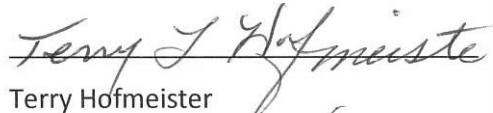
Phillips County Commissioners:

Attest:

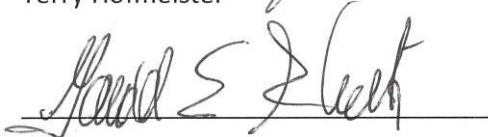


Tom Timm

Beth Zilla, County Clerk



Terry Hofmeister



Garold Roberts