

*Phillips County Commissioner
Meeting Minutes
November 09, 2020*

Call to order

Chairman Hofmeister called to order the regular meeting of the Phillip County Commissioners at 9:00 A.M. on November 09, 2020 at the County Courthouse in the Commissioners' meeting room.

Attendees

Chairman Terry Hofmeister, Commissioners Don Lock and Harlan Stern, County Administrator Pam Jensen, and County Clerk Beth Zilla, County Commissioners-Elect Garold Roberts and Tom Timm, Emergency Manager Bob Heldenbrand, CSU Extension Agents Deeona Johnston and Jessie Stewart, Area Representative for Congressman Ken Buck Dusty Johnson, Aflac Representative Brad Riemenschneider, Landfill Manager Bill Andrews and County Treasurer Sharon Michael.

Additions to the Agenda

Security locks for the courthouse

Racing event for Jeff Klinkefus

Approval of Minutes and Consent Agenda

Stern made a motion to approve the Consent Agenda. Lock seconded the motion. Motion carried.

Lock made a motion to approve the minutes from the October 30, 2020 meeting as presented. Stern seconded the motion. Motion carried.

Appointments

The board met with Emergency Manager Bob Heldenbrand for their update on COVID-19. As of today, there are 84 cumulative cases, 39 active cases. Heldenbrand will met with the Board of County Commissioners and the Melissa Memorial COVID-19 Task force members to discuss the press release of the COVID-19 mitigation strategies.

The board met with CSU Extension Agents Deeona Johnston and Jessie Stewart for their monthly briefing.

The board met with Area Representative for Congressman Ken Buck Dusty Johnson for updates.

The board met with AFLAC Representative Brian Riemenschneider. Riemenschneider discussed the 125 Plan.

The board met with Landfill Manager Bill Andrews. Andrews would like to remove the plastic roll off at Ballyneal as it is not being utilized. Discussion would be to move it to the fairgrounds instead. Andrews will discuss this with Fairgrounds Maintenance Supervisor Dan Waln.

The board met with County Treasurer Sharon Michael. Michael notified the board the treasurer's office will be closed the afternoon of November 20th to attend ALICE (alert, lockdown, inform, counter, evacuate) training. County Clerk Beth Zilla also stated that her office will also be attending this training and will also be closed.

Old Business

The board decided not to allow Jeff Klinkefus to hold his racing event at the fairgrounds this spring.

The board discussed items for the CVRF DOLA Funds.

The board discussed the maintenance of the Security Locks for the Courthouse Building.

New Business/Motions

Stern made a motion to approve the renewal of the farm ground lease at the Landfill with Duane Harms for 2021. Lease is for 57 acres at \$35.00 per acre, for an annual lease of \$1,995.00. Lock seconded the motion. Motion carried.

Lock made a motion to accept the request from Sheriff Thomas Elliott to move Michael Beard to GN Grade 30 Step 2 (\$45,599.79 annually, \$3,799.98 monthly), effective November 01, 2020. Stern seconded the motion. Motion carried.

Stern made a motion to accept the request from Communications Center Director Kenny Gaskill to move Sara Weiss to GN40 Grade 11 Step 5 at an hourly rate of \$16.03, effective November 01, 2020. Lock seconded the motion. Motion carried.

Stern made a motion to accept the request from Road and Bridge Manager Mike Salyards to move Beau Waln to RB Grade 16 Step 4 (\$36,092.75 annually, \$3,007.73 monthly), effective November 12, 2020. Lock seconded the motion. Motion carried.

Lock made a motion to build a new wall and install a Bullet Resistant Glass with a drawer insert and Audio Mechanism in the Communications Center through the CVRF DOLA Grant. Stern seconded the motion. Motion carried.

The board recessed for Phillips County Press Release Coordination Conference at 1:00 P.M.

The board reconvened at 4:07

Stern made a motion to pass Resolution 2020-11-09-08 of the moratorium effective November 09, 2020.

AUTHORIZING THE ADOPTION OF A SIX-MONTH MORATORIUM ON THE PROCESSING OF PERMITS RELATED TO THE EXPANSION AND CREATION OF NEW LIVESTOCK FACILITIES AND LIVESTOCK OPERATIONS WITHIN PHILLIPS COUNTY, COLORADO.

WHEREAS, Phillips County, Colorado (the "County") is a political subdivision of the State of Colorado (the "State"), duly organized and existing pursuant to the laws and the Constitution of the State; and

WHEREAS, the Local Government Land Use Enabling Act, 29-20-101, et seq., C.R.S. ("Land Use Act") and the County Planning Code, 30-28-101 et seq., C.R.S. ("Planning Code") expressly delegate paramount authority to counties to implement land use planning and zoning on unincorporated territory within their boundaries; and

WHEREAS, the County supports harmonized development of commercial projects in Phillips County, and the expansion and creation of new livestock facilities and operations could create development that is not harmonious with adjacent land uses, and create adverse impacts to the general landscape, environment, and public facilities; and

WHEREAS, the County finds it essential to protect and preserve the environment and the public health, safety, and welfare of the County and its citizenry, and that it is in the County's best interest, consistent with the Land Use Act and the County Planning Code, to study and review current zoning requirements pertaining to livestock facilities within Phillips County; and

WHEREAS, the County has therefore determined to study and review current zoning requirements pertaining to livestock facilities within unincorporated Phillips County to determine whether the requirements encompass those needed to protect and preserve the environment and the public health, safety, and welfare; and

WHEREAS, a temporary moratorium on all permits relating to the expansion and creation of new livestock facilities and operations would allow the County sufficient time to review, study, hold public hearings, and prepare and adopt amendments to the zoning requirements, if necessary, relating to the allowance of this specific use; and

WHEREAS, the Board hereby determines that a temporary moratorium on all processing of permits related to the expansion and creation of new livestock facilities and livestock operations located within unincorporated Phillips County is necessary and proper for the protection of the health, safety, welfare, and best interests of the inhabitants of the County of Phillips, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Phillips, State of Colorado:

THAT, the purpose of this Resolution is to enable the County sufficient time to review, study, hold public hearings, and prepare and adopt amendments to the County zoning regulations, if necessary, relating

to the requirements for the expansion and creation of new livestock facilities and livestock operations within the boundaries of unincorporated Phillips County.

THAT, during a six (6) month period from and after the adoption date of this Resolution the County will not take any action on any application for a permit for the expansion and creation of new livestock facilities and livestock operations.

THAT, if the Board of County Commissioners finds the six (6) month period too long, or too brief, that the County may shorten or extend the time of the evaluation and adoption period.

THAT, is it not the purpose of this Resolution to deny development permits for other uses that are permitted by-right or special use permits, or other zoning change applications that do not pertain to this specific use, and that comply with all applicable codes, regulations, and policies of the County, or to deny building permits.

THAT, it is further the purpose of this Resolution to fulfill the County's constitutional charge and statutory obligations to protect and preserve the environment and public health, welfare, and safety of the citizens of Phillips County, and in particular to protect the public health, welfare, and safety of the citizens and the value, use and enjoyment of real property in unincorporated Phillips County during the interim period described in this Resolution, and thus defer official governmental action until the County has properly reviewed, studied, held public hearings, and adopted amendments, if necessary to the County's zoning regulations.

THAT, for a period of six (6) months from and after the adoption date of this Resolution, ending at 11:59 p.m. on May 9, 2021:

1. No application on any expansion or creation of new livestock facilities and livestock operations may be filed, accepted, or processed by any Department, Board, Commission, or Agency of the County, except as provided in this Resolution.
2. The imposition of the moratorium is not intended to affect, nor does it affect the processing of any application for a permit that has been determined to be a complete application as of November ___ 2020.
3. The imposition of the moratorium is not intended to affect, nor does it affect the processing of any application for the expansion or creation of new livestock facilities and livestock operations, the subject of which has received previous approval from any Department of the County for any level of review as of November 9, 2020.

THAT, the Board hereby finds, determines and declares that this Resolution is necessary for the health, safety, and welfare of the citizens of Phillips County.

Lock seconded the motion. Motion carried

Adjournment


Chairman Hofmeister adjourned the meeting 4:08 P.M.

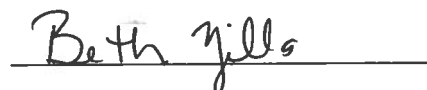
Minutes submitted by County Clerk Beth Zilla.

Next meeting is scheduled for November 19, 2020.


County Commissioners:

Attest:


Terry Hofmeister


Beth Zilla – County Clerk


Donald J. Lock


Harlan Stern

