

***AD-HOC Weld County Home Rule Charter
Amendment Study Committee
Meeting Minutes – April 18, 2018***

I. CALL TO ORDER – ROLL CALL:

Jackie Johnson, Chair, called the meeting to order at 6:00 p.m., in the Southwest Weld County Service Center. The following Home Rule Charter Committee (HRCC) members were present: Al Dominguez, Sam Gluck, Dave Kisker, Mark Lawley, Ray Patch, Justus Pettit, Garrett Varra, and James Welch. Also present were Bruce Barker - County Attorney, Jennifer Finch – Public Information Officer (PIO), and Esther Gesick - Clerk to the Board.

II. APPROVAL OF MINUTES – April 11, 2018: Al Dominguez moved to approve the Minutes of April 11, 2018. The motion was seconded by Garrett Varra, and it carried unanimously.

III. INTRODUCTION AND PRESENTATION:

A. GUIDELINES AND SUMMARY INFORMATION: The following informational items were made available: a two-page handout explaining the intent, protocol and expectations for the Home Rule Charter Study Committee (HRCC) meetings, the difference between Structural Home Rule government, versus Functional Municipal Home Rule government, and the difference between the County Charter, versus the Weld County Code.

B. DIRECTOR OF FINANCE AND ADMINISTRATION – DON WARDEN: Mr. Warden distributed a handout, marked Exhibit A, referencing Section 14-7 of the Home Rule Charter and the Taxpayer’s Bill of Rights (TABOR). He provided some historical background concerning creation of the original HRCC and the limit of a 5% property tax which was one of the provisions which helped get the Charter enacted. He stated under the Home Rule Charter, the Board of County Commissioners cannot levy more than a 5% property tax over the preceding year, although there have been some statutory and legislative amendments and court interpretations that have evolved the mechanics over the years. He further stated, in 1992, TABOR was passed by the Colorado voters, which imposes various tax limitations for the State through population growth, the counties and municipalities which cannot levy more than the growth rate defined through new construction, and the school districts through student population growth. Mr. Warden explained the overarching limitations of the Charter are that the County must assess the lesser of any established property tax limit (5%), and any request for an increase above 5% must be approved by a majority vote of the County Council and it may not exceed the mill levy of the previous year. If not approved by the County Council, the Commissioners may present the matter to the voters, and the increase may exceed the limit afforded by the County Council. He stated the matter has only been presented to, and approved by, the County Council 4-5 times in the last 40 years, and it has never been put to a vote of the public. He added the County may not increase the mill levy to generate more revenue without an election, and TABOR does have certain exclusions for donations, federal

revenue, conservation trusts, and lottery dollars. He also described situations which require a refund when revenue generated through taxes is in excess of TABOR limits, as well as the process for de-Brucing local government, which requires a vote of the public to eliminate property taxes and/or revenue limitations.

Mr. Warden stated Weld County is very conservative with no sales tax, a low mill levy, no debt and a pension that is fully funded. He referenced Exhibit A and explained the worksheet that he goes through each year to set the annual County budget to be filed with the Department of Local Affairs, which is also subject to an annual audit and can be challenged by any voter through the courts. He also explained the positive/negative impacts of mineral interests, Tax Abatement adjustments, and Senate Bill SB15-82 for economic incentives for incoming businesses to gain a 50% personal property tax cut for the first ten years.

Mr. Warden referenced the last page of Exhibit A and discussed a possible amendment to remove the 5% limitation; however, he confirmed that he and Commissioners are not advocating for such a change, based on the current political atmosphere and conservative voter base. He also discussed the Projected Population Growth chart and stated the extraordinary growth may require continued reliance upon other revenue sources (i.e., Severance tax, grant funds, and ensuring the full costs of services are recovered). Lastly, he commented that eventually when the economic boom of oil and gas comes to an end, the leadership at that time will likely need to go to the public and justify the need to raise taxes to cover costs of services or adjust the level of services provided.

In response to various questions from the HRCC members, Mr. Warden reviewed the worksheet calculations to address Tax Abatement refunds, as well as fluctuations in the various tax income sources such as oil and gas, agriculture, and residential. He commented residential roof tops do not pay for themselves because the residents benefits from many more services than their property taxes pay for; most municipalities have sales tax to supplement property tax income. He reiterated a 60% decrease in oil and gas tax revenue would require a cut in services totaling approximately \$20-30 million, otherwise, the Board could choose to reduce the property tax credit, or propose the voters impose a sales tax. He commented for the first few years the impacts of TABOR were a moving target as a result of State mandates, such as welfare and courts, which are often passed on to the counties as a subdivision of state government when the state has budget constraints.

In response to further comments and questions, Mr. Warden stated the Home Rule Charter speaks to property taxes, whereas, TABOR speaks of property tax and fees. He stated county government is not supposed to “make money”, therefore, fees for services are audited to ensure they are in line with costs. Weld County’s policy is growth should pay its own way, which is done through fees established by Ordinance. Mr. Barker explained State legislature establishes fees to be charged, and pursuant to 1990 case law, the Charter cannot exceed them. Mr. Warden stated most of the fees collected by the County are

spelled out in State statutes, and they are often difficult to increase because there is no political benefit to State legislators.

In response to Mr. Lawley, Mr. Warden addressed Section 4-2 Department of Finance and Administration, which oversees the departments of Purchasing, Human Resources, Finance, Accounting, and Printing/Supply. All of the other departments report to the various Commissioner Coordinators. He discussed the pros and cons of an Administrator position, which may have varying degrees of responsibility depending on the size of the county. Mr. Barker stated the Charter currently references a Finance Officer and a Director of Finance and Administration, to which Mr. Warden recommended keeping both to afford future Boards some flexibility. However, he also endorsed trying to have the responsibilities combined under one person to avoid the potential for conflict between differing viewpoints. He stated in either situation the success of the Department is generally personality dependent and there could be situations where it might work very well, which is true of any Director position/Board of Commissioner combination.

PUBLIC: Responding to Gerald Kilpatrick, LaSalle resident, Mr. Warden stated the Charter does not contain a provision for re-codification and cleanup. He also commented that County citizens are used to going directly to their elected Commissioner, versus channeling their concerns through an appointed bureaucrat. He stated the Sheriff will likely always remain elected, and although the Treasurer and Assessor have primarily administrative functions, the Board can still overrule the Assessor through the Board of Equalization. As for the Clerk and Recorder's Office, most citizens value the separation of the elected offices during elections. He further stated many residents are not aware of the purpose, benefits or existence of the Home Rule Charter; however, for those operating directly under it, they can make the right decisions through cooperation, communication, and collaboration. The HRCC members thanked Mr. Warden for attending and for his service to Weld County over the past 40 years.

IV. PUBLIC INPUT:

- A. Sherrie Peif, Greeley resident, presented the HRCC members with a written summary of her viewpoints and suggested revisions, marked Exhibit B. Her comments addressed additional qualifications for elected officials, three total term limits, better defined compensation, and a change to move from a Coordinator structure to the role of a County Administrator in an effort to keep up with the projected population growth and increased day-to-day operations. She recommended getting away from working retirees, and limiting the Grievance process to make the Grievance Board decision final with no further appeal to the Board of Commissioners. Ms. Peif supported keeping the Assessor and Clerk and Recorder elected positions, to prevent the Commissioners from controlling elections or the valuation of homes and businesses. She expressed her appreciation for the current Coroner, Carl Blesch, which is in a position that could work either elected or appointed; however, she supported making the Treasurer an elected position to be consistent with 63 other counties in the state, with proper qualifications added to the Charter. She proposed improving the listed qualifications of the Assessor, similar to those for the Sheriff. She

stated the voters should make the ultimate decision of whether elected officials are doing a good job or not. Lastly, she recommended giving more enforcement authority to the County Council to levy fines and punishments, as well as their own clerk and legal counsel without requiring approval by the Commissioners. She clarified a County Administrator position would be appointed by the Commissioners.

V. ADJOURNMENT

There being no further discussion, Chair Johnson adjourned the meeting at 7:44 p.m.

*Minutes submitted by Esther E. Gesick, Clerk to the Board



Section 14-7. - Limitation on Annual Tax Levy.

- (1) Limitation. Except as otherwise provided herein, all ad valorem tax levies for county purposes, when applied to the total valuation for assessment of the County, shall be reduced so as to prohibit the levying of a greater amount of tax revenue than was levied from ad valorem taxation in the preceding year plus five percent (5%) except to provide for the payment of bonds and interest thereon.
- (2) Increased levy; procedure.
 - (a) If the Board be of the opinion, the amount of tax limited by the preceding Section will be insufficient for the County needs for the current year, it may submit the question of an increased levy to the County Council, and the County Council shall examine the needs of the County and ascertain from such examination the financial condition thereof, and if in the opinion of a majority of the County Council that the County is in need of additional funds, the Council may grant an increased levy for the County in such amount as it deems appropriate, and the County is authorized to make such increased levy. However, no such excess levy shall be granted which will allow a greater revenue than would be produced by applying the previous year mill levy to the current year's assessed valuation.
 - (b) In case the County Council refuses or fails within fifteen (15) days after submission to it of an adopted budget to grant such increased levy, or all of it, or in the event an increase beyond that which the Council is authorized to grant is sought, the question may be submitted to the qualified electors of the County at a general or special election called for that purpose.
 - (c) Due notice of submission of the question of whether to grant the increased levy shall be given by the County Clerk for at least thirty (30) days in advance of the date set for the general or special election by giving a public notice as provided herein. If a majority of the votes cast at any such election is in favor of the increased levy as named in said election notice, then the County may make such increased levy.
 - (d) In the event such increase shall be voted by the electors under the preceding subsections, the increased revenue resulting therefrom shall be included in determining the five percent (5%) limitation in the following year.

The Taxpayer's Bill of Rights (TABOR)

(Colorado Constitution)

Note: Bold underlined text indicates text added since the original TABOR was enacted.

Article X, section 20. The Taxpayer's Bill of Rights. (1) General provisions. This section takes effect December 31, 1992 or as stated. Its preferred interpretation shall reasonably restrain most the growth of government. All provisions are self-executing and severable and supersede conflicting state constitutional, state statutory, charter, or other state or local provisions. **Other limits on district revenue, spending, and debt may be weakened only by future voter approval.** Individual or class action enforcement suits may be filed and shall have the highest civil priority of resolution. Successful plaintiffs are allowed costs and reasonable attorney fees, but a district is not unless a suit against it be ruled frivolous. Revenue collected, kept, or spent illegally since four full fiscal years before a suit is filed shall be refunded with 10% annual simple interest from the initial conduct. Subject to judicial review, districts may use any reasonable method for refunds under this section, including temporary tax credits or rate reductions. Refunds need not be proportional when prior payments are impractical to identify or return. When annual district revenue is less than annual payments on general obligation bonds, pensions, and final court judgments, (4) (a) and (7) shall be suspended to provide for the deficiency.

(2) Term definitions. Within this section:

- (a) "Ballot issue" means a non-recall petition or referred measure in an election.
- (b) **"District" means the state or any local government, excluding enterprises.**
- (c) "Emergency" excludes economic conditions, revenue shortfalls, or district salary or fringe benefit increases.
- (d) "Enterprise" means a government-owned business authorized to issue its own revenue bonds and receiving under 10% of annual revenue in grants from all Colorado state and local governments combined.
- (e) "Fiscal year spending" means all district expenditures and reserve increases except, as to both, those for refunds made in the current or next fiscal year or those from gifts, federal funds, collections for another government, pension contributions by employees and pension fund earnings, reserve transfers or expenditures, damage awards, or property sales.
- (f) **"Inflation" means the percentage change in the United States Bureau of Labor Statistics Consumer Price Index for Denver-Boulder, all items, all urban consumers, or its successor index.**
- (g) **"Local growth" for a non-school district means a net percentage change in actual value of all real property in a district from construction of taxable real property improvements, minus destruction of similar improvements, and additions to, minus deletions from, taxable real property. For a school district, it means the percentage change in its student enrollment.**

(3) Election provisions.

- (a) Ballot issues shall be decided in a state general election, biennial local district election, or on the first Tuesday in November of odd-numbered years. Except for petitions, bonded debt, or charter or constitutional provisions, districts may consolidate ballot issues and voters may approve a delay of

up to four years in voting on ballot issues. District actions taken during such a delay shall not extend beyond that period.

(b) **At least 30 days** before a ballot issue election, districts shall mail at the least cost, and as a package where districts with ballot issues overlap, a titled notice or set of notices addressed to "All Registered Voters" at each address of one or more active registered electors. **The districts may coordinate the mailing required by this paragraph (b) with the distribution of the ballot information booklet required by section 1 (7.5) of article V of this constitution in order to save mailing costs.** Titles shall have this order of preference: "NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ON A CITIZEN PETITION/ON A REFERRED MEASURE." Except for district voter-approved additions, notices shall include only:

- (i) The election date, hours, ballot title, text, and local election office address and telephone number.
- (ii) For proposed district tax or bonded debt increases, the estimated or actual total of district fiscal year spending for the current year and each of the past four years, and the overall percentage and dollar change.
- (iii) For the first full fiscal year of each proposed district tax increase, district estimates of the maximum dollar amount of each increase and of district fiscal year spending without the increase.
- (iv) For proposed district bonded debt, its principal amount and maximum annual and total district repayment cost, and the principal balance of total current district bonded debt and its maximum annual and remaining total district repayment cost.
- (v) Two summaries, up to 500 words each, one for and one against the proposal, of written comments filed with the election officer by **45** days before the election. No summary shall mention names of persons or private groups, nor any endorsements of or resolutions against the proposal. Petition representatives following these rules shall write this summary for their petition. The election officer shall maintain and accurately summarize all other relevant written comments. **The provisions of this subparagraph (v) do not apply to a statewide ballot issue, which is subject to the provisions of section 1 (7.5) of article V of this constitution.**
- (c) Except by later voter approval, if a tax increase or fiscal year spending exceeds any estimate in (b) (iii) for the same fiscal year, the tax increase is thereafter reduced up to 100% in proportion to the combined dollar excess, and the combined excess revenue refunded in the next fiscal year. District bonded debt shall not issue on terms that could exceed its share of its maximum repayment costs in (b) (iv). Ballot titles for tax or bonded debt increases shall begin, "**SHALL (DISTRICT) TAXES BE INCREASED (first, or if phased in, final, full fiscal year dollar increase) ANNUALLY...?**" or "**SHALL (DISTRICT) DEBT BE INCREASED (principal amount), WITH A REPAYMENT COST OF (maximum total district cost), ...?**"

(4) Required elections. Starting November 4, 1992, districts must have voter approval in advance for:

- (a) Unless (1) or (6) applies, any new tax, tax rate increase, mill levy above that for the prior year, valuation for assessment ratio increase for a property class, or extension of an expiring tax, or a tax policy change directly causing a net tax revenue gain to any district.
- (b) Except for refinancing district bonded debt at a lower interest rate or adding new employees to existing district pension plans, creation of any multiple-fiscal year direct or indirect district debt or

other financial obligation whatsoever without adequate present cash reserves pledged irrevocably and held for payments in all future fiscal years.

(5) Emergency reserves. To use for declared emergencies only, each district shall reserve for 1993 1% or more, for 1994 2% or more, and for all later years 3% or more of its fiscal year spending excluding bonded debt service. Unused reserves apply to the next year's reserve.

(6) Emergency taxes. This subsection grants no new taxing power. Emergency property taxes are prohibited. Emergency tax revenue is excluded for purposes of (3) (c) and (7), even if later ratified by voters. Emergency taxes shall also meet all of the following conditions:

(a) A 2/3 majority of the members of each house of the general assembly or of a local district board declares the emergency and imposes the tax by separate recorded roll call votes.

(b) Emergency tax revenue shall be spent only after emergency reserves are depleted, and shall be refunded within 180 days after the emergency ends if not spent on the emergency.

(c) A tax not approved on the next election date 60 days or more after the declaration shall end with that election month.

(7) Spending limits. (a) The maximum annual percentage change in state fiscal year spending equals inflation plus the percentage change in state population in the prior calendar year, adjusted for revenue changes approved by voters after 1991. Population shall be determined by annual federal census estimates and such number shall be adjusted every decade to match the federal census.

(b) The maximum annual percentage change in each local district's fiscal year spending equals inflation in the prior calendar year plus annual local growth, adjusted for revenue changes approved by voters after 1991 and (8) (b) and (9) reductions.

(c) The maximum annual percentage change in each district's property tax revenue equals inflation in the prior calendar year plus annual local growth, adjusted for property tax revenue changes approved by voters after 1991 and (8) (b) and (9) reductions.

(d) If revenue from sources not excluded from fiscal year spending exceeds these limits in dollars for that fiscal year, the excess shall be refunded in the next fiscal year unless voters approve a revenue change as an offset. Initial district bases are current fiscal year spending and 1991 property tax collected in 1992. Qualification or disqualification as an enterprise shall change district bases and future year limits. Future creation of district bonded debt shall increase, and retiring or refinancing district bonded debt shall lower, fiscal year spending and property tax revenue by the annual debt service so funded. Debt service changes, reductions, (1) and (3) (c) refunds, and voter-approved revenue changes are dollar amounts that are exceptions to, and not part of, any district base. Voter-approved revenue changes do not require a tax rate change.

(8) Revenue limits. (a) New or increased transfer tax rates on real property are prohibited. No new state real property tax or local district income tax shall be imposed. Neither an income tax rate increase nor a new state definition of taxable income shall apply before the next tax year. Any income tax law change after July 1, 1992 shall also require all taxable net income to be taxed at one rate, excluding refund tax credits or voter-approved tax credits, with no added tax or surcharge.

(b) Each district may enact cumulative uniform exemptions and credits to reduce or end business personal property taxes.

(c) Regardless of reassessment frequency, valuation notices shall be mailed annually and may be appealed annually, with no presumption in favor of any pending valuation. Past or future sales by a lender or government shall also be considered as comparable market sales and their sales prices kept as public records. Actual value shall be stated on all property tax bills and valuation notices and, for residential real property, determined solely by the market approach to appraisal.

(9) State mandates. Except for public education through grade 12 or as required of a local district by federal law, a local district may reduce or end its subsidy to any program delegated to it by the general assembly for administration. For current programs, the state may require 90 days notice and that the adjustment occur in a maximum of three equal annual installments.

Enacted by the People November 3, 1992 -- Section 1 of article V of this constitution provides that initiated measures shall take effect upon the Governor's proclamation. Subsection (1) of this section provides that this section shall take effect December 31, 1992, or as stated. (See subsection (4).) The Governor's proclamation was signed January 14, 1993. (For the text of this initiated measure, see L. 93, p. 2165.); section 20 (3)(b)(v) amended November 8, 1994 -- Effective upon proclamation of the Governor, January 19, 1995. (See L. 94, p. 2851.); the introductory portion to section 20 (3)(b) and (3)(b)(v) amended November 5, 1996 -- Effective upon proclamation of the Governor, December 26, 1996. (For the text of the amendment and the votes cast thereon, see Laws 1995, p. 1425, and Laws 1997, p. 2393.)

TABOR PROPERTY TAX LIMITATION

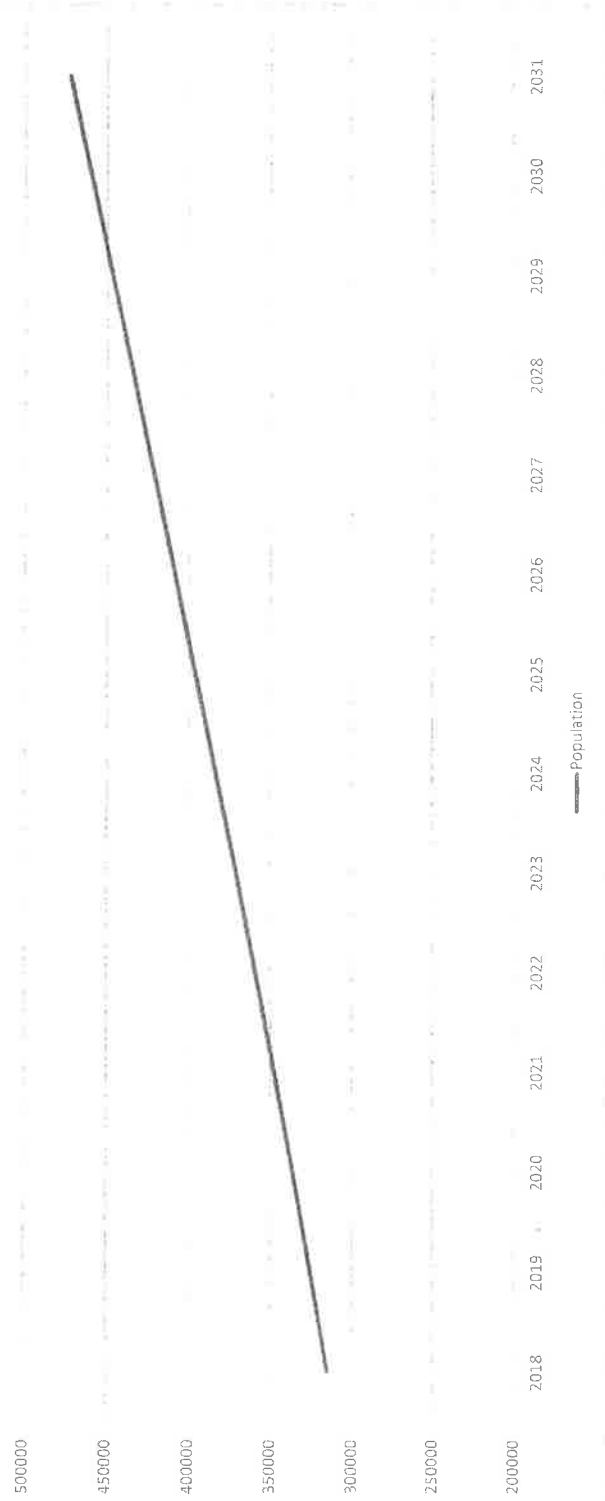
ESTIMATE

	<u>2017</u>	<u>2018</u>
<u>TABOR CPI AND GROWTH:</u>		
CPI	0.02772%	0.03386%
Growth	<u>0.07936%</u>	<u>0.08017%</u>
Total TABOR Increase	<u>0.10708%</u>	<u>0.11403%</u>
<u>MILL LEVY LIMIT CALCULATION:</u>		
Current Year Assessed Value	8983976390	9224960710
Maximum Mill Levy	<u>0.022038</u>	<u>0.022038</u>
Current Year Property Tax Allowed	<u>197988872</u>	<u>203299684</u>
<u>MAXIMUM PROPERTY TAX LIMIT:</u>		
Prior Year Total TABOR Base	180543870	141797609
Temporary TABOR Credit	<u>56410585</u>	<u>57545305</u>
Sub-Total	236954455	199342914
Total TABOR Increase Factor	<u>1.10708</u>	<u>1.11403</u>
Sub-Total	262327538	222073986
Plus: Abatement/Refund Prior Year	1043459	398912
Plus: SB 15-82 Tax Credit	0	0
Maximum TABOR Property Tax Limit	263370997	222472898
<u>HOME RULE CHARTER 5% PROPERTY TAX LIMIT</u>		
Prior Yr. Home Rule Limit Including TABOR Credit	180543870	190614523
5% Increase	9027194	9530726
Plus: Abatement/Refund Prior Year	1043459	1043459
Plus: SB 118 Tax Incentive Credits	0	0
Plus: SB 15-82 Tax Credit	<u>0</u>	<u>0</u>
Total Allowed Per 5% Limitation	<u>190614523</u>	<u>201188708</u>
Home Rule County Council Limit	<u>197988872</u>	<u>203299684</u>
Maximum Mill Levy Limit	<u>197988872</u>	<u>203299684</u>
Maximum Property Tax Revenue (TABOR)	<u>263370997</u>	<u>222472898</u>
Lower Limit Without County Council Approval	<u>190614523</u>	<u>201188708</u>
Lower Limit With County Council Approval	<u>197988872</u>	<u>203299684</u>
<u>COMPARISON TO PRIOR YEAR:</u>		
TABOR Property Tax Limit	<u>197988872</u>	<u>203299684</u>
Property Tax Collected Without Credit	<u>141797609</u>	<u>0</u>
MARGIN WITHIN LIMIT	<u>56191263</u>	<u>203299684</u>

Note: TABOR credit adjusts to difference between amount levied and amount collected.

Thus, zero net affect on TABOR calculation.

Weld County Projected Population Growth 2018-2030



Section 14-7. - Limitation on Annual Tax Levy.

- (1) Limitation. Except as otherwise provided herein, all ad valorem tax levies for county purposes, when applied to the total valuation for assessment of the County, shall be reduced so as to prohibit the levying of a greater amount of tax revenue than was levied from ad valorem taxation in the preceding year plus five percent (5%) except to provide for the payment of bonds and interest thereon.
- (2) Increased levy; procedure.
 - (a) If the Board be of the opinion, the amount of tax limited by the preceding Section will be insufficient for the County needs for the current year, it may submit the question of an increased levy to the County Council, and the County Council shall examine the needs of the County and ascertain from such examination the financial condition thereof, and if in the opinion of a majority of the County Council that the County is in need of additional funds, the Council may grant an increased levy for the County in such amount as it deems appropriate, and the County is authorized to make such increased levy. However, no such excess levy shall be granted which will allow a greater revenue than would be produced by applying the previous year mill levy to the current year's assessed valuation.
 - (b) In case the County Council refuses or fails within fifteen (15) days after submission to it of an adopted budget to grant such increased levy, or all of it, or in the event an increase beyond that which the Council is authorized to grant is sought, the question may be submitted to the qualified electors of the County at a general or special election called for that purpose.
 - (c) Due notice of submission of the question of whether to grant the increased levy shall be given by the County Clerk for at least thirty (30) days in advance of the date set for the general or special election by giving a public notice as provided herein. If a majority of the votes cast at any such election is in favor of the increased levy as named in said election notice, then the County may make such increased levy.
 - (d) In the event such increase shall be voted by the electors under the preceding subsections, the increased revenue resulting therefrom shall be included in determining the five percent (5%) limitation in the following year.

POSSIBLE AMENDMENT:

Weld County Home Rule Charter Section 14-7. - Limitation on Annual Tax Levy. is hereby deleted and replaced with:

Weld County's maximum property tax revenue shall be limited by Section 7(c) Article X, Section 20 of the Colorado Constitution, known as the Tax Payer's Bill of Rights, which limits the maximum annual percentage change in property tax to inflation in the prior calendar year plus annual local growth as defined in Article X, Section 20 of the Colorado Constitution.



- 1) Qualifications —
 - a. All elected offices in Weld County should be felony free.
 - b. Residency requirement: Anyone running for a commissioner district race should have to live in that district for at least one year prior to filing paperwork to run. For example, the needs of the abutting areas in Greeley of District 1 and 2 may be similar, the rest of the communities are not. Except for Windsor, the growth projections and needs of outlying District 1 communities such as Eaton, Ault, Nunn, Briggsdale, Grover etc, are nothing like the needs and growth projections of the outlying District 2 communities of Milliken, Johnstown, Frederick, Firestone, Mead, Erie. The candidates in those districts should have a better understanding of the area than just a drive around town for a few weeks talking to a limited number of people.
- 2) Term limits — The current language is three consecutive terms. That needs changed to three total terms over a lifetime, or something similar. No career politicians.
- 3) Compensation — The total compensation/benefits packages of the elected officials needs to be under the county council. Currently it is only salary. The council should oversee compensation decisions on such things as reimbursable expenses and other benefits. The commissioners should not oversee approving their own benefits.
- 4) Structure of the government —
 - a. The county needs to move out of a commissioner coordinator set up to a county manager system where the department heads answer to the county manager and the county manager answers to all five commissioners. This will end the concern of commissioners (real or perceived) having intimidating power over department heads and their employees. Much conversation has gone into why one commissioner has had his supervisory duties revoked. If commissioners were not in these positions in the first place, there wouldn't be an issue. This system was likely a good idea in the 1970s when Weld County was relatively small and the vast majority of the land was devoted to agriculture. Commissioners had the time to devote to specific job duties and oversee departments.
 - b. With the projected growth of Weld County expected to double by 2040, the commissioners will be spending more and more time with land issues and outside boards and commissions. They should not be distracted with the day-to-day operational duties.
 - c. There needs to be a finance manager separate from the county administrator/manager.
~~_____~~
~~_____~~
 - d. Top administrators, such as department heads, the county manager, the county finance director/administrator, the county attorney, need to be full time positions that require residency within 60 miles of their home administration office.
 - e. The current set up was a great way to control the expense of a separate county manager early in the charter's existence when commissioners could handle the load. There is no doubt in my mind that Don Warden is one of the greatest financial minds, we have worked together on many stories, and I was always in awe of him. He also has an amazing amount of institutional knowledge. But he is a working retiree. As of August 2017, we were paying our finance director \$321,000 a year for one week a month in

Weld County. That is more than a quarter of a million dollars that does not come back to our economy. The audit recommended the commissioners find a way to get off their dependence on working retirees. To date they have refused. There would be probably be an additional \$100,000 a year or so in added total compensation to split Warden's job in two, but as the county grows, this is something that I believe would be an added value to a smoother running county.

5) Grievance process —

- a. Kunkel matter with the clerk

6) Appointed positions —

- a. There has been much talk about the idea of appointing the clerk and recorder's office and the assessor's office. That would be growing government, and putting too much concentrated power in the hands of a body of five people. I do not want an elected body controlling the election that elects them, nor do I want them over see the person who determines the value of my home or business.
- b. One of the comments made at recent meetings is that many of you don't believe the commissioner would ever exercise that kind of authority. I disagree. I want to read something to you.

7) County council —

- a. There needs to be thought put into own attorney, own clerk, being able to levy fines and punishments against violating the county charter.

