

***AD-HOC Weld County Home Rule Charter  
Amendment Study Committee  
Meeting Minutes – May 2, 2018***

**I. CALL TO ORDER – ROLL CALL:**

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

**II. APPROVAL OF MINUTES – May 2, 2018:** Garrett Varra moved to approve the Minutes of April 25, 2018. The motion was seconded by Justus Pettit, and it carried unanimously.

**III. INTRODUCTION AND PRESENTATION:**

A. GUIDELINES AND SUMMARY INFORMATION: The following informational items were made available and reviewed by Mr. Barker: 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.

**IV. PUBLIC INPUT:**

A. Scott James, Johnstown Mayor, thanked the HRCC members for their service on this matter. He referenced recent ballot Amendments 1A and 1B and expressed support of giving greater authority to the County Council to serve as the Code of Ethics watch dog and oversee the Whistle Blower program. He stated with the passage of 1B, Amendment 41 makes the County subject to the Independent Ethics Committee, versus local control. In response to Mr. Dominguez, Mr. James stated the Council could be further empowered with an independent budget, and they are held in check by the voters.

B. Ellen De Lorenzo, proposed various revisions and submitted a handout, marked Exhibit A and attached to these minutes. She stated the purpose of the Charter is to provide structure to County Government and explained her viewpoints are based on the principles of transparency and avoiding conflicts of interest. In summary, her recommendations addressed the following: residency qualifications, a total of two term limits, updates to terminology, a monetary limit on contracts which require approval by Ordinance, election of the County Attorney and elimination of the conflict of interest to represent the County Council, an established County Council budget, per diem expenses as set by the federal and/or state government, notice for Special meetings, residency/performance qualifications of the County Finance Officer, finality of decisions made by the Appeals Board, listing of Elective Officers, qualifications and terms for County Council, additional notice and

annual budget, and public hearings concerning the five-year capital improvements program and budget. In response to HRCC members, Ms. De Lorenzo explained quality individuals in positions of leadership should be mentoring future leaders, and she stated the Finance Director position is very important, and although she hopes the salary is in line with the responsibilities, the individual should be a resident of Weld County. In response to Mr. Kisker, Mr. Barker explained the definitions section identifies the various appointed and elected “Officers” and the Weld County Code governs the per diem amount for mileage reimbursements, not all travel expenses. Responding to Mr. Lawley, Ms. De Lorenzo confirmed her position that the terms should be limited to a total of two, four-year terms, with no opportunity to run for other elected offices in the future.

At the request of Mr. Kisker, the following individuals spoke concerning their viewpoints on the issue of term limits.

- C. Jane Paterson, Johnstown resident, commented that term limits minimize risk; however, the loss of experience can be unfortunate.
- D. Richard Grimaud, Johnstown resident, agreed with two consecutive terms, but proposed that after one off cycle he would support individuals having the opportunity to run for a different office to utilize their talents and resources. He agreed that term limits break the “good old boy” network and provide fresh perspectives. Mr. Dominguez discussed the value of healthy opposition from opposing viewpoints, and questioned the complicated reality of individuals finding feasible work during the time between terms and having the time or financial means to campaign. Mr. Kisker commented term limits prevent career politicians, and a gap between terms would provide individuals with a realistic view or reminder of the challenges faced by the citizens they serve.
- E. Gary Oplinger, Johnstown resident, agreed there are pros and cons to the term limit conversation. He observed the offices of Sheriff, Assessor, and Clerk and Recorder require specific statutory and field expertise and that perhaps there is value in retaining that expertise for the current provision of three terms.
- F. Philip True, Johnstown resident, stated two terms works for the President and it should be sufficient for Weld County.
- G. Lynette Kilpatrick, La Salle resident, commented all elected officials must start somewhere and gain influence as they make decisions based on the input and expertise of attorneys, accountants, engineers, administrators, etcetera. She supported a total of two terms and reiterated elected positions should not be viewed as a career, but they should rely upon the career professionals that support their roles.
- H. Larry Storms, Johnstown resident, stated he has served on various committees and boards of appeals and expressed it is frustrating to be overridden. He agreed elected positions

should rely on the people/team around them, and discouraged making exceptions for certain positions.

- I. Ellen De Lorenzo added the elected offices are charged with the responsibility of looking out for the greater good of the County and they have access to many sources of input besides just institutional knowledge. In response to previous comments concerning a gap in terms, she stated any candidate needs to plan for the future in the event they to not get re-elected.
- J. Lynn Stockton, Johnstown resident, asked why the Clerk and Recorder position needs to be elected. Mr. Barker explained the Home Rule Charter allows the flexibility to determine whether it is elected or appointed; however, Ms. Johnson noted that there has been significant public support to retain the elected status.

V. **ADJOURNMENT**

Chair Johnson stated the next meeting will be held on May 9th, at 6:00 p.m., at the Windsor Town Hall, followed by weekly general meetings at the Administration building to compile the public input, in conjunction with the thoughts of the HRCC members, to begin forming a recommendation. There being no further discussion, Chair Johnson adjourned the meeting at 7:05 p.m.

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

# Weld County Charter Changes

Submitted by Ellen DeLorenzo



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## Section 3-3 Qualifications of Members

- Commissioners from districts **must** reside within their geographic district for **at least one year prior to announcing candidacy or being appointed**, and during their term in office.

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## Section 3-4 Terms of Office

- (3). No person shall serve more than **a total of two** consecutive terms as a County Commissioner.

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## Section 3-6 Commissioner-Departments

### Change Personnel to Human Services

### Define what the word "coordinated" means in (1) and (2).

- (2). Each of the **three** major departments, as established by Article IV, shall be \_\_\_\_\_ by **a County Commissioner, who has been appointed by the Board of County Commissioners at its first January meeting each year.**

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## Section 3-8 Powers and Duties

- (4)(b). Enact legislation, including such means of enforcement thereof as shall be authorized by law, and otherwise formally promulgate county policy. Unless otherwise required by statute, the Board shall act only by ordinance in matters of legislation, contracts **over \$.5k**, appropriations...
- **(4)(d). Elect the County Attorney, limit to a total of two consecutive terms. Move compensation allocation to County Council, eliminates conflict of interest.**
- (4)(i). Appropriate funds for all lawful purposes, **to include annual Weld County Council budget.**

**-(4)(p). Travel expenses for County Council, County Commissioners, County Officers, County Employees or members of an appointed board or commission shall be paid at the Current Fiscal Year Per Diem for Colorado ([www.gsa.gov](http://www.gsa.gov))**

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### Section 3-11 Meetings

- (2). Special meetings shall be called by the Clerk of the Board upon the written request of the Chairman or of any three (3) members of the Board. **Each member of the Board and the Public via county website shall be provided at least 24 hours of such meeting.**

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### Section 4-2 Department of Finance and Administration

- (6)(a). The County Finance Officer on behalf of the Board of County Commissioners shall act as Chief Accounting Officer of the County. **This position shall supervise, coordinate and direct the activities of this Division. This position is responsible to the Board of County Commissioners for the proper execution, administration and functionality of the affairs of the divisions of Weld County. This includes the performance by respective divisions and officers of those functions, duties and services permitted or required by this Charter. This position requires full time presence in the office and telecommuting is prohibited.**
  - (8) **The Board of County Commissioners shall respect the decision of the Appeals Board as final and is not allowed to overturn said decision.**
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### Section 6-1 Elective Officers

**The Elective Officers of the County of Weld, Colorado, shall be five County Commissioners, five County Council members, one County Clerk and Recorder, one County Sheriff, one County Coroner, one County Treasurer, one County Attorney, and one County Assessor.**

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### Section 13-2 Qualifications of Members

**-(1). County Council members must reside within their geographic district when elected or appointed and during their term in office.**

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### Section 13-3 Terms of Office

- 3). No person shall serve more than **two** full consecutive terms as a County Council member.

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### Section 13-8 Powers and Duties

- (8) The Council shall enforce a Code of Ethics and Whistle Blower program, as a direct recommendation of a performance audit to all County elected officials and employees.**

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### Section 14-2 Annual Budget

- (2). The Board shall hold at least two public hearings on the proposed budget. If any item is changed after said hearings, then a third and final public hearing shall also be held. Public notice of these hearings and the proposed budget shall be posted on the County website at least ten days...**

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### Section 14-3. Capital Improvements Program and Budget

- Add: The Board shall hold a public hearing on the five year capital improvements program and budget. Public notice of this hearing and the program and its budget shall be posted on the County website at least ten days prior to the hearing.**

ATTENANCE LIST

5-2-2018

NAME - PLEASE PRINT LEGIBLY	ADDRESS, CITY, ST, ZIP	EMAIL/PHONE NUMBER	COUNTY OF RESIDENCE?
Evan DeLoraine	1744 GARDENVUE DR JT		Weld
RICHARD GRIMMARD	43 LINDENWOOD CIRCLE	LARRYE STORMS CONSULTANTS COM	WELD
LARRY STORMS	20487 CRESS LE SALLE		WELD
Lynette Kubitovich	1905 GARDENVUE DR JOHNSTOWN	970 587 9716	WELD
Jane Peterson	2246 Mandarin Ct. Johnstown	970-381-1806	Weld
Pat Kivsky	1721 SUNTIDE DR JOHNSTOWN 80534	970-587-1055	Weld
LYNN STOCKTON	1721 SUNTIDE DR JOHNSTOWN 80534	970-587-1055	Weld
Philip RUE	2415 White Wing Rd. Johnstown	970-227-8388	WELD
Scott James	27687 Hopi Trl Johnstown	970 461 1944	Weld
Gary Oplinger			