

***AD-HOC Weld County Home Rule Charter  
Amendment Study Committee  
Meeting Minutes July 11, 2018***

**I. CALL TO ORDER – ROLL CALL:**

Jackie Johnson, Chair, called the meeting to order at 6:30 p.m. The following Committee members were present: Sam Gluck, Al Dominguez, Mark Lawley, Dave Kisker, Ray Patch, Justus Pettit, Garrett Varra, and James Welch. Also present were Bruce Barker - County Attorney, and Jennifer Finch – Public Information Officer (PIO).

**II. APPROVAL OF MINUTES – JUNE 27, 2018:** Ray Patch moved to approve the Minutes of June 27, 2018. The motion was seconded by Sam Gluck, and it carried unanimously.

**PUBLIC COMMENT**

Richard Grimaud, Johnstown resident, addressed the HRCC members thanking them for their time and efforts in this process. He posed a question to County Attorney Barker concerning enforcement measures if the Commissioners refuse to follow the Charter or Code. Chair Johnson commented that the question was not really related to the Charter; Mr. Varra commented that at the last meeting the committee agreed to discuss comments on proposed changes; Mr. Kisker commented that the question seemed appropriate as enforcement is a critical part of the process. County Attorney Barker commented that enforcement depends on what provision isn't being followed by the elected official and that some enforcement may happen in District Court. He provided the example of the Article XV and the siting of detention facilities, and continued to explain that the Charter doesn't provide enforcement measures even for the County Council, which isn't different from any other county or city. Chair Johnson commented that the Commissioners take an oath to follow the duties of the Charter and failure to do so is actionable through several means.

Mr. Grimaud also asked about the decision to not include a reimbursement/expense procedure or a per diem amount in the proposed Charter changes. Chair Johnson and Mr. Barker explained there are guidelines in the Code that deal with reimbursement of allowed expenses, and noted the mileage reimbursement amount is set by the federal government.

Janine Reid, Greeley resident, complimented the committee on their work and discussions. She expressed her concern about newly proposed Section 6-5(2) regarding not allowing a convicted felon to run for elected office. She expressed her belief that after serving a sentence people should then be allowed to perform their civic duties. As Chair of the League of Women Voters she stated they are concerned with transparency and hope this structure will encourage the Commissioners to be more transparent. She concluded by saying she appreciated the HRCC members further defining the word "substantive" in Article XVII.

Sandy Ward – no comment.

Sandy Jackson – no comment.

Karell Wagner – concurred with Ms. Reid’s opinion about felons being eligible to participate in the election process once their sentence is served.

Sara Knuth – Greeley Tribune reporter just observing.

Barbara Whinery, League of Women Voters member, spoke of her observations of the meetings as she was looking to see how the meetings were run. She commented that she felt they were very effective and efficient, people had time to express their opinions, public input was well represented, meetings were easy to find, and she appreciated the ability to listen to the recordings and find information online. She mentioned that it was also helpful to have the corrections and suggestions online. She concluded by thanking the committee for their time and efforts.

In response to the comments regarding felons, Mr. Pettit stated that the HRCC members had a good discussion on the topic and that Mr. Dominguez had brought up the fact that pardons would allow someone to run for political office. Mr. Gluck also reminded the group that the HRCC members have been tasked with making recommendations to the Commissioners who may choose to either accept or do nothing with the various recommended changes.

### **III. OLD BUSINESS:**

#### **A. AMENDMENTS TO THE CODIFICATION PROVISION**

Mr. Barker submitted copies of the proposed changes recommended by the HRCC members made to-date (Exhibit A) and noted clarifying language pulled from a Home Rule Charter committee in Texas which he thought might work well for what this group is trying to accomplish. Chair Johnson read the proposed language for Section 17-3(1)(d) aloud: *“Correcting obvious inconsistencies between sections.”* She mentioned the example of the current Charter’s use of “elected” and “elective” interchangeably as a potential recodification to ensure consistency. The group commended Mr. Barker for the suggestion. Mr. Varra moved to approve the language, which was seconded by Mr. Patch, and carried unanimously.

Mr. Kisker recommended two grammatical revisions: 1) Section 6-5(2) – change “appoint” to “appointed”; and 2) Section 16-6 – change “except for approval of contracts” to “except that approval of contracts”. These changes were accepted by the HRCC.

#### **B. SUGGESTIONS FOR INTRODUCTION TO THE COMMITTEE’S RECOMMENDATION:** Chair Johnson referenced her Draft Memorandum (Exhibit B) and explained the introductory paragraph was intended to summarize the role and task of the Home Rule Charter Committee. The group agreed it accomplished that goal.

- i. Process comments – no comments or changes
- ii. Recommendations – no comments or changes
- iii. Addressed, but not recommended – no comments or changes

iv. Non-Charter Related Concerns:

1. Accessibility/Transparency: Mr. Varra stated that accessibility issues were one of the things the HRCC members heard from the public, such as difficulty finding information on the County web site (i.e., Planning and Health) as to what the County is doing and how people can access resources.
2. Expenses/per diem: Mr. Kisker requested the expense and per diem issue be included in this section, as it was discussed, although it seems to be a Code issue, not a Charter issue.
3. Non-compliance with the Charter: Mr. Gluck requested inclusion of the discussion about how non-compliance is dealt with to ensure the Commissioners were aware that it came up in conversation. He concurred with referencing past committee meeting discussions about “who is watching the watchers.” Chair Johnson added that ultimately it is the voters who vote for who they trust, and Mr. Dominguez commented that sometimes when a system is simple, people tend to think the system doesn’t work, and he agreed that the public has the responsibility to watch over elected officials. Mr. Kisker countered saying that in four years of office a person can do a lot of damage and, although he doesn’t think the issue is one for the HRCC to tackle, he does not feel that bringing a lawsuit against the County is a reasonable answer for citizens who want to hold government responsible. He continued to say that perhaps it should be the role of the County Council to initiate lawsuits, since they are the oversight board for the County. He again reiterated that he worries about having rules without enforcement procedures, asking “If you can’t enforce it, why have it?”
4. Summary List: Mr. Lawley requested incorporating a list summarizing the topics submitted by the HRCC members, County Attorney and public input listed on May 23rd Agenda. Mr. Kisker suggested providing the Commissioners with the Minutes taken throughout the process, and Chair Johnson concurred. Mr. Barker advised it is up to the HRCC members to decide what to include in the report and suggested it should be submitted electronically and presented as supporting documentation at the July 23rd Board of Commissioners meeting to ensure they are stored in the official TylerCM database of the Commissioners records. Chair Johnson said she would update the Report to include this evening’s suggestions and email it to the HRCC members for comments and changes. Discussion then turned to the list of “clean up” changes under the Recommendations paragraph and Chair Johnson asked if those should be included. Following discussion, Mr. Barker indicated he could combine those items into two or three ballot questions which would still be reasonable for the voters.
5. TABOR Tax Controls: Mr. Kisker recommended including the topic under Addressed, by Not Recommended, concerning removal of the language

regarding the Council's process regarding tax increases (reminding the group of discussion by some that TABOR eliminates the need for this item in the Charter). He reminded the group of the discussion with Don Warden, Director of Finance and Administration, who suggested it be left in the Charter.

Chair Johnson reiterated that she will make the changes to the document and distribute them to the HRCC members. Mr. Barker also offered to write the ballot questions to be presented as part of the Report as well. There was discussion as to whether further prioritization of the recommended changes needed to happen; the group decided it did not. Chair Johnson confirmed with the committee that she would make the formal presentation to the Commissioners with the other HRCC members in attendance.

It was also agreed to schedule one more meeting to be held at 6:30 p.m. on Wednesday, July 18, 2018, at the same location (Weld County Administration Building, Pawnee Room).

**IV. ADJOURNMENT:** Chair Johnson adjourned the meeting at 7:28 p.m.

\*Minutes taken by Jennifer Finch and reviewed/submitted by Esther E. Gesick, Clerk to the Board



## PROPOSED CHANGES TO THE WELD COUNTY HOME RULE CHARTER BY THE HOME RULE CHARTER STUDY COMMITTEE – 7/11/18

### ARTICLE II - COUNTY POWERS

#### Section 2-2. - Exercise of Power.

All executive, administrative, and legislative powers, functions, duties and prerogatives now or hereafter possessed by Weld County shall be vested in a Board of County Commissioners in the ~~Elective~~ **Elected** Officers provided for by this Charter. Executive and administrative powers, hereby vested in the Board may, to the extent provided in this Charter, be exercised by the departments herein established as agents of the Board. The legislative powers of the County shall be exercised only by the Board.

### ARTICLE III - BOARD OF COUNTY COMMISSIONERS

#### Section 3-6. - Commissioner - Departments.

- (1) The Department of Finance, ~~Central Purchasing, and Personnel~~ **and Administration** shall be coordinated by the Chairman of the Board of County Commissioners.
- (2) Each of the other ~~four~~ **three** major departments, as established by Article IV, shall be coordinated by one of the other Commissioners together with assistance from another Commissioner, both of whom shall be appointed by the Board at its first meeting in January each year.

#### Section 3-8. - Powers and Duties.

- (1) The Board of County Commissioners shall be the governing body of the County. It shall exercise all the powers and perform all the duties now required or permitted or that may hereafter be required or permitted by State law to be exercised or performed by County Commissioners in either home rule or non-home rule counties.
- (2) It shall exercise all powers of the County to determine policy and to enact legislation.
- (3) It shall be responsible for the proper exercise by the County departments and other agencies established by this Charter or by the Board for all executive and administrative powers and duties delegated thereto.
- (4) Without limiting the generality of the foregoing or diminishing the total authority and responsibility of the Board as herein provided, the powers and duties of the Board shall include duties and powers to:

- (a) Perform or provide for the performance of any duties and responsibilities required by statute or the Constitution of Colorado of County Commissioners in home rule counties and non-home rule counties.
- (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, and appropriations, and disposition of real property,~~ and by ordinance, resolution or motion, as may be appropriate, in other matters.
- (c) Appoint, remove and establish qualifications of department heads, and through them, direct the functions of county offices, departments, divisions and agencies.
- (d) Appoint and remove the County Attorney, pursuant to Section 5-1 of this Charter, and retain such other professional advisors as the Board may deem necessary.
- (e) Adopt an administrative code.
- (f) Develop, or cause to be developed, a system of employment policies, rules, job classification and compensation plans in accordance with generally accepted principles and promulgate such policies, rules and plans, under the authority of and in compliance with the provisions of pertinent Colorado and Federal statutes and this Charter.
- (g) Initiate suits or actions on behalf of the County.
- (h) Create such agencies, boards and commissions as the Board may deem necessary or as may be required by State law, and appoint the members thereof. The action creating an agency, board or commission shall also set forth compensation, duties, and responsibilities as well as any qualifications and conditions of service. The Board may designate itself to perform the functions and exercise the process of any such board or commission, unless prohibited by State law or this Charter.
- (i) Appropriate funds for all lawful purposes.
- (j) Establish and levy taxes, charges, fees and licenses.
- (k) Regulate, license, and tax utilities to the extent permitted by law.
- (l) Purchase or otherwise acquire, hold, own, sell, trade, transfer, divide, lease, encumber, or reserve interest in real and personal property, and receive gifts and grants, in the name of the County.

- (m) Approve and execute, on behalf of the County, all contracts. Contracts shall be executed for the Board by the Chairman.
- (n) Act as a Board of Appeals to hear complaints on actions taken by county boards, commissions and departments. Procedure for appeals shall be as set forth in the administrative code, or by resolution of the Board. No person shall be denied the right to appeal, provided they comply with the administrative procedures established by the Board.
- (o) Establish salaries or other compensation for the County Attorney, Assistant County Attorneys, and all other employees, or appointees not included within the Personnel system.
- (p) Provide for reimbursement of actual expenses of food, travel, and lodging necessary for performance of the duties of a County Commissioner, County Councilman, county officer, county employee, or member of an appointed board or commission.
- (q) Authorize multi-jurisdictional performance of duties and functions with other units of government, and, under procedures provided by law, cause the County to be included within such districts consisting of two or more counties or parts thereof as may be authorized or provided by law for the joint performance of county functions or the performance of regional functions.
- (r) Establish a municipal conference to be called by the Board of County Commissioners not less than three times each year to which all municipal officials shall be invited and appropriate agendas developed in order that mutual problems be considered.
- (s) Require that all inspections of whatever type made by county officers or employees be made promptly and without unreasonable delay.
- (t) Perform or exercise, or provide for the performance or exercise of, any or all permissive functions, services, facilities and powers that may now or in the future be authorized by law and not specifically mentioned or assigned by this Charter. The Board shall perform or assign any mandatory duty, responsibility or function required of the County by the laws or Constitution of the State, which may have been omitted in this Charter.

#### Section 3-9. - Compensation.

- (1) Compensation of members of the Board shall be fixed by the County Council.

- (2) No member's compensation shall be increased or decreased during his term of office, except as permitted by law.
- (3) ~~Until otherwise set, the salary of the members of the Board shall be: Commissioners of districts 1 and 3, \$10,000.00; and Commissioner of district 2 and Commissioners at large, \$15,000.00 per year.~~

Section 3-11. – Official Meetings.

- (1) Regular Board meetings shall be held at least twice weekly on days to be determined by the Board by resolution, ~~except~~ **however**, regular meeting may be cancelled; ~~however~~, by resolution of the Board passed and publicly announced at least ten (10) days prior to the cancelled meeting date.
- (2) Special meetings shall be called by the Clerk to the Board upon the written request of the Chairman or of any three (3) members of the Board. Each member of the Board shall be provided at least twenty-four hours written notice of such meeting, served personally or left at each member's usual place of residence. However, a special meeting called as herein provided may be held on shorter notice if all members of the Board are present or have waived notice thereof in writing. A copy of the notice of a special meeting shall be posted in a conspicuous place in the offices of the Board at the time such notice is given to members of the Board. No business shall be transacted at a special meeting unless the same has been stated in the notice of such meeting.
- (3) When a regular or special meeting is adjourned or recessed to a time certain, notice of the time and place of the reconvening thereof shall be posted in a prominent place in the offices of the Board.

**ARTICLE V - DEPARTMENT OF LAW**

Section 5-3. - Duties.

- (1) The Department of Law shall exercise all legal and administrative functions of the County government assigned by law or the Board to the County Attorney.
- (2) The County Attorney shall act as legal advisor for the Board and all departments and divisions of county government.
- (3) The County Attorney shall, upon request of ~~elective~~ **elected** county officers, issue formal written opinions on questions of law, which shall be maintained by the County as public documents.



(4) When directed by the Board, the County Attorney shall represent the County, county officers, county employees, and appointed boards and commissions and their members in suits, actions and other legal proceedings.

(5) In the event of conflict between the Board and any other county officer, such county officer shall be represented by the Weld County District Attorney.

## ARTICLE VI - ~~ELECTIVE~~ ELECTED OFFICERS

### Section 6-1. - ~~Elective~~ Elected Officers.

The ~~Elective~~ Elected Officers of the County of Weld, Colorado, shall be five County Commissioners; five County Councilmen; one County Clerk, one County Sheriff; one County Coroner; one County Treasurer; and one County Assessor. The salary or compensation, term of office and qualifications of such officers shall be as provided in this Charter. Notwithstanding the foregoing or any other provision of this Charter to the contrary, effective January 1, 2003, the Coroner shall be appointed and the office operated in accordance with the terms of Article IV §4.1(4) of this Charter. Such appointment shall be subject to the rules established in the personnel system described in Article IV §4-2B(2) of this Charter. Notwithstanding the foregoing or any other provision of this Charter to the contrary, effective January 1, 2003, the Treasurer shall be appointed and the office operated in accordance with the terms of Article IV §4.1(4) of this Charter. Such appointment shall be subject to the rules established in the personnel system described in Article IV §4-2B(2) of this Charter.

### Section 6-3. - Vacancy.

Vacancies in ~~elective~~ elected offices, except County Commissioners and County Councilmen, shall be filled by the Board as provided by this Charter.

### Section 6-5. - Qualifications.

- (1) All elected officers shall be qualified electors of the County.
- (2) All elected officers shall have resided in the County for a consecutive period of not less than one (1) year immediately preceding election.
- (3) All elected officers shall be at least twenty-one (21) years of age before assuming office.
- (4) Except for County Councilmen, each county office shall be the primary employment of the officer during the term for which he is elected or appointed.

- (5) A person who has been convicted of a felony shall not be eligible to become a candidate for election to or be appointed to County office.

Section 6-6. - Compensation.

- (1) Compensation of all elected officers, except County Councilmen, shall be fixed by the County Council.
- (2) No elective elected officer's compensation shall be increased or decreased during his term of office, except as permitted by law.

**ARTICLE X - COUNTY SHERIFF**

Section 10-6. - Jailer — County not Furnish Residence. Repealed.

~~The County shall not be required to furnish the Sheriff, as keeper of the jail, nor any deputy appointed for that purpose, with living quarters. This shall not relieve the Sheriff of his duty to safely keep all prisoners committed to his custody according to law.~~

**ARTICLE XIII - COUNTY COUNCIL**

Section 13-2. - Qualifications of Members.

- (1) Councilmen from districts shall reside within their geographic districts when nominated, elected or appointed and during their terms of office.
- (2) Councilmen shall not hold any other county elective elected office and shall not be a county employee.

**ARTICLE XVI - GENERAL PROVISIONS**

Section 16-1. - Continuity of Government.

The Board shall provide for continuity of government in the event of a disaster. It shall prescribe procedures which will preserve representative government and provide an orderly line of succession of authority when disaster makes such measures necessary. In no case will such temporary occupancy of elective elected offices extend beyond the next scheduled general election.

Section 16-6. - Public Notice.

Notice to the public of ordinances and of certain official acts, events, determinations, proceedings or meetings shall be given. Unless defined otherwise in the ordinances, rules or laws

pertaining to the procedure to which the public notice relates, public notice may be by publication in a newspaper of general circulation in the County or by such other media and in such form as may be prescribed by the Board; except that approval of contracts for expenditures in the amount of \$2,500,000 or greater, notice shall be by two publications ten days apart prior to approval. When the notice informs the public of some event to take place in the future, it shall be published at least five days prior to such event.

#### Section 16-7. - Vacancy.

Every ~~elective~~ **elected** county office shall become vacant, on the happening of any one of the following events, before the expiration of the term of office:

- (1) The death of the officer.
- (2) The resignation of the officer.
- (3) The removal of the officer, by recall or otherwise.
- (4) The officer ceasing to be a resident of Weld County, or in the case of an officer required to live in a district, ceasing to be a resident of the district from which elected.
- (5) The officer's refusal or neglect to take his oath of office, or renew his official bond, or to deposit such oath and bond within the time prescribed by law.
- (6) The final decision of a competent tribunal, declaring void an officer's election or appointment.
- (7) The final decision of a competent tribunal finding an officer guilty of a crime.

#### Section 16-9. - Ethics Rules and Standards.

All ~~Elective~~ **Elected** Officers and employees of the County of Weld, Colorado, shall comply with the ethics rules, standards, and penalty provisions set forth in the laws of the State, including, but not limited to, Article XXIX "Ethics in Government" of the Colorado Constitution. The Board of County Commissioners shall not have the power and authority to adopt ordinances or resolutions exempting the ~~Elective~~ **Elected** Officers and employees of the County of Weld, Colorado, from the provisions of Article XXIX "Ethics in Government" of the Colorado Constitution.

## ARTICLE XVII - AMENDMENTS AND NON-SUBSTANTIVE REVISIONS TO CHARTER

### Section 17-3 – Non-Substantive Revisions.

(1) The Board of County Commissioners may, without approval of the voters, adopt an ordinance that makes the following types of revisions to this Home Rule Charter:

(a) Renumbering, revising titles, and rearranging parts thereof;

(b) Correcting errors in spelling, grammar, cross-references, and punctuation;

(c) Revising language to reflect modern usage and style; and

(d) Correcting obvious inconsistencies between sections.

(2) A revision adopted pursuant to this Section is not intended to and is not to be interpreted as making any substantive change in any Charter provision.

## ARTICLE XVIII - TRANSITIONAL PROVISIONS

### Section 18-3. - Transition of Elective Elected County Offices.

After adoption of this Charter, the status of elective elected officers shall be as follows:

(1) Incumbent County Commissioners shall continue to serve as Commissioners of districts numbered one, two and three until such time as their terms of office would have expired if this Charter had not been adopted.

(2) All other existing elective elected officers, as provided for in this Charter, shall continue to serve in their respective offices until such time as their term of office would have expired if this Charter had not been adopted.

### Section 18-6. - Salaries.

Until otherwise established as provided by this Charter, the salaries of all elective elected officials shall remain the same as they existed on the effective date of this Charter.

MEMO



**TO: HRCC**  
**FROM: JACKIE JOHNSON**  
**CC: BRUCE BARKER; ESTHER GESICK**  
**RE: REVISED REPORT TO COUNTY COMMISSIONERS**  
**DATE: JULY 12,2018**

Here is an attempt to include the issues we discussed at our meeting last evening. Please contact me if you have suggested additions or suggestions. Thanks.

Dear Weld County Commissioners:

This report is submitted by the Ad Hoc Weld County Home Rule Charter Amendment Study Committee ("HRCC") concerning the results of its charge to review the Weld County Home Rule Charter to determine if amendments thereto would be beneficial to provide good government by and for the citizens of Weld County. **With this report, we are attaching copies of the minutes of our meetings and a copy of the outline from which we worked to formulate our proposals. The HRCC would be happy to provide any other documentation you might request.**

**PROCESS:** From the outset, the HRCC established its priority of giving broad opportunity for public input into the Home Rule Charter review and with assuring "transparency" in the course of its proceedings. To effect this goal, the HRCC: 1) scheduled six community meetings throughout the county, each of which was publicized in local newspapers and on the county website; 2) established a page on the website where interested citizens could review the minutes and listen to recordings of all HRCC meetings and public hearings; 3) created an e-mail address for use by interested citizens; 4) invited elected officials and department heads to address the committee; and 5) assured that all deliberations of the HRCC were open to the public, including a final public hearing to report on the changes being proposed. While the

response to these efforts was not overwhelming (fewer than 25 people provided input at the public meetings), the HRCC made a good faith effort to address the charter-related issues raised in those meetings and to take note of issues raised that were not in the HRCC's purview.

**RECOMMENDATIONS:** An exhibit of proposed amendments, prepared by County Attorney Bruce Barker, is attached hereto. Some were designed to clarify ambiguous language, to correct grammatical errors, to reflect current usages and to conform inconsistent terms. (See Exhibit items: Sec. 2-2, 3-9, 3-11, 5-3, 6-1, 6-3, 6-6, 13-2, 16-1, 16-7, 16-9 and 18-6) Other recommendations are more substantive, and include the following:

- **3-8(4)(b) – Commissioner's Powers and Duties** - This change would eliminate the requirement that the Board of County Commissioners act only by ordinance in matters of contracts and disposition of real property.
- **16-6 – Public Notice** - To promote public scrutiny in light of the above change, this amendment would require approval of contracts of \$2,500,000 or more to be noticed by two publications prior to approval.
- **6-5(5) - Qualifications** The proposed new qualification for Elected Officers would prohibit any person convicted of a felony from being a candidate for or appointed to such office. (This change was proposed on a 5-3 vote.)
- **17.3 – Amendments to Charter** This addition to the Charter would permit the Board from time to time to adopt an ordinance making "non-substantive revisions" to the Charter. In the course of its review, the HRCC found many examples of errors, obsolete language and inconsistencies, which are not practically addressed in a ballot, but which would improve the ability to better apply the Charter.

**ADDRESSED, BUT NOT RECOMMENDED:** The HRCC considered a great many other issues and after deliberation, chose not to recommend Charter Amendments related thereto. These included the following:

- **2-3 -Cooperative Agreements** Although the language doesn't mirror state statute, the HRCC did not find a change was warranted.
- **3-3 – Qualifications of Members** Some citizens suggested a longer residency period, but the HRCC felt the present requirement was sufficient. (This decision was based on a 5-3 vote.)
- **3-4(3) – Terms of Office** Several citizens argued for stricter term limits, including a return to a two-term limit and the prohibition of non-consecutive terms exceeding the limit. Upon the advice of the County Attorney that certain limits would be unconstitutional, the HRCC chose not to propose changes to this provision.
- **3-6(2) – Commissioner Departments** The issue concerning this provision was whether every County Commissioner should be assigned a co-ordination responsibility. (A motion to require that each of the Commissioners other than the Chair must serve as coordinator or assistant coordinator of the major departments failed on a vote of 6-2.) **NOTE: JAMES WELCH BELIEVES THE VOTE WAS 5-3. COULD SOMEONE PLEASE DOUBLE CHECK THIS.**
- **4-2 – Department of Finance and Administration** The merits of a County Administrator and the efficacy of a non-resident Finance Officer were raised in public meetings. The consensus of the HRCC was that under the present circumstances, no changes were warranted.
- **4-2(B)(8)(b) – Departments of County Government – Division of Human Resources** Public concern was expressed about the decision of the Grievance Board being appealable to the Board of County Commissioners. At issue was the propriety of the Board being able to overturn the decision of another elected official. The appeal process is not a part of the Charter, but rather is contained in the County personnel policies, rules and regulations. The HRCC did not find a change **to the Charter** was warranted.
- **5-1 – County Attorney-Appointment** Some citizens suggested the County Attorney should be elected. The HRCC determined that such a proposal was infeasible as there would be no specific client represented in such a circumstance.



- **VI-XI – Elected Officers** Based in part upon input from current elected officers as well as appointed officers, the HRCC determined no changes in the Charter were warranted with respect to election/appointment, residency requirements or term limits.
- **XIII – County Council** The HRCC discussed various aspects of the Charter provisions concerning the County Council, including its role in ethical issues, recalls, cooperation with other elected officers, the adequacy of its budget and whether it needed to operate under formal by-laws. No changes were proposed.
- **XIV-2 – Finance and Budget** Some members of the public expressed concern about the timing of public hearings prior to the adoption of the annual budget. The HRCC concluded the existing provisions, including the opportunity for comment early in the process as well as the ability to make written comments, allowed effective public input.
- **XIV-7 – Limitation on Annual Tax Levy** – Following a comprehensive presentation by County Finance Officer Don Warden, the HRCC concluded that although the TABOR amendment makes this section of the Charter moot at the present time, the section could become relevant in the future. Accordingly, the HRCC chose to retain Section 14-7.

**NON-CHARTER RELATED CONCERNS:** The HRCC believes that some issues raised at its public meetings, although not within its purview, might be of interest to the Commissioners. Several themes emerged both in the public hearings and during the course of deliberation by the HRCC. (It should be noted that some citizens spoke at more than one public meeting.) These themes included transparency of government, easier access to public information, increased opportunity for citizen input at public meetings, and the respective roles of voters and officials in assuring compliance with the Charter. More specifically:

- The Departments of Planning Services and Health Services were identified by several citizens as having unwieldy web pages.
- Some matters, such as the per diem rate for travel and expenses, are in the County Code. Mr. Barker prepared a document explaining the difference between these.



The role of the County Council may need attention in the future, particularly with respect to enforcement of the Charter. There was a general recognition, however, that in the matter of county government, as with other levels of government, the voters have the ultimate role of enforcement through the ballot.

The HRCC would like to thank the Board of County Commissioners for the opportunity to provide this service to Weld County. We appreciate the outstanding work of staff members who attended our meetings, assured timely distribution of our proceedings and gave objective advice.

