


RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 2, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 2, 2018, at the hour of 9:00 a.m.

 **ROLL CALL:** The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:


Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem
Commissioner Sean P. Conway
Commissioner Julie A. Cozad
Commissioner Mike Freeman

Also present:


County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly


 **MINUTES:** Commissioner Conway moved to approve the minutes of the Board of County Commissioners meeting of June 27, 2018, as printed. Commissioner Cozad seconded the motion, and it carried unanimously.

 **READ ORDINANCE BY AUDIO:** Commissioner Freeman moved to read Code Ordinance 2018-06 and 2018-07 by audio. The motion was seconded by Commissioner Conway, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner Cozad moved to approve the Certification of Hearings conducted on June 27, 2018, as follows: 1) USR18-0005 – Donald Wills, 2) USR18-0016 – Ken and Markay Cospers, and 3) USR18-0019 – Anadarko E and P Onshore, LLC, c/o Kerr-McGee Gathering, LLC. Commissioner Kirkmeyer seconded the motion, which carried unanimously.


 **AMENDMENTS TO AGENDA:** There were no amendments to the agenda.

 **CONSENT AGENDA:** Commissioner Kirkmeyer moved to approve the Consent Agenda as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, apologized for offering to purchase tickets for the Commissioners so they may attend the Nightmares football game, but instead said he will bring free tickets for the Commissioners to attend the game. Mr. Gillard inquired about the origin of the donations used to pay for the EOC training in Breckenridge. Chair Moreno referred Mr. Gillard to Roy Rudisill, Director of the Office of Emergency Management, to explain the process of donations. Commissioner


Kirkmeyer stated the donations went through United Way, the Board approved the budget for the training, and all departments have a budget for training. Mr. Gillard expressed his dismay that \$6,000.00 of tax payers' money was spent for the training conducted off-site. He inquired as to the Board of County Commissioners hearings being videotaped and having access to watch at home.


BIDS:


 1) APPROVE BID #B1800125, OEM PREPAREDNESS GUIDE II (ENGLISH AND SPANISH) – OFFICE OF EMERGENCY MANAGEMENT: Rob Turf, Department of Purchasing, presented the three (3) bids received and stated staff recommends awarding to the low bidder, RRD-Frederic Printing, for the total amount of \$37,582.00. Commissioner Cozad moved to approve said low bid. The motion was seconded by Commissioner Freeman, and it carried unanimously.


NEW BUSINESS:


 1) CONSIDER APPROVAL OF CHAIR'S SIGNATURE ON RESOLUTIONS OF THE WELD COUNTY TASK FORCE CONTROL BOARD AUTHORIZING TRANSFER OF EQUITABLE SHARING FUNDS TO THE GREELEY POLICE DEPARTMENT AND WELD COUNTY SHERIFF'S OFFICE: Bruce Barker, County Attorney, stated this is a typical agreement where the Board is authorizing the Chair's signature. Commissioner Kirkmeyer moved to approve said approval of Chair's signature on Resolutions authorizing the transfer of equitable sharing funds. The motion was seconded by Commissioner Conway, and it carried unanimously.

 2) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – ALEX SABASTIANI, DBA PREHISTORIC ADVENTURES: Janet Konkel, Extension Fair Coordinator, presented the terms of the agreement. Commissioner Cozad moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 3) CONSIDER TEMPORARY CLOSURE OF CR 70 BETWEEN CRS 43 AND 45: Amy Joseph, Department of Public Works, reviewed the request for the temporary closure beginning July 9, 2018, through August 3, 2018, for two (2) bridge re-decks, stating water will be used for dust abatement. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Cozad, and it carried unanimously.


 4) CONSIDER CONTRACT ID #1940 INTERGOVERNMENTAL AGREEMENT FOR SOUTHWEST WELD COUNTY TRANSPORTATION IMPROVEMENTS PROGRAM FORUM AND AUTHORIZE CHAIR TO SIGN: Elizabeth Relford, Department of Public Works, presented the Intergovernmental Agreement and stated the Denver Regional Council of Governments (DRCOG) allocates certain federal funding for transportation improvements as part of their Transportation Improvement Program (TIP). She explained for the municipalities to receive funding from DRCOG they need to enter into an Intergovernmental Agreement with the County and DRCOG will allow, the counties to recommend projects for which they would like to use the money. She further stated the counties would receive approximately one (1) million dollars a year from DRCOG. Commissioner Cozad stated during the Highway 66 meeting, several communities agreed to work together to contribute matching funds to the projects. She stated she agrees with approving the DRCOG funds because the money will help fund some of the projects and will encourage communities to contribute matching funds. In response Commissioner Conway, Ms. Relford stated DRCOG has authority to pick which projects, but the forum makes their recommendation to DRCOG. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Cozad, and it carried unanimously.

 5) CONSIDER RESCINDING DOCUMENT #2018-0639, DATED FEBRUARY 28, 2018, CONCERNING LARGE TRACT OIL AND GAS LEASE – AZTEC EXPLORATION, LLC: Frank Haug, Assistant County Attorney, presented the lease that was approved in early 2018. Soon there after, Aztec Exploration discovered there was a Quiet Title Action done in 1942. Commissioner Conway moved to rescind the resolution. The motion, which was seconded by Commissioner Freeman, carried unanimously.

 6) FIRST READING OF WELD COUNTY CODE ORDINANCE #2018-06, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 9 INFORMATION SERVICES – ARTICLE I (*WELD COUNTY IT ACCEPTABLE USE POLICY*), OF THE WELD COUNTY CODE: Ryan Rose, Director of the Department of Information Technology, stated this will replace Chapter 9, Article I, due to technology advances and to update language from the old IT manual. No public testimony was offered concerning this matter. Commissioner Cozad moved to approve Code Ordinance 2018-06 on First Reading, which was seconded by Commissioner Kirkmeyer, and the motion carried unanimously, Commissioner Kirkmeyer thanked the County Attorney's Office for working on this Code.

PLANNING:

 1) FIRST READING OF WELD COUNTY CODE ORDINANCE #2018-07, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 19 COORDINATED PLANNING AGREEMENTS (*EVANS*), OF THE WELD COUNTY CODE: Tom Parko, Director of the Department of Planning Services, reviewed the changes made to the new Coordinated Planning Agreement and Design Standards with the City of Evans. In response to Commissioner Conway, Mr. Parko explained one of the discussed items at the work session had to do with the 21-day notice for annexations. Mr. Parko stated there are 17 Coordinated Planning Agreements with various municipalities. Commissioner Cozad stated the officials from the Town of Berthoud are very interested in entering into a Coordinated Planning Agreement with Weld County. No public testimony was offered concerning this matter. Commissioner Cozad moved to approve Code Ordinance 2018-07 on First Reading. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

 2) FINAL READING OF WELD COUNTY CODE ORDINANCE #2018-04, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION (*PROBABLE CAUSE HEARINGS*), OF THE WELD COUNTY CODE: Commissioner Kirkmeyer moved to read Code Ordinance #2018-04 by title only. The motion was seconded by Commissioner Freeman, and it carried unanimously. Mr. Barker read the title for the record. Bob Choate, Assistant County Attorney, stated there have been no changes since the second reading and this will improve the process of Probable Cause Hearings. In response to Commissioner Conway, Mr. Choate stated this was clean-up matter and it is up to the Board to accept the testimony from surrounding property owners. Mr. Choate explained the Code was amended because the Probable Cause Hearings were turning into Show Cause Hearings. Commissioner Cozad explained the importance of the Department of Planning Services assisting USR holders with correcting violations. No public testimony was offered concerning this matter. Commissioner Kirkmeyer moved to approve Code Ordinance 2018-04 on Final Reading. The motion which was seconded by Commissioner Freeman, carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances 2018-06 and 2018-07 were approved on First Reading and Code Ordinance 2018-04 was approved on Final Reading.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 9:31 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Barbara Kirkmeyer, Pro-Tem

Sean P. Conway

Julie A. Cozad


Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 9, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 9, 2018, at the hour of 9:00 a.m.

 **ROLL CALL:** The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:


Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem
Commissioner Sean P. Conway
Commissioner Julie A. Cozad
Commissioner Mike Freeman


Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly


 **MINUTES:** Commissioner Cozad moved to approve the minutes of the Board of County Commissioners meeting of July 2, 2018, as printed. Commissioner Conway seconded the motion, and it carried unanimously.


 **AMENDMENTS TO AGENDA:** There were no amendments to the agenda.

 **CONSENT AGENDA:** Commissioner Kirkmeyer moved to approve the Consent Agenda as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, extended the Commissioners an invitation to the Colorado Nightmares football team on Saturday, July 14, 2018. The Commissioners who stated they planned to attend, also stated they would purchase their tickets and declined free tickets.


BIDS:


 1) APPROVE BID #B1800045, 2018 BRIDGE REHABILITATIONS – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Department of Purchasing, presented the six (6) bids received and stated staff recommends awarding to the low bidder, Don Kehn Construction, Inc. Commissioner Cozad moved to approve said low bid. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.


 2) APPROVE BID #B1800100, GR 44 CR 49 ROADWAY WEATHER INFORMATION SYSTEM – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the four (4) bids received and stated staff would like to continue this matter. He stated the Colorado Department of Transportation (CDOT) is allowing the


contractor more time to complete the paperwork relating to the Disadvantaged Business Enterprise. Commissioner Conway moved to continue said matter to July 23, 2018, which was seconded by Commissioner Freeman, and the motion carried unanimously.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #1890 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT CONTRACT FOR LONG TERM CARE AND OMBUDSMAN FRIENDLY VISITOR PROGRAM AND AUTHORIZE CHAIR TO SIGN: Judy Greigo, Director of the Department of Human Services, reviewed the application for funds to provide education to long-term care residents, family members, and facility staff, and to continue the Long-term Care Friendly Visitor and Awareness Program. Commissioner Conway moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Cozad, the motion carried unanimously.

 2) CONSIDER CHANGE ORDER #1 FOR IT ADMINISTRATION BUILDING REMODEL (BID #B1800084) AND AUTHORIZE CHAIR TO SIGN – TCC CORPORATION: Toby Taylor, Director of the Department of Buildings and Grounds, presented a request for a Change Order because during construction, some essential items needed for the remodel were inadvertently missed which total \$14,398.54. Commissioner Freeman moved to approve said Change Order #1 and authorize the Chair to sign. The motion, which was seconded by Commissioner Cozad, carried unanimously.


 3) CONSIDER TEMPORARY ASSEMBLY PERMIT – FRITZLER FARMS, INC., DBA FRITZLER CORN MAZE: Frank Haug, Assistant County Attorney, reviewed the application for a Temporary Assembly Permit, for an event being held on July 20, 2018, and stated they will be using their Liquor License. Mr. Haug noted there are two (2) new buildings which have not been permitted, and the Department of Buildings Inspections wants to ensure the buildings will not be used during the event. Trevor Fritzier, resident of La Salle, presented the alternate dates, in case of inclement weather. Commissioner Cozad moved to grant said Temporary Assembly Permit. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.



 4) CONSIDER ENTRY UPON VARIOUS LANDS BY WELD COUNTY VEGETATION MANAGEMENT SPECIALIST: Tina Booton, Weed and Pest Division, reviewed the terms of the request to enter onto private lands for noxious weed control. In response to Commissioner Conway, Ms. Booton stated the landowner was sent a certified letter. Commissioner Kirkmeyer moved to grant entry. Seconded by Commissioner Freeman, the motion carried unanimously.


 5) CONSIDER TEMPORARY CLOSURE OF CR 63 BETWEEN CRS 59 AND 398: Amy Joseph, Department of Public Works, presented the closure effective July 10, 2018, through July 13, 2018, for an irrigation culvert replacement, which is partially collapsing. She stated staff will use water for dust abatement. Commissioner Cozad moved to approve said temporary closure. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 6) CONSIDER TEMPORARY CLOSURE OF CR 105 BETWEEN STATE HIGHWAY 14 AND CR 390: Ms. Joseph stated this closure will begin on July 16, 2018, through November 15, 2018, for the County Road 105 construction project. She stated staff will use standard road signs and barricades and the detour routes have been treated with magnesium chloride for dust abatement. Commissioner Conway moved to approve said temporary closure. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.


HEALTH OLD BUSINESS:


 1) CONSIDER SUSPENSION OF COLORADO RETAIL FOOD ESTABLISHMENT LICENSE – DENO’S I-76 RESTAURANT AND LOUNGE (*CONT’D FROM 6/27/2018*): Gabri Vergara, Department of Public Health and Environment, stated the operator hired a consultant, but they have not received any updates from him. Lorenzo Garcia, owner of Deno’s I-76 Restaurant and Lounge, stated he hired Steve Chevalier, Food Safety Consultant, who reported his background and experience. Mr. Chevalier stated for twelve (12) years he worked at the Tri-County Health Department and recently started his own consulting business.





 Dan Joseph, Department of Public Health and Environment, began his presentation and stated the on-site training has not yet occurred. In response to Commissioner Conway, Mr. Joseph stated the consultant is under contract, but no training has occurred. Mr. Garcia stated he will close the restaurant on Monday, July 16, 2018, to allow for training and get help with cooling and cold holding. In response to Commissioner Cozad, Mr. Joseph stated it would be preferable to have the training completed this week and staff will do follow-up inspections. He suggested the consultant work with the operator and staff on cold holding and cooling until they complete the training. Mr. Chevalier stated he will work with the staff this week and submit a report to the Department of Public Health and Environment. In response to Commissioner Kirkmeyer, Darlene Chernatan, restaurant manager, stated it was difficult to find a consultant to hire because of the holiday and they needed to work with schedules for all restaurant staff, but it will be mandatory that all seventeen (17) will receive the training on July 16. Mr. Chevalier stated he has not done any training at the facility, but has only visited the restaurant and will complete a three (3) hour inspection. In response to Commissioner Kirkmeyer, Mr. Chevalier stated the exam for Food Safety must be administered by a Certified instructor, and it will be important to give Ms. Chernatan a few days to study and complete the exam.  Commissioner Kirkmeyer suggested continuing this matter for two (2) weeks. She stated staff and management must complete the Food Safety Training by July 16, 2018, the accredited Food Safety Training for management be completed by July 23, 2018, and one (1) inspection by the Department of Public Health and Environment must be done prior to July 23, 2018. She also stated the consultant must submit a report to the Department of Public Health and Environment. Commissioner Kirkmeyer moved to continue this matter to July 23, 2018, which was seconded by Commissioner Freeman, the motion carried unanimously. Commissioner Kirkmeyer stated she is willing to continue this because Mr. Lorenzo has shown initiative to correct the violations.

 2) CONSIDER SUSPENSION OF COLORADO RETAIL FOOD ESTABLISHMENT LICENSE – TAQUERIA LA SIERRA: Ms. Vergara presented a list of items the operator has completed since the suspension, stating they have hired and met with a consultant, but are still cooling food products, which was an earlier condition; and there are still multiple violations occurring during the inspections. She stated the operator and two (2) of his staff have taken the Serve Safe course and test; however, they are not applying the knowledge learned. Mr. Joseph presented a summary of the hearing on June 11, 2018, reiterating the Board voted to suspend the license until the operator hired a Food Safety Consultant.

 Mr. Joseph stated the restaurant was still operating, even though their license was suspended. He explained there have been no changes made in reference to the operations of the restaurant since the last Board meeting and he reviewed the options for the Board. In response to Commissioner Cozad, Mr. Joseph stated if the Board decided to revoke the license, Mr. Florez would have to go through the process of obtaining a new ownership and the Department of Public Health and Environment can impose the conditions as part of reopening. There is a State statute which allows up to a one-month suspension.

 Clemente Florez, resident of Brighton, stated he didn’t know that he wasn’t allowed to cool foods and now that he is aware of this, he will not be cooling any food items. He completed the Serve Safe Certification course, hired a consultant and a pest control company. He stated he has copies of different

manuals of how to safely handle different food items around the kitchen area for employees to review. Mr. Clemente presented the different signs he has also made for his employees. Mr. Florez stated the cook is using a food temperature log and checks the temperature every two (2) hours. Mr. Florez stated he can provide a receipt as evidence that he had a pest control company come to his restaurant and treat for pests. In response to Commissioner Kirkmeyer, Mr. Florez stated he has not had contact with the previous consultant, although he completed the training. Mr. Joseph stated they found out through the consultant that Mr. Florez had completed the training on June 28, 2018. Mr. Joseph stated the consultant does not have to administer the Serve Safe course, but it can be done online. In response to Commissioner Kirkmeyer, Mr. Florez stated he didn't have the correct information to hire another consultant. He stated he has been in contact with George Ramirez, a Food Safety consultant, but has not scheduled anything.  Mr. Florez stated he needs to hire a manager with more experience with food handling, and he needs to be careful and obtain more training for his employees. Commissioner Kirkmeyer confirmed Mr. Florez understands the Board has the option to revoke his license, or that he have his license suspended for fifteen (15) days. Mr. Joseph stated the Department of Public Health and Environment has not received any complaints regarding this restaurant.

 Commissioner Cozad clarified that two (2) days after the consultant visited the restaurant and during the inspection by the Department of Public Health and Environment, they discovered the operator improperly cooling meat after he was specifically advised not to. She stated she believes there needs to be intensive training done with a consultant. Commissioner Cozad stated this is for public safety, and the owner's responsibility is to make sure he understands the rules. Mr. Joseph reviewed how staff has tried to assist Mr. Florez with compliance.  Commissioner Kirkmeyer stated the owner does not understand the seriousness of the violations, and she is concerned with the risk to the public's health. Commissioner Conway stated he is not in agreement with revoking the license; he would like to suspend the license so the operator can complete the list, hire a trained food manager and verify when the next pest control treatment will occur.  After further discussion, Mr. Joseph explained if the operator would sell the restaurant, the suspension is lifted, because a new owner would have to apply for a new license and the suspension goes with the license, not the operator. Bruce Barker, County Attorney, explained the conditions can be placed on the new license. Mr. Joseph stated staff could ensure that the new operators hire a pest control company and make sure all the staff is trained. Commissioner Cozad stated three (3) days of suspension is not enough time to address the issues and there needs to a minimum of ten (10) days suspension. Mr. Joseph suggested the Board close the restaurant for a total of fifteen (15) days. Commissioner Cozad suggested closing the restaurant for fifteen (15) days, have staff and management complete certified food safety training, hire an extermination company to clean up the restaurant, and have the consultant return after the restaurant reopens to observe operations. Commissioner Freeman concurred with Commissioner Cozad. Mr. Joseph clarified the timeframe of completing inspections and bringing this back to the Board.  Mr. Barker stated the hearing is continued until the suspension is lifted. Commissioner Cozad moved to suspend the Colorado Retail Food Establishment License, for Taqueria La Sierra until July 24, 2018, and continue this matter to July 30, 2018. Seconded by Commissioner Conway; it carried unanimously. Commissioner Conway clarified the inspection will be done on July 20, 2018, the suspension will be fifteen (15) days and all items listed by staff will need to be completed. He implored Mr. Florez to seek assistance from the Department of Public Health and Environment.

PLANNING:

 1) CONSIDER REVIEW OF CONDITION OF APPROVAL #1.C OF MAJOR AMENDMENT USE BY SPECIAL REVIEW PERMIT, 1MJUSR17-15-0019 – ANNE BACKSTROM, C/O COMMUNITY POWER GROUP, LLC: Chris Gathman, Department of Planning Services, stated the Major Amendment was approved on January 24, 2018, and presented a brief explanation of Condition of Approval #1. C.

He stated the applicant is requesting a mesh screening on a chain link fence for satisfaction of the screening requirements. Mr. Gathman stated a mesh fence would be more prone to wear and tear from the elements. Jake Bobrow, representative of Grid Alternatives, explained the solar facility is located in the middle of a farm field, and a mesh fence would significantly reduce screening costs. He stated the owner's home is located along the northwest and there is also a visible oil and gas facility. He stated to reduce the cost of screening, their most cost effective solution would be to install the mesh fencing only along the north side, or not to have to install decorative fencing. In response to Commissioner Conway, Mr. Bobrow stated a security fence is required by electrical code. In response to Commissioner Cozad, Mr. Bobrow stated he has not met with the neighbors who, will be impacted by the fence. Commissioner Kirkmeyer clarified the nearest home is located to the north of the facility. She stated the fence will need to be maintained. Mr. Bobrow stated the mesh fencing is guaranteed for five (5) years, and there is a budget available for the maintenance of the facility. No public testimony was offered concerning this matter. Commissioner Kirkmeyer moved to approve the updated Screening Plan to satisfy Condition of Approval #1.C, allowing a mesh fence with slats which will be installed along the north side. The motion which was seconded by Commissioner Conway, it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 10:33 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Barbara Kirkmeyer, Pro-Tem

Sean P. Conway

Julie A. Cozad


Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 11, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 11, 2018, at the hour of 9:00 a.m.

 **ROLL CALL:** The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:


Commissioner Steve Moreno, Chair - EXCUSED
Commissioner Barbara Kirkmeyer, Pro-Tem
Commissioner Sean P. Conway - EXCUSED
Commissioner Julie A. Cozad
Commissioner Mike Freeman


Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly


 **MINUTES:** Commissioner Freeman moved to approve the minutes of the Board of County Commissioners meeting of July 9, 2018, as printed. Commissioner Cozad seconded the motion, and it carried unanimously.


 **AMENDMENTS TO AGENDA:** There were no amendments to the agenda.


 **CONSENT AGENDA:** Commissioner Cozad moved to approve the Consent Agenda as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

 **PUBLIC INPUT:** No public input was given.


BIDS:


 1) APPROVE BID #B1800123, SOUTHWEST SERVICE CENTER CONTROLS REMODEL – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the sole bid and stated staff recommends awarding to the sole bidder, CML Security, LLC, in the amount of \$144,900.00, and in addition, they will purchase the three (3) year maintenance plan. Commissioner Cozad moved to approve said sole bid. Seconded by Commissioner Freeman, the motion carried unanimously.


 2) PRESENT BID #B1800111, POUDDRE TRAIL IMPROVEMENT PROJECT – DEPARTMENT OF PUBLIC WORKS: Mr. Turf reviewed the nine (9) bids received and stated staff will bring back a recommendation on July 25, 2018.


 3) PRESENT AND APPROVE ON EMERGENCY BASIS BID #B1800126, POTHOLING AND UTILITY LOCATING SERVICES – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the emergency bid for Potholing and Utility Locating Services. Don Dunker, Department of Public Works, explained the data results are needed in the next two (2) weeks to start on design and schedule construction. He stated the data will be used for internal information for future projects. Commissioner Freeman moved to approve said bid on an emergency basis to the low bidder, Diversified Underground, Inc. The motion was seconded by Commissioner Cozad, and it carried unanimously.


NEW BUSINESS:


 1) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R6789696 – RANDALL HOCKING: Chris Woodruff, Weld County Assessor, presented the petition for an adjustment to the 2017 value. He stated the property is located in Windsor, Colorado, and is 121.6 acres, which has two (2) narrow ski ponds, RV parking, and camping areas. He stated it is for club members only and upon further investigation, only 37.5 acres is developed for recreational use, and the remainder of the property should be valued as non-buildable. He recommended an adjustment of \$424,580.00, resulting in a refund of \$19,120.32. In response to Chair Pro-Tem Kirkmeyer, Mr. Woodruff stated it is an approval in-part. Commissioner Cozad moved to approve in-part, the petition for abatement or refund of taxes in the amount of \$19,120.32. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 2) CONSIDER ACCEPTANCE OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY AND MASTER PROTEST LOG – REAL AND PERSONAL PROPERTY: Mr. Woodruff presented the total assessed valuation of taxable real and personal property for the 2018 assessment year. He stated there is a 48% increase in oil and gas valuation because of increased production. He stated there was a 3.9% increase in residential which represents new construction. He stated there were 311 real property protests during May, 2018. He reminded the Board that 2019 is a year of reappraisal. He stated the proposal to change setback requirements of oil and gas facilities could be detrimental to oil and gas in Weld County. Commissioner Freeman moved to approve said assessed valuation of all taxable property and the master protest log. The motion, which was seconded by Commissioner Cozad, carried unanimously.

 3) CONSIDER CANCELLATION OF CERTAIN OUTSTANDING ACCOUNTS RECEIVABLE FOR THE WELD COUNTY TREASURER – PERSONAL PROPERTY, MOBILE HOMES, NATURAL RESOURCES AND POSSESSORY INTEREST TAXES: John Lefebvre, Weld County Treasurer, presented the write-off list for accounts which are uncollectable for various reasons for the total amount of \$14,844.27. Commissioner Cozad moved to approve said cancellation of certain outstanding accounts receivable. The motion was seconded by Commissioner Freeman, and it carried unanimously. Commissioner Kirkmeyer expressed her appreciation of Renee Fielder, Assistant Treasurer, and her hard work with Weld County Bright Futures.

 4) CONSIDER AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FOR CERTAIN IMPROVEMENTS TO CR 105 AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – MARGARET ANN PALMER AND ILA JEAN BEALE: Tiffane Johnson, Department of Public Works, stated items #4 through #7 are part of the improvements to County Road (CR) 105, which is a collector road that is being widened for safety. She reviewed the terms of the agreement for the total amount of \$1,300.00, payable to the owner. Commissioner Freeman moved to approve said agreement and authorize the Chair Pro-Tem to sign necessary documents. Seconded by Commissioner Cozad, the motion carried unanimously.

 5) CONSIDER AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FOR CERTAIN IMPROVEMENTS TO CR 105 AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – WILLIAM AND BARBARA SCHNEIDER: Ms. Johnson presented the details of the agreement in the amount of \$1,599.00 payable to the owner. Commissioner Cozad moved to approve said agreement and authorize the Chair Pro-Tem to sign all necessary documents. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 6) CONSIDER AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FOR CERTAIN IMPROVEMENTS TO CR 105 AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – DENNIS AND CATHY SHULTE: Ms. Johnson reviewed the terms of the agreement for the total amount of \$1,040.00 payable to the owner. Commissioner Freeman moved to approve said agreement and authorize the Chair Pro-Tem to sign all necessary documents. Seconded by Commissioner Cozad, the motion carried unanimously.

 7) CONSIDER AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FOR CERTAIN IMPROVEMENTS TO CR 105 AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – RUTH E. STANLEY, TRUSTEE FOR THE DONALD V. STANLEY TRUST, VICTOR STANLEY, BARBARA CLEVINGER, AS SOLE HEIR OF ROBERT LEE CLEVINGER, ROGER CLEVINGER AND ARNOLD CARL SPEAKER: Ms. Johnson presented the agreement for the total amount of \$7,000.00 payable to the owner. Commissioner Cozad moved to approve said agreement and authorize the Chair Pro-Tem to sign all necessary documents. The motion, which was seconded by Commissioner Freeman, carried unanimously. Each Commissioner expressed their appreciation to Ms. Johnson and the Department of Public Works for their work with the property owners to acquire the rights-of-way for the CR 105 improvements project.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 9:35 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

EXCUSED
Steve Moreno, Chair

EXCUSED DATE OF APPROVAL
Barbara Kirkmeyer, Pro-Tem

EXCUSED
Sean P. Conway

Julie A. Cozad


Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 16, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 16, 2018, at the hour of 9:00 a.m.


 **ROLL CALL:** The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:

Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem - EXCUSED
Commissioner Sean P. Conway - EXCUSED
Commissioner Julie A. Cozad
Commissioner Mike Freeman


Also present:


County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick and Amanda Petzold
Controller, Barbara Connolly

 **MINUTES:** Commissioner Freeman moved to approve the minutes of the Board of County Commissioners meeting of July 11, 2018, as printed. Commissioner Cozad seconded the motion, and it carried unanimously.


 **CERTIFICATION OF HEARINGS:** Commissioner Cozad moved to approve the Certification of Hearings conducted on July 11, 2018, as follows: 1) USR18-0020 – Shawn and Susan Wiant, 2) USR18-0024 – Dyanna Godfrey, Nancy Knauf and Eldon Knauf, c/o Discovery DJ Services, LLC, and 3) USR-1285 – A-1 Organics, Rattler Ridge Organic Recycling Facility, WJW Properties, LLC, dba A-1 Organics, c/o Bob Yost and Chris Skelton. Commissioner Freeman seconded the motion, which carried unanimously.


 **AMENDMENTS TO AGENDA:** There were no amendments to the agenda.


 **CONSENT AGENDA:** Commissioner Freeman moved to approve the Consent Agenda as printed. Commissioner Cozad seconded the motion, and it carried unanimously.


 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, thanked Commissioner Cozad and Bruce Barker, County Attorney, for attending the Nightmares football game. Commissioner Cozad thanked Mr. Gillard for the invitation to the game and said she had a great time. She encouraged the Greeley Tribune to do an inside story so the local community becomes aware of this Northern Colorado team and their current standings in the playoffs.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #1814 MEMORANDUM OF UNDERSTANDING FOR IMPLEMENTATION OF COLORADO WORKS AND COLORADO CHILD CARE ASSISTANCE PROGRAMS AND AUTHORIZE CHAIR TO SIGN: Commissioner Cozad presented this item since, Judy Griego, Director of Department of Human Services, was not present. She further mentioned the contract was reviewed in a pass-around that all five Commissioners approved. Commissioner Cozad moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 2) CONSIDER CONTRACT ID #1949 THIRD AMENDMENT TO DIAGNOSTIC SERVICES AGREEMENT FOR WOMEN'S WELLNESS CONNECTION PROGRAM AND AUTHORIZE CHAIR TO SIGN – BANNER HEALTH, DBA NORTH COLORADO MEDICAL CENTER: Mark Wallace, Director of the Department of Public Health and Environment, reviewed the terms of the Womens' Wellness Connection Program, which provides early cancer screenings; such as, ultrasounds and mammograms to qualified, low-income women. Dr. Wallace stated the contract is for a three (3) year term from July 21, 2018, through July 20, 2021. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Cozad, and it carried unanimously.


 3) CONSIDER CONTRACT ID #1950 TASK FORCE CONTRACT AMENDMENT #2 FOR THE CONTROL AND PREVENTION OF HEALTHCARE ASSOCIATED INFECTIONS (CLIP INITIATIVE) AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace presented the terms of the amendment and stated its purpose is to assist with outreach and education of the community on infection control, which helps prevent healthcare associated infections acquired while being treated for another condition. He stated last year's outreach with skilled nursing facilities was a success and this year's contract runs from August 1, 2018, through July 21, 2019. Dr. Wallace advised the program is federally funded, and the total cost would not exceed \$12,000.00. Commissioner Cozad moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Freeman, carried unanimously. Commissioner Cozad reported to Dr. Wallace on the upcoming efforts to further coordinate services to benefit the Area Agency on Aging provided by the Health Department.


 4) CONSIDER RENEWAL APPLICATION FOR A HOTEL AND RESTAURANT (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – RINN VALLEY, LLLP, DBA OLE HICKORY SMOKEHOUSE AND TAVERN: Frank Haug, Assistant County Attorney, stated there are no concerns from staff regarding the renewal application. Commissioner Freeman moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Cozad, and it carried unanimously.

 5) CONSIDER RENEWAL APPLICATION FOR A TAVERN (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – THE FORT 21, LTD, DBA THE FORT 21: Mr. Haug stated there are no concerns regarding the renewal application. Commissioner Cozad moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 6) CONSIDER OFFICIAL ABSTRACT OF VOTES FROM JUNE 26, 2018, PRIMARY ELECTION: Carly Koppes, Clerk and Recorder, and Adam Gonzales, Clerk and Recorder's Office, presented the abstract statement of the votes, which identified zero discrepancies in the canvas, and stated there was a 28.5% turnout, and a total of 46,106 cards cast. Ms. Koppes stated there were 10,831 unaffiliated voters, 5,238 Democrat voters, and 5,141 Republican voters. She mentioned the outcome of the election

mimicked other counties throughout the State. Mr. Gonzales stated there were some challenges to be resolved prior to the larger election in November; such as, ordering supplies and delivery at two (2) separate buildings, parking challenges, and security concerns. Commissioner Cozad moved to approve said official abstract. Seconded by Commissioner Freeman, the motion carried unanimously.

 7) CONSIDER APPLICATION FOR 2018 BETTER UTILIZING INVESTMENT TO LEVERAGE DEVELOPMENT (BUILD) GRANT FOR CENTENNIAL HIGHWAY (U.S. 85) BETTERMENTS: Elizabeth Relford, Department of Public Works, requested the Commissioners' support with submitting the BUILD application on behalf of Weld County for the U.S. Highway 85 Corridor. In response to Commissioner Freeman, Ms. Relford stated she isn't sure what the time frame is concerning the acceptance and receipt of results of the application, but does anticipate it to take a while, since last year's INFRA application took about a year for results to be received. Commissioner Freeman moved to approve said application. The motion was seconded by Commissioner Cozad, and it carried unanimously. Chair Moreno expressed appreciation to Ms. Relford and Jay McDonald, Director of Department of Public Works, for their presence and comments made the Transportation Legislative Committee in Hudson, regarding their vast experience with Weld County's infrastructure.

 8) CONSIDER DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY, APPROVE SALE OF SAME AT AUCTION WITH ROLLER AND ASSOCIATES AND DELEGATE AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Barb Connolly, Controller, presented the list of equipment to be declared surplus for sale at auction. Commissioner Freeman moved to declare said equipment as surplus, approve the sale of auction and authorize the Controller to sign necessary documents. The motion, which was seconded by Commissioner Cozad, carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 9:24 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

EXCUSED

Barbara Kirkmeyer, Pro-Tem

EXCUSED

Sean P. Conway

Julie A. Cozad

Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 18, 2018

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 18, 2018, at the hour of 9:00 a.m.

ROLL CALL: The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:

Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem - *(Arrived at 9:03 a.m.)*
Commissioner Sean P. Conway
Commissioner Julie A. Cozad - EXCUSED
Commissioner Mike Freeman

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

MINUTES: Commissioner Conway moved to approve the minutes of the Board of County Commissioners meeting of July 16, 2018, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

AMENDMENTS TO AGENDA: Commissioner Freeman moved to add the following under New Business: 1) Consider Community Services Block Grant (CSBG) Application for Discretionary Funds and authorize Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

CONSENT AGENDA: Commissioner Freeman moved to approve the Consent Agenda as printed. Commissioner Conway seconded the motion, and it carried unanimously.

PRESENTATIONS:



1) RECOGNITION OF SERVICES, PLANNING COMMISSION – TERRY CROSS: Chair Moreno read the certificate for the record, recognizing Mr. Cross for serving as a member of the Planning Commission for the past four (4) years.

2) RECOGNITION OF SERVICES, BOARD OF ADJUSTMENT AND PLANNING COMMISSION - JORDAN JEMIOLA: Chair Moreno read the certificate for the record, recognizing Mr. Jemiola for serving as a member of the Board of Adjustment and Planning Commission for the past six (6) years.


(Clerk's Note: Due to technical difficulties there is no audio available prior to this bookmark.)


 3) RECOGNITION OF SERVICES, BOARD OF ADJUSTMENT AND BOARD OF PUBLIC HEALTH – JASON MAXEY: Chair Moreno read the certificate for the record, recognizing Mr. Maxey for serving on

the Board of Adjustment and the Board of Public Health. Each Commissioner thanked him for his years of service on various boards and commissions and stated they are looking forward to the work he is now providing as an employee of Weld County. Mr. Maxey expressed his appreciation to the staff he has worked with through the years, stating everyone was knowledgeable and accommodating, and he is thankful for the opportunity to join the Team. He recounted his most embarrassing story for the Board. *(The Board paused the meeting for a photo opportunity.)*

 **PUBLIC INPUT:** No public input was given.  Commissioner Conway distributed the annual NACO report (Exhibit A) and stated he attended the NACO conference with Commissioner Kirkmeyer. He reported he serves on the Transportation Committee, and after a very contentious race for president, Judge Gary Moore, was elected as the 2nd Vice President of NACO. He stated the Immigration Task Force will conduct field hearings on Immigration Reform. Commissioner Kirkmeyer stated she serves on the Energy Environment and Land Use Steering Committee and attended the Human Services sessions to acquaint herself with the Families First Act.


BIDS:


 1) PRESENT BID #B1800127, HUMAN SERVICES (BUILDING A) REMODEL DATA CABLE – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, presented the four (4) bids received and stated staff will bring back a recommendation on August 1, 2018.

 2) PRESENT BID #B1800128, CISCO 9300 SWITCHES – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose presented the three (3) bids received and stated staff will bring back a recommendation on August 1, 2018.

NEW BUSINESS:


 1) CONSIDER COMMUNITY SERVICES BLOCK GRANT (CSBG) APPLICATION FOR DISCRETIONARY FUNDS AND AUTHORIZE CHAIR TO SIGN: Jamie Ulrich, Deputy Director of the Department of Human Services, presented the application for the final year of the three (3) year Core Plan cycle. She stated they would like to reallocate unused funds for two (2) showers to be installed in the Housing Navigation Center. Commissioner Conway moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.


 2) CONSIDER CONTRACT ID #1970 2018-2019 PLAN FOR CORE SERVICES PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich reviewed the details of the third year of their three (3) year plan and stated they received an increase in core funding. Commissioner Freeman moved to approve said Core Services Plan and authorize the Chair to sign. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.


 3) CONSIDER CONTRACT ID #1827 INTERGOVERNMENTAL AGREEMENT FOR IMPLEMENTATION OF EVERY STUDENT SUCCEEDS ACT (ESSA) AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY SCHOOL DISTRICT 6: Ms. Ulrich stated the ESSA is a Federal law that permits students in out-of-home placement at any time during the school year to remain in their school of origin. She stated the agreement is with Weld County School District 6. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

 4) CONSIDER CONTRACT ID #1904 EXPENDITURE AUTHORIZATION FOR REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENT AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich presented


the expenditure authorization to provide funds to assist unemployment claimants find employment. Commissioner Freeman moved to approve said expenditure authorization and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously. In response to Commissioner Kirkmeyer, Ms. Ulrich stated she will attend the WIOA meeting.


 5) CONSIDER DESIGN-BUILD CHANGE ORDER #2 FOR NUNN GRADER SHED (BID #B1700098) AND AUTHORIZE CHAIR TO SIGN – HASELDEN CONSTRUCTION, LLC: Toby Taylor, Director of the Department of Buildings and Grounds, reviewed the details of the deductive change order for the amount of \$16,055.21, which is the portion that was not used. In response to Commissioner Conway, Mr. Taylor stated the unused funds would be credited back to the general fund account. Commissioner Kirkmeyer clarified it was a budgeted amount that was never expended. Commissioner Conway moved to approve said change order #2 and authorize Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

 6) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER (R4951908) – EQUUS FARMS, INC: Brenda Dones, Weld County Assessor's Office, presented the petition for tax abatement or refund of taxes. She stated this property includes 360 acres of land; 300 acres is agricultural land, and 60 acres is private recreational golf course land. She explained there was a question about whether the lodge should be classified as Commercial or Residential property. As a result of the Assessor's Office research they have adjusted to Residential and the abatement amount is \$12,516.50 for 2017. Commissioner Conway moved to approve said petition for abatement or refund of taxes. The motion, which was seconded by Commissioner Freeman, carried unanimously.


 7) CONSIDER TEMPORARY CLOSURE OF CR 49 BETWEEN CRS 74 AND 76: Amy Joseph, Department of Public Works, presented the closure effective July 24, 2018, through July 27, 2018, to replace a drainage culvert. She stated the one (1) mile of gravel road on the detour route has already been treated with magnesium chloride. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

 8) CONSIDER APPOINTMENTS AND REAPPOINTMENT TO BOARD OF ADJUSTMENT: Commissioner Freeman moved to approve said appointments and reappointment. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

 9) CONSIDER REASSIGNMENT, APPOINTMENTS AND REAPPOINTMENT TO PLANNING COMMISSION: Commissioner Kirkmeyer moved to approve said reassignment, appointments and reappointment. Seconded by Commissioner Freeman, the motion carried unanimously.

 10) CONSIDER APPOINTMENT TO 911 EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD: Commissioner Conway moved to approve said appointment. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

 11) CONSIDER APPOINTMENT TO REGIONAL COMMUNICATIONS ADVISORY BOARD: Commissioner Kirkmeyer moved to approve said appointment. Seconded by Commissioner Conway, the motion carried unanimously.

 12) CONSIDER REAPPOINTMENT TO COMMUNITY CORRECTIONS BOARD: Commissioner Kirkmeyer moved to approve said reappointment. The motion, which was seconded by Commissioner Conway, carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 9:32 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Barbara Kirkmeyer, Pro-Tem

Sean P. Conway

EXCUSED
Julie A. Cozad


Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 23, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 23, 2018, at the hour of 9:00 a.m.


 **ROLL CALL:** The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:

Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem
Commissioner Sean P. Conway
Commissioner Julie A. Cozad - EXCUSED
Commissioner Mike Freeman


Also present:


County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

 **MINUTES:** Commissioner Kirkmeyer moved to approve the minutes of the Board of County Commissioners meeting of July 18, 2018, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.


 **CERTIFICATION OF HEARINGS:** Commissioner Conway moved to approve the Certification of Hearings conducted on July 18, 2018, as follows: 1) USR18-0032 – Ignacio Cruz, c/o Centennial Tools and Services, LLC, 2) USR18-0035 – Tallgrass Terminals, LLC, and 3) USR18-0038 – Brian and Sarah Carr. Commissioner Freeman seconded the motion, which carried unanimously.

 **AMENDMENTS TO AGENDA:** There were no amendments to the agenda.


 **CONSENT AGENDA:** Commissioner Kirkmeyer moved to approve the Consent Agenda as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

 **PUBLIC INPUT:** No public input was given.

BIDS:


 1) APPROVE BID #B1800100, GR 44 CR 49 ROADWAY WEATHER INFORMATION SYSTEM – DEPARTMENT OF PUBLIC WORKS (*CONT'D FROM 7/9/2018*): Rob Turf, Department of Purchasing, stated the Colorado Department of Transportation (CDOT) has not completed the Disadvantaged Business Enterprises paperwork; therefore, the Department of Public Works recommends continuing this


matter. Commissioner Conway moved to continue said matter to July 30, 2018. The motion, which was seconded by Commissioner Kirkmeyer, carried unanimously.


 2) PRESENT BID #B1800129, MISSILE SITE CONCRETE REPAIRS – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf presented the sole bid received and stated staff will bring back a recommendation on August 6, 2018. He stated 58 vendors downloaded the specifications, of that, five (5) vendors attended the mandatory pre-bid meeting and one supplier did not attend the pre-bid meeting so their bid was rejected.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #1951 AGREEMENT FOR USE OF FACILITIES AND AUTHORIZE CHAIR TO SIGN – UNIVERSITY OF NORTHERN COLORADO: Karin McDougal, Assistant County Attorney, presented the agreement with the University of Northern Colorado to use their Campus Recreation facilities. She stated the Youth Conservation Corps is purchasing a four (4)-hour adventure-based educational, team-building course. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer and it carried unanimously.

 2) CONSIDER APPOINTMENT OF DEPUTY DISTRICT ATTORNEY AND AUTHORIZE CHAIR TO SIGN – TAYLOR GLENN: Commissioner Conway moved to approve said appointment of Deputy District Attorney, Taylor Glenn, and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

 3) CONSIDER TEMPORARY CLOSURE OF CR 41 BETWEEN CRS 76 AND 78: Amy Joseph, Department of Public Works, presented the closure effective July 31, 2018, through August 3, 2018, to replace an irrigation culvert. She stated staff will use water for dust abatement along the detour route. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.





 4) CONSIDER TEMPORARY CLOSURE OF CR 41 BETWEEN CR 80 AND STATE HIGHWAY 14: Ms. Joseph reviewed the details of the temporary closure effective July 24, 2018, through July 27, 2018, to replace an irrigation culvert. She stated staff will use water for dust abatement on the gravel detour route. Commissioner Kirkmeyer moved to approve said temporary closure. Seconded by Commissioner Conway, the motion carried unanimously.

 5) CONSIDER TEMPORARY CLOSURE OF CR 380 BETWEEN CRS 65 AND 67: Ms. Joseph presented the temporary closure beginning August 6, 2018, through August 10, 2018, to repair a bridge. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Conway, and it carried unanimously.

 6) CONSIDER TEMPORARY CLOSURE OF CR 76 BETWEEN CRS 43 AND 45: Ms. Joseph presented the temporary closure effective August 13, 2018, through September 7, 2018, to repair a bridge. She stated water will be used for dust abatement, as needed. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.


 7) SECOND READING OF WELD COUNTY CODE ORDINANCE #2018-06, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 9 INFORMATION SERVICES – ARTICLE I (*WELD COUNTY IT ACCEPTABLE USE POLICY*), OF THE WELD COUNTY CODE:

Commissioner Kirkmeyer moved to read Code Ordinance #2018-06 by title only. Seconded by Commissioner Conway, the motion carried unanimously. Bruce Barker, County Attorney, read the title for the record. Ryan Rose, Director of the Department of Information Technology, stated no changes have been made since the first reading. No public input was offered concerning this matter. Commissioner Kirkmeyer moved to approve Code Ordinance #2018-06 on second reading. The motion, which was seconded by Commissioner Freeman, carried unanimously.


 8) CONSIDER REPORT FROM AD-HOC HOME RULE CHARTER AMENDMENT STUDY COMMITTEE: Jackie Johnson, Chair of the Ad-Hoc Home Rule Charter Amendment Study Committee, Garrett Varra-resident of La Salle, Sam Gluck-resident of La Salle, Al Dominguez-resident of Windsor, Mark Lawley-resident of Eaton, Dave Kisker-resident of Johnstown, James Welch-resident of La Salle, Ray Patch-resident of Greeley, and Justus Petitt-resident of Pierce, were present to discuss the report. She stated the committee felt it was important to have a transparent process, so individuals could provide input in an unstructured way. She stated they held six (6) community meetings throughout the County and posted the meeting information on the website; however, they had less than 25 people at the meetings.  Ms. Johnson presented a PowerPoint presentation of the recommended changes to the Home Rule Charter. She referenced the house-keeping measures first, briefly addressing each ballot question. She explained adding Subsection 6-5(5) would disallow convicted felons from being elected or appointed to a County office. In response to Commissioner Kirkmeyer, Ms. Johnson explained there was also discussion concerning if someone who committed a felony and did their time should be eligible to be elected to an official County office. Mr. Dominguez stated the integrity of the office could be in jeopardy if a convicted felon were elected; however, if someone serves their time after being convicted of a felony, they should be integrated back into society. He stated the committee discussed which type of felonies would be allowable for an elected official.  Mr. Barker stated there is no provision in State statute, nor the Constitution, which prohibits a person convicted of felonies from serving as an elected official. He further stated 85 percent of the charters in Colorado had a similar provision. In response to Commissioner Kirkmeyer, Mr. Barker clarified the statute states an individual cannot be a registered elector until they serves thier time. In response to Commissioner Freeman, Mr. Barker stated the Clerk and Recorder would be responsible to confirm whether an individual is a registered elector and the County would need to ensure the individual is qualified to serve.  In response to Commissioner Kirkmeyer, Mr. Barker stated the Board of County Commissioners would be responsible for the background check of individuals running for office. In response to Commissioner Conway, Mr. Barker confirmed convicted felons are excluded from several activities and stated there are several counties that do not have this provision.  Mr. Patch stated he has concerns with a convicted felon serving as an official for the County. Mr. Kisker stated certain offenses can be pardoned, and this is a recommendation to be considered by the Board to let the voters decide. Mr. Dominguez inquired how will the Commissioners discover if someone running for office has a felony on their record? He suggested more research should be done to see the differences between expungement and pardons; the issue would be how to enforce the provision.  Mr. Gluck stated he wants someone with a strong character to lead the County and serve in a leadership position. Mr. Dominguez suggested limiting the type of felony.  Ms. Johnson continued, stating Section 10-6 is recommended to be deleted from the Charter as it is outdated. In response to Commissioner Kirkmeyer, Ms. Johnson stated Section 16-6 was proposed to allow for more public input while removing the requirement for contracts to be approved by ordinance. Mr. Barker clarified how the notices would be addressed for certain projects, which are over \$2.5 million. Mr. Dominguez stated it is more of a transparency issue and not an efficiency issue. Mr. Kisker stated there was a discussion to have the publication threshold as low as \$100,000.00 and this was the compromise to address public comment. Mr. Barker stated there would need to be two (2) notices, ten (10) days apart, but only one hearing. Mr. Barker stated Emergency Ordinances were not included in the discussion. Ms. Johnson stated Section 17-3 proposes a recodification provision. Ms. Johnson extended


her appreciation of the support received from staff, including the minutes prepared by Esther Gesick, Clerk to the Board and the responsiveness and counsel of Mr. Barker, as well as Jennifer Finch, PIO, and Karla Ford. Chair Moreno thanked the committee members for their time, commitment, and hard work on this. Commissioner Conway expressed his appreciation of the committee members for their hard work on the Charter amendment. Ms. Johnson stated all the members are willing to assist in preparation of listing the Pros and Cons for the ballot. Commissioner Freeman expressed his appreciation for the thoughtful dedication to researching the Charter. Commissioner Kirkmeyer stated they had to become scholars of the Charter and thanked Ms. Johnson for being the Chair of the committee. Mr. Barker stated the next step is for the Board to consider the issues brought up by the committee. He stated there doesn't need to be a vote on the presentation.


HEALTH OLD BUSINESS:




 1) CONSIDER SUSPENSION OF COLORADO RETAIL FOOD ESTABLISHMENT LICENSE – DENO'S I-76 RESTAURANT AND LOUNGE (*CONT'D FROM 7/9/2018*): Gabri Vergara, Department of Public Health and Environment, stated management has received training and an inspection has been completed by staff; however, there were a few violations during the inspection, including a cold-holding and a minor cooling violation. She stated Darlene Chernotan, restaurant manager, has completed her Serve Safe manager training. Ms. Vergara stated staff will do another inspection to ensure that compliance is being maintained. Steven Chevalier, Food Safety Consultant, stated the operator, manager and staff were receptive to his suggestions and there has been improvement. Lorenzo Garcia, owner, stated he hopes his current staff stays at the restaurant, he believes the cooling system is working better, and this is a new start for his restaurant. Mr. Barker stated the motion is to dismiss conditional upon the Department of Public Health and Environment's inspection. Commissioner Kirkmeyer moved to dismiss matter contingent on a successful inspection by the Department of Public Health and Environment, which was seconded by Commissioner Conway. Commissioner Kirkmeyer thanked everyone for their hard work to resolve this matter. Mr. Lorenzo requested he would like the inspection time to be changed to earlier in the day or later, because this the only restaurant in the area and it is hard for the manager to take care of customers and complete the inspection during the lunch hour. There being no further discussion the motion carried unanimously. Mr. Chevalier stated the operator is requesting this change, so they can spend time with the inspector to address any concerns.



PLANNING:

 1) CONSIDER IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT COLLATERAL FOR PLANNED UNIT DEVELOPMENT, PUDF18-0002 – PANORAMA ESTATES, LLC: Evan Pinkham, Department of Public Works, presented the request to accept collateral in the form of a bond from North American Specialty Insurance Company for \$539,178.50 and approve the improvements agreement. In response to Commissioner Kirkmeyer, Mr. Pinkham stated the PUD is in compliance with the Development Standards set by the Board. Commissioner Kirkmeyer moved to approve said improvements and road maintenance agreement, accept said collateral and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

 2) CONSIDER SECOND READING OF WELD COUNTY CODE ORDINANCE #2018-07, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 19 COORDINATED PLANNING AGREEMENTS (*EVANS*), OF THE WELD COUNTY CODE: Commissioner Freeman moved to read Code Ordinance 2018-07 by title only. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously. Mr. Barker read the title for the record. Tom Parko, Director of the Department of Planning Services, stated there have been no changes made since the first reading. No public input was offered concerning this matter. Commissioner Kirkmeyer moved to approve Code Ordinance #2018-07 on second reading. Seconded by Commissioner Conway, the motion carried unanimously.

 3) CONSIDER RECORDED EXEMPTION, RECX18-0058 – JOHN AND JILL SHONKA: Michael Hall, Department of Planning Services, reviewed the request for a two-lot Recorded Exemption on Lot B, which is located in the three (3) mile referral area of the Towns of Windsor, Severance, Timmnath, as well as Larimer County. He presented slides giving details of the location of the Recorded Exemption, and stated this would be the third Recorded Exemption on this property. He explained the property owners want to split the lot and gift this to a family member and continue to farm the 15-acres.

 John Shonka, applicant, stated they had future plans to build their dream home on the lot and he is willing to adjust the size of Lot A to one acre to be in compliance. In response to Commissioner Conway, Mr. Shonka stated the intention is that they will retire there and continue to farm but he hasn't decided what they will farm. In response to Commissioner Kirkmeyer, Mr. Shonka stated they are awaiting approval before building their home.  Commissioner Freeman stated he is in support of the Recorded Exemption if the smaller Lot is adjusted to one (1) acre. Commissioner Kirkmeyer stated the leach field should be located within the one acre boundary the lots and will share one (1) access point. Commissioner Kirkmeyer stated she will support the Recorded Exemption and Lot A must be one (1) acre, or larger.  Commissioner Conway moved approved Recorded Exemption, RECX18-0058, and amended the Resolution to require Lot A will be at least one (1) acre. Seconded by Commissioner Freeman, the motion carried unanimously.

 4) CONSIDER APPEAL OF THE DECISION BY THE DEPARTMENT OF PUBLIC WORKS TO DENY ACCESS PERMIT FOR, RECORDED EXEMPTION, RECX17-0221 – ANDREA HALL AND JONATHON SCHIESTEL: Dawn Anderson, Department of Public Works, stated staff received a request for a residential access permit onto County Road (CR) 33, for Lot B of Recorded Exemption, RECX17-0021. She pointed out the location of the requested access and stated a condition for the approved Recorded Exemption (RE) plat was to have the unapproved access closed. Ms. Anderson pointed to the recommended access point, which is further south from the proposed access. She stated she received a hardship letter from the appellant stating if the access were required to be located off the non-maintained County road, it would create a financial hardship.  Andrea Hall, appellant, stated the RE was already in process when she purchased the property. She stated it will impact her if she has to enter the property on CR 80, and if the access point is located where the Department of Public Works is proposing, it will impact their livelihood, because they would have to drive through the middle of the hay field. In response to Commissioner Kirkmeyer, Ms. Hall pointed out the suggested access point will not impact people traveling on CR 33. Commissioner Kirkmeyer stated she supports having an access point on CR 33 at a safe location. In response to Commissioner Conway, Angela Snyder, Department of Planning Services, clarified the recommended access would be 330 feet from the access point of the closest driveway, so it won't be located in the irrigation pivot area. Jonathon Schiestel, property owner, clarified the access will be on CR 33. Ms. Hall stated there needs to be a distance of 230 feet from the neighbor's driveway. Commissioner Kirkmeyer stated she doesn't want a specific measurement in the Resolution. Commissioner Conway stated the access point needs to be practical. Commissioner Freeman moved to grant the appeal and approve the access point on CR 33 at the southernmost point which is practical, that will not impede farming operations, and to reference the plat received at Reception #4392099 to correct the access placement. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2018-06 and 2018-07 were approved on Second Reading.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 10:57 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Barbara Kirkmeyer, Pro-Tem

Sean P. Conway

EXCUSED

Julie A. Cozad

Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 25, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 25, 2018, at the hour of 9:00 a.m.


ROLL CALL: The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:


Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem
Commissioner Sean P. Conway
Commissioner Julie A. Cozad
Commissioner Mike Freeman

Also present:


County Attorney, Bruce Barker
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly


 **MINUTES:** Commissioner Conway moved to approve the minutes of the Board of County Commissioners meeting of July 23, 2018, as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

 **AMENDMENTS TO AGENDA:** Commissioner Kirkmeyer moved to remove the three (3) Presentations listed on today's Agenda, which was seconded by Commissioner Cozad, and the motion carried unanimously.


 **CONSENT AGENDA:** Commissioner Kirkmeyer moved to approve the Consent Agenda as printed. Commissioner Cozad seconded the motion, and it carried unanimously.

PROCLAMATIONS:


 1) 100TH WELD COUNTY FAIR – JULY 25-30, 2018: Chair Moreno read the proclamation recognizing, this year's Fair as the 100th Weld County Fair, which is anticipated to showcase great agricultural talents of youth in 4-H and Future Farmers of America programs. Commissioner Cozad extended an invitation to the Weld County Fair and stated it is important to attend, have fun, and show support of the 4-H kids and their projects. She stated it is an important part of Weld County and a great leadership program. The Commissioners thanked the Fair Board and volunteers for their outstanding work with the 100th Weld County Fair.

 **PUBLIC INPUT:** No public input was given.


BIDS:

 1) APPROVE BID #B1800111, POUDDRE TRAIL IMPROVEMENT PROJECT – DEPARTMENT OF PUBLIC WORKS: Barb Connolly, Controller, presented the nine (9) bids received which were sent for CDOT’s review and stated staff recommends continuing this matter. Commissioner Kirkmeyer moved to continue consideration of the bid to July 30, 2018. The motion was seconded by Commissioner Freeman, and it carried unanimously.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #1833 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – DONALD AND CONSTANCE SCHMIDT, II: Judy Griego, Director of the Department of Human Services, presented the details of an agreement with Donald and Constance Schmidt II for a new Foster Care Home. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

 2) CONSIDER APPOINTMENT OF DEPUTY CLERK TO THE BOARD – ISABELLA JUANICORENA: Esther Gesick, Clerk to the Board, introduced Ms. Juanicorena as the Clerk to the Board’s new Office Tech II. Each Commissioner welcomed Ms. Juanicorena to the Department. Commissioner Kirkmeyer moved to approve said appointment of Deputy Clerk to the Board. The motion was seconded by Commissioner Conway, and it carried unanimously.

 3) CONSIDER APPOINTMENT OF DEPUTY CLERK TO THE BOARD – SELENA BALTIERRA: Ms. Gesick introduced Ms. Baltierra as the Clerk to the Board’s new Office Tech III. Each Commissioner welcomed Ms. Baltierra to Weld County. Commissioner Cozad moved to approve said appointment. Seconded by Commissioner Conway, the motion carried unanimously.

PLANNING:

 1) CONSIDER VACATION OF USE BY SPECIAL REVIEW PERMIT, USR17-0063 – ROSE HOLDINGS, INC., DBA SHEPHERD ENTERPRISES, C/O DANIEL SHEPHERD: Frank Haug, Assistant County Attorney, stated Mr. Shepherd requests a vacation of his USR permit and asks that he have until August 20, 2018, to remove trucks and equipment from the property. Mr. Haug stated an option is to have Mr. Shepherd sign a consent agreement stating he agrees to vacate the USR and will have everything removed from the property by August 20th. In response to Commissioner Cozad, Bruce Barker, County Attorney, explained if the USR is vacated today then there won’t need to be a Show Cause Hearing, and with the signed consent agreement it will be complete August 20th. Mr. Haug stated they would like to have this finalized as soon as possible and believe Mr. Shepherd will have enough time to be able to move the equipment to the auction. Commissioner Freeman stated he believes it is better to give Mr. Shepherd until August 31, 2018.

 Daniel Shepherd, applicant, stated it would be easier to have until August 31, 2018, to vacate his property and would appreciate the extended time. He thanked staff for assisting him with the process. Commissioner Kirkmeyer moved to amend the resolution deleting “60 days” and adding “*allowing through August 31, 2018,*” which was seconded by Commissioner Cozad and the motion carried unanimously. Mr. Shepherd stated several people have contacted him about buying his equipment, Commissioner Kirkmeyer moved to approve said amended resolution. Seconded by Commissioner Cozad, the motion carried unanimously. Commissioner Conway expressed his appreciation and thanked Mr. Shepherd for operating a business in Weld County. Mr. Shepherd stated he appreciates the challenges the Board faced with his situation. The Commissioners wished him luck with his future endeavors.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Barbara Kirkmeyer, Pro-Tem

Sean P. Conway

Julie A. Cozad


Mike Freeman

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 30, 2018


The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, July 30, 2018, at the hour of 9:00 a.m.


 **ROLL CALL:** The meeting was called to order by the Chair and on roll call the following members were present, constituting a quorum of the members thereof:

Commissioner Steve Moreno, Chair
Commissioner Barbara Kirkmeyer, Pro-Tem
Commissioner Sean P. Conway
Commissioner Julie A. Cozad
Commissioner Mike Freeman


Also present:

Assistant County Attorney, Bob Choate
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly


 **MINUTES:** Commissioner Kirkmeyer moved to approve the minutes of the Board of County Commissioners meeting of July 25, 2018, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner Cozad moved to approve the Certification of Hearings conducted on July 25, 2018, as follows: 1) PCSC18-0007 – Rose Holdings, Inc., dba Shepherd Enterprises, c/o Daniel Shepherd, 2) USR18-0032 – Juan Ignacio Cruz, c/o Centennial Tools and Services, LLC, and 3) USR18-0014 – Valley Oak Drive, LLC, c/o Troy and Dawna Armstrong
Commissioner Freeman seconded the motion, which carried unanimously.


 **AMENDMENTS TO AGENDA:** There were no amendments to the agenda.

 **CONSENT AGENDA:** Commissioner Freeman moved to approve the Consent Agenda as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.


PRESENTATIONS:


 1) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – MARY ANN WELZBACKER: Chair Moreno read the certificate for the record, recognizing Ms. Welzbacker for her dedication to the residents of Weld County. Judy Griego, Director of the Department of Human Services, presented Ms. Welzbaker with a plaque and pin and thanked her for her kindness, compassion and professionalism. Tami Grant, Department of Human Services, presented Ms. Welzbacker's career history and expressed her appreciation for her integrity during her career. Ms. Welzbacker stated it has been a

rewarding career being able to help citizens improve their lives. Each Commissioner thanked Ms. Welzbacker for assisting Weld County residents find employment. Each Commissioner encouraged her to enjoy her retirement. *(Clerk's Note: The meeting was paused for a photo opportunity.)*


 **PUBLIC INPUT:** Richard Grimaud, resident of Johnstown, referenced a recent news article which stated the Sheriff's Office was instructed by someone outside the Sheriff's Office to make individuals circulating petitions at Longmont County Offices stop, or be arrested. The deputies reported the email was from a County Commissioner instructing them that anyone circulating a petition should be removed from County property. Chair Moreno stated he was contacted by Sheriff Reams who advised him the information was false, and that the individuals had only been given copies of the County policies. Each Commissioner stated they hadn't had any communication with the Sheriff's Office concerning this matter.


BIDS:


 1) APPROVE BID #B1800100, GR 44 CR 49 ROADWAY WEATHER INFORMATION SYSTEM – DEPARTMENT OF PUBLIC WORKS *(CONT'D FROM 7/23/2018)*: Barbara Connolly, Controller, presented the four (4) bids received and stated staff recommends awarding to the low bidder, Herbert Instrumentation, for a total amount of \$98,237.44. Commissioner Conway moved to approve said low bid. Seconded by Commissioner Cozad, the motion carried unanimously.


 2) APPROVE BID #B1800111, POUDDRE TRAIL IMPROVEMENT PROJECT – DEPARTMENT OF PUBLIC WORKS *(CONT'D FROM 7/25/2018)*: Ms. Connolly presented the nine (9) bids received and stated staff recommends awarding to the low bidder, Energes Services, LLC, for a total amount of \$347,072.20. She stated the project will be funded through an Intergovernmental Agreement with CDOT and the remaining amount of \$89,578.00 will be split between the Town of Windsor, the City of Greeley, and Weld County. In response to Commissioner Conway, Devin Traff, Department of Public Works, stated the amount won't change what is in the Intergovernmental Agreement. Commissioner Cozad stated Weld County will manage the grant and Elizabeth Relford, Department of Public Works, will give a presentation to the Poudre Trail Board. Commissioner Cozad moved to approve said low bid. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

NEW BUSINESS:


 1) CONSIDER RENEWAL APPLICATION FOR AN OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – FRITZLER FARMS, INC., DBA FRITZLER CORN MAZE: Bob Choate, Assistant County Attorney, presented the renewal application for an optional premise license and noted were no concerns reported from the referrals. Commissioner Kirkmeyer moved to grant said license and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

 2) CONSIDER APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT FOR COUNTY ROAD 18 FROM PATRICK STREET TO COUNTY ROAD 37 IMPROVEMENTS (TIER I – AUGUST CYCLE) AND AUTHORIZE ELECTRONIC SUBMITTAL: Ms. Relford reviewed the details of the application for funds to pave a portion of County Road 18. She stated there is increased maintenance response for roads that require magnesium chloride and paving will be more cost effective. In response to Chair Moreno, Ms. Relford stated gravel road maintenance require more maintenance than paved roads. Ms. Relford explained Public Works will purchase the materials and complete the work. In response to Commissioner Conway, Ms. Relford stated there is an ADT of 427 vehicles per day which 37 percent is truck traffic. Commissioner Conway moved to approve said application and authorize electronic submittal. The motion, which was seconded by Commissioner Kirkmeyer, carried unanimously.

 3) CONSIDER APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT FOR COUNTY ROAD 29 FROM STATE HIGHWAY 14 TO COUNTY ROAD 90 IMPROVEMENTS (TIER II – AUGUST CYCLE) AND AUTHORIZE ELECTRONIC SUBMITTAL: Ms. Relford presented the terms of the application requesting grant funds to pave four (4) miles of gravel road. She stated, currently, State Highway 14 to County Road 90 is treated with magnesium chloride, but due to increased truck traffic, the Department of Public Works is unable to continue the maintenance of the gravel road. In response to Commissioner Conway, Ms. Relford stated the traffic count along this segment of road is 376 vehicles per day with 24% truck traffic. Ms. Relford stated the residents are requesting the roadway be paved, as it runs parallel to U.S. Highway 85, and is used as an alternate route. In response to Commissioner Conway, Ms. Relford stated the County may need to obtain easements. Ms. Relford stated the County's cost for this project is \$2.1 million dollars and the request to the Department of Local Affairs is in the amount of \$1,000,000.00. Commissioner Kirkmeyer clarified this is part of the Capital Improvement Plan. Commissioner Cozad stated the surveys received from the residents are included in the grant and the important part is this is an Energy Impact Grant. She explained it is based on the impacts the energy industry is having on Weld County roads, and the increased truck traffic on that road. Commissioner Kirkmeyer moved to approve said application and authorize electronic submittal which was seconded by Commissioner Cozad. Commissioner Conway stated he will not support application of this grant because he wants the Board to be more strategic. He stated there is only 24% truck traffic on County Road 90. Commissioner Cozad stated she disagrees with Commissioner Conway, because this was part of the corridor that the Board reviewed as part of the Access Control Plan identifying it as arterial and during the public meetings it was deemed as strategic. She stated they looked at the CIP last year and provided a spreadsheet of projects based on data. Commissioner Kirkmeyer stated the Department of Public Works puts together a list of projects to apply for the Mineral and Energy grants. Commissioner Kirkmeyer stated municipalities provide the match, and the municipalities apply for the grant. Upon a roll call vote the motion passed four to one with Commissioner Conway opposed.

 Commissioner Kirkmeyer stated she and Ms. Relford attended the Energy and Mineral Impact hearings by telephone conference, and the County will receive the grant.

HEALTH OLD BUSINESS:

 1) CONSIDER SUSPENSION OF COLORADO RETAIL FOOD ESTABLISHMENT LICENSE – TAQUERIA LA SIERRA (*CONT'D FROM 7/9/2018*): Gabri Vergara, Department of Public Health and Environment, stated there isn't a representative from Taqueria La Sierra present. She stated when the restaurant was inspected recently there was no evidence of bugs and there was a significant improvement on the number of violations. She stated they have purchased additional equipment and are making efforts to improve. Ms. Vergara stated she spoke with Christie Ramirez, accountant for Taqueria La Sierra, who is the individual with whom they communicate on a regular basis. Ms. Ramirez told Ms. Vergara that a Food Safety Manager, has been hired but the manager can not start until August, and that she is arranging a meeting with the consultant. Ms. Vergara stated she spoke with the consultant to confirm if he had been hired and the consultant stated he has not visited the restaurant. Ms. Vergara stated the license cannot be suspended because they reached the allowable 30 days of suspension, so they are recommending revocation of the license. In response to Commissioner Cozad, Ms. Vergara stated the three (3) violations this week are considered critical, and Ms. Vergara reviewed the details of each critical violation. She stated she spoke with Ms. Ramirez and told her all new staff would need to receive Food Safety Training. Commissioner Conway stated since the restaurant is an LLC, the owner would be able to change the LLC, and be able to reopen the restaurant, but would still have to comply with the conditions. Commissioner Conway stated there is a risk to the public's safety and health and expressed his frustration that the owner of the restaurant was absent from the hearing. Ms. Vergara confirmed the operator was aware of the meeting today. Commissioner Cozad agreed the owner isn't taking the violations seriously, and further stated, she has concerns with the violations of improper cold holding and the improper utensil washing. Commissioner Conway moved to revoke Taqueria La Sierra's

Colorado Retail Food Establishment License. The motion was seconded by Commissioner Cozad, and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved.

Let the minutes reflect that the above and foregoing actions were attested to and respectfully submitted by the Clerk to the Board.

There being no further business, this meeting was adjourned at 9:54 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Steve Moreno, Chair

Barbara Kirkmeyer, Pro-Tem

BY: _____
Deputy Clerk to the Board

Sean P. Conway

EXCUSED DATE OF APPROVAL

Julie A. Cozad

Mike Freeman