

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 2, 2019

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, December 2, 2019, 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 Barbara Kirkmeyer, Chair - EXCUSED  
Commissioner Mike Freeman, Pro-Tem  
Commissioner Sean P. Conway  
Commissioner Scott K. James - EXCUSED  
Commissioner Steve Moreno

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of November 27, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Moreno moved to approve the Certification of Hearings conducted on November 27, 2019, as follows: 1) COZ19-0002 – Daniel and Janna Miller, and 2) USR19-0055 – Weld County. Commissioner Conway seconded the motion, which carried unanimously.

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

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

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

#### **PRESENTATIONS:**

1) RECOGNITION OF SERVICES, DEPARTMENT OF BUILDINGS AND GROUNDS – DIANNE STIEBER: Chair Pro-Tem Freeman read the certificate recognizing Ms. Stieber for 32 years of service with Weld County. Toby Taylor, Director of the Department of Buildings and Grounds, stated Ms. Stieber has served with the Department of Buildings and Grounds for the past 28 years, and she also worked at the Health Department for her first three years with the County. He stated she is known for her knowledge of the facilities and her care for everyone throughout the County when they have a need. Ms. Stieber thanked her peers for their support through the years. Each of the Commissioners, in turn, expressed

their appreciation for her professional, responsive service to the citizens of Weld County and wished her the best in her retirement. *(Clerk's Note: The meeting was paused for a photo opportunity.)*

**WARRANTS:**

- 1) GENERAL WARRANTS – NOVEMBER 27, 2019: Commissioner Conway moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.
  
- 2) COMMISSIONER WARRANTS – NOVEMBER 27, 2019: Commissioner Moreno moved to approve the Warrant for Commissioner Kirkmeyer, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

**BIDS:**

- 1) PRESENT BID #B1900149, SHERIFF'S OFFICE UNIFORMS AND EQUIPMENT – SHERIFF'S OFFICE: Rob Turf, Purchasing Department, presented the three (3) bids received and stated staff will review and bring back a recommendation on December 16, 2019.

**NEW BUSINESS:**

- 1) CONSIDER CONTRACT ID #3265 AGREEMENT FOR RELOCATION OF POTABLE WATER PIPELINE FOR CRs 17/54 INTERSECTION PROJECT AND AUTHORIZE CHAIR PRO-TEM TO SIGN – LITTLE THOMPSON WATER DISTRICT: Michael Bedell, Department of Public Works, stated the County Road (CR) 17/54 intersection project is currently transitioning from the design phase to the construction phase. He explained there are six (6) utility companies affected by the project, resulting in the need for agreements with five (5) of them due to the presence of existing easements which need to be relocated. He stated the Left Hand Water District (LTWD) easement needs to be relocated outside of the expanded right-of-way, which is estimated to cost \$743,121.71. He further stated the work is planned to commence in January and crews will try to complete the project by May, 2020, prior to local farming activities. In response to Commissioner Conway, Mr. Bedell stated the Board has already approved the relocation agreements for DCP and Xcel Energy Gas, which leaves agreements still to be negotiated with Century Link and Poudre Valley Rural Electric Association. Commissioner Moreno thanked the various staff members involved in accomplishing this project. Commissioner Moreno moved to approve said agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner Conway, the motion carried unanimously.
  
- 2) CONSIDER CONTRACT TO BUY AND SELL REAL ESTATE, AND SOURCE OF WATER ADDENDUM (0 CR 120, CARR) AND AUTHORIZE CHAIR PRO-TEM TO SIGN ALL NECESSARY DOCUMENTS – CHRISTIAN PETERSHEIM: Mr. Taylor stated the purchase of this land will provide space for the Department of Public Works to stockpile material and/or mine material if it is present. Commissioner Conway moved to approve said contract and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Moreno, 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 9:18 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

EXCUSED  
\_\_\_\_\_  
Barbara Kirkmeyer, Chair

EXCUSED DATE OF APPROVAL  
\_\_\_\_\_  
Mike Freeman, Pro-Tem

\_\_\_\_\_  
Sean P. Conway

EXCUSED  
\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Steve Moreno

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 9, 2019

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, December 9, 2019, 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 Barbara Kirkmeyer, Chair  
Commissioner Mike Freeman, Pro-Tem - EXCUSED  
Commissioner Sean P. Conway  
Commissioner Scott K. James  
Commissioner Steve Moreno

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of December 2, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

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

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

**PUBLIC INPUT:** Steve Teets, Greeley resident, updated the Commissioners concerning the Greeley-Evans Transit (GET) Fort Collins route, which will be offering free rides during the first month, starting January 2, 2020. Chair Kirkmeyer explained various portions of the new routes are scheduled to open at different times, the project is estimated to cost \$250 million, and will take 2-3 years to complete. Mr. Teets also discussed the relocation of Veterans Services to Loveland and the ongoing problems with transportation. Lastly, he inquired about any preventative measures concerning Hepatitis moving through the state. Chair Kirkmeyer responded, stating the Health Department is prepared with additional vaccines and they sent out a press release to inform the public. Regarding transportation for veterans, she stated there is a North Front Range Metropolitan Organization (NFRMPO) program which is looking to use multimodal funds to expand the One-Call/One-Click program in Larimer County to better connect citizens with their providers. Mr. Teets suggested Weld and Larimer Counties work cooperatively to form a Medicaid broker to provide transportation services throughout the northern front range. Commissioner Conway commented the Colorado Department of Transportation (CDOT) is looking to expand the Bustang route into more rural areas, and he encouraged Mr. Teets to participate in those discussions.

**PRESENTATIONS:**

1) RECOGNITION OF SERVICES, CLERK AND RECORDER'S OFFICE – KAYLUN WATSON: Chair Kirkmeyer read the certificate recognizing Ms. Watson for her years of service. Carly Koppes, Clerk and Recorder, stated Ms. Watson has been a very reliable resource within the Clerk and Recorder's Office through times of change and transition and is always willing to assist with various roles within the office. Rudy Santos, Chief Deputy, stated Ms. Watson will be greatly missed, and Cindy Loftus, Clerk and Recorder Supervisor, stated she has appreciated working with her through the years. Ms. Watson stated she is looking forward to getting rid of her alarm clock, traveling and enjoying time with her grandkids. The Commissioners, in turn, thanked Ms. Watson for her willingness to assist, flexibility during change, diligence working behind the scenes, and resiliency in working for three different Clerk and Recorders throughout her career, and they wished her the best in her retirement. *(The meeting was paused for a photo opportunity.)*

**PROCLAMATIONS:**

1) UNIVERSITY BULLDOGS DAY, GIRLS SOFTBALL TEAM – DECEMBER 9, 2019: Chair Kirkmeyer read the certificate proclaiming December 9, 2019, as University Bulldogs Day, in honor of the accomplishments of the Girls Softball Team. Rocky Byrd, Head Coach, recognized the hard work of the team. Each of the team members introduced themselves, shared which position they played, and thanked the Board for honoring their accomplishments. The Commissioners, in turn, commended the team for being leaders in their school and representing Weld County well, and encouraged them to strive for their goal to repeat another successful season. Coach Byrd also introduced the administrative staff in attendance. *(Clerk's Note: The meeting was paused for a photo opportunity.)*

**WARRANTS:**

1) GENERAL WARRANTS – NOVEMBER 27, 2019, AND DECEMBER 2, 3, AND 6, 2019: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

**BIDS:**

1) PRESENT BID #B1900150, LEGAL NEWSPAPER SERVICES 2020 – CLERK TO THE BOARD'S OFFICE: Rob Turf, Purchasing Department, stated two (2) bids have been received and staff will review and make a recommendation on December 23, 2019.

**NEW BUSINESS:**

1) CONSIDER REVISIONS TO FEE SCHEDULE FOR FEES COLLECTED BY THE WELD COUNTY DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Dr. Mark Wallace, Director of the Department of Public Health and Environment, reviewed the Environmental Health, Clinical and Administrative fees to ensure the costs are recovered in alignment with inflation increases, insurance reimbursement, and and that they are receiving full reimbursement for services provided by Medicare and Medicaid, as well as eliminating obsolete fees. Commissioner James moved to approve said revised fee schedule. Commissioner Moreno seconded the motion, and it carried unanimously.

2) CONSIDER CONTRACT ID #3272 CONTRACT AMENDMENT #1 FOR NURSE HOME VISITOR PROGRAM (NHVP) AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace stated through this program registered nurses provide home visits for expectant mothers and the only change to the contract is combining the various salaries into one line item, thus eliminating the need for numerous contract and budget amendments in the event of staffing changes. Commissioner Conway moved to approve said contract amendment and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3286 TASK ORDER CONTRACT AMENDMENT #1 FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace stated this amendment corrects numerous typographical errors, clarifies several grant

deliverables, and reflects the support of two full-time staff. Commissioner Moreno moved to approve said contract amendment and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

4) CONSIDER CONTRACT ID #3287 CONTRACT FOR OUTDOOR ADVERTISING AND AUTHORIZE CHAIR TO SIGN – THE LAMAR COMPANIES: Dr. Wallace stated this contract provides for the placement of “Marijuana is Not Harmless” campaign billboards throughout Weld County, utilizing funding in the amount of \$84,889.22, which is designated for opioid and substance use prevention. He referenced reports which indicate marijuana contributes to depression and impaired driving. In response to Commissioner Conway concerning the measurement of deliverables, Dr. Wallace stated this is an opportunity to balance the conversation against messaging that implies marijuana is totally safe. The motion to approve said contract and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Moreno, and it carried unanimously.

5) CONSIDER CONTRACT ID #3288 AGREEMENT FOR SAMPLING AND ANALYSIS OF WATER AND AUTHORIZE DIRECTOR OF DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO SIGN – CHEYENNE-LARAMIE COUNTY HEALTH DEPARTMENT: Dr. Wallace stated the standard form of the agreement was amended in response to dialogue with Laramie County concerning water testing needs and their request to include a reference to Wyoming State statute, which added a provision clarifying their governmental immunity is not waived, since Laramie County is a local political subdivision of the State of Wyoming. In response to Commissioner Conway, Dr. Wallace confirmed there will be full cost recovery. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

6) CONSIDER HOLD HARMLESS AND INDEMNIFICATION AGREEMENT AND AUTHORIZE CHAIR TO SIGN – LIFE INSURANCE COMPANY OF NORTH AMERICA, AND UPMC BENEFIT MANAGEMENT SERVICES, INC., DBA WORKPARTNERS: Patti Russell, Director of the Department of Human Resources, stated this agreement will enable Cigna to share information with new workplace partners. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

7) CONSIDER CONTRACT ID #3276 SYSTEM UPGRADE AGREEMENT (SUA) II FOR FRONT RANGE COMMUNICATIONS CONSORTIUM (FRCC) ASTRO 25 COMMUNICATIONS SYSTEMS AND AUTHORIZE CHAIR TO SIGN – MOTOROLA SOLUTIONS, INC.: Mike Wallace, Director of Public Safety Communications, stated this agreement establishes a ten-year pricing partnership among Weld and Adams Counties, Federal Heights and the University of Northern Colorado for future upgrades to ensure stability of the public safety communications system in Weld County. He noted this new pricing model will result in an annual savings of \$400,000.00. In response to Commissioner Conway, Mr. Wallace confirmed that equates to a \$4 million savings over the ten-year term. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

8) CONSIDER CONTRACT ID #3283 THREE (3) COMMUNICATIONS SYSTEM SERVICE AGREEMENTS AND AUTHORIZE CHAIR TO SIGN – MOTOROLA SOLUTIONS, INC.: Mr. Wallace reviewed the terms of three individual service agreements with a five-year pricing model for technical support of public safety radio communications, if needed, resulting in savings of \$5,200.00 for the five-year period. The motion to approve said agreements and authorize the Chair to sign was made by Commissioner Conway, seconded by Commissioner James, and it carried unanimously.

9) CONSIDER CONTRACT ID #3284 SERVICE AGREEMENT FOR CODERED SYSTEM MINUTES AND AUTHORIZE CHAIR TO SIGN – ONSOLVE, LLC: Mr. Wallace stated this is renewal agreement

for the CodeRed public emergency notification system utilized in large-scale incidents. He stated it is a five-year pricing agreement, resulting in an annual savings of \$4,600.00. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

10) CONSIDER CONTRACT ID #3239 MEMORANDUM OF UNDERSTANDING FOR VICTIM ADVOCATE SERVICES UNIT AND AUTHORIZE CHAIR TO SIGN – CITY OF DACONO: Sonja Kohlgraf, Sheriff’s Office, stated this and the following item provide Victim Assistance Unit services for a maximum reimbursement of up to \$4,500.00 per year. Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

11) CONSIDER CONTRACT ID #3240 MEMORANDUM OF UNDERSTANDING FOR VICTIM ADVOCATE SERVICES UNIT AND AUTHORIZE CHAIR TO SIGN – TOWN OF HUDSON MARSHALL: Based on explanation provided in the preceding item, Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

12) CONSIDER DISSOLVING CHANGE FUND AT ASSESSOR’S OFFICE: Barbara Connolly, Controller, stated the Assessor’s Office no longer needs a change fund and the money will be returned to the General Fund. Commissioner Conway moved to approve dissolving said change fund. Commissioner James seconded the motion, and it carried unanimously.

13) CONSIDER COMBINING CHANGE FUND FOR WORK RELEASE FACILITY WITH CHANGE FUND FOR WELD COUNTY SHERIFF’S OFFICE LAW ENFORCEMENT ADMINISTRATION BUILDING FOR USE AT NORTH JAIL LOBBY: Ms. Connolly stated since fingerprinting is now being done at the jail, she recommended combining both change funds for a total of \$200.00. Commissioner Moreno moved to approve combining said change funds for use at the North Jail lobby. Commissioner Conway seconded the motion, and it carried unanimously.

14) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – DAVID KULMANN: Bruce Barker, County Attorney, stated there is a need for a backup hearing officer to oversee 1041 WOGLA permit hearings on behalf of the Oil and Gas Energy Department, and Mr. Kulmann was previously employed with PDC Energy and will be paid on an hourly basis. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

**PLANNING:**

1) FINAL READING OF WELD COUNTY CODE ORDINANCE #2019-17, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 19 COORDINATED PLANNING AGREEMENTS, OF THE WELD COUNTY CODE (*JOHNSTOWN*): Commissioner James moved to read said Code Ordinance by title only. Seconded by Commissioner Conway, the motion carried unanimously. Chair Kirkmeyer read the title for the record. Tom Parko, Director of the Department of Planning Services, stated there have been no changes since Second Reading. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2019-17 on Final Reading. Commissioner Conway seconded the motion, and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-17 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 10:09 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Barbara Kirkmeyer, Chair

EXCUSED  
\_\_\_\_\_  
Mike Freeman, Pro-Tem

\_\_\_\_\_  
Sean P. Conway

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Steve Moreno



# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, DECEMBER 11, 2019

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, December 11, 2019, 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 Barbara Kirkmeyer, Chair  
Commissioner Mike Freeman, Pro-Tem - EXCUSED  
Commissioner Sean P. Conway  
Commissioner Scott K. James  
Commissioner Steve Moreno

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of December 9, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

**READ ORDINANCE BY AUDIO:** Commissioner Conway moved to read Emergency Ordinances #255-B and #256 by audio. The motion was seconded by Commissioner James, and it carried unanimously.

**AMENDMENTS TO AGENDA:** Commissioner Conway moved to amend item #13 to authorize the Deputy Director of the Department of Human Services to sign. Seconded by Commissioner James, the motion carried unanimously.

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

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

#### **WARRANTS:**

1) **GENERAL WARRANTS – DECEMBER 10, 2019:** Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

2) **COMMISSIONER WARRANTS – DECEMBER 10, 2019:** Commissioner Moreno recused himself from voting on this matter. Commissioner Conway moved to approve the Warrant for Commissioner Moreno, as printed. Commissioner James seconded the motion, and upon a roll call vote, the motion carried, with Commissioner Moreno recused and Commissioner Freeman excused.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #3098 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JAMES AND ELIZABETH DIEKROEGER: Jamie Ulrich, Deputy Director of the Department of Human Services, stated this contract will certify a new kinship foster care home in Cheyenne, Wyoming. Commissioner Conway moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER CONTRACT ID #3191 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ZACHARY AND NICOLE ARMSTRONG: Ms. Ulrich stated this contract will recertify an existing foster care home in Greeley, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

3) CONSIDER CONTRACT ID #3192 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MAIRA GOMEZ AND ERIC IBARRA: Ms. Ulrich stated this contract will recertify an existing foster care home in Greeley, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign, which was seconded by Commissioner Conway, and it carried unanimously.

4) CONSIDER CONTRACT ID #3193 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ALLISON AND BUDDY WILLIAMS: Ms. Ulrich stated this contract will recertify an existing foster care home in Centennial, Colorado. The motion to approve said contract and authorize the Chair to sign was made by Commissioner Conway, seconded by Commissioner Moreno, and it carried unanimously.

5) CONSIDER CONTRACT ID #3198 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JON AND NICOLE WRIGHT: Ms. Ulrich stated this contract will recertify an existing foster care home in Greeley, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

6) CONSIDER CONTRACT ID #3223 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – AUSTIN AND CARLIE LAKE: Ms. Ulrich stated this contract will recertify an existing foster care home in Greeley, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

7) CONSIDER CONTRACT ID #3224 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – TRACY AND ISIDRO SANCHEZ: Ms. Ulrich stated this contract will recertify an existing foster care home in Greeley, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

8) CONSIDER CONTRACT ID #3173 AGREEMENT TO PURCHASE OUT-OF-HOME PLACEMENT SERVICES AND AUTHORIZE CHAIR TO SIGN – LOVE IS TRINITY: Ms. Ulrich provided a brief summary of the agreement terms for the new child placement agency. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Conway, and it carried unanimously.

9) CONSIDER CONTRACT ID #3189 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN (BID #B1900025) – JULIE KULA: Ms. Ulrich stated under this contract Ms. Kula will provide home study services. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Moreno, and it carried unanimously.

10) CONSIDER CONTRACT ID #3217 AMENDMENT #1 TO AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN (BID #B1900025) – GRACEFUL OAKS YOUTH RANCH: Ms. Ulrich recommended approval of the term amendment to include no-show and family team meeting rates. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

11) CONSIDER CONTRACT ID #3214 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – VANESSA SALAZAR: Ms. Ulrich stated this contract is for a respite care provider in Thornton, Colorado. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

12) CONSIDER CONTRACT ID #3215 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – GLENN AND JONE FICEK: Ms. Ulrich stated this contract is for a respite care provider in Greeley, Colorado. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

13) CONSIDER GRANT APPLICATION FOR PREVENTION AND INTERVENTION FUNDING AND AUTHORIZE DEPUTY DIRECTOR OF DEPARTMENT OF HUMAN SERVICES TO SIGN: Ms. Ulrich stated this application is requesting funding for prevention and intervention services. She noted there are two funding streams: VI-E Waiver cash fund (eligible for \$181,986.00), as well as the Prevention and Intervention cash fund (requesting \$1.1 million). Commissioner James moved to approve said application and authorize the Deputy Director of the Department of Human Services to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

14) CONSIDER CONTRACT ID #3293 AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FOR CR 53 BRIDGE PROJECT AND AUTHORIZE CHAIR TO SIGN: Roy Rudisill, Director of the Office of Emergency Management, stated this agreement is for \$1,360,000.00 in Community Development Block Grant (CDBG) flood recovery funds and there is no match requirement. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

15) CONSIDER CONTRACT ID #3298 GRANT AGREEMENT FOR PRE-DISASTER MITIGATION PROGRAM (HAZARD MITIGATION PLAN UPDATE) AND AUTHORIZE CHAIR TO SIGN LETTER OF ACCEPTANCE: Mr. Rudisill stated this grant agreement is for \$60,000.00, with a \$20,000.00 match, to be used in hiring a contractor to assist with updating the Hazard Mitigation Plan. Commissioner Moreno moved to approve and accept said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

16) CONSIDER CONTRACT ID #3280 AGREEMENT FOR VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM SERVICES UNIT AND WELD COUNTY JAIL POST SENTENCING VICTIM SERVICES, AND AUTHORIZE CHAIR TO SIGN: Sonja Kohlgraf, Sheriff's Office, stated the VALE grant was awarded, in the amount of \$71,638.00, which will be used to help offset personnel costs, and a portion of the funds will also provide part of the match for the federal VOCA grant. Commissioner James moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Conway, and it carried unanimously.

17) CONSIDER CONTRACT ID #3270 RIGHT-OF-WAY OPERATIONS AGREEMENT FOR HOKESTRA PIT AND AUTHORIZE CHAIR TO SIGN – GROUND WATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, BY AND THROUGH ITS' WATER ACTIVITY ENTERPRISE: Hayley Balzano, Department of Public Works, stated as part of the sales agreement the County is to relocate a portion of the Hokestra Trail easement that crosses the emergency spillway for the safety of trail users. She stated the new design and easement location will allow the trail to meet the ASHTO Geometry Standards, and there are provisions stating this will supersede the existing easement and streamline the Colorado Department of Transportation (CDOT) right-of-way process for the multimodal options fund grant by having the easement in place prior to signing the Intergovernmental Agreement for trail construction. In response to Commissioner Moreno, Chair Kirkmeyer clarified the funds are from the CDOT transportation sub-grant and part of the sub-regional monies received from the Denver Regional Council of Governments (DRCOG). The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

18) CONSIDER CONTRACT ID #3271 AGREEMENT FOR TEMPORARY CONSTRUCTION EASEMENT FOR RELOCATION OF HOKESTRA PEDESTRIAN TRAIL AND AUTHORIZE CHAIR TO SIGN – GROUND WATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, BY AND THROUGH ITS' WATER ACTIVITY ENTERPRISE: Ms. Balzano stated, as previously discussed, this temporary construction easement will provide the area for construction of the trail and pedestrian bridge. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Commissioner Moreno seconded the motion, and it carried unanimously.

19) CONSIDER STATE NOXIOUS WEED PROGRAM GRANT APPLICATION FOR ERADICATION OF DALMATIAN TOADFLAX AND DIFFUSE KNAPWEED PROJECT AND AUTHORIZE CHAIR TO SIGN AND ELECTRONIC SUBMITTAL: Tina Booton, Department of Public Works, stated this application is requesting \$40,000.00 to provide cost share funds for eradication of weeds in Weld County. She explained there is also a match, in the amount of \$98,700.00. Commissioner Moreno moved to approve said application and authorize the Chair to sign and electronic submittal. Seconded by Commissioner Conway, the motion carried unanimously.

20) CONSIDER CORRECTED ACCESS EASEMENT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – VIMA PARTNERS, LLC: Bruce Barker, County Attorney, stated there is an easement for the purpose of allowing access to the VIMA property from County Road (CR) 60. Unfortunately, when the deed was recorded the descriptions were mixed up, and this item will correct the error, and it does include a provision allowing ongoing use of the easement and access from the time it was authorized in 2016 to present. Commissioner Moreno moved to approve said corrected access easement agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

21) CONSIDER AGREEMENT FOR PARTIALLY SELF-FUNDED PROGRAM AND AUTHORIZE CHAIR TO SIGN – COLORADO COUNTIES CASUALTY AND PROPERTY POOL, C/O COUNTY TECHNICAL SERVICES, INC. (CTSI): Don Warden, Director of Finance and Administration, stated this is the annual agreement for the Colorado Counties Casualty and Property Pool. He explained the County is self-insured, with a self-retention in the amount of \$125,000.00 per incident, and the cost for insurance will be \$934,242.00, with a \$321,000.00 loss based on projections. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

22) CONSIDER CONSENT TO AGRICULTURAL LANDS INCLUDED INTO ECONOMIC DEVELOPMENT AUTHORITY OF DACONO – DACONO II URBAN RENEWAL AREA: Mr. Barker

stated this and the next item deal with the Economic Development Authority of Dacono and their request for revenue sharing from the Urban Renewal Area (URA). He stated this Resolution consents to inclusion of agricultural lands and gives the Dacono Town Board authority to approve the plan with those agricultural properties included. Commissioner James moved to approve the Resolution, which was seconded by Commissioner Moreno, and it carried unanimously.

23) CONSIDER TAX INCREMENT REVENUE SHARING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – ECONOMIC DEVELOPMENT AUTHORITY OF DACONO: Mr. Barker stated, based on the work session discussion, the agreement has been modified to incorporate the changes requested by the Board, and he referenced Exhibit A, which includes right-of-way to provide funds for improvements and pointed out there will be no change to the rate for 25 years. Chair Kirkmeyer expressed concern with the terms of the agreement, stating it does not address improvements to the intersection of CR 6 and Colorado Boulevard (CR 13), the truck routes are not identified so it is unclear where the impacts will be, and she does not support use of the word “if” because she wants assurance that the funds will be available to complete the necessary projects. She further stated there are various references to the Urban Renewal Plan; however, it will not be approved by the City of Dacono until December 16, 2019, and she is not in support of approving an IGA concerning a plan that could be revised prior to approval. Commissioners Conway, James and Moreno concurred. Mr. Barker explained this is the same process recently used in approving plans and agreements with other towns, because typically the towns need the IGA in place to support approval of the plan. He also stated the improvements to CR 6 and Colorado Boulevard are not within the URA and they cannot spend money outside of the designated area. Chair Kirkmeyer reiterated her belief that the plan should first be approved, prior to entering into an IGA. Commissioner Moreno suggested the option of continuing the matter until after the plan is approved. Caroline White, Attorney, stated Dacono would be willing to delete the word ‘if’ and make any necessary corrections. She concurred that the improvements at CR 6 are not within the URA; however, she stated URA law indicates funds may be spent if there is a finding of blight and Dacono is committed to making the necessary improvements. She confirmed the URA Plan is scheduled before the Dacono City Council on December 16, 2019, and no changes are being proposed. She also referenced C.R.S. §31-25-107(9.5) which states the Authority must secure the agreement of any taxing bodies and make a finding that the entities have consented. In response to Commissioner Conway, Ms. White confirmed, consent has been received from all the taxing entities, except for St. Vrain, which is meeting tonight. She further stated the URA Board will consider the IGA on December 16th, just prior to the Council meeting. There was discussion concerning a continuance to ensure the plan is approved and the agreement is amended to identify the truck routes for Dacono and address the access/easements for oil and gas. A.J. Euckert, Dacono City Manager, stated there is an annual fee of \$115.00. The motion to continue this matter to Monday, December 16, 2019, was made by Commissioner Conway, seconded by Commissioner Moreno, and it carried unanimously.

24) CONSIDER 2020 AMOUNT TO BE PAID FOR THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GREELEY AND WELD COUNTY FOR ISLAND GROVE PARK MANAGEMENT SERVICES: Mr. Warden stated the first agreement concerning the maintenance of Island Grove Park was entered into on October 24, 1984. He recommended approval of the County’s share for 2020, in the amount of \$456,677.00, to be paid from the Conservation Trust Fund, and explained an annual audit is conducted to make final adjustments to the actual amount owed. Commissioner Moreno moved to approve the Resolution concerning the amount to be paid for Island Grove Park management services. Commissioner Conway seconded the motion, and it carried unanimously.

25) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND ENVISION AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement, through item #33, are with outside agencies for payment amounts consistent with the Final 2020 budget, and he recommended approval of payment in the amount

of \$38,225.00 to help support Envision. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

26) CONSIDER MEMORANDUM OF AGREEMENT FOR MENTAL HEALTH SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for \$171,000.00, with \$50,000.00 designated for operations of the new facility in southwestern Weld County. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

27) CONSIDER MEMORANDUM OF AGREEMENT FOR SUICIDE EDUCATION AND PREVENTION SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement is the same as the previous year, in the amount of \$20,000.00. Commissioner Conway moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

28) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND PROMISES FOR CHILDREN AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden presented the agreement, in the amount of \$10,000.00. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Conway, and it carried unanimously.

29) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND WELD COUNTY SENIOR CITIZEN COORDINATORS AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement authorizes payment of \$2,000.00 to each of the local senior citizen centers, for a total of \$40,000.00. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

30) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND EAST COLORADO SMALL BUSINESS DEVELOPMENT CENTER (SBDC) AS A RECIPIENT OF WELD: Mr. Warden stated this agreement is the same as last year, for \$65,000.00. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

31) CONSIDER MEMORANDUM OF AGREEMENT FOR 211 INFORMATION AND REFERRAL SERVICES BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden presented the agreement authorizing payment, in the amount of \$25,000.00, which is the same as last year. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

32) CONSIDER MEMORANDUM OF AGREEMENT FOR WELD'S WAY HOME PROGRAM BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement provides \$5,000.00 to help support the United Way homeless program. Commissioner James moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

33) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UPSTATE COLORADO ECONOMIC DEVELOPMENT AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement authorizes payment, in the amount of \$150,000.00, with \$100,000.00 designated from the General Fund, plus \$50,000.00 from the Economic Development Trust. He stated these funds are used to accommodate the transition of a long-term employee for five years, noting this is the third payment year. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

34) EMERGENCY ORDINANCE #255-B, IN THE MATTER OF A SUPPLEMENTAL APPROPRIATION FOR THE YEAR 2019: This item was previously read by audio and Chair Kirkmeyer read the title for the record. Mr. Warden stated this is the second supplemental appropriation for the year, confirmed a notice was published prior to consideration today, referenced the related Exhibits for line item review, and reviewed the various adjustments made since the mid-year appropriation. In response to Commissioner Moreno, Mr. Warden explained that State statute requires the County to pay for all expenses of the Public Trustee, except for certain office supply expenses, and that amount varies from year to year; however, the cost is offset each quarter by revenue from the office. He stated this will be the last year to approve the amount as a separate budget fund, because Weld County will assume the office, effective July 1st, and appropriate the full cost of the office as part of the Treasurer's Office. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve Ordinance #255-B on an emergency basis. Commissioner James seconded the motion, and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Ordinances #255-B and #256 were approved on an emergency basis.

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 10:04 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

\_\_\_\_\_  
Barbara Kirkmeyer, Chair

EXCUSED  
\_\_\_\_\_  
Mike Freeman, Pro-Tem

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Sean P. Conway

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Steve Moreno

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 16, 2019

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, December 16, 2019, 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 Barbara Kirkmeyer, Chair  
Commissioner Mike Freeman, Pro-Tem  
Commissioner Sean P. Conway  
Commissioner Scott K. James  
Commissioner Steve Moreno

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of December 11, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Conway moved to approve the Certification of Hearings conducted on December 11, 2019, as follows: 1) Annual Meeting and Final 2020 Budget for Beebe Draw Law Enforcement Authority District Board, 2) Annual Meeting and Final 2020 Budget for Weld County Pioneer Community Law Enforcement Authority District Board, 3) 2020 Final Budget Hearing, 4) USR19-0052 – The Guest Family Trust, 5) USR19-0054 – Western Equipment and Truck, Inc., c/o SunShare, LLC, and 6) USR19-0058 – Orrlando, LLC, c/o Bucklen Services Company. Commissioner Moreno 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 Moreno seconded the motion, and it carried unanimously.

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

**PRESENTATIONS:** *(Clerk's Note: Chair's prerogative changed the order of the presentations.)*

1) 2019 EMPLOYEE SERVICE AWARDS – 10, 20, AND 30 YEAR EMPLOYEES: Chair Kirkmeyer read the presentations into the record, and the various Elected Officials and Department Heads presented the 10-, 20- and 30-year pins to employees. The Board thanked the employees for their years of dedication to the citizens of Weld County.



2) NATIONAL AWARD FOR EXCELLENCE IN CONCRETE PAVEMENT – DEPARTMENT OF PUBLIC WORKS: Chair Kirkmeyer read the plaque and presented it to Jay McDonald, Director of the Department of Public Works. Mr. McDonald stated this award is meaningful because it was awarded to the Engineering Division which designed County Road (CR) 47, from CR 60.5 to State Highway 392, and it was done completely in-house. He stated this project was deemed the best out of 3,151 submittals nation-wide. Elizabeth Relford, Department of Public Works, stated this award represents a lot of hard work and effort by the entire team. She noted it is one of the first projects in which the drainage and stormwater designs were separated, resulting in a large savings to the County. Each of the Commissioners, in turn, congratulated the team for the improvements made for the benefit and safety of Weld County’s citizens, recognized them for being the “Best”, and applauded their ambitious goals starting in 2011, with outcomes which have been completed ahead of time and under budget, which far exceeded expectations.

**WARRANTS:**

1) GENERAL WARRANTS – DECEMBER 12, AND 13, 2019: Commissioner James moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B1900149, SHERIFF’S OFFICE UNIFORMS AND EQUIPMENT – SHERIFF’S OFFICE: Rob Turf, Purchasing Department, stated this is a Quality Based Selection (QBS) Bid which considered various criteria. He stated three bids were received and the Sheriff’s Office recommends awarding to Galls, LLC, in the amount of \$131,920.00. Commissioner Conway commented the Sheriff’s Office expressed concern with the ability of the low bidder to meet the delivery deadlines, and although this is not the low bid, Galls LLC, was ranked the highest based on prior performance. Commissioner Freeman moved to approve said bid, as recommended. Commissioner James seconded the motion, and it carried unanimously.

2) PRESENT BID #B1900151, ENVIRONMENTAL HEALTH HISTORICAL DOCUMENT SCANNING – DEPARTMENT OF INFORMATION TECHNOLOGY: Nancy Wonder, Department of Information Technology, presented the five (5) bids received and stated staff will review and make a recommendation on December 30, 2019.

3) PRESENT BID #B1900155, SNOW PLOW BLADES – DEPARTMENT OF FLEET SERVICES: Mr. Turf presented the five (5) bids received and stated staff will review and make a recommendation on December 30, 2019.

**OLD BUSINESS:**

1) CONSIDER TAX INCREMENT REVENUE SHARING AGREEMENT – ECONOMIC DEVELOPMENT AUTHORITY OF DAcono (CONT’D FROM 12/11/2019): Bruce Barker, County Attorney, reviewed the various revisions identified in the markup version of the Agreement to address the concerns expressed by the Board last week. Chair Kirkmeyer stated she had an opportunity to meet with Dacono representatives who agreed to include a new paragraph #14 which establishes conditional approval to confirm no changes will be made to the Dacono II Urban Renewal Plan between the approval by the Board of Commissioners and the City of Dacono. A.J. Euckert, Dacono City Manager, was present to answer any questions, and in response to Commissioner Conway, he confirmed the plan will be presented to the City Council this evening for approval. Commissioner Moreno moved to approve said agreement, as amended, and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

**NEW BUSINESS:**

1) CONSIDER CONTRACT FOR 2020 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE CHAIR TO SIGN: Michael Rourke, District Attorney, and JoAnn Holden, District Attorney's Office, stated the VALE Board awarded a contract, in the amount of \$136,182.00, which is the same as last year, does not require a local County match, and accounts for approximately fifteen percent (15%) of the budget for Victim Services. Commissioner Conway moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

2) CONSIDER TEMPORARY CLOSURE OF CR 68 BETWEEN STATE HWY 392 AND CR 61: Amy Mutchie, Department of Public Works, requested approval of a temporary closure commencing December 16, 2019, and ending December 22, 2019, to replace and upgrade an irrigation culvert. She noted one-half mile of the detour route will be treated with magnesium chloride to help control dust. Commissioner Freeman moved to approve said temporary closure. Commissioner James seconded the motion, and it carried unanimously.

3) CONSIDER REAPPOINTMENT TO NORTH FRONT RANGE WATER QUALITY BOARD: Commissioner Freeman moved to approve the reappointment of Skip Holland to said board. Commissioner Conway seconded the motion, and it carried unanimously.

4) CONSIDER MEMORANDUM OF AGREEMENT FOR PURCHASE OF RIGHT-OF-WAY AND EASEMENTS FOR PROPERTY AT 7800 CR 54, JOHNSTOWN, COLORADO, AND DEED OF DEDICATION, AND AUTHORIZE CHAIR TO SIGN; AND CLOSING STATEMENTS AND AUTHORIZE COMMISSIONER MORENO TO SIGN – HEIN FAMILY, RLLLP: Mr. Barker, County Attorney, stated this purchase was necessary to accomplish the improvements at the intersection of CRs 54 and 17. He stated the closing was conducted last Friday and Commissioner Moreno was present to sign the closing statements. Commissioner Conway moved to approve said Memorandum of Agreement and Deed of Dedication and authorize the Chair to sign, and to elect Commissioner Moreno as acting Chair Pro-Tem and authorize him to sign the Closing Statements, effective December 13, 2019. Seconded by Commissioner James, the motion 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 10:10 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Barbara Kirkmeyer, Chair

\_\_\_\_\_  
Mike Freeman, Pro-Tem

\_\_\_\_\_  
Sean P. Conway

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Steve Moreno

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, DECEMBER 18, 2019

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, December 18, 2019, 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 Barbara Kirkmeyer, Chair – arrived at 9:10 a.m.  
Commissioner Mike Freeman, Pro-Tem  
Commissioner Sean P. Conway  
Commissioner Scott K. James  
Commissioner Steve Moreno

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner James moved to approve the minutes of the Board of County Commissioners meeting of December 16, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

**AMENDMENTS TO AGENDA:** Commissioner James moved to amend item #1 under New Business to authorize the Chair Pro-Tem to sign, and to amend item #1 under Planning to correct the title to reflect the 2018 International Fire Code. Commissioner Moreno seconded the motion, which carried unanimously.

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

*(Clerk's Note: Chair Kirkmeyer joined the meeting at 9:10 a.m.)*

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

#### **PRESENTATIONS:**

1) RECOGNITION OF SERVICES, NCMC BOARD OF TRUSTEES – KAY KOSMICKI, MARK LAWLEY, MICHAEL SIMONE, CATHERINE DAVIS, BRIAN UNDERWOOD, KEVIN MULLIN, AND JASON YEATER: Chair Kirkmeyer read the certificates recognizing each of the individuals for serving as Trustees of the NCMC Board. Mark Lawley and Kevin Mullin were present. Commissioner Conway commented it has been his honor and privilege to serve with the various trustees through the years. He stated they all took their duties seriously and provided regular visitation reports. Commissioner Freeman stated the sale of the hospital property is a successful conclusion of a long-standing arrangement, and

the proceeds will be invested into the Bright Futures program, which will be in the best interest of Weld County's citizens. The remaining Commissioners thanked the trustees for their time commitment and willingness to volunteer. Kevin Mullin thanked the Board for the opportunity to serve and engage in public service for the greater good of the community. Mark Lawley stated he has served on several boards for the County over the years and he appreciates the opportunity to give back to the community. He explained he will remain a member of the NCMC Inc. Board, which is now structured as The Weld Trust and focused on supporting philanthropic work. Commissioner Conway also extended his appreciation to Esther Gesick for providing clerical services for the Trustee board for the past five (5) years.

2) RECOGNITION OF SERVICES, WORKFORCE DEVELOPMENT BOARD – DR. MARGO BARNHART, ABIGAIL MELENDEZ, PETE FREEMAN, AND BOB GRAND: Chair Kirkmeyer read the certificates recognizing each of the individuals for their voluntary service on the Workforce Development Board.

3) RECOGNITION OF SERVICES, 911 EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD, REGIONAL COMMUNICATIONS ADVISORY BOARD, WELD COUNTY EMERGENCY/TRAUMA SERVICES COUNCIL, AND NORTHERN COLORADO RETAC (NORTHEAST COLORADO REGIONAL EMERGENCY MEDICAL AND TRAUMA SERVICES ADVISORY COUNCIL) – MITCH WAGY: Chair Kirkmeyer read the certificates recognizing Mr. Wagy for his voluntary service on each of the respective boards and councils.

**WARRANTS:**

1) GENERAL WARRANTS – DECEMBER 17, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

**BIDS:**

1) PRESENT BID #B1900152, CUSTODIAL SERVICES (HUMAN SERVICES BUILDINGS A, B, AND C) – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Purchasing Department, presented the five (5) bids received and stated staff will review and make a recommendation on January 6, 2020.

2) PRESENT BID #B1900153, CUSTODIAL SERVICES (DOWNTOWN BUILDINGS AND CRIME LAB) – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf presented the five (5) bids received, explained one was rejected since the vendor did not attend the mandatory pre-bid meeting, and stated staff will review and make a recommendation on January 6, 2020.

3) PRESENT BID #B1900154, JAIL COURTROOM RENOVATION – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf presented the six (6) bids received and stated staff will review and make a recommendation on January 6, 2020.

**NEW BUSINESS:**

1) CONSIDER CERTIFICATION OF TAX LEVIES AND REVENUE FOR 2020 AND AUTHORIZE CHAIR AND/OR CHAIR PRO-TEM TO SIGN: Jason Marini, Chief Deputy Assessor, stated the Assessor's Office must certify the mill levy by December 15th and file to the state by December 22nd; however, due to technical difficulties with the state system, staff is still working to acquire the necessary form from the state and submit for signature. He noted, in the interim, a summary report has been provided for the Commissioners to review, which reflects a total revenue of \$1,141,847,539.00. Commissioner Freeman moved to approve said certification of tax levies and revenue for 2020 and authorize the Chair and/or Chair Pro-Tem to sign. Commissioner Moreno seconded the motion, and it carried unanimously.

2) CONSIDER CONTRACT ID #3323 APPLICATION FOR 2020 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AND LOCAL EMERGENCY MANAGER SUPPORT (LEMS)

PROGRAM FUNDING AND AUTHORIZE CHAIR TO SIGN: Roy Rudisill, Director of the Office of Emergency Management, stated this is an annual grant application requesting \$76,000.00, which is twelve percent (12%) of the department budget. Commissioner Moreno moved to approve said application and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3275 INTERGOVERNMENTAL AGREEMENT FOR SPILLMAN RECORDS USE AND SUPPORT AND AUTHORIZE CHAIR TO SIGN – TOWN OF LOCHBUIE, ON BEHALF OF THE LOCHBUIE POLICE DEPARTMENT: Josh Thimgan, Department of Information Technology, stated this will allow the Lochbuie Police Department to function as a Spillman agency. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

4) CONSIDER CONTRACT ID #3320 AGREEMENT FOR RELOCATION OF ELECTRICAL FACILITIES FOR COUNTY ROADS 17/54 INTERSECTION PROJECT AND AUTHORIZE CHAIR TO SIGN – POUDDRE VALLEY RURAL ELECTRIC ASSOCIATION (PVREA): Michael Bedell, Department of Public Works, stated PVREA owns most of the electrical services in the area and has utilities located within the County's right-of-way. He stated under this agreement the County will pay \$295,954.05 for the cost to move the overhead utilities underground and install the infrastructure for future street lights. He noted construction is scheduled to start in January, and once the project is complete, Weld County will pay for the utility service and PVREA will maintain the lighting structures. Commissioner James moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

5) CONSIDER CONTRACT ID #3322 AGREEMENT FOR RELOCATION OF COMMUNICATIONS LINES FOR COUNTY ROADS 17/54 INTERSECTION PROJECT AND AUTHORIZE CHAIR TO SIGN – QWEST CORPORATION, DBA CENTURYLINK QC: Mr. Bedell stated the CenturyLink utilities are located on the north side of CR 54, outside of the existing right-of-way; however, it is a major fiberoptic corridor, so they have acquired a new 10-foot easement located 40 feet north of the existing easement. He stated this agreement compensates CenturyLink, in the amount of \$85,222.00, to relocate their utilities, and the work is scheduled to start in January, 2020. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner Freeman, and it carried unanimously.

6) CONSIDER DISSOLVING BOARD OF TRUSTEES FOR NORTH COLORADO MEDICAL CENTER (NCCMC): Commissioner Conway moved to dissolve the Board of Trustees for North Colorado Medical Center. Commissioner James seconded the motion, and it carried unanimously.

7) CONSIDER APPOINTMENTS AND REAPPOINTMENTS TO REGIONAL COMMUNICATIONS ADVISORY BOARD: Commissioner Freeman moved to approve said appointments and reappointments. Commissioner Conway seconded the motion, and it carried unanimously.

8) CONSIDER APPOINTMENT TO 911 EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD: Commissioner Moreno moved to approve said appointment. Commissioner James seconded the motion, and it carried unanimously.

9) CONSIDER REAPPOINTMENTS TO WORKFORCE DEVELOPMENT BOARD: Commissioner James moved to approve said reappointments. Commissioner Conway seconded the motion, and it carried unanimously.

10) FINAL READING OF WELD COUNTY CODE ORDINANCE #2019-16, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 5 REVENUE AND FINANCE, OF THE WELD COUNTY CODE (FEES): Commissioner Freeman moved to read Code Ordinance #2019-16 by title only. Seconded by Commissioner Conway, the motion carried unanimously. Chair Kirkmeyer read said title for the record and confirmed there have been no changes since the Second Reading. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve Code Ordinance #2019-16 on Final Reading. Commissioner James seconded the motion, and it carried unanimously.

**PLANNING:**

1) CONSIDER CONSENT TO ENFORCEMENT OF RESOLUTION BY THE WINDSOR-SEVERANCE FIRE PROTECTION DISTRICT ADOPTING THE 2018 INTERNATIONAL FIRE CODE, WITH AMENDMENTS, WITHIN CERTAIN AREAS OF UNINCORPORATED WELD COUNTY: Jose Gonzales, Department of Building Inspections, stated the proposed changes are consistent with the previous adoption for enforcement. Sandi Frederickson, Fire Marshall for the Windsor-Severance Fire Protection District, was available to answer any questions. Commissioner Freeman moved to consent to the enforcement of the 2018 International Fire Code. Commissioner James seconded the motion, and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-16 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 9:38 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

\_\_\_\_\_  
Barbara Kirkmeyer, Chair

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Mike Freeman, Pro-Tem

\_\_\_\_\_  
Sean P. Conway

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Steve Moreno

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 23, 2019

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, December 23, 2019, 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 Barbara Kirkmeyer, Chair  
Commissioner Mike Freeman, Pro-Tem  
Commissioner Sean P. Conway  
Commissioner Scott K. James  
Commissioner Steve Moreno

Also present:

Assistant County Attorney, Karin McDougal  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of December 18, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

**READ ORDINANCE BY AUDIO:** Commissioner Conway moved to read Code Ordinance #2019-18 by audio. The motion was seconded by Commissioner Freeman, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Freeman moved to approve the Certification of Hearings conducted on December 18, 2019, as follows: 1) 1MJUSR19-11-1737 – Troy and Judy Hefner, and 2) USR19-0049 – Nathan Trowbridge, and Groves Farms, LLC. Commissioner Conway seconded the motion, which carried unanimously.

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

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

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

#### **WARRANTS:**

1) GENERAL WARRANTS – DECEMBER 20, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.  
2) COMMISSIONER WARRANTS – DECEMBER 20, 2019: Commissioner Conway recused himself from voting on this matter. Commissioner Moreno moved to approve the Warrant for Commissioner



Conway, as printed, which was seconded by Commissioner James. Upon a roll call vote, the motion carried, with Commissioner Conway recused.

**BIDS:**

1) APPROVE BID #B1900150, LEGAL NEWSPAPER SERVICES – CLERK TO THE BOARD'S OFFICE: Rob Turf, Purchasing Department, stated this request was sent out to eight (8) newspapers and two (2) submitted bids. He reviewed the estimated annual bid totals and stated the apparent low bidder is The Tributary; however, based on issues concerning reliability, transparency and statutory requirements, staff recommended awarding to The Greeley Tribune. In response to Commissioner Conway, Mr. Turf referred to the memorandum prepared by County Attorney, Bruce Barker, and confirmed both newspapers submitted proper bids and are legal publications; however, The Tributary website is not clear where to subscribe and the Legals section is blank. Concerning the matter of reliability, he explained the Legals must be published timely and accurately, with proofs of publication, or the County may be placed in legal jeopardy. Regarding statutory requirements, he noted The Tributary is not currently a member of the Colorado Press Association, which is established for the posting of all legal notices. Responding to Commissioner Moreno, Karin McDougal, Assistant County Attorney, confirmed The Tributary did not submit the Form 3526, which documents general circulation counts. She noted it was specifically requested last year, but not provided this year. Commissioner Conway noted that representatives from each of the newspapers were present and he asked to hear their comments. Commissioner Kirkmeyer requested a work session in January. Bob Grand, The Tributary, stated he would be available to attend the work session and he wished to address some of the concerns expressed by staff. Bryce Jacobson, The Greeley Tribune, stated he would also be available to attend a work session in January. He raised the issue of whether the County is required to establish a legal newspaper prior to January 1, 2020, and there was discussion concerning the legality of the legal newspaper during the interim. Commissioner Freeman moved to continue the matter to December 30, 2019. Commissioner Conway seconded the motion, and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #3235 CHILD PROTECTION AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – NEW HOPE PARENTING SOLUTIONS: Jamie Ulrich, Deputy Director of the Department of Human Services, reviewed the terms of the agreement to provide parent coaching and parenting classes. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

2) CONSIDER CONTRACT ID #3226 COOPERATING TEAM MEMBER AGREEMENT AND AUTHORIZE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO SIGN – LIFE STORIES CHILD ADVOCACY CENTER: Ms. Ulrich stated this is a non-financial agreement to enhance implementation of coordinated efforts in investigation of child abuse and neglect. Commissioner Freeman moved to approve said agreement and authorize the Deputy Director of the Department of Human Services to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

3) CONSIDER CONTRACT ID #3296 ACCEPTANCE OF STATEMENT OF GRANT AWARD FOR INTERNET CRIMES AGAINST CHILDREN (ICAC) TASK FORCE AND AUTHORIZE CHAIR TO SIGN – CITY OF COLORADO SPRINGS POLICE DEPARTMENT: Daren Ford, Director of the Northern Colorado Regional Forensic Laboratory, requested acceptance of the grant award, in the amount of \$4,900.00, to purchase software which is necessary for the processing of digital evidence. The motion to accept said grant award and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner Conway, and it carried unanimously.

4) CONSIDER MEMORANDUM OF AGREEMENT FOR INTEGRATED PUBLIC ALERT AND WARNING SYSTEM AND AUTHORIZE CHAIR TO SIGN: Roy Rudisill, Director of the Office of Emergency Management, stated this agreement will allow authorized County staff to access the Integrated Public Alert and Warning System (IPAWS) and send out emergency alerts through cell phone service towers. Commissioner Conway moved to approve said memorandum of agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

5) CONSIDER CONTRACT ID #3338 CHANGE ORDER #2 FOR 2019 MATERIAL CRUSHING CONTRACT (BID #B1900037) AND AUTHORIZE CHAIR TO SIGN – PREMIER EARTHWORKS AND INFRASTRUCTURE (PEI): Jeff York, Department of Public Works, requested approval of the Change Order to allow PEI to remove and stockpile overburden material at the Hokestra Pit, and crush an additional 75,000 tons of surface gravel. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

6) CONSIDER CONTRACT ID #3324 EQUIPMENT LEASE AND RENTAL AGREEMENT FOR 2020 DOZER AND AUTHORIZE CHAIR TO SIGN – FOUR RIVERS EQUIPMENT: Mr. York stated the Mining Division requires a three (3) month lease for temporary dozer equipment while the County's D8T dozer is being rebuilt. He stated the necessary funds have been budgeted for the rebuild. Commissioner Conway moved to approve said lease and agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER CONTRACT ID #3325 EQUIPMENT LEASE AND RENTAL AGREEMENT FOR TWO (2) 40-TON HAUL TRUCKS AND AUTHORIZE CHAIR TO SIGN – FOUR RIVERS EQUIPMENT: Mr. York stated the Mining Division needs haul trucks to stockpile surface gravel processing and reclamation at the Hokestra, Koskie and Pierce North Pits. He stated the lease/rental amount was included in the 2020 Budget. Commissioner Freeman moved to approve said lease and agreement and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

8) CONSIDER TEMPORARY CLOSURE OF CR 120 BETWEEN CRS 83 AND 87: Amy Mutchie, Department of Public Works, stated the closure is scheduled from January 6, through April 10, 2020, for the replacement of Bridge 120/85A. In response to Chair Kirkmeyer, Ms. Mutchie stated the most recent traffic count was taken in 2017, with a daily average of 120 vehicles. Commissioner Conway moved to approve said temporary closure. Commissioner James seconded the motion, and it carried unanimously.

9) CONSIDER AMENDMENT #1 TO WELD COUNTY 401(K) SAVINGS PLAN AND AUTHORIZE CHAIR TO SIGN: Ms. McDougal stated this amendment is necessary to ensure the County's retirement plan follows the new IRS regulations, which allows easier withdrawals in the event of a hardship. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

10) CONSIDER RESTATED DEFERRED COMPENSATION PLAN AND AUTHORIZE CHAIR TO SIGN: Ms. McDougal explained this restated plan is necessary to ensure the County's 457(P) Plan follows the new IRS regulations concerning hardship withdrawals, safe harbor expenses, and withdrawal for natural disaster. Commissioner Conway moved to approve said restated plan and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

11) CONSIDER MEMORANDUM OF UNDERSTANDING FOR ADULT TREATMENT COURT AND AUTHORIZE CHAIR: Ms. Otelie requested approval of the MOU, in the amount of \$100,000.00, which is consistent with the Budget for the long-standing and successful Adult Treatment Court. Commissioner Conway moved to approve said memorandum of understanding and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

**PLANNING:**

1) CONSIDER CANCELLATION AND RELEASE OF COLLATERAL, REASSIGN IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT, AND ACCEPT REPLACEMENT COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR14-0068 –TODD KINZLE (FORMERLY LASALLE RENTAL PROPERTY ONE, LLC, C/O HERSCHEL HOLLOWAY): Elizabeth Relford, Department of Public Works, stated the property has been sold to a new owner, therefore, this agreement is necessary to reassign the terms for improvements and road maintenance, and accept replacement collateral. Commissioner Conway moved to approve said cancellation and release, reassignment, and acceptance of collateral, and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

2) CONSIDER RELEASE OF PROJECT COLLATERAL AND ACCEPTANCE OF WARRANTY COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR18-0029 – EXPEDITION WATER SOLUTIONS COLORADO, LLC: Ms. Relford stated the improvements have been inspected and staff recommends release of the project collateral and acceptance of replacement collateral for the warranty period. Commissioner Freeman moved to approve said release of project collateral and acceptance of warranty collateral. Commissioner Conway seconded the motion, and it carried unanimously.

3) CONSIDER CANCELLATION AND RELEASE OF COLLATERAL FOR LONGS PEAK ESTATES PLANNED UNIT DEVELOPMENT FINAL PLAN, PF-543 – COLSON, INC., C/O MARK BOWMAN: Ms. Relford stated the warranty period has been completed, staff inspected the site, and recommends full release of the collateral. Commissioner Moreno moved to approve said cancellation and release. Commissioner Conway seconded the motion, and it carried unanimously.

4) FIRST READING OF CODE ORDINANCE #2019-18, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING AND CHAPTER 26 REGIONAL URBANIZATION AREAS, OF THE WELD COUNTY CODE: Jim Flesher, Department of Planning Services, stated the original changes were reviewed by the Board via a pass around memorandum, and he presented the request for additional changes. No public testimony was offered concerning this matter. Chair Kirkmeyer requested a work session to discuss the additional changes prior to formal adoption. Commissioner James moved to approve Code Ordinance #2019-18 on First Reading, with the revisions as originally presented. Commissioner Moreno seconded the motion, and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance 2019-18 was approved on First 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 9:37 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Barbara Kirkmeyer, Chair

\_\_\_\_\_  
Mike Freeman, Pro-Tem

\_\_\_\_\_  
Sean P. Conway

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
EXCUSED DATE OF APPROVAL

Steve Moreno

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 30, 2019

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, December 30, 2019, 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 Barbara Kirkmeyer, Chair – *(In attendance at 10:22 a.m.)*  
Commissioner Mike Freeman, Pro-Tem  
Commissioner Sean P. Conway  
Commissioner Scott K. James  
Commissioner Steve Moreno - EXCUSED

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Controller, Barbara Connolly

**MINUTES:** Commissioner Conway moved to approve the minutes of the Board of County Commissioners meeting of December 23, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Conway moved to approve the Certification of Hearings conducted on December 23, 2019, as follows: 1) USR19-0049 – Nathan Trowbridge, and Groves Farms, LLC. Commissioner James seconded the motion, which carried unanimously.

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

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

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

#### **WARRANTS:**

1) GENERAL WARRANTS – DECEMBER 27, 2019: Commissioner James moved to approve the General Warrants, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

**BIDS:**

- 1) APPROVE BID #B1900150, LEGAL NEWSPAPER SERVICES – CLERK TO THE BOARD'S OFFICE (CONT'D FROM 12/23/2019): Chair Pro-Tem Freeman used Chair's prerogative to move this item to the end of the meeting to allow additional time for Chair Kirkmeyer to attend.
- 2) APPROVE BID #B1900155, SNOW PLOW BLADES – DEPARTMENT OF FLEET SERVICES: Rob Turf, Purchasing Department, stated Fleet Services recommends awarding to three separate vendors for the various blade-type specifications, as detailed in staff's memorandum. Commissioner Conway moved to approve said bids, as recommended by staff. Commissioner James seconded the motion, and it carried unanimously.
- 3) APPROVE BID #B1900151, ENVIRONMENTAL HEALTH HISTORICAL DOCUMENT SCANNING – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated as part of the 2020 County-wide imaging project, staff recommends awarding to the low bidder, Reprographics, Inc., for the cost of \$9,095.00. Commissioner Conway moved to approve said low bid, as recommended by staff. Commissioner James seconded the motion, and it carried unanimously.
- 4) PRESENT BID #B1900133, STORAGE AND DATA PROTECTION REFRESH – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose presented the eight (8) bids received, noted this project is part of the 2020 Budget, and stated staff will review and make a recommendation on January 13, 2020.

**NEW BUSINESS:**

- 1) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR MAIL BALLOT DROP-OFF BOXES AND VIDEO SURVEILLANCE RECORDING SYSTEM, AND AUTHORIZE CHAIR TO SIGN – THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF NORTHERN COLORADO (UNC): Bruce Barker, County Attorney, on behalf of Carly Koppes, Clerk and Recorder, stated this agreement is consistent with other forms used to allow placement of a ballot drop-off box at the UNC campus. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.
- 2) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR MAIL BALLOT DROP-OFF BOXES AND VIDEO SURVEILLANCE RECORDING SYSTEM, AND AUTHORIZE CHAIR TO SIGN – AIMS COMMUNITY COLLEGE: Mr. Barker stated this is consistent with the previous item for placement of a ballot drop-off box at the Aims campus. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.
- 3) CONSIDER CANCELLATION OF 2019 OUTSTANDING ACCOUNTS RECEIVABLE FOR DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Barbara Connolly, Controller, stated the accounts listed on Exhibit A have been inactive for the past six months, despite numerous efforts to collect, therefore, staff recommends their cancellation. Commissioner James moved to approve said cancellation. Commissioner Conway seconded the motion. Responding to Commissioner Conway, Ms. Connolly confirmed monthly billings were sent, with no response.
- 4) CONSIDER CONTRACT ID #3345 MASTER CUSTOMER AGREEMENT FOR FIBER NETWORK, TELECOMMUNICATIONS, AND INFRASTRUCTURE SERVICES AND AUTHORIZE CHAIR TO SIGN – ZAYO GROUP, LLC: Mike Wallace, Director of Public Safety Communications, reviewed the terms of the ten (10)-year pricing contract to provide fiber connectivity throughout the County. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

5) CONSIDER AGREEMENT FOR STUDY, CLEANING, CASTING AND REDISPLAY OF RARE HORNED DINOSAUR FOSSIL AND AUTHORIZE CHAIR TO SIGN – DENVER MUSEUM OF NATURE AND SCIENCE (DMNS): Mr. Barker stated under the provisions of this agreement, the DMNS will transport the fossil, which is currently displayed in the lobby of the Weld County Administration building, to the museum for study, cleaning and restoration, make a casting, and then return it in an improved case for permanent display. He explained the County currently owns the bones and display, and noted this process would transfer ownership to the DMNS; however, the fossil would remain on permanent display in Weld County. He further stated the public will have access to observe the cleaning and restoration process, and noted the scientist who recently reviewed the specimen has reason to believe the fossil may potentially be related to the Eotriceratops, which lived millions of years prior to Triceratops, making the fossil extremely rare and valuable to the study of Paleontology. Commissioner Conway stated the fossil was generously donated by the Mapelli family and, due to the provision for transfer of ownership, he asked that they be contacted as a courtesy. Mr. Barker stated he would attempt to contact them. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

6) CONSIDER APPOINTMENTS TO WELD COUNTY EMERGENCY MEDICAL/TRAUMA SERVICES COUNCIL: Commissioner James moved to approve said appointments. Commissioner Conway seconded the motion, and it carried unanimously.

7) CONSIDER REAPPOINTMENT TO WELD/LARIMER REVOLVING LOAN FUND COMMITTEE: Commissioner Conway moved to approve said reappointment. Commissioner James seconded the motion, and it carried unanimously.

8) CONSIDER REAPPOINTMENTS TO HUMAN SERVICES ADVISORY COMMISSION: Commissioner James moved to approve said reappointments. Commissioner Conway seconded the motion, and it carried unanimously.

9) CONSIDER REAPPOINTMENTS TO BUILDING CODE BOARD OF APPEALS: Commissioner Conway moved to approve said reappointments. Commissioner James seconded the motion, and it carried unanimously.

10) CONSIDER RESOLUTION EXPRESSING OPPOSITION TO INITIATIVE #107 (“COLORADO RESTORE GRAY WOLF POPULATION INITIATIVE”): Commissioner James moved to approve said Resolution. Commissioner Conway seconded the motion. Chair Pro-Tem Freeman explained Chair Kirkmeyer was unavailable to attend the work session; however, he spoke with her and she is in support of the Resolution. He further stated the Initiative does not directly impact Weld County; however, the Commissioners recognize the potential negative impacts which may result in other counties throughout the state as a result of reintroducing wolves into the area. Commissioner Conway stated he has seen the detrimental effect wolves can have on livestock, the initiative is in conflict with federal and state laws and it creates complications for management of wildlife. There being no further discussion, the motion carried unanimously.

Chair Pro-Tem Freeman recessed the meeting, at 9:33 a.m., to allow Chair Kirkmeyer additional time to attend the meeting and participate in the final item of business.

BIDS: 1) APPROVE BID #B1900150, LEGAL NEWSPAPER SERVICES – CLERK TO THE BOARD'S OFFICE (CONT'D FROM 12/23/2019): *(Clerk's Note: Chair Kirkmeyer attended at 10:22 a.m. and Commissioner Moreno was excused.)* Chair Kirkmeyer reconvened the meeting. Mr. Turf presented the bid submittal amounts. Commissioner Conway moved to approve the low bid from The Tributary. The

motion failed due to lack of a second. Commissioner Freeman moved to approve the second low bid from The Greeley Tribune, based on comments previously submitted by the County Attorney. The motion was seconded by Commissioner James. Commissioner Freeman commented it is important to consider staffs' recommendation, and Commissioner James added the need for evidence of a legal publication. Commissioner Conway stated there is more than a ten percent (10%) difference between the two bid amounts, The Tributary has submitted evidence that the necessary form was submitted to the U.S. Postal Service on October 29, 2019, to meet the statutory requirements, and he still supports the low bid. Chair Kirkmeyer clarified she participated in the work session via telephone, and commented it is somewhat questionable whether they meet the bid submittal requirements. She stated she viewed the online publication generated by The Tributary, which was somewhat difficult to read and lacked any search capability. She further stated the editor of The Tributary indicates there were issues with the lack of a post mistress at the Keenesburg Post Office, which limits the ability to distribute publications and it is the responsibility of the County to ensure adequate notice in a publication of general circulation. Lastly, she noted there is a substantial difference in the number of subscribers for the two publications. Upon a roll call vote, the motion to approve the bid submitted by The Greeley Tribune carried three to one (3-1), with Commissioner Conway opposed.

**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 10:36 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Barbara Kirkmeyer, Chair

\_\_\_\_\_  
Mike Freeman, Pro-Tem

\_\_\_\_\_  
EXCUSED DATE OF APPROVAL  
Sean P. Conway

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Steve Moreno