


RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 1, 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, July 1, 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
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

 **MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of June 26, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner Freeman moved to approve the Certification of Hearings conducted on June 26, 2019, as follows: 1) USR19-0017 – El Colorado View, LLC, and 2) USR19-0020 – Russell and Connie Moss. 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 Moreno seconded the motion, and it carried unanimously.


 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, expressed his displeasure toward the spending one million dollars, or more, to form oil and gas regulations because the Commissioners disagree with the State regulations.  Richard Grimaud, resident of Johnstown, stated he is not in favor of the Board spending tax payer money to establish an oil and gas committee and suggested a provision should be added to the Code restricting County Commissioners from being involved in the new department for two (2) years.  Bernice Thomas, representative of United Way of Weld County, expressed her appreciation to the Board for the collaborative partnership and for being an excellent business partner and then she presented them with an award. Each Commissioner, in turn, thanked Ms. Thomas for

working collaboratively with the Board to support Weld County citizens. Commissioner Conway recognized the United Way of Weld County and the exceptional children's programs, which are recognized at the State level for being outstanding. Chair Kirkmeyer listed the different programs which are important to the citizens of Weld County and the work that United Way has partnered with the Commissioners. *(Clerk's Note: The Board paused for a photo opportunity.)*

WARRANTS:


 1) GENERAL WARRANTS – JUNE 26, AND 28, 2019: Commissioner Freeman moved to approve said warrants for June 26, and 28, 2019. The motion was seconded by Commissioner James, and it carried unanimously.


BIDS:


 1) PRESENT BID #B1900099, AUDIO-VISUAL PRESENTATION SYSTEM (JUSTICE CENTER) – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the two (2) bids received and stated staff will bring back a recommendation on July 15, 2019.

NEW BUSINESS:



 1) CONSIDER CONTRACT ID #2869 AGREEMENT FOR SERVICES FOR CARPET CLEANING (NORTH BUSINESS PARK) AND AUTHORIZE CHAIR TO SIGN – GRAHAM BROTHERS, LLC: Mr. Turf reviewed the five (5) bids received and stated the low bidder was Unique Services; however, they have rescinded their bid and staff recommends awarding to the second low bidder, Graham Brothers, LLC, for the total amount of \$5,895.00. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.


 2) CONSIDER AGREEMENT FOR RECEIPT OF COURT SECURITY GRANT FUNDS AND AUTHORIZE ELECTRONIC SUBMITTAL BY THE CLERK TO THE BOARD: Toby Taylor, Director of the Department of Buildings and Grounds, presented the agreement for security grant funds to replace aging equipment with two (2) metal detectors and the on-going maintenance of video conferencing equipment, for the total amount of \$11,880.22. Commissioner Conway moved to approve said agreement and authorize electronic submittal by the Clerk to the Board. The motion, which was seconded by Commissioner Moreno, carried unanimously.


 3) SECOND READING OF WELD COUNTY ORDINANCE #2019-09, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS, OF THE WELD COUNTY CODE (*GRADING PERMITS/ROAD ACCESS*): Commissioner Freeman moved to read Code Ordinance #2019-09 by title only. The motion, which was seconded by Commissioner James, carried unanimously. Bruce Barker, County Attorney, read the title for the record. Dawn Anderson, Department of Public Works, stated the changes were made to Chapters 8, 12, and 23, and she presented a summary of the minor changes made since first reading. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2019-09 on Second Reading. Seconded by Commissioner Conway, the motion carried unanimously.




 4) SECOND READING OF WELD COUNTY ORDINANCE #2019-12, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS, CHAPTER 12 LICENSE AND PERMITS, AND CHAPTER 23 ZONING, OF THE WELD COUNTY CODE (*STORM DRAINAGE AND TRANSPORT PERMITS*): Commissioner James moved to read Code Ordinance #2019-12 by title only. The motion, which was seconded by Commissioner Conway, carried unanimously. Mr. Barker read the title for the record. Ms. Anderson briefly reviewed the changes made since First

Reading. In response to Commissioner Conway, Ms. Anderson stated they have always followed State statute regarding transportation permits. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve Code Ordinance #2019-12 on Second Reading. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 5) SECOND READING OF WELD COUNTY ORDINANCE #2019-10, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21 AREAS AND ACTIVITIES OF STATE INTEREST, OF THE WELD COUNTY CODE (*1041 OIL AND GAS RESOURCE AREA - 1041 REGULATIONS*): Commissioner Freeman moved to read Code Ordinance #2019-10 by title only. The motion which was seconded by Commissioner Conway carried unanimously. Mr. Barker read the title for the record and presented the proposed changes suggested by the oil and gas industry representatives. Mr. Barker pointed out the provision for setbacks on page 43 of the Code which are consistent with the State using the buffer and exception zones. He stated oil and gas industry representatives suggested having a 500-foot building unit setback throughout the County, which is stricter than what the State has now. Mr. Barker presented the new proposed definition for a building unit setback and submitted the proposed wording for the Code.  In response to Commissioner Conway, Mr. Barker stated the previous Colorado Oil and Gas Conservation Commission (COGCC) Director gives out exception waivers, but Weld County's Hearing Officer would present the waivers. Chair Kirkmeyer inquired about the impact to an agricultural surface owner, for example, if they do not consent to have drilling 500 feet from the building unit. Mr. Barker explained the surface unit owner can request a waiver for the 500-foot setback and designate the best location for the well to be moved. He then presented the proposed language for the definition of "Development" for Chapter 21.

 Chris McGown, representative of the Colorado Petroleum Council, thanked the Board for their leadership and the staff who has worked on the ordinance.

 Luke Coats, representative of Energy Strong, thanked the Board for their initiative and stated the consumption of natural gas has helped reduce the CO2 emissions in the atmosphere, and the industry has become more technically advanced to do their part to protect air and water.

 Mr. Barker suggested modifying Section 21-5-485 to state "*alternatively, the 1041 WOGLA hearing officer may approve an exception by determining that the potential locations outside the 500-foot setback are technically infeasible or economically impracticalable, or the surface owner presented a waiver request stating that the 500-foot building unit setback does not adequately accommodate agricultural operations, and that sufficient mitigation measures including, but not limited to, Best Management Practices (BMP) may be employed to protect the public health, safety and welfare.*"  In response to Commissioner James, Mr. Barker clarified the mitigation measures in Best Management Practices (BMP's) will alleviate problems with setbacks. Commissioner Conway stated he wants to ensure everything has been done to protect agricultural operation rights. Mr. Barker stated he believes the new regulations will give greater protection to the health, safety, and welfare of the agricultural surface owner. Commissioner Conway moved to amend Code Ordinance #2019-10 to include the language from Mr. Barker. The motion was seconded by Commissioner Moreno, and it carried unanimously. Commissioner Freeman moved to approve on Second Reading, as amended. The motion was seconded by Commissioner Freeman. Commissioner Conway stated the three-reading process allows the Board to make changes to protect the agricultural entities.  Chair Kirkmeyer addressed comments presented during the Public Input portion of the meeting and explained the Board adopts the current International Building and Fire Codes on an annual basis, therefore, the Board isn't being less stringent than the State. She also explained the County is exercising the delegation of authority through thier 1041 powers by permitting and exercising their land use authority, which was given to the Board in SB-181. Upon a roll call vote, the motion passed unanimously.

 6) SECOND READING OF WELD COUNTY ORDINANCE #2019-11, IN THE MATTER OF

REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING, OF THE WELD COUNTY CODE (1041 OIL AND GAS RESOURCE AREA - ZONING DISTRICTS): Commissioner Moreno moved to read Code Ordinance #2019-11 by title only. The motion, which was seconded by Commissioner Conway, 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 since the First Reading. No public input was offered concerning this matter. Commissioner Moreno moved to approve Code Ordinance #2019-11 on Second Reading. The motion, which was seconded by Commissioner James, carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2019-09, #2019-10, #2019-11, and #2019-12 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 9:55 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 JULY 3, 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, July 3, 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
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly


 **MINUTES:** Commissioner James moved to approve the minutes of the Board of County Commissioners meeting of July 1, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner Freeman moved to approve the Certification of Hearings conducted on July 1, 2019, as follows: 1) PCSC19-0005 – Hunt Brothers Properties, Inc. Commissioner Moreno 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 Moreno seconded the motion, and it carried unanimously.


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


 **1) GENERAL WARRANTS – JUNE 30, 2019, AND JULY 1, AND 2, 2019:** Commissioner Freeman moved to approve the general warrants. Seconded by Commissioner Moreno, the motion carried unanimously.


BIDS:


 1) PRESENT BID #B1900106, JAIL DRAIN PIPE INSTALLATION – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, recommended dismissing this bid because no bids were received, and stated staff will rebid at a later date.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #2606 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – PAMELA AND JAY LECHMAN: Robin Cochran, Assistant County Attorney, on behalf of the Department of Human Services, presented the terms of the agreement for Pamela and Jay Lechman to provide foster care services in a foster care home in Greeley. Commissioner Conway moved to approve said agreement and authorize Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 2) CONSIDER CONTRACT ID #2721 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – ALTITUDE HOME CARE: Ms. Cochran reviewed the Area Agency on Aging (AAA) Voucher Program to help eligible Weld County residents who are 60 years of age or older and require assistance with personal care and homemaking services. Commissioner Freeman moved to approve said agreement and authorize Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

 3) CONSIDER CONTRACT ID #2722 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – ANDREA’S ANGELS, INC.: Ms. Cochran reviewed the agreement as part of the Area Agency on Aging (AAA) Voucher program to help eligible Weld County residents 60 years of age or older who require assistance with personal care and homemaking services. Commissioner Moreno moved to approve said agreement and authorize Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 4) CONSIDER CONTRACT ID #2725 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – THOUSAND PEAKS HEALTHCARE, INC., DBA ELEVATE HOME CARE: Ms. Cochran presented the agreement for purchase of services as part of the Area Agency on Aging (AAA) Voucher Program. Commissioner Freeman moved to approve said agreement and authorize Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 5) CONSIDER CONTRACT ID #2726 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – LIVEFULLY, LLC, DBA FIRST LIGHT HOME CARE: Ms. Cochran reviewed the details of the agreement as part of the Area Agency on Aging in-house Voucher program. The motion was made by Commissioner James, seconded by Commissioner Conway, and it carried unanimously.


 6) CONSIDER AGREEMENT FOR WELD PROJECT SALUTE PARTNERSHIP AND AUTHORIZE CHAIR TO SIGN – NORTHERN COLORADO VETERANS RESOURCE CENTER (NCVRC): Ms. Cochran presented the agreement with the Northern Colorado Veterans Resource Center and explained the agreement will define the roles and responsibilities of both Weld County and the Northern Colorado Veterans Resource Center. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.


 7) CONSIDER CONTRACT ID #2770 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN – A NEW WORLD: Ms. Cochran presented the term for the agreement


with a New World to provide behavior coaching services, primarily for children and youth. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

 8) CONSIDER CONTRACT ID #2863 AGREEMENT CONCERNING PURCHASE OF TEMPORARY CONSTRUCTION EASEMENT FOR IMPROVEMENTS TO CR 39 EXTENSION PROJECT AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – SHAE DUFFY AND CODY COLLINS: Erich Green, Department of Public Works, presented the agreement to purchase the temporary construction easement for the total amount of \$4,600.00. He stated the Department of Public Works will close the accesses and construct a right-of-way fence as part of the County Road 39 extension project. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign necessary documents. The motion was seconded by Commissioner James, and it carried unanimously.

 9) CONSIDER CONTRACT ID #2864 AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT FOR IMPROVEMENTS TO CR 39 EXTENSION PROJECT AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – JAMES AND MARY CONLIN: Mr. Green reviewed the terms of the agreement to purchase public road right-of-way and a temporary construction easement for the total amount of \$33,161.70. He stated this is being acquired from the property owner to relocate an oil and gas access, tie in the edges of the County Road 39 extension project and construct a right-of-way fence. Commissioner Conway moved to approve said agreement and authorize the Chair to sign necessary documents. Seconded by Commissioner Moreno, the motion carried unanimously.

 10) CONSIDER CONTRACT ID #2878 AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY FOR IMPROVEMENTS TO CR 39 EXTENSION PROJECT AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – PETROLEUM EXPLORATION AND MANAGEMENT, LLC: Mr. Green presented the agreement to purchase public road right-of-way for the County Road 39 extension project, for the total amount of \$1,690.00. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign necessary documents. The motion was seconded by Commissioner James, and it carried unanimously.

 11) CONSIDER AMENDMENT TO SPECIFIC PERFORMANCE CONTRACT FOR WATER SHARES AND AUTHORIZE CHAIR TO SIGN – CENTRAL COLORADO WATER CONSERVANCY DISTRICT: Bruce Barker, County Attorney, stated the Board entered into the agreement in June, 2019, with the Central Colorado Water Conservancy District to sell 28 shares of the Fulton Irrigation Ditch Company and two (2) shares of the Lupton Bottom Ditch Company. Subsequently, he received a request to extend the closing date to July 23, 2019, in order to allow the Central Colorado Water Conservancy District to carry out due diligence checks. In response to Commissioner Conway, Mr. Barker stated the extension of time will give them enough time to meet with the farmers who use the water. Commissioner Conway moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

 12) CONSIDER AGREEMENT FOR SALE OF PIPELINE EASEMENT AND AUTHORIZE CHAIR TO SIGN – CHEYENNE CONNECTOR PIPELINE, INC: Bob Choate, Assistant County Attorney, reviewed the agreement for the sale of a pipeline easement to Cheyenne Connector Pipeline, Inc. In response to Commissioner Conway, Mr. Choate confirmed Cheyenne Connector Pipeline, Inc., will not add new lines or change the site. Chair Kirkmeyer confirmed the value of the acre is \$15,000.00. Mr. Choate explained he did not have an accurate breakdown of costs and stated he will verify the boundry of the property. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, 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

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 JULY 8, 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, July 8, 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, Bob Choate
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

 **MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of July 3, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner James moved to approve the Certification of Hearings conducted on July 3, 2019, as follows: 1) USR19-0025 – Meadow Ridge Holdings, LLC, 2) 1MJUSR19-14-0035 – AKA Energy Group, LLC, and 3) USR19-0023 – GS Farms, LLC. Commissioner Conway seconded the motion, which carried unanimously.

 **AMENDMENTS TO AGENDA:** Commissioner Conway moved to add the following under New Business item 1) Consider Registration and Payment Forms for Court-Ordered Monitored Sobriety Testing Services and authorize Director of the Department of Human Services to sign necessary documents - WPCI. Seconded by Commissioner Freeman, the motion carried unanimously.


 **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.


BIDS:




 1) APPROVE BID #B1900100, ARCHITECTURAL AND DESIGN SERVICES (ON CALL) – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, presented the


bid and stated there are four (4) construction projects being done by four (4) different vendors and staff recommends awarding per the staff memorandum. Commissioner Freeman moved to approve said bid per the memorandum. The motion was seconded by Commissioner James, and it carried unanimously.

 2) APPROVE BID #B1900103, ROOF TOP UNIT REPLACEMENT (JAIL 1 WEST) – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf reviewed the three (3) bids received and stated staff recommends awarding to the low bidder, Kuck Mechanical Contractors, for the total amount of \$254,808.00. Commissioner Conway moved to approve said bid. Seconded by Commissioner Freeman, the motion carried unanimously.

NEW BUSINESS:

 1) CONSIDER REGISTRATION AND PAYMENT FORMS FOR COURT-ORDERED MONITORED SOBRIETY TESTING SERVICES AND AUTHORIZE DIRECTOR OF DEPARTMENT OF HUMAN SERVICES TO SIGN NECESSARY DOCUMENTS – WPCI: Robin Cochran, Assistant County Attorney, on behalf of the Department of Human Services, presented the payment forms for court-ordered monitored sobriety and stated any dispute regarding payment must be litigated in the State of Nebraska and both the provisions are against Weld County's policies. She recommended the Department look for another provider. In response to Commissioner Conway, Ms. Cochran, stated the Department of Human Services would have to dismiss the case and the child would be united with the parent; however, the risk is low of being sued and the Department can terminate the contract at-will. Commissioner Moreno moved to approve said registration and payment forms and authorize the Director of the Department of Human Services to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 2) CONSIDER CREATION OF WELD COUNTY DEPARTMENT OF OIL AND GAS ENERGY AND APPOINTMENT OF JASON MAXEY AS DIRECTOR: Don Warden, Director of Finance and Administration, stated this is to create the Department of Oil and Gas Energy, and appoint Jason Maxey as the Director of the Department, effective July 16, 2019. Commissioner Moreno confirmed Mr. Maxey's title is being reclassified, but he has been working with the representatives of the oil and gas industry and fulfilling many of the oil and gas functions.  Each Commissioner, in turn, expressed their confidence that Mr. Maxey is the right person for this position based on his knowledge and expertise with the oil and gas industry. Commissioner Conway stated Mr. Maxey has a great rapport with the citizens, as well as with those involved in the oil and gas industry. Chair Kirkmeyer concurred with comments made by her fellow Commissioners and stated she appreciates Mr. Maxey's leadership qualities and it is important to have a separate department which will answer to the Board. Mr. Maxey stated he looks forward to the challenge and thanked the Board for their support.  Mr. Warden explained the budget was prepared as if the department will be fully staffed for the entire year, based on a projected number of applications the department will process, and he confirmed the Department's operations will be paid for through the application fees. Commissioner Moreno moved to create the Department of Oil and Gas Energy and appoint Jason Maxey as Director. Seconded by Commissioner Freeman, the motion carried unanimously. Chair Kirkmeyer thanked Mr. Warden for his hard work and assistance in getting this Department created.

 3) FINAL READING OF WELD COUNTY ORDINANCE #2019-08, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION AND CHAPTER 5 REVENUE AND FINANCE, OF WELD COUNTY CODE (*PROCUREMENT POLICIES*): Commissioner Freeman moved to read Code Ordinance #2019-08 by title only. Seconded by Commissioner Conway, the motion carried unanimously. Bob Choate, Assistant County Attorney, read the title for the record. Barb Connolly, Controller, presented a brief summary of the changes made after Second Reading and stated no other changes have been made. No public testimony was offered concerning this matter. Chair Kirkmeyer thanked Ms. Connolly for her hard work. Commissioner James

moved to approve Code Ordinance #2019-08 on Final Reading. Seconded by Commissioner Freeman, the motion carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-08 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 9:28 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 JULY 10, 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, July 10, 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 James moved to approve the minutes of the Board of County Commissioners meeting of July 8, 2019, as printed. Commissioner Moreno seconded the motion, and it 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:** Bill Gillard, Greeley resident, inquired about the Public Input disclaimer language and questioned if there is a time limit on items that can be presented to the Board. He also expressed concern regarding the new Department of Oil and Gas Energy, which is estimated to cost more than \$1 million, and stated it is not appropriate to impose restrictions stronger than the state. Mr. Barker explained the Public Input portion of the Agenda is an option allowed by the Board and the intent of the disclaimer language is to prevent redundancy and address comments that have not been raised before. He asserted it is not a limit on free speech, rather, it attempts to be efficient with the meeting time, and the Board is not required to engage or respond. He explained redundant inquiries may be submitted in writing.


WARRANTS:


 1) GENERAL WARRANTS – JULY 9, 2019: Commissioner Freeman moved to approve said warrants. The motion was seconded by Commissioner Moreno, and it carried unanimously.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #2679 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN – RE-5J SCHOOL DISTRICT: Jamie Ulrich, Deputy Director of the Department of Human Services, stated under this agreement the department will implement the Compass: Weld County Family Resource Team Program, which is intended to keep children at home in a safe, nurturing environment. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.


 2) CONSIDER CONTRACT ID #2771 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME – STEVEN AND CRISTINE BAUER: Ms. Ulrich presented the terms for a new foster care home located in Gill, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, which carried unanimously.

 3) CONSIDER CONTRACT ID #2772 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME – STEVE AND CLORISA MCKETA: Ms. Ulrich presented the terms for a new foster care home in Johnstown, Colorado. Commissioner James moved to approve said contract, which was seconded by Commissioner Conway, and it carried unanimously.

 4) CONSIDER CONTRACT ID #2728 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – VISITING ANGELS LIVING ASSISTANCE SERVICES OF WINDSOR: Ms. Ulrich reviewed the terms for the Area Agency on Aging In-Home Services Voucher Program, which provides personal care and homemaking assistance to County residents who are 60 years of age or older. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 5) CONSIDER CONTRACT ID #2680 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – DANIEL AND JEANNIE TORRES: Ms. Ulrich stated this agreement authorizes Daniel and Jeannie Torres to provide respite care for up to four (4) hours per week, per child, not to exceed 16 hours per month. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Commissioner James seconded the motion, which carried unanimously.


 6) CONSIDER CONTRACT ID #2924 INTERGOVERNMENTAL AGREEMENT FOR SPILLMAN RECORDS USE AND SUPPORT AND AUTHORIZE CHAIR TO SIGN – TOWN OF NUNN, ON BEHALF OF THE NUNN POLICE DEPARTMENT: Josh Thimgan, Department of Information Technology, stated this agreement will allow the Nunn Police Department to be a Spillman records agency, and there is no additional cost to the County. Commissioner James moved to approve said intergovernmental agreement, which was seconded by Commissioner Moreno, and it carried unanimously.


 7) CONSIDER CONTRACT ID #2939 AGREEMENT FOR SUITEONE MEDIA SERVICES AND AUTHORIZE CHAIR TO SIGN – JCG TECHNOLOGIES, INC. / SUITEONE MEDIA, INC.: Esther Gesick, Clerk to the Board, stated this agreement is for the implementation of the SuiteOne meeting content management solution to provide web casting, on-demand video posts, and closed captioning services upon request. 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 SPECIAL EVENTS PERMIT AND AUTHORIZE CHAIR TO SIGN – HISTORIC GREELEY, INC.: Bob Choate, Assistant County Attorney, stated the applicant is requesting to host a


Special Event on their site, which was approved for a Use by Special Review Permit last year as an event venue. He stated the referral responses indicated no concerns and the applicant's bartender is TIPS certified. In response to Commissioner Conway, Annette Jan, owner of the property and Treasurer for Historic Greeley, Inc., stated their organization is committed to the preservation of historical properties, and although the venue has hosted a few personal events, they are looking to increase their number of event contracts. Commissioner Freeman moved to approve said permit and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

 9) CONSIDER ENTRY UPON VARIOUS LANDS BY WELD COUNTY VEGETATION MANAGEMENT SPECIALIST: Tina Booton, Weed Division, presented the list of properties which may require weed enforcement. In response to Commissioner Conway, Ms. Booton confirmed she has made multiple attempts to contact the property owners and she is hopeful that they will bring their properties into compliance without having to take enforcement measures. Commissioner Moreno moved to approve said entry. Commissioner James seconded the motion, which carried unanimously.


 10) CONSIDER INSTALLATION OF TRAFFIC REGULATORY SIGNS ON CR 7.5 SOUTH OF STATE HIGHWAY 119 AND STAGECOACH ROAD: Cameron Parrott, Department of Public Works, explained Stagecoach Road makes a loop and intersects with State Highway 119 at both ends. He provided the posted speed, stated there have been no reported accidents, and there are no observed alignment or access issues. Commissioner Freeman moved to approve said sign installation. Commissioner Moreno seconded the motion, which carried unanimously.

 11) CONSIDER PROPERTY USE AGREEMENT FOR PLANNING COMMISSION COMPUTER AND AUTHORIZE CHAIR TO SIGN – LONNIE FORD: Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 12) CONSIDER PROPERTY USE AGREEMENT FOR PLANNING COMMISSION COMPUTER AND AUTHORIZE CHAIR TO SIGN – RICHARD BECK: Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Commissioner James seconded the motion, which carried unanimously.


 13) CONSIDER PROPERTY USE AGREEMENT FOR PLANNING COMMISSION COMPUTER AND AUTHORIZE CHAIR TO SIGN – MICHAEL WAILES: Commissioner James moved to approve said agreement, which was seconded by Commissioner Conway, and it carried unanimously.


 14) CONSIDER PROPERTY USE AGREEMENT FOR PLANNING COMMISSION COMPUTER AND AUTHORIZE CHAIR TO SIGN – SKIP HOLLAND: Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 15) CONSIDER PROPERTY USE AGREEMENT FOR PLANNING COMMISSION COMPUTER AND AUTHORIZE CHAIR TO SIGN – TOM COPE: Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 16) CONSIDER PROPERTY USE AGREEMENT FOR PLANNING COMMISSION COMPUTER AND AUTHORIZE CHAIR TO SIGN – BRUCE JOHNSON: Commissioner Conway moved to approve


said agreement and authorize the Chair to sign. Commissioner James seconded the motion, which carried unanimously.


 17) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – HARMONY IMAGING CENTER, LLC, DBA THE IMAGING CENTER: Patti Russell, Director of the Department of Human Resources, stated this agreement will establish the Sigma program for the Sheriff's Office. Commissioner Conway moved to approve said agreement, which was seconded by Commissioner Moreno, and it carried unanimously.


 18) CONSIDER MASTER SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – AETNA LIFE INSURANCE COMPANY: Ms. Russell stated this agreement will provide employee health insurance for 2019. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 19) 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, stated two pieces of equipment are ready for auction. Commissioner James moved to declare said equipment as surplus, authorize the sale at auction, and delegate authority to the Controller to sign any necessary documents. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 20) CONSIDER CONTRACT ID #2751 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT OFF-SITE COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR18-0029 – EXPEDITION WATER SOLUTIONS COLORADO, LLC: Tisa Juanicorena, Department of Public Works, stated Expedition has posted collateral, in the amount of \$332,000.00, related to the required improvements on County Road (CR) 19 and State Highway 52. Commissioner James moved to approve said agreement, authorize the Chair to sign, and accept the collateral. Seconded by Commissioner Moreno, the motion carried unanimously.





 21) CONSIDER CONTRACT ID #2776 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT COLLATERAL FOR ACCESS PERMIT, AP18-00270 – CLIFF SIMPSON/HIGHLAND INDUSTRIAL PARK: Ms. Juanicorena stated, pursuant to this agreement, Cliff Simpson has posted collateral in the amount of \$194,324.00, for improvements on CR 84 and Ryland Street in Ault, Colorado. Commissioner Conway moved to approve said agreement, authorize the Chair to sign, and accept the collateral. Seconded by Commissioner James, the motion carried unanimously.


 22) CONSIDER CONTRACT ID #2777 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR14-0080 – WASTE MANAGEMENT OF COLORADO, INC.: Ms. Juanicorena stated this agreement satisfies a condition of USR14-0080, for improvements to CR 59 and CR 18 onto Market Street, in the amount of \$1,342,850.00 related to required improvements. Commissioner Freeman moved to approve said agreement, authorize the Chair to sign, and accept the collateral. The motion was seconded by Commissioner Conway, and it carried unanimously. Commissioner Moreno commended Ms. Juanicorena for her new work at the Department of Public Works after transferring from the Clerk to the Board.


 23) FINAL READING OF WELD COUNTY ORDINANCE #2019-02, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 14 HEALTH AND ANIMALS, CHAPTER 23 ZONING, AND CHAPTER 29 BUILDING REGULATIONS, OF THE WELD COUNTY CODE (*MISC ZONING*): Commissioner Freeman moved to read Code Ordinance #2019-02 by title only. Commissioner James seconded the motion, which carried unanimously. Bruce Barker, County Attorney, read said title for the record. Tom Parko, Director of the Department of Planning Services, referenced materials which were submitted to the Board. Jim Flesher, Long Range Planner, provided a brief overview of the changes made since Second Reading, including some capitalization for definitions, removal of some obsolete definitions, and alphabetizing corrections.


 Chair Kirkmeyer opened the matter for public input. Dave Kisker, Johnstown resident, thanked the Board and staff for making all the necessary changes. He referenced item #65 listed in the Table handout concerning Pet Crematoriums which are designated in the I-3 Zone District and stated that zoning is too intense and limits public access. He suggested the I-1 Zone may be more appropriate. Secondly, he referenced item #79, concerning Asphalt Batch Plants, which does not require a Site Plan Review (SPR) in all districts. He stated the requirements listed in the table are currently inconsistent with the Code text and proposed temporary batch plants be allowed in the I-1 Zone, and permanent plants be restricted to the I-2 and I-3 Zones. Chair Kirkmeyer reiterated some discrepancies in item #79 for permanent batch plants that are inconsistent with the written text, as well as item #80 for temporary batch plants. She stated permanent plants should not be reviewed as a SPR in the I-1 Zone. Mr. Flesher referenced Section 23-3-310.C, explained the SPR is reviewed administratively and a Use by Special Review (USR) allows for the public hearing process and determination by the Board of Commissioners. Mr. Kisker commented not all Change of Zone (COZ) applications designate the specific uses and requiring a full USR process in the I-1 Zone would protect the public. In response to Commissioner Conway, he clarified pet crematoriums would be appropriate in the I-1 Zone, or even Agricultural, but he understands the need to strengthen the intent of the Agricultural Zone.


 Tom Haren, AGPROfessionals, expressed concern with the limited number of Industrial sites throughout the County and stated enacting a Code change that limits many uses to the Industrial zones may be premature without a prior review of the Comprehensive Plan or creation of development nodes. He supported the changes concerning temporary batch plants in relation to large agricultural operations and asked why farming is not allowed in any other zone besides A (Agricultural). He argued rezoned properties should be allowed to continue with agricultural operations until they are developed and asked if that will now be a concern. Mr. Haren also questioned the imposed taxes based on the use occurring, versus changing the valuation based on the zoning. He referenced pages 85-86 which indicate any type of manufacturing is not allowed in the Ag Zone; however, he noted the agricultural industry is changing using robotics, large processing operations and innovative equipment. He suggested there may be some appropriate manufacturing uses and the word “any” is very prohibitive. Commissioner Conway stated the small inventory of industrial sites may be the result of the ability to utilize the current USR process to locate more intense uses in the Ag Zone, rather than developers making the substantial investment of creating an industrial park. Mr. Haren agreed, in part, and noted there are also market reasons, and USRs are the result of a lack of Industrial/Commercial sites. He commented that if rezoning is going to be utilized, then anything allowed in that zone should be expected and implementing higher taxes may disincentivize rezoning and discourage future businesses from looking at an area through Upstate Economic Development. Responding further to Commissioner Conway, he provided the example of small start-up manufacturing businesses in the Ag Zone that have USR thresholds to restrict the use after it reaches a certain capacity and then must look at a more appropriate site. He noted roust-a-bouts and construction businesses start in a similar fashion.


 Chair Kirkmeyer referenced items #83, #84, and #85, provided examples of how the Code identifies differing uses, and agreed the use of the word “any” does cause some confusion.  Mr. Parko addressed some of Mr. Haren’s concern by stating home businesses are still allowed in the Ag Zone, and some which are more intense, such as a service/contractor shops, are processed administratively as a SPR to ensure proper mitigation. Mr. Flesher concurred the difference is primarily uses that may require screening. He stated the Code lists uses which are allowed; it does not list restricted uses, so there are other uses that may not necessarily be called out. Chair Kirkmeyer identified item #82 which includes the phrase “any research” but noted a “research lab” is permitted in various zones. Mr. Barker clarified the chart is demonstrative, but the reader must also reference the Code. Chair Kirkmeyer thanked Mr. Haren for his comments and agreed the Comprehensive Plan needs to be updated and there may also need to be a Comprehensive Land Use Plan.  Mr. Flesher referenced Section 23-3-310.C (Uses for SPR) and stated the I-1 Zone does have the word “any” which could be removed, but it may not make much difference. Mr. Barker agreed it could be removed in the discussed Sections, but noted it is used frequently throughout Chapter 23 and, if removed, it may not make any difference to the intent but does provide clarity. Mr. Haren reiterated that type of absolute language complicates conversations in the pre-ap meetings if staff does not interpret that as something they have authority on. Lastly, he commented concerning screening in the Industrial Zone.  In response to Chair Kirkmeyer, Mr. Barker agreed it would be helpful to clarify that agricultural operations can continue following a zone change. Mr. Flesher cited Section 23-3-170 (p.87) which addresses farming of undeveloped land and suggested the language could be incorporated in the Commercial and Industrial zone sections. Mr. Barker concurred.


 Garrett Varra, Varra Companies, explained historically, they have permitted open pit mining sites concurrently with concrete and/or asphalt batch plants and he expressed concern that limiting certain uses to specific zones, which are not consistent, may result in a dual layered permitting process. Chair Kirkmeyer agreed with allowing batch plants in conjunction with a mining operation in the Ag Zone; however, stand-alone batch plants should not be allowed as a USR. Mr. Flesher referenced Chapter 23, Article IV, regarding Open Mining, which does allow batch plants in conjunction with mining operations.


 Bill Jerke, LaSalle resident, commented he wasn’t aware this process was taking place, and would like to see additional stakeholder meetings prior to a final decision. He also questioned the concept of moving forward with the zoning concept and creating administrative review processes and potentially removing the Board’s review and the public’s ability to influence a Board, which is a significant decision and should be given serious consideration.

 Chair Kirkmeyer closed public hearing. The Board addressed item #65 (pet crematories) and agreed to allow them in the I-1 and I-2 Zones as a SPR, in addition to the I-3 Zone. Concerning item #79 (permanent stand-alone asphalt/concrete batch plant), the Board agreed to change the required permit to a USR, instead of a SPR. Next, the Board agreed to insert the appropriate language from Section 23-1-170 to allow farming operations to continue on properties which have been rezoned to Commercial or Industrial, until the sites are developed. Commissioner James clarified that taxes do not change with the zoning and only reflect the current use, and the proposed Code change will not alter that fact. Lastly, they agreed to change the word “any” to “a” in items #83, #84, and #85 and the respective sections of the Code.

 Commissioner Conway moved to amend Code Ordinance #2019-02 as discussed. Commissioner James seconded the motion, which carried unanimously.

 Commissioner James commented he appreciated the discussions about relinquishment of power and the governmental process; however, he believes certain areas of the County process warrant that. He further stated the Code change is appropriate to assist with assemblage of the Comprehensive Plan and zoning map, which will give staff guided direction, therefore, he moved to approve Code Ordinance #2019-02 on Final Reading. The motion was seconded by Commissioner Freeman, who commented the SPR review process is less cost prohibitive and appropriate for less intense uses with less traffic, minimal sight impacts, etcetera. He stated, if an application for a particular site presents issues, the Planning Director may refer those cases to the Board. He stated this Code change has been under review for two years, and the Board will continue to refine the Code as issues are raised in the future.

 Commissioner Conway thanked the public who have participated in the work sessions and each of the public readings. He agreed it has been a two-year process with press releases explaining the process, the public has provided constructive feedback, and he agreed the future success and workability of the Code is contingent on the current and future Board members to continue addressing any new issues that may arise. Commissioner Moreno agreed with the previous comments, and stated this process is intended to improve efficiencies for the public. Commissioner James commended staff for all their hard work.

 Chair Kirkmeyer agreed a lot of staff have provided input and varying perspectives and legal standpoints. She stated, since 1972, the County has used a 'band aid approach' to zoning, without the necessary review of the zone districts. She further stated the goal is harmonious development of the County and creating a foundation to provide comprehensive governing 10-20 years into the future. She commented the Agricultural Zone does not stand for "Anything Goes," changes were made based on experiences gained in past land use hearings and the desire to incentivize a streamlined administrative process. Lastly, she agreed there will likely be future changes to continue to improve and enhance the zoning Code in conjunction with the Comprehensive Plan review. There being no further discussion, the motion carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-02 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 10:40 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

EXCUSED DATE OF APPROVAL
Barbara Kirkmeyer, Chair

Weld County Clerk to the Board

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 JULY 15, 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, July 15, 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
Commissioner Steve Moreno


Also present:


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

 **MINUTES:** Commissioner James moved to approve the minutes of the Board of County Commissioners meeting of July 10, 2019, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.


 **CERTIFICATION OF HEARINGS:** Commissioner Conway moved to approve the Certification of Hearings conducted on July 10, 2019, as follows: 1) USR19-0015 – H2S2, LLC, 2) USR19-0007 – Kevin and Deanna Dougherty, and 3) USR18-0130 – City of Thornton. Commissioner James 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 – JULY 12, 2019: Commissioner Moreno moved to approve said general warrants. Seconded by Commissioner James, the motion carried unanimously.


BIDS:


 1) APPROVE BID #B1900099, AUDIO-VISUAL PRESENTATION SYSTEM (JUSTICE CENTER) – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the bids received and stated the low bid does not meet specifications, therefore, staff recommends awarding to the second low bidder, LVW Electronics, for the total amount \$115,735.28. Commissioner Moreno moved to approve said second low bid. The motion was seconded by Commissioner Conway, and it carried unanimously.


NEW BUSINESS:


 1) CONSIDER ATTESTATION STATEMENT FOR ACCEPTANCE OF CHILD WELFARE ALLOCATION AWARD AND AUTHORIZE CHAIR TO SIGN: Lennie Bottorff, Department of Human Services, stated the funds are for five (5) full-time staff positions. Commissioner James moved to approve said attestation statement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 2) CONSIDER ASSESSED VALUATION OF ALL TAXABLE PROPERTY AND MASTER PROTEST LOG – REAL AND PERSONAL PROPERTY: Brenda Dones, Weld County Assessor, presented the 2019 valuation of taxable real and personal property for 2019. She stated agricultural land was the only decrease in value and residential property increased almost 23%, commercial property had a 24% increase and industrial property increased to 27%. She explained oil and gas increased 46%, due to the strong production amounts and stable commodity pricing. She stated there were 5,711 real property protests. In response to Commissioner Moreno, Ms. Dones explained there has been a significant increase in value and, because of the increase, tax payers get frustrated. She reported Larimer County had 24,000 to 27,000 appeals and many counties have extended their protest period. She credited her team for having excellent outreach to the community. Each Commissioner, in turn, thanked Ms. Dones and the Assessor's Office staff for their hard work and professionalism while working with Weld County residents. Commissioner Moreno moved to approve said assessed valuation of all taxable property and the master protest log. The motion, which was seconded by Commissioner Conway, carried unanimously.


 3) CONSIDER PERMIT APPLICATION AND REPORT OF CHANGES TO CHANGE, ALTER OR MODIFY LIQUOR LICENSED PREMISES AND AUTHORIZE CHAIR TO SIGN – EL CENTENARIO ENTERTAINMENT, LLC, DBA EL CENTENARIO NIGHTCLUB: Bob Choate, Assistant County Attorney, reviewed the modified liquor license premises. Commissioner Conway moved to approve said application and report of changes and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.

 4) CONSIDER CONTRACT ID 2915 CABLE LINE CROSSING LICENSE AND AUTHORIZE CHAIR TO SIGN – GREAT WESTERN RAILWAY OF COLORADO, LLC: Aleksei Churyk, Department of Information Technology, stated Weld County fiber will cross the Great Western Railroad of Colorado, LLC, along F Street, for the amount of \$4,000.00 to be renewed annually. Commissioner Conway moved to grant said cable crossing license and authorize the Chair Pro-Tem to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

 5) CONSIDER AGREEMENT FOR ANNUAL MAINTENANCE FOR VIDEO VISITATION EQUIPMENT AND AUTHORIZE CHAIR TO SIGN – VIXVOX, LLC: Toby Taylor, Director of the Department of Buildings and Grounds, presented the annual agreement with Vixvox, LLC, for the video visitation equipment maintenance for the total amount of \$115,735.28. Commissioner Moreno moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 6) CONSIDER CONTRACT ID #2889 AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY BY SPECIAL WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT FOR IMPROVEMENTS TO CR BRIDGE 44/33A PROJECT AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – DINNER/PECKHAM JUNCTION FARM, LLC: Cameron Parrott, Department of Public Works, presented the agreement to purchase public road right-of-way and temporary construction easement for the County Road Bridge 44/33A project, for the total amount of \$1,000.00. Commissioner James moved to approve said agreement and authorize the Chair Pro-Tem to sign necessary documents. The motion was seconded by Commissioner Conway, and it carried unanimously.

 7) CONSIDER MEMORANDUM OF AGREEMENT FOR PURCHASE OF PROPERTY AND IMPROVEMENTS AND AUTHORIZE CHAIR PRO-TEM TO SIGN NECESSARY DOCUMENTS – THOMAS SHOECRAFT AND LESLIE ACORD-SHOECRAFT: Karin McDougal, Assistant County Attorney, reviewed the agreement to purchase public road right-of-way by Special Warranty Deed for the County Roads 54 and 17 Intersection Project. Commissioner Moreno moved to approve said memorandum of agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.

 8) CONSIDER CONTRACT ID #2936 ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT AGREEMENT FOR CRS 28 AND 41 IMPROVEMENTS PROJECT (TIER I) AND AUTHORIZE ELECTRONIC SUBMITTAL: Stacey Swanson, Department of Public Works, presented the terms of the grant agreement for Department of Local Affairs (DOLA) funds, in the total amount of \$200,000.00. She explained the funds will be used to purchase road construction materials to be used by the Department of Public Work to reconstruct one (1) mile of County Roads 28 and 41. Commissioner Conway moved to approve said agreement and authorize electronic submittal. The motion, which was seconded by Commissioner Moreno, 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 9:21 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

EXCUSED

Barbara Kirkmeyer, Chair

Weld County Clerk to the Board

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 JULY 17, 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, July 17, 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
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

 **MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of July 15, 2019, as printed. Commissioner James seconded the motion, and it 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 James seconded the motion, and it carried unanimously.


PROCLAMATIONS:

 1) TOWN OF KEENESBURG – 100 YEAR ANNIVERSARY, JULY 20, 2019: Chair Kirkmeyer read the certificate for the record recognizing the Town of Keenesburg's Centennial Anniversary and extended an invitation from Danny Kipp, Mayor of the Town of Keenesburg, to attend their 100th year celebration events.


PRESENTATIONS:

 1) PRESENTATION OF THE FAIR BOOK BY WELD COUNTY FAIR ROYALTY: Camy Seelhoff, Fair Queen and a Senior at Valley High School, reviewed the various 4H events the Fair Royalty participates in throughout the year and thanked the Board for their support with the Fair.  Shelby Tveten, Fair Attendant and student at Roosevelt High School, introduced the events being held during the week of the Weld County Fair and thanked the Board for their support.  Mayzie Helzer, Fair Princess and student at Platte Valley Middle School, also presented additional events being held during


the 2019 Weld County Fair. Each Commissioner, in turn, thanked the girls for their leadership, as well as, representing Weld County. Commissioner Conway stated the Board is very proud of the Fair Royalty accomplishments. He also recognized Pat Kindvall for her work with the Fair Royalty. Chair Kirkmeyer encouraged the girls to continue with FFA and 4H. *(Clerk's Note: The Board paused the meeting for a photo opportunity.)*


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

WARRANTS:

 1) GENERAL WARRANTS – JULY 16, 2019: Commissioner Moreno moved to approve said general warrants. The motion was seconded by Commissioner James, and it carried unanimously.


NEW BUSINESS:

 1) CONSIDER CONTRACT ID #2723 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – CAREGIVERS, INC., DBA HOMEWATCH CAREGIVERS: Karin McDougal, Assistant County Attorney, on behalf of the Department of Human Services, presented the agreement with Caregivers, Inc., dba Homewatch Caregivers, to provide assistance to eligible Weld County senior residents, who require assistance with personal care and homemaking services. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 2) CONSIDER CONTRACT ID #2773 EXPENDITURE AUTHORIZATION FOR REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENT AND AUTHORIZE CHAIR TO SIGN: Ms. McDougal reviewed the agreement for funding two (2) Wagner-Peyser staff to focus on the provision of direct staff-assisted services for unemployment insurance claimants. Commissioner Freeman moved to approve said expenditure authorization and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 3) CONSIDER CONTRACT ID #2877 AGREEMENT FOR PROFESSIONAL SERVICES FOR TRANSLATION AND INTERPRETATION AND AUTHORIZE CHAIR TO SIGN – OLIVA BILINGUAL SERVICES: Ms. McDougal reviewed the terms with Oliva Bilingual Services to provide translation and interpretation services for the Department of Human Services. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

 4) CONSIDER CONTRACT ID #2792 AGREEMENT FOR SUBSTANCE ABUSE TREATMENT SERVICES AND AUTHORIZE CHAIR TO SIGN – SIGNAL BEHAVIORAL HEALTH NETWORK: Ms. McDougal presented the agreement with Signal Behavioral Health Network which will participate as a service provider coordinator for the Department's qualified child welfare clients. She explained they will ensure the provision of high-quality substance abuse evaluation and treatment services to clients. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

 5) CONSIDER FIVE (5) FORMS OF MEMORANDUM OF INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COORDINATED ELECTIONS AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS: Bob Choate, Assistant County Attorney, introduced Adam Gonzales, Clerk and Recorder's Office, and Mr. Choate presented the five (5) forms for conduct of coordinated elections, specific to the November, 2019, election. He stated the forms were updated to reflect the statutory changes. In response to Chair Kirkmeyer, Mr. Gonzales explained the Board established the

\$1.25 per registered elector eligible to vote, in 2015, and a portion of the reimbursement is dependent on the entities involved. Commissioner Moreno moved to approve said forms and authorize the Chair to sign any documents consistent with said forms. The motion was seconded by Commissioner James, and it carried unanimously.

 6) CONSIDER TEMPORARY CLOSURE OF CR 60.5 BETWEEN CRS 47 AND 53: Tiffane Johnson, Department of Public Works, presented the temporary closure beginning July 29, 2019, through August 30, 2019, repair three (3) collapsing culverts. She explained staff will use message boards in advance of the closure. In response to Chair Kirkmeyer, Ms. Johnson stated the detour route is on County Road 62, between County Roads 47 and 49, and also County Road 66. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 7) CONSIDER TRANSFER OF PROPERTY FROM WELD COUNTY FINANCE CORPORATION TO WELD COUNTY, COLORADO – FORMER RUBADUE WIRE BUILDING LOCATED AT 1301 N. 17TH AVENUE, GREELEY, COLORADO: Bruce Barker, County Attorney, stated this document will complete the transfer of property for the Rubadue Wire Building for the amount of \$3,525,735.00. Commissioner Freeman moved to approve said transfer of property. The motion, which was seconded by Commissioner Moreno, 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 9:34 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 JULY 22, 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, July 22, 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
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

 **MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of July 17, 2019, 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 17, 2019, as follows: 1) USR19-0026 – Peters 313 Ranch, Inc., c/o Summit Midstream Niobrara, LLC, and 2) USR19-0013 – Brandon and Collen Olson. 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 Freeman seconded the motion, and it carried unanimously.


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

WARRANTS:


 1) GENERAL WARRANTS – JULY 19, 2019: Commissioner Moreno moved to approve said warrants. The motion was seconded by Commissioner Freeman, and it carried unanimously.


BIDS:




 1) PRESENT BID #B1900112, HUMAN SERVICES BUILDING C RENOVATION – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the five (5) bids received and stated staff will bring back a recommendation on August 5, 2019.


 2) PRESENT AND APPROVE ON EMERGENCY BASIS BID #B1900110, CR 39 EXTENSION PROJECT – DEPARTMENT OF PUBLIC WORKS: Mr. Turf reviewed the bids received and stated staff requests a waiver of the ten-day waiting period to meet the timeline for the grant project, which needs to be completed before the end of the year. He stated staff recommends awarding to the low bidder, DeFalco Construction Company, for the total amount of \$3,753,538.27. Commissioner Moreno moved to approve said bid on an emergency basis. Seconded by Commissioner James, the motion carried unanimously.



NEW BUSINESS:


 1) CONSIDER APPLICATION FOR SUPPLEMENTAL REIMBURSEMENT FOR PETROLEUM STORAGE TANK REMEDIATION AND AUTHORIZE CHAIR TO SIGN: Toby Taylor, Director of Buildings and Grounds, presented the terms of the application for supplemental reimbursement, in the amount of \$5,060.86, to be used for remediation activities. Commissioner Conway moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 2) CONSIDER CHANGE ORDER #2 FOR DESIGN-BUILD FOR HUMAN SERVICES BUILDING A REMODEL (BID #B1700083) – GROWLING BEAR COMPANY, INC.: Mr. Taylor presented Change Order #2 for the Human Services Building A remodel. He explained the project is complete and Growling Bear didn't use the contingency funds, therefore, the County will receive a credit of \$513,348.00. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.


 3) CONSIDER FINDINGS AND RESOLUTION CONCERNING APPLICATION FOR AN OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE, AND AUTHORIZE CHAIR TO SIGN – IHRF, INC.: Bob Choate, Assistant County Attorney, reviewed the application for a new liquor license and stated the Board will need to consider the compatibility of the neighborhood and the moral character of the applicant. He noted there will be no on-site gambling and there are no concerns from the referral agencies.  Ana Ornelas-Moreno, applicant, was present to answer questions. Commissioner Freeman stated upon his inspection he found the new building to be in good order and had no concerns with the site. In response to Commissioner Conway, Ms. Ornelas-Moreno confirmed she understands gambling is not allowed and will take the measures necessary to prevent gambling activities.  In response to Commissioner James, Mr. Choate stated the premises diagram is accurate and not reliant on the USR map. No public testimony was offered concerning this matter. Commissioner Freeman moved to grant said license and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 4) CONSIDER FINDINGS AND RESOLUTION CONCERNING APPLICATION FOR COUNTY DANCE HALL LICENSE NUMBER 398 AND AUTHORIZE CHAIR TO SIGN – IHRF, INC.: Mr. Choate explained the Dance Hall License goes with the liquor license and noted there are no concerns from referrals. Commissioner Moreno moved to grant said license and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 5) CONSIDER CONSENT TO THE ENFORCEMENT OF THE 2018 INTERNATIONAL FIRE CODE, WITH AMENDMENTS, WITHIN CERTAIN AREAS OF UNINCORPORATED WELD COUNTY LYING WITHIN THE SOUTHEAST WELD FIRE PROTECTION DISTRICT: Jose Gonzales, Department of Building Inspection, stated the Southeast Weld Fire Protection District is requesting consent to enforce the 2018 International Fire Code within the unincorporated areas of Weld County within their district boundaries.  Tom Beach, Chief of the Southwest Weld Fire Protection District, was available to answer questions. Commissioner Freeman moved to consent to enforcement of the 2018 International Fire Code, with Amendments, which was seconded by Commissioner James, and it carried unanimously.

 6) CONSIDER INSTALLATION OF TRAFFIC CONTROL SIGNS AT THE INTERSECTION OF CRS 18 AND 57.5 (MARKET STREET): Cameron Parrott, Department of Public Works, explained County Road 18 is maintained by Weld County and County Road 57.5 (Market Street) is maintained by the Town of Keenesburg. He stated the intersection is controlled by two (2) Stop signs and staff would like to install a third Stop sign to control westbound traffic entering the intersection. Commissioner James moved to approve said installation of traffic control signs. The motion was seconded by Commissioner Moreno, and it carried unanimously.



 7) CONSIDER SECOND AMENDMENT TO SPECIFIC PERFORMANCE CONTRACT FOR WATER SHARES AND AUTHORIZE CHAIR TO SIGN – CENTRAL COLORADO WATER CONSERVANCY DISTRICT: Bruce Barker, County Attorney, stated Randy Ray, representative of the Central Colorado Water Conservancy District, has requested a continuance to make it more efficient to do everything at once and get the full value from the last share. He explained there is a dry-up provision and continuing this matter to April 30, 2020, will allow the District to get more agreements signed. Mr. Barker stated there are 28 shares of Lupton Bottoms Ditch Company and 2 shares of the Fulton Ditch, and explained Mr. Ray is asking to close on all shares in April, 2020; however, the Central Colorado Water Conservancy District will not use the water until 2020, so it will save them money. Commissioner Conway moved to approve said second amendment and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.


 8) CONSIDER APPOINTMENT TO COMMUNITY CORRECTIONS BOARD: Commissioner James moved to approve said appointment. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 9) FINAL READING OF WELD COUNTY ORDINANCE #2019-09, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS, OF THE WELD COUNTY CODE (*GRADING PERMITS/ROAD ACCESS*): Commissioner Freeman moved to read Code Ordinance #2019-09 by title only. Seconded by Commissioner James, the motion carried unanimously. Mr. Barker read the title for the record. Dawn Anderson, Department of Public Works, reviewed the changes for grading permits and road access, in relation to the 1041 Designation of oil and gas. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve Code Ordinance #2019-09 on Final Reading. The motion, which was seconded by Commissioner Freeman, carried unanimously.


 10) FINAL READING OF WELD COUNTY ORDINANCE #2019-12, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS, CHAPTER 12 LICENSE AND PERMITS, AND CHAPTER 23 ZONING, OF THE WELD COUNTY CODE (*STORM DRAINAGE AND TRANSPORT PERMITS*): Commissioner Freeman moved to read Code Ordinance #2019-12 by title only. Seconded by Commissioner Conway, the motion carried unanimously. Mr. Barker read the title for the record. Ms. Anderson presented the changes to the language specific to storm


drainage and transport permits to provide consistency. She stated staff held a drainage workshop on July 11, 2019. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve Code Ordinance #2019-12 on Final Reading. Seconded by Commissioner James, the motion carried unanimously.

 11) FINAL READING OF WELD COUNTY ORDINANCE #2019-10, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21 AREAS AND ACTIVITIES OF STATE INTEREST, OF THE WELD COUNTY CODE (1041 OIL AND GAS RESOURCE AREA - 1041 REGULATIONS): Commissioner Freeman moved to read Code Ordinance #2019-10 by title only. Seconded by Commissioner Conway, the motion carried unanimously. Mr. Barker read the title for the record and presented the three (3) changes that resulted from comments received from the industry. He stated the first change is a suggestion from Andrew Casper, to state an exception to the 1041 WOGLA permit for facilities permitted, constructed, operated and maintained pursuant to Chapter 23 Article II, Divisions 4 and 11. He stated the second change pertains to Section 21-5-340.D and placing a limitation on postponement of hearings to state: *“A motion for reconsideration may be considered by the 1041 WOGLA Hearing Officer in cases where a 1041 WOGLA Permit application has been denied. Such motion must be filed no later than ten (10) days after the applicant has received notice of the denial. A motion for reconsideration must state with sufficient clarity the specific reason(s) the applicant believes the denial was the incorrect decision.”* Mr. Barker presented the last change to Section 21-5-380 concerning sampling and analysis during site investigation and remediation to also specify Colorado Oil and Gas Conservation Commission (COGCC) Rule 318A or 910 to determine the horizontal and vertical extent of any contamination in excess of the concentrations allowed. Mr. Barker stated the remainder of the changes were grammatical in nature, and he referenced several emails which he added into the record for consideration by the Board.  Jason Maxey, Director of the Department of Oil and Gas Energy, requested the addition of *“the Surface Owner”* in the language be considered for the second paragraph of Section 21-5-320.B to state, *“The 1041 WOGLA Permit pre-application notice shall be delivered by the Applicant to the following parties: the Surface Owner; Building Unit owners. . .”*


 Kevin Ross, Mayor of the Town of Eaton, thanked the Board for their hard work to bring local control to Weld County and their willingness to work with individuals in the oil and gas industry. Each Commissioner, in turn, thanked Mr. Ross for his support. Commissioner Conway further expressed his appreciation for Mayor Ross presenting the ozone and air quality concerns.


 Dale Hall, Greeley City Council Ward 4 representative, stated he believes in businesses being able to work through the process of government regulations to provide jobs for citizens in the community and stated he supports the oil and gas industry. He stated he supports the County and he has petitioned the City Council to see how the passage of SB-181 will affect their local control concerning the oil and gas industry. Commissioner Moreno extended his appreciation to the municipalities working with the Board.


 Dave Kulmann, representative of PDC Energy, addressed the suggestions and proposed changes previously referred to by Mr. Barker, including clarification concerning reclamation, and requested the setback definition not include flow lines. Chair Kirkmeyer clarified there are COGCC regulations for flow lines concerning setbacks from structures. She further stated the County would support reclamation efforts between the operator and the surface owner, rather than being dictated by a governmental agency.


 Dan Woog, Mayor of the Town of Erie, stated he has seen vicious and unwarranted attacks on the energy industry in Colorado and people who are trying to destroy the energy industry and he thanked the Board for their leadership in protecting health, safety, private property rights and jobs for thousands of

Colorado families. Chair Kirkmeyer and Commissioner Conway thanked him for being present at each of the readings and representing the Energy Strong viewpoint and partnership.

 Dan Haley, representative of the Colorado Oil and Gas Association (COGA), thanked the Board for their continued support and for partnering with the oil and gas industry. He stated there are political challenges ahead and they intend to continue working with the County. Commissioner Conway thanked Mr. Haley for representing those working in the oil and gas industry.

 Chris McGowen, Associate Director for Colorado Petroleum Council, congratulated Jason Maxey on his appointment as the Director of the Oil and Gas Energy Department and thanked the Board and other local representatives for their ongoing support of the oil and gas industry.

 There being no further comments, Chair Kirkmeyer closed the public input portion of the hearing. Mr. Maxey reviewed the proposed change to Section 21-5-320.B to add "*Surface Owner*," to the list of parties who receive notice of pre-applications. Mr. Barker noted the proposed addition of Section 21-5-30.E to exempt pipelines from the 1041 WOGLA permit process and amending Section 21-5-340.B.3 to add a second sentence which reads: "*A hearing shall not be postponed more than once.*" At the request of Chair Kirkmeyer, Mr. Barker further amended the sentence to state, ". . . , *unless an unforeseen circumstance prohibits the hearing from occurring.*" He stated the next revision is to add a new Section 21-5-340.D to read: "*A motion for reconsideration may be considered by the 1041 WOGLA Hearing Officer in cases where a 1041 WOGLA Permit application has been denied. Such motion must be filed no later than ten (10) days after the applicant has received notice of the denial. A motion for reconsideration must state with sufficient clarity the specific reason(s) the applicant believes the denial was the incorrect decision. language page 30 hearing process.*" Mr. Barker stated the last revision is to Section 21-5-380 concerning sampling and analysis during site investigation and remediation to also specify Colorado Oil and Gas Conservation Commission (COGCC) Rule 318A or 910 to determine the horizontal and vertical extent of any contamination in excess of the concentrations allowed. Mr. Maxey stated a revision is also proposed under Section 21-5-320.F to specifically identify jurisdiction of the Colorado Department of Transportation concerning access permits, and the Board concurred with all the above stated changes. In response to public input, Chair Kirkmeyer referenced a proposed revision on page 44 concerning setbacks for flowlines; however, Mr. Barker suggested the change would be better addressed by removing the reference to "*flowlines*" from the definition of "Production Facility". Lastly, Mr. Maxey suggested changing the last sentence to also clarify an oil and gas location; however, Chair Kirkmeyer stated there may be unintended consequences by making that particular change to the definition, and Mr. Barker agreed it warrants further review and possible revision at a later date.

 Commissioner Freeman moved to amend Code Ordinance #2019-10 as discussed. Seconded by Commissioner Conway, the motion carried unanimously. Commissioner Conway moved to approve Code Ordinance #2019-10 on Final Reading, as amended. The motion, which was seconded by Commissioner James, carried unanimously. Commissioner Conway thanked the oil and gas industry for its support. He stated this is an important process and the Board is very confident in Mr. Maxey as the new Director of the Oil and Gas Energy Department. He further stated becoming energy independent is important. Commissioner James expressed his appreciation for the local government representatives who spoke in support of the new 1041 regulations as a means of gaining local control. Commissioner Moreno stated he is in support of the Ordinance and thanked the industry representatives for their support. He stated Weld County has great resources and the Board will continue to work for the citizens of Weld County. Commissioner Freeman thanked the local government representatives, as well as the oil and gas industry, for being present at the hearing today. He stated establishing local control will ensure the safety, health and well-being of the citizens of Weld county. Chair Kirkmeyer stated the Board will

continue to strive to protect and meet the needs of agriculture, the oil and gas industry and the Weld County citizens who are the backbone of the County.



12) FINAL READING OF WELD COUNTY ORDINANCE #2019-11, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING, OF THE WELD COUNTY CODE (1041 OIL AND GAS RESOURCE AREA - ZONING DISTRICTS): Commissioner Freeman moved to read Code Ordinance #2019-11 by title only. Seconded by Commissioner Moreno, the motion carried unanimously. Mr. Barker read the title for the record and reviewed the changes made to Code Ordinance #2019-11, which were necessary due to the finalization of zoning changes reflected in Code Ordinance #2019-02, specifically oil and gas permitting which is now subject to the WOGLA application process and hearing procedures outlined in Chapter 21, Article V. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2019-11 on Final Reading. 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 Ordinances #2019-09, #2019-11, #2019-10, and #2019-12 were 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 10:32 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Barbara Kirkmeyer, Chair

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 JULY 24, 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, July 24, 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 James moved to approve the minutes of the Board of County Commissioners meeting of July 22, 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 Moreno moved to approve the Consent Agenda as printed. Commissioner James seconded the motion, and it carried unanimously.

 **PUBLIC INPUT:** Bill Gillard, Greeley resident, acknowledged that he previously expressed opposition to creation of the Weld County Oil and Gas Energy Department; however, after speaking with Commissioner Conway, he now understands the benefits and supports the endeavor.


WARRANTS:


 1) GENERAL WARRANTS – JULY 23, 2019: Commissioner Freeman moved to approve the general warrants. Seconded by Commissioner Moreno, the motion carried unanimously.


NEW BUSINESS:


 1) CONSIDER CONTRACT ID #2362 PROPOSAL FOR WELD WORKS 4 YOUTH SUMMER EMPLOYMENT PROGRAM: Jamie Ulrich, Department of Human Services, reviewed the details of the proposal for the youth summer employment program, which provides eligible youth (ages 14-17) with valuable life and employment skills. She stated the program is funded through TANF, not to exceed


\$266,566.99, for the term of March 16, 2019, through September 30, 2019. In response to Commissioner Conway, Ms. Ulrich stated she will research the delay in timing between the Pass Around memorandum dated July 22, 2019, and formal presentation to the Board. Commissioner Conway moved to approve said proposal. Seconded by Commissioner Moreno, the motion carried unanimously.


 2) CONSIDER CONTRACT ID #2748 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN - LYNN SMITH AND WENDY CLARK: Ms. Ulrich presented the terms for Lynn Smith and Wendy Clark to serve as foster care providers in Fort Collins, Colorado, and noted the rates will be negotiated based on the needs of the children. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 3) CONSIDER CONTRACT ID #2822 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – THOMAS AND ROBIN CARRIGAN: Ms. Ulrich presented the terms for Thomas and Robin Carrigan to serve as foster care providers in Severance, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

 4) CONSIDER CONTRACT ID #2854 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ROBERT AND TERRIE POWELL: Ms. Ulrich presented the terms for Robert and Terrie Powell to serve as new foster care providers in Eaton, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 5) CONSIDER CONTRACT ID #2855 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – RODNEY TROYER AND CYNTHIA KLINE-TROYER: Ms. Ulrich presented the terms for the Troyers to serve as new foster care providers in Greeley, Colorado. Commissioner Conway moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

 6) CONSIDER CONTRACT ID #2875 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JONATHON AND MICHELLE VAN WINKLE: Ms. Ulrich presented the terms for the Van Winkles to serve as new foster care providers in Firestone, 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 #2962 AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – TED LONG: Ms. Ulrich reviewed the terms of the agreement for Ted Long to provide consultation services concerning various Employment Services plans, proposals and programs. She indicated he will be reimbursed at a rate of \$40.00 per hour, for the term of July 1, 2019, through June 30, 2020. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

 8) CONSIDER CONTRACT ID #2971 2019-2020 PLAN FOR CORE SERVICES PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated this is the first plan in a three-year program which governs CORE Services funding, in the amount of \$3,669,458.00 for the term of July 1, 2019, through

June 30, 2020. She stated the amount is an increase of \$343,651.00 over the previous year, which will provide new designs for Kinship Consultation and Support, the Mental Health Navigator Program, and Post Adoption Services. Commissioner Freeman moved to approve said plan and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously. Commissioner Conway took a point of personal privilege and commended the Department of Human Services for continuing the tradition of showing the County's appreciation of foster care families at the upcoming event hosted at Anderson Farms on Saturday, July 27, 2019.

 9) CONSIDER CONTRACT ID #2996 INTERGOVERNMENTAL AGREEMENT FOR CONTRIBUTION TO ROADWAY IMPROVEMENTS AND AUTHORIZE CHAIR TO SIGN – TOWN OF JOHNSTOWN: Elizabeth Relford, Deputy Director of the Department of Public Works, presented the agreement for the Town of Johnstown to annex a portion of County Road 50, and Weld County will pay \$360,000.00 for its portion of the improvements. She also thanked the Johnstown Mayor and Town Administrator for their patience as they worked through the process. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Commissioner James seconded the motion, which 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 9:17 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 JULY 29, 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, July 29, 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, Bob Choate
Acting Clerk to the Board, Stephanie Frederick
Controller, Barbara Connolly

 **MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of July 24, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner James moved to approve the Certification of Hearings conducted on July 24, 2019, as follows: 1) USR18-0100 – Public Service Company of Colorado, 2) USR19-0018 – Laura Granados, and 3) USR19-0013 – Brandon and Colleen Olson. 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 Moreno seconded the motion, and it carried unanimously.

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

WARRANTS:


 1) GENERAL WARRANTS – JULY 26, 2019: Commissioner Freeman moved to approve said general warrants. The motion was seconded by Commissioner James, and it carried unanimously.


BIDS:


 1) PRESENT BID #B1900111, COMMUNITY CORRECTIONS (INTERIOR PAINT) – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the five (5) bids received and stated staff will bring back a recommendation on August 5, 2019. In response to Chair Kirkmeyer, Toby Taylor, Director of the Department of Buildings and Grounds, stated basic white paint is preferred for institutional facilities. Responding to Commissioner Conway, Mr. Turf stated the basis for the large difference in bid amounts will be determined following staff's review.


NEW BUSINESS:


 1) CONSIDER RENEWAL APPLICATION FOR AN OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – FRITZLER FARMS, INC., DBA FRITZLER FARM PARK Bob Choate, Assistant County Attorney, presented the application for the Optional Premises Liquor License, which can be turned on and off with advanced notification to the County, and he noted there are no referral concerns. Commissioner Conway moved to approve said application, grant an Optional Premises Liquor License, and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 2) CONSIDER CONTRACT ID #2946 SUBSCRIPTION AGREEMENT FOR VEXCEL IMAGING PRODUCT AND AUTHORIZE CHAIR TO SIGN – THE SANBORN MAP COMPANY, INC.: Jacob Mundt, Department of Information Technology, stated the imagery will be utilized for the County property portal. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.


 3) CONSIDER CONTRACT ID #2975 ASSIGNMENT, ASSUMPTION AND CONSENT AGREEMENT AND AUTHORIZE CHAIR TO SIGN: Mike Wallace, Director of the Department of Public Safety Communications, reviewed the details of the assignment from the current contractor, Affinity Wireless, to the Zayo Group. He stated this is a ten-year pricing agreement that was initiated two years ago, so there is no cost increase to the County. Commissioner Conway moved to approve assignment, assumption and consent agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.


 4) CONSIDER CONTRACT ID #3029 AUTHORIZATION FOR HAZMAT SPILL MITIGATION AND CLEAN-UP AND AUTHORIZE CHAIR TO SIGN – CUSTOM ENVIRONMENTAL SERVICES, INC.: Roy Rudisill, Director of the Office of Emergency Management, presented the terms of the authorization to clean-up a hazmat spill of drill mud on County Road 49, in the amount of \$3,000.00. In response to Commissioner Conway, Mr. Rudisill confirmed the Weld County Sheriff's Office and Colorado State Patrol each responded and there are investigations to attempt to determine the responsible party. Commissioner Moreno moved to approve said mitigation authorization and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.


 5) CONSIDER CHANGE ORDER #4 FOR PROXIMITY DOOR SYSTEM UPGRADE (BID #B1700146) AND AUTHORIZE CHAIR TO SIGN – LONG BUILDING TECHNOLOGIES: Mr. Taylor stated there is an existing contract for the proximity door upgrade, and this change order will cover additional modifications at the new Oil and Gas Energy Department and Human Services Building A, for the cost of \$31,841.00. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.


 6) CONSIDER CONTRACT ID #2997 APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM FOR ENERGY CONSERVATION MASTER PLAN (AUGUST CYCLE-TIER I) AND AUTHORIZE ELECTRONIC SUBMITTAL: Mr. Taylor presented the application for the Department of Buildings and Grounds to conduct an audit to develop a Master Facilities Planning document and allow for future capital planning of energy conservation projects. He stated the application is for \$200,000.00 from the Department of Local Affairs, with a match of \$200,000.00 from the County, for a project total in the amount of \$400,000.00. Commissioners Moreno and Conway commented this is a new State grant and they thanked staff for their work on the application. Commissioner James moved to approve said application and authorize electronic submittal. Commissioner Moreno seconded the motion, which carried unanimously.


 7) CONSIDER CONTRACT ID #2991 APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT FOR CRS 66 AND 41 IMPROVEMENTS PROJECT (AUGUST CYCLE-TIER I) AND AUTHORIZE ELECTRONIC SUBMITTAL: Stacey Swanson, Department of Public Works, stated this is a Tier I application, in the amount of \$200,000.00, for funding to contract and design floodplain analysis for an improvement project at County Roads 66 and 41. Commissioner Conway moved to approve said application and authorize electronic submittal. The motion was seconded by Commissioner James, and it carried unanimously.

 8) CONSIDER CONTRACT ID #2994 APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM GRANT FOR CRS 54 AND 17 INTERSECTION SAFETY IMPROVEMENTS PROJECT (AUGUST CYCLE-TIER II) AND AUTHORIZE ELECTRONIC SUBMITTAL: Ms. Swanson presented the Tier II application for \$1 million in funding to construct safety improvements at the intersection of County Roads 54 and 17 to create a roundabout. Commissioner Freeman moved to approve the application and authorize electronic submittal. Seconded by Commissioner Moreno, the motion carried unanimously.

 9) CONSIDER AGREEMENT FOR HEALTH SCREENING SERVICES AND AUTHORIZE CHAIR TO SIGN – BRIGHTON COMMUNITY HOSPITAL ASSOCIATION, DBA PLATTE VALLEY MEDICAL CENTER: Patti Russell, Director of the Department of Human Resources, reviewed the agreement to monitor employee health for the benefit of the Sheriff's Office. In response to Commissioner Moreno, Ms. Russell confirmed they have 310 out of 340 employees participating. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

 10) CONSIDER AGREEMENT FOR HEALTH SCREENING SERVICES AND AUTHORIZE CHAIR TO SIGN – GOOD SAMARITAN MEDICAL CENTER, LLC: Ms. Russell reviewed the details of the agreement to include additional facilities in conjunction with the Sigma Wellness Program for the Sheriff's Office. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 11) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – SIGMA TACTICAL WELLNESS: Ms. Russell stated Sigma Health will facilitate the program to conduct the heart scores and blood work screenings for the Sheriff's Office. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

 12) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES FOR CARDIAC CALCIUM SCORE AND AUTHORIZE CHAIR TO SIGN – RADIOLOGY IMAGING ASSOCIATES, P.C.: Ms. Russell presented the agreement for an additional company that will be working with Sigma to assist Sheriff's Office employees with heart health screenings. Commissioner James moved to approve said agreement and authorize the Chair to sign. Commissioner Conway seconded the motion, and it carried unanimously.

 13) CONSIDER APPOINTMENT OF MARIAH HIGGINS AS DEPUTY CLERK TO THE BOARD: Esther Gesick, Clerk to the Board, introduced Ms. Higgins as a new Deputy Clerk to the Board filling the role of front reception. Each Commissioner, in turn, welcomed Ms. Higgins to the Weld County team. Commissioner Moreno moved to approve said appointment. Seconded by Commissioner Conway, 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 9:32 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

EXCUSED DATE OF APPROVAL
Barbara Kirkmeyer, Chair

Weld County Clerk to the Board

Mike Freeman, Pro-Tem

BY: _____
Deputy Clerk to the Board

Sean P. Conway

Scott K. James


EXCUSED DATE OF APPROVAL
Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 31, 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, July 31, 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
Commissioner Steve Moreno - EXCUSED


Also present:

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


 **MINUTES:** Commissioner James moved to approve the minutes of the Board of County Commissioners meeting of July 29, 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 Conway seconded the motion, and it carried unanimously.


 **PUBLIC INPUT:** Steve Teets, resident of Greeley, inquired about the new Bustang routes and how they are working. Elizabeth Relford, Department of Public Works, stated the Colorado Department of Transportation (CDOT) gave a presentation at the recent Upper Front Range Metropolitan Planning Organization (UFRMPO) and reported the new bus routes are doing well and they are looking to gain additional funds to add rural routes. Mr. Teets suggested the State consider adding U.S. Highway 34 as a Bustang route, because there are issues with transporting seniors and individuals with disabilities from Greeley to Loveland and Fort Collins for medical appointments, etcetera. He urged the County to advocate for those citizens. In response to Mr. Teets, Chair Pro-Tem Freeman explained Senate Bill 19-181 gave local governments the option of invoking their 1041 powers for jurisdiction over the surface planning of oil and gas well sites, and the regulations will be monitored primarily by the County, instead of the State. Commissioner Conway stated Mr. Teets can send an email to express his comments at the upcoming MPO meeting, since he is unable to attend.


WARRANTS:


 1) GENERAL WARRANTS – JULY 30, 2019: Commissioner James moved to approve said general warrants. The motion was seconded by Commissioner Conway, and it carried unanimously.


 2) COMMISSIONER WARRANTS – JULY 30, 2019: Commissioner Conway moved to approve the warrant for Chair Kirkmeyer. Seconded by Commissioner James, the motion carried unanimously.


NEW BUSINESS:


 1) CONSIDER EMPLOYMENT FIRST PLAN FOR FISCAL YEAR 2020: Lennie Bottorff, Department of Human Services, reviewed Weld County’s plan to implement the Employment First Program for fiscal year 2020. Commissioner Conway moved to approve said plan. The motion was seconded by Commissioner James, and it carried unanimously.


 2) CONSIDER APPLICATION FOR YOUTH BUILD GRANT AND AUTHORIZE ELECTRONIC SUBMITTAL: Mr. Bottorff presented the details of the application for the Youth Build Grant for fiscal year 2019-2020. Commissioner James moved to approve said application and authorize electronic submittal. Seconded by Commissioner Conway, the motion carried unanimously.

 3) CONSIDER CONTRACT ID #2720 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – A LITTLE R & R HOME CARE: Mr. Bottorff presented the agreement with A Little R & R Home Care to provide personal care and homemaking assistance to eligible residents 60 years of age or older. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 4) CONSIDER CONTRACT ID #2727 AGREEMENT FOR PURCHASE OF SERVICES AND AUTHORIZE CHAIR TO SIGN – MILE HIGH SENIORS, INC., DBA HOME HELPERS AND DIRECT LINK: Mr. Bottorff presented the agreement with Mile High Seniors, Inc., dba Home Helpers and Direct Link, to provide personal care and homemaking assistance to eligible residents 60 years of age or older. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

 5) CONSIDER CONTRACT ID #2674 AGREEMENT FOR PROFESSIONAL OF SERVICES FOR TRANSLATION AND INTERPRETATION AND AUTHORIZE CHAIR TO SIGN – VOIANCE LANGUAGE SERVICES, LLC: Mr. Bottorff stated under the terms of this agreement Voiance Language Services, LLC, will provide translation and interpretation services for the Department of Human Services. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 6) CONSIDER SPECIAL EVENTS PERMIT – CEIBA PROJECT: Bob Choate, Assistant County, presented the application for a special event to permit an additional date for August 17, 2019, and noted there are no referral concerns. Commissioner James moved to approve said permit and authorize the Chair to sign. The motion, which was seconded by Commissioner Conway, carried unanimously.


 7) CONSIDER APPLICATION FOR SPECIAL EMERGENCY MANAGEMENT PERFORMANCE GRANT AND AUTHORIZE CHAIR TO SIGN: Roy Rudisill, Director of the Office of Emergency Management, reviewed the terms of the application for funding, in the amount of \$6,371.00, to purchase equipment for use in the Emergency Operations Center (EOC) and the County has a 50 percent match, in the amount of \$3,185.50. Commissioner Conway moved to approve said application and authorize the


Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 8) CONSIDER SIGNATORY AUTHORITY AND DELEGATION OF SIGNATORY AUTHORITY FOR WELD COUNTY, COLORADO REVENUE NOTE (NORTH RANGE BEHAVIORAL HEALTH PROJECT) SERIES 2019: Barb Connolly, Controller, explained as part of the bond revenue project with North Range Behavioral Health, the Board will need to designate signatory authority on the deposit account. Commissioner James moved to designate signatory authority to Barb Connolly, Controller. The motion, which was seconded by Commissioner Conway, carried unanimously.

 9) CONSIDER CONTRACT ID #3027 ANNEXATION AGREEMENT FOR CERTAIN COUNTY ROAD 39 RIGHT-OF-WAY AND AUTHORIZE CHAIR TO SIGN – TOWN OF LASALLE: Ms. Relford explained as part of LaSalle's DOLA grant for construction of the County Road (CR) 39 connector road, this agreement will authorize LaSalle to petition for annexation of County Road 39 upon completion of the Improvements Project. Ms. Relford stated there has been some delay as a result of the Army Corps of Engineers; however, she was notified that the County has received the necessary 404 Permit and she anticipates crews will commence construction in August. Commissioner Conway moved to approve said annexation agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

PLANNING:

 1) CONSIDER CONTRACT ID #3016 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT OFF-SITE COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR17-0072 – PIONEER LAND COMPANY, LLC, C/O NORTHERN COLORADO CONSTRUCTORS, INC.: Tisa Juanicorena, Department of Public Works, presented the agreement to accept collateral, in the amount of \$782,824.00, and she noted upon final approval, the County has agreed to pay a proportional share of 55% of the actual cost of the project. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

 2) CONSIDER ACCEPTANCE OF FILING OF SERVICE PLAN, REFERRAL TO WELD COUNTY PLANNING COMMISSION FOR STUDY AND RECOMMENDATION, AND SET HEARING DATE FOR CONSIDERATION – PLATTE RIVER METROPOLITAN DISTRICT: Mr. Choate presented the Service Plan for the Platte River Metropolitan District and explained the requested action is to accept the service plan, refer the matter to the Planning Commission, and set a hearing date. He explained September 24th is the final date to get an item on the ballot. In response to Commissioner Freeman, Bruce Barker, County Attorney, further explained the ballot is for a vote of the property owners within the Service District boundary, and the timing of the actual election is controlled by the District Court. Mr. Choate stated the hearing is set for September 18, 2019, so Don Warden, Director of Finance and Administration, may be present to make his recommendation, as well as meet the timing requirements of the applicant. Commissioner Conway moved to accept said Service Plan, refer the matter to the Planning Commission, and set the hearing date for September 18, 2019, at 9:00 a.m. The motion was seconded by Commissioner James, and it carried unanimously.

 3) CONSIDER ACCEPTANCE OF FILING OF SERVICE PLAN, REFERRAL TO WELD COUNTY PLANNING COMMISSION FOR STUDY AND RECOMMENDATION, AND SET HEARING DATE FOR CONSIDERATION – REAL WELD METROPOLITAN DISTRICT: Based on the previous discussion, Commissioner James moved to approve said Service Plan, refer the matter to the Planning Commission, and set the hearing for September 18, 2019, at 9:00 a.m. Seconded by Commissioner Conway, 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 9:24 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

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

EXCUSED
Steve Moreno