


# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 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, June 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 - EXCUSED  
Commissioner Mike Freeman, Pro-Tem  
Commissioner Sean P. Conway - EXCUSED  
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 May 29, 2019, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

 **CERTIFICATION OF HEARINGS:** Commissioner Moreno moved to approve the Certification of Hearings conducted on May 29, 2019, as follows: 1) USR19-0007 – Kevin and Deanna Dougherty, 2) USR18-0126 – Cliff Simpson, 3) USR19-0006 – MNR, Inc., and 4) USR18-0077 - Cheyenne Connector, LLC. Commissioner James seconded the motion, which carried unanimously.


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


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

#### PROCLAMATIONS:


 1) ALZHEIMER'S AND BRAIN AWARENESS MONTH – JUNE 2019: Chair Pro-Tem Freeman read the certificate proclaiming June 2019, as Alzheimer's and Brain Awareness month. Kelly Osthoff, Regional Director for the Northeast Colorado Alzheimer's Association, thanked the Board for the recognition and bringing awareness for brain health. She stated there are many caregivers who go through the journey alone. She stated the Alzheimer's Association will raise money toward research and awareness for brain health by hosting the Walk to End Alzheimer's. Each Commissioner, in turn, thanked


Ms. Osthoff for bringing awareness to those with Alzheimer's and support to the caregivers of Alzheimer's and Brain Disorders. *(Clerk's Note: The Board paused the meeting for a photo opportunity.)*

 2) COMMEMORATING VETERANS OF THE VIETNAM WAR: Chair Pro-Tem Freeman read the certificate commemorating the Veterans of the Vietnam War. Each Commissioner, in turn, thanked the Vietnam Veterans for sacrificing for our freedoms. Chair Pro-Tem Freeman announced they will have their fourth pinning ceremony in the City of Fort Lupton on June 8, 2019, at 9:00 a.m.


 **PUBLIC INPUT:** Larry Claxton, representative of Public Service Company of Colorado, and present is Lucas McConnell, representative of Xcel Energy, addressed the continuance of USR18-0100 and apologized for not being at the hearing but offered to answer any questions from the Board. Chair Pro-Tem Freeman stated he will be recusing himself from the hearing set for July 24, 2019, because the transmission line will cross property that he owns.


#### **BIDS:**


 1) PRESENT BID #B1900097, FLEET SERVICES WELDING SHOP VENTILATION – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the two (2) bids received and staff will bring back a recommendation on June 17, 2019.

 2) PRESENT AND APPROVE EMERGENCY BID #B1900101, WEED CONTROL/SPRAYING – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf reviewed the three (3) bids received and stated staff recommends awarding to the second low bidder, which meets specifications, Diversified Maintenance Solutions, for the total amount of \$41,000.00. Toby Taylor, Director of the Department of Buildings and Grounds, stated after the recent rains, the weeds need to be controlled before they become unmanageable and requested a waiver of the ten-day waiting period. Commissioner Moreno moved to approve said bid on an emergency basis. Seconded by Commissioner James, the motion carried unanimously.


#### **NEW BUSINESS:**


 1) CONSIDER CONTRACT ID #2562 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – SKYLAR MARONEK: Judy Griego, Director of the Department of Human Services, stated respite care services are limited to four (4) hours per week, per child, and are not to exceed sixteen (16) hours a month. Commissioner James moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.


 2) CONSIDER ACCEPTANCE OF TRANSFER OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) ALLOCATION FROM DELTA COUNTY AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS: Ms. Griego presented the terms for the transfer of Temporary Assistance for Needy Families (TANF) allocation funds from Delta County to Weld County for the amount of \$150,000.00 she stated Weld County will be responsible for the corresponding Maintenance of Effort. Commissioner Moreno moved to approve said transfer and authorize the Chair Pro-Tem to sign any necessary documents. Seconded by Commissioner James, the motion carried unanimously.


 3) CONSIDER ACCEPTANCE OF TRANSFER OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) ALLOCATION FROM MONTROSE COUNTY AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS: Ms. Griego reviewed the details of the transfer of Temporary Assistance for Needy Families (TANF) allocation funds from Montrose County to Weld County for the amount of \$225,000.00. She confirmed Weld County will take responsibility for the corresponding Maintenance of Effort. Commissioner James moved to accept said transfer and authorize the Chair Pro-


Tem to sign any necessary documents. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 4) CONSIDER SPECIAL EVENTS PERMIT AND AUTHORIZE CHAIR TO SIGN – CEIBA PROJECT: Bob Choate, Assistant County Attorney, presented the application for four (4) scheduled events for the Ceiba Project USA. He noted the Department of Public Works has requested a Traffic Control Plan and the applicant will need to apply for a Right-of-Way Use Permit, because the Traffic Control Plan requires her have signs in the right-of-way. Natasha Dana, and Ana Ornelas, applicants, were available to answer any questions. In response to Commissioner Moreno, Mr. Choate stated there are no concerns from the Sheriff's Office. No public testimony was offered concerning this matter. Commissioner James moved to approve said application and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 5) CONSIDER MEMORANDUM OF UNDERSTANDING FOR GREELEY-WELD BOMB SQUAD OPERATIONS AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY POLICE DEPARTMENT: Bruce Barker, County Attorney, stated the memorandum of understanding is a renewal of the annual agreement currently in place. Commissioner Moreno moved to approve said memorandum of understanding and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.


 6) CONSIDER INCENTIVE PAYMENT MEMORANDUM OF UNDERSTANDING AND AUTHORIZE CHAIR TO SIGN – SOCIAL SECURITY ADMINISTRATION: Mr. Barker stated pursuant to Federal statute and regulations, whom the Social Security Administration will pay Weld County between \$200.00 and \$400.00 per offender that they identify being in court-ordered Work Release and still receiving social security benefits. Commissioner Moreno moved to approve said memorandum of understanding and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 7) CONSIDER MEMORANDUM OF UNDERSTANDING CONCERNING USE OF MISSILE SILO PARK AND AUTHORIZE CHAIR TO SIGN – PACK 57 CUB SCOUTS: Mr. Taylor stated Cub Scout Troop 57 Cub Scouts will use the Missile Site Campground from June 21, 2019, to June 22, 2019, for their activity. Commissioner James moved to approve said memorandum of understanding and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 8) CONSIDER CONTRACT ID #2750 AGREEMENT CONCERNING PURCHASE OF CERTAIN PROPERTY AND TEMPORARY CONSTRUCTION EASEMENT FOR IMPROVEMENTS TO CR 39 EXTENSION PROJECT AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – LASALLE MEADOWS, LLC: Erich Green, Department of Public Works, reviewed the details of the agreement for the total amount of \$4,450.00. Commissioner Moreno moved to approve said agreement. Seconded by Commissioner James, the motion carried unanimously.

 9) CONSIDER TEMPORARY ROAD CLOSURE OF CR 14.5 BETWEEN CRS 21 AND 23: Amy Mutchie, Department of Public Works, presented the closure beginning June 10, 2019, through June 14, 2019, to replace an irrigation culvert. She stated staff will use water for dust abatement on the one-mile detour route. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 10) CONSIDER APPOINTMENTS AND REAPPOINTMENTS TO NORTHEAST COLORADO REGIONAL EMERGENCY AND TRAUMA SERVICES ADVISORY COUNCIL (RETAC): Commissioner Moreno moved to approve said appointments and reappointments. Seconded by Commissioner James, the motion carried unanimously.

 11) CONSIDER APPOINTMENT AND REASSIGNMENT TO JUVENILE COMMUNITY REVIEW BOARD: Commissioner James moved to approve said appointment and reassignment. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 12) CONSIDER APPOINTMENTS AND REAPPOINTMENTS TO BOARD OF PUBLIC HEALTH: Commissioner Moreno moved to approve said appointments and reappointments. The motion was seconded by Commissioner James, and it carried unanimously.

 13) SECOND READING OF CODE ORDINANCE #2019-07, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION AND CHAPTER 3 HUMAN RESOURCES, OF THE WELD COUNTY CODE (*WORKING RETIREES*): Commissioner James moved to read by title only. Seconded by Commissioner Moreno, it carried unanimously. Mr. Barker read the title for the record. Staci Datteri-Fry, Department of Human Resources, stated there have been no changes since the First Reading. Commissioner James moved to approve Code Ordinance #2019-07 on Second Reading. The motion was seconded by Commissioner Moreno, and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-07 was 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 9:33 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

EXCUSED  
Sean P. Conway

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


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

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 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, June 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  
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 3, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.


 **READ ORDINANCE BY AUDIO:** Commissioner James moved to read Code Ordinances #2019-09, #2019-10, and #2019-11 by audio. The motion was seconded by Commissioner Conway 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.

#### OIL AND GAS:


 1) CONSIDER DESIGNATION OF THE UNINCORPORATED AREA OF WELD COUNTY, COLORADO, AS A MINERAL (OIL AND GAS) RESOURCE AREA OF STATE INTEREST, PURSUANT TO C.R.S. §24-65.1-202(1): Bruce Barker, County Attorney, presented the Resolution to designate the entire unincorporated area of Weld County as an area of state interest and a mineral(oil and gas) resource area and explained the process and statutory prerequisite that the Board has to take to designate Weld County. Chair Kirkmeyer informed the audience concerning the process of review of oil and gas items on the Agenda.


 Dave Kulmann, representative of PDC Energy, thanked the Board for their support of oil and gas development on behalf of the employees and families at PDC Energy. He stated he agrees with the new regulations for responsible oil and gas operations and requested clarification of the regulatory relationship between Weld County and the Colorado Oil and Gas Conservation Commission (COGCC). Commissioner Conway thanked Mr. Kulmann for the contributions of PDC Energy employees to make Weld County a better place to live, work and play.


 Larry Goldmith, resident of Weld County, expressed his appreciation to the Board for making Weld County a Energy County and also for opposing the Red Flag Bill.


 Richard Grimaud, resident of Johnstown, stated he does not support the resolution because there are not enough resources or time to enforce this. He inquired how the Board plans manage it, in addition, he requested a provision that states no County Commissioner will be allowed to serve on the Colorado Oil and Gas Conservation Commission within two (2) years after leaving office.


 Sarah McQuiddy, Greeley Area Chamber of Commerce, thanked the Board for their leadership roles and supporting energy development efforts in Weld County and requested they continue their efforts.


 Lynn Granger, representative of Colorado Petroleum Council (CPC), stated CPC represents all facets of the oil and natural gas industry in Colorado and commended the Board for keeping Weld County Energy Proud with a commitment to ensure Weld County remains the top oil and gas producing County in Colorado.


 Milt Erbe, resident of Greeley, thanked the Commissioners for their support and stated he supports the measure to have local County regulations.


 Renee McGill, resident of Greeley, stated her husband is an oil and gas employee and she thanked the Board for supporting the future of oil and gas employees, and Weld County.

 Christine Melendez, Mayor of Windsor, thanked the Board for their Resolution on behalf of the voters of Windsor on both the Weld and Larimer County side, who helped defeat Proposition 112. She stated the industry already operates with stringent regulations with the health and safety of citizens in mind.


 Dan Haley, representative of Colorado Oil and Gas Association, thanked the Board of their continued support of the oil and gas industry and for allowing them to continue to provide safe and responsible development of the oil and gas industry. He stated they look forward to working with the Commissioners.


 Kim Cooke, representative of Anadarko, thanked the Board for their unwavering support of the oil and gas industry.


 Luke Coats, representative of Energy Strong, thanked the Board for supporting the oil and gas industry. He stated Energy Strong represents the health and safety of people. He stated the industry is working to improve the environment and provide health and safety measures for the community.


 Doug Dennison, representative of HighPoint Resources, thanked the Board of their unwavering support of the oil and gas industry. He stated it would be a huge loss and he would hate to see the negative impacts on the State of Colorado and Weld County if the oil and gas development is over


regulated. He expressed his appreciation toward the Boards' continued support of the oil and gas industry.


 Dan Waoldough, Weld County representative and Trustee to the Town of Erie, stated he has been trying to educate people, since 2012, about the oil and gas industry, and the Board is providing a voice for many citizens and he appreciates their hard work.


 Byron Pelton, Logan County Commissioner, thanked the Board for their support and leadership with the oil and gas development. He explained what happens in Weld County effects Logan County, because of the proximity of the oil and gas operations taking place in Weld County.


 Ryan Antonio, representative of Noble Energy, thanked the Board for their support of the oil and gas industry.


 Christian Morgan, Manager of the Town of Kersey, thanked the Board for their support and leadership and stated there are willing partners with an interest in oil and gas development within the municipalities.


 Carl Erickson, resident of Greeley, stated he is not in support of the resolution and inquired whether the Board is trying to get expanded regulations.


 Skip Carlson, resident of Greeley, expressed his support of the oil and gas industry and the employees.


 Duane Leise, resident of Longmont, expressed his opposition toward the Board's stance concerning the oil and gas industry. He expressed uncertainty about the Commissioners' goals with the passing of this Resolution. He inquired if the tax payers will have to pay for the extra expense that the Commissioners will be incurring.


 Mark Moody, resident of Greeley, thanked the Board for their support and providing education about the oil and gas industry.

 Craig Rasmuson, representative of SRC Energy, thanked the Board for their support and leadership.


 David Wiley, resident of Weld County, stated he has been in the solar industry for over twelve (12) years and asked the Board to consider the solar energy industry.


 Derrick Worden, resident of Weld County and energy professional, stated his concerns with the Code Ordinance concerning zone district changes in regard to solar facilities. Chair Kirkmeyer asked Mr. Worden to provide his comments during the public input related to Code Ordinance #2019-02.


 Mary Oxsiger, representative of the Board for a Title 32 Special Taxing District, stated almost all their funding comes from property taxes and much of that comes from oil and gas. The Title 32 Districts provide public safety services in Weld County, so the oil and gas funding is essential. She thanked the Board for bringing control and regulations to Weld County.

 Karen Korans, resident of Weld County, stated the oil and gas on her property pays for her real estate taxes and the University of Northern Colorado (UNC) gets funding from the royalties, which helps


keep the tuition low. She stated if we do not maintain oil and gas resources locally, we may have to import oil from foreign countries, and she thanked the Board for the Resolution.



 Trent Korby, representative of Korwell Energy, thanked the Commissioners for their support of the oil and gas industry. He stated the industry has afforded him many opportunities to give back to the community and be a Foster parent. Chair Kirkmeyer thanked Mr. Korby for being a Foster parent as it is the most important work. Commissioner Conway concurred with Chair Kirkmeyer's comments and thanked Mr. Korby for being a positive role model for Weld County.

 Dave Kisker, resident of Johnstown, stated he does not understand the implications of the Resolution and has concerns that the Board will have challenges with enforcing the new regulations.

 Commissioner Moreno moved to approve the resolution designating the Unincorporated areas of Weld County, as a Mineral (Oil and Gas) Resource Area of State Interest. The motion was seconded by Commissioner Freeman. Commissioner Moreno stated this is the right thing to do for the County, State and the economy and the Board cares about the health and safety of the residents. Commissioner Freeman stated the oil and gas industry supports agriculture, as well as education and fire districts, and the Board will do their part of make sure the oil and gas industry is protected. Commissioner Conway stated the health and safety concerns will be addressed as they move forward. Commissioner James stated he agrees with his fellow Commissioners and stated the Board is exercising their 1041 authority to site land use and are making Governor Polis keep his word. Chair Kirkmeyer concurred with the comments of support made by her fellow Commissioners and stated she supports the designation. She stated she spent a lot of time at the Capital researching and understanding SB-181, and the Board will use the additional authority given by SB-181, by creating new 1041 oil and gas regulations. She stated she is proud to support agriculture and the oil and gas industry in Weld County. Commissioner Conway stated this will ensure energy is produced, without endangering our loved ones. Upon a roll call vote, the motion carried unanimously, with all five Commissioners in favor.


*(Clerk's Note: Chair Kirkmeyer used the Chair's prerogative to move Planning items #2 thru #4 under Oil and Gas.)*

 2) FIRST 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 (1041 OIL AND GAS RESOURCE AREA): Elizabeth Relford, Department of Public Works, presented the changes for Code Ordinance #2019-09 regarding grading and accesses. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2019-09 on First Reading. The motion was seconded by Commissioner Conway, and it carried unanimously.


 3) FIRST 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): Mr. Barker stated the references to the Colorado Oil and Gas Conservation Commission in Articles I and II, have been deleted because it no longer exists. He stated the regulations can be changed by the Commissioners. He stated Section 4 of SB-181 gives the Board authority to make decisions on land use and discretion to make regulations stricter than the provisions of the Colorado Oil and Gas Conservation Commission. He stated the Board will need to designate someone to be the hearing officer for WGOLA cases.  AJ Krieger, Town Manager of the Town of Firestone, stated he is in support of the Board making local decisions in regard to the oil and gas industry and will be at the subsequent readings. In response to Commissioner Conway, Mr. Krieger stated this will help clear up any confusion and will allow




municipalities to work better with Weld County. Commissioner Moreno moved to approve Code Ordinance #2019-10 on First Reading. Seconded by Commissioner Freeman, the motion carried unanimously.


 4) FIRST 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): Tom Parko, Director of the Department of Planning Services, presented the changes to Code Ordinance #2019-11 regarding 1041. No public input was offered concerning this matter. Commissioner Conway moved to approve Code Ordinance #2019-11 on First Reading. The motion was seconded by Commissioner Freeman, and it carried unanimously. Chair Kirkmeyer thanked staff for their time and hard work on the Ordinances.


*(Clerks Note: Chair Kirkmeyer recessed the hearing at 10:29 a.m. and reconvened at 10:42 a.m.)*

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


**BIDS:**

 1) APPROVE BID #B1900096, GROVER COMMUNICATIONS TOWER – DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS: Rob Turf, Department of Purchasing, reviewed the bids received and stated staff recommends awarding to the low bidder, EasTex Tower, LLC, for the total amount of \$312,162.70. Commissioner Conway moved to approve said low bid. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 2) APPROVE BID #B1900093, CISCO NETWORK DEVICES – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, reviewed the eleven (11) bids received and stated staff recommends awarding the low bid to Advance Network Management (ANM) for the total amount of \$126,906.38. Commissioner Freeman moved to approve said low bid. Seconded by Commissioner Conway, the motion carried unanimously.


 3) PRESENT AND APPROVE EMERGENCY BID #B1900105, FUJITSU SCANNERS WITH EXTENDED WARRANTY – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose presented the nine (9) bids received and recommended a waiver of the ten-day waiting period, due to the availability of State funds for this project. He stated staff recommends awarding to the low bidder, First Run Computer Services, for the total amount of \$24,752.00. Commissioner Conway moved to approve said bid on emergency basis. The motion, which was seconded by Commissioner James, carried unanimously.


**NEW BUSINESS:**


 1) CONSIDER TRANSFER OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) ALLOCATION FROM MINERAL COUNTY AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS: Karin McDougal, Assistant County Attorney, on behalf of the Department of Human Services, stated Mineral County will transfer \$12,000.00 of the Temporary Assistance for Needy Families (TANF) funds to Weld County and Weld County will take responsibility of the corresponding Maintenance of Effort for the amount transferred. Commissioner Freeman moved to approve said transfer authorize the Chair to sign any necessary documents. Seconded by Commissioner Conway, the motion carried unanimously.


 2) CONSIDER VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT CONTRACT FOR LAW ENFORCEMENT VICTIM ASSISTANCE PROGRAM AND AUTHORIZE CHAIR TO SIGN:

Debbie Calvin, Sheriff's Office, stated the Victim Assistance and Law Enforcement Board is shifting their fiscal years to match the calendar year and she presented the extension from the State. Commissioner Moreno moved to approve said extension grant and authorize the Chair to sign. The motion, which was seconded by Commissioner Conway, carried unanimously.


 3) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R1109496 – SHARON ROBSON: Brenda Dones, Assessor, presented the petition for abatement of taxes for four buildings that are used as office and warehouse space. She stated the request is for tax year 2016 and stated she received a letter from the tax representative requesting an administrative denial. She explained after using the Market approach and Income approach she feels that the value of \$56.00 per square foot is accurate and recommends denial of the 2016 tax year abatement request and sustaining the value of \$1,289,145.00. Commissioner Conway moved to deny the petition and sustain the value recommended by the Assessor. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 4) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R0174589 – C&K INVESTMENT PROPERTIES, LLC: Ms. Dones reviewed the details of the petition for the property which consists of an 1,888-square-foot building that is a combination of airport storage hanger and industrial office space. She recommended administrative denial, per a request from the tax representative, sustaining the 2016 tax year value of \$1,111,860.00. Commissioner Freeman moved to deny said petition and sustain the value of \$1,111,860.00. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 5) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R4859407 – VILLAGE VISTA PLAZA, INC.: Ms. Dones presented the petition for the property used as a retail center. She stated they used the Comparable approach and the Income approach and both methods support the value, therefore, she recommended denial and sustaining the value of \$1,360,000.00. Commissioner Moreno moved to deny said petition and sustain the value of \$1,360,000.00. The motion, which was seconded by Commissioner James, carried unanimously.


 6) CONSIDER RENEWAL APPLICATION FOR A TAVERN (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – EL CENTENARIO ENTERTAINMENT, LLC, DBA EL CENTENARIO NIGHTCLUB: Bob Choate, Assistant County Attorney, presented the renewal application for a tavern liquor license and noted there are no concerns. He stated the applicant has made some substernal changes to the building. Commissioner Freeman moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 7) CONSIDER APPLICATION FOR COUNTY DANCE HALL LICENSE NUMBER 397 AND AUTHORIZE CHAIR TO SIGN – EL CENTENARIO ENTERTAINMENT, LLC, DBA EL CENTENARIO NIGHTCLUB: Mr. Choate presented the application for a County Dance Hall License and stated there are no concerns. Commissioner Moreno moved to approve said application and authorize the Chair to sign. The motion, which was seconded by Commissioner Conway, carried unanimously.




 8) CONSIDER RENEWAL APPLICATION FOR A HOTEL AND RESTAURANT (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – RINN VALLEY, LLLP, DBA RINN VALLEY RESTAURANT AND TAVERN: Mr. Choate presented the renewal application for a liquor license and recommended approval. He stated there are no concerns from the referrals. Commissioner Freeman moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 9) CONSIDER ESTABLISHING THE NEIGHBORHOOD TO BE SERVED, DESIGNATING A COMMISSIONER TO MAKE ON-SITE INSPECTION AND SETTING THE HEARING DATE CONCERNING THE APPLICATION OF IHRF, INC., FOR AN OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE: Mr. Choate stated this a new liquor license and the Board needs to designate a Commissioner to make the on-site inspection and set a hearing date. Mr. Choate stated the recommended hearing date is July 22, 2019, which will allow the property owner time to record their plat. Commissioner Freeman confirmed he will be available to conduct the on-site inspection. Commissioner James moved to designate Commissioner Freeman to conduct an on-site inspection and set the hearing date for July 22, 2019. Seconded by Commissioner Moreno, the motion carried unanimously.


 10) CONSIDER CHANGE ORDER NO. 1 FOR BRIDGE 44/33A REPLACEMENT PROJECT AND AUTHORIZE CHAIR TO SIGN – SHORT ELLIOTT HENDRICKSON, INC.: Cameron Parrott, Department of Public Works, stated in accordance SB18-167 staff is required to complete a subsurface utility engineering (SUE) on the Bridge 44/33A replacement project. He stated the additional amount requested for the Change Order is \$17,231.00, which is within the amount of funds released from the Colorado Department of Transportation (CDOT) for this project. Commissioner Freeman moved to approve said Change Order No. 1 and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 11) CONSIDER ENERGY AND MINERAL IMPACT ASSISTANCE PROGRAM (EIAF) GRANT APPLICATION, SUMMARY OF GRANT AWARD TERMS AND CONDITIONS CONTRACT, AND AUTHORIZE ELECTRONIC SIGNATURE AND SUBMITTAL, FOR PURCHASE OF WELD COUNTY DEPARTMENT OF PUBLIC WORKS BUILDING (1301 NORTH 17TH AVENUE): Stacey Swanson, Department of Public Works, presented the Tier II Energy and Mineral Impact application for \$1,000,000.00 to purchase a building at 1301 North 17th, Greeley, Colorado. She explained the purchase will allow the Department of Public Works operations to have more space for equipment and storage. Commissioner Moreno moved to approve said application and authorize electronic signature and submittal. Seconded by Commissioner Conway, the motion carried unanimously.


#### **PLANNING:**


 1) SECOND 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. The motion was seconded by Commissioner Conway, and it carried unanimously. Mr. Barker read the title for the record. Jim Flesher, Department of Planning Services, presented the summary of the changes made to the Code.  Derrick Worden, resident of Dacono, stated he has concerns that the new rules may eliminate solar facilities. He stated he would like the Board to support all aspects of the renewable energy industry. In response to Commissioner Conway, Mr. Worden stated the megawatt amount is more important than the acreage and, as technology advances, solar facilities will leave a smaller footprint. He stated five (5) megawatts will be the threshold for community solar projects. In response to Commissioner Moreno, Mr. Worden stated there is a way to use less land and utilize more megawatts.  Mike Krueger, representative of Colorado Solar Storage Association, read a letter on behalf of Ray Roth, who is considering the development of a solar facility in Weld County. Mr. Krueger stated the most concerning is the two (2) to 30-megawatt change, they are wanting to do a large solar project, but it may have to be on smaller parcels, so it will meet the requirement of two (2) to 30 megawatts. In response to Commissioner James, Mr. Krueger stated the medium project is about five 35 acres and five (5) megawatts.


 Ali Weaver, representative of Silicon Ranch, stated the proposed changes to the Code regarding megawatts prohibits technological advancement. In response to Commissioner Conway, Ms. Weaver stated, currently, as of today solar companies are able to fit 2 megawatts on 20 acres, but she stated the challenges come from properties that have unusable corners and it limits the opportunity to maximize the land use.


 John Hereford, representative of Oak Leaf Energy Partners, stated the regulations will limit the renewable energy on the size of solar facilities and he would rather have the limitations be on the acreage. In response to Chair Kirkmeyer, Mr. Hereford stated approximately 5,000 panels, or 2 megawatts, will fit on parcels between 10 and 11 acres in size.


 Troy Whitmore, representative of United Powers Service, stated solar facilities have to be located close to the infrastructure to move power and to be economical. He expressed concerns with the proposed medium size facilities and would requested that no changes be made to the Code. In response to Commissioner James, Mr. Whitmore stated data centers and other businesses are interested in becoming 100% renewable. He stated he is in support of the oil and gas industry and agriculture. In response to Commissioner Conway, Mr. Whitmore stated the solar facilities located in the Town of Mead and the City of Fort Lupton became operational after the Code change and they were sited under the municipal standards.


 In response to Commissioner Conway, Ms. Weaver stated the Town of Mead had solar facilities go through the Weld County process and the City of Fort Lupton has facilities which went through the municipal USR process.

 Chair Kirkmeyer explained the Board and staff is cleaning up Zoning Districts. Mr. Whitmore stated a solar facility is considered a temporary use lasting 20 to 25 years. He stated there are concerns that the medium solar facilities would be replaced.

 Richard Miller, representative of Sunshare, stated the changes to the regulations could be problematic for medium scale facilities if the proposed changes prohibit then in the A (Agricultural) zone district. He recommended the medium scale facilities be allowed in the C-3 (Commercial) and the I-1 (Industrial) Zone District with a Use by Special Review Permit. In response to Chair Kirkmeyer, Mr. Miller stated solar facilities are a necessary use or utility, and the benefit of having them in the agricultural areas it gives the property owner another source of income. He stated solar facilities are a utility use, but are compatible with agricultural uses.


 Kyle Sundman, representative of Namaste Solar, stated solar is an energy development and he believes solar facilities should be labeled the same as oil and gas industry. He stated once the facility is decommissioned it would not be productive to rezone the agricultural zone. He also suggested a solar facility isn't visually unappealing. He explained a solar panel will produce more energy when located in Weld County than in Denver.


 Dale McCall, representative of Rocky Mountain Farmers Union, reported the current members believe the regulations are working and they have concerns with more restrictions on medium size facilities in the A (Agricultural) Zone District.


 Troy Spraker, representative of (inaudible), stated the proposed Code change will cause some hardships to the medium scale solar facility. He stated he doesn't ever hear negative feedback concerning


the solar industry. He stated, if the zoning is changed to an industrial use, then in 20 to 35 years the land will be available for any industrial use to move in and it may not be compatible with the surrounding uses.


*(Clerk's Note: The Board recessed at 12:00 pm and reconvened 1:34 pm)*


 Milton Geiger, resident of Windsor, on behalf of Poudre Valley REA, stated they have existing medium-scale solar projects within the County, which generate energy locally. He requested that there be no changes made to the existing regulations.


 John Marxarelle, representative of Silicon Ranch, stated the solar facilities are compatible with agriculture, oil and gas exportations and production.

 David Amhen-Olzewski, representative of Sunshare, stated there were several factors which attracted them to develop solar facilities in Weld County. He stated they are trying to give people the option to choose energy sources and offer significant cost savings. He explained people don't want to change their land to industrial zoning and this makes things more complicated for the solar companies, which will create more costs. He suggested solar facilities be zoned similar to oil and gas. He requested that small solar facilities be 35 acres without a cap on megawatt size. In response to Commissioner Conway, Mr. Amhen-Olzewski stated Weld County's Code is more sophisticated compared to the other Counties that he has worked with.

 Elliott Abel, representative of Namaste Solar, stated they installed two (2) solar systems on Aurora Dairy in Weld County and explained the goal is for Weld County to be an energy friendly community. He stated solar is used for residential, commercial, and agriculture, and it can co-locate with oil and gas. He stated there doesn't need to be a de facto ban on the solar energy in Weld County, because it would not benefit Aurora Dairy, who uses solar energy to save on operating costs. Mr. Abel clarified the process of solar co-locating with oil and gas operations.

 Dave Kisker, resident of Johnstown, commented on the smaller scale facility and suggested there be a decision on the amount of land, versus limits on power. He stated medium-scale facilities are low impact uses but they are related to agriculture. He stated 35 megawatts will use 200 acres.

 Commissioner Conway suggested leaving small facilities at 20 acres and let technology be in control. He expressed his concerns with how to approach medium-scale solar facilities and suggested more discussions are needed but he doesn't want to see the medium-scale facilities restricted to the industrial or commercial zones. He addressed concerns from the industry about creating unintended consequences. Commissioner Conway stated Weld County is an energy county and he inquired how many applications have been received since the regulations changed in 2016. Mr. Parko referenced five (5) pre-applications for solar facilities and confirmed the Department of Planning Services hasn't received any medium-scale applications.

 Commissioner James stated the Board should approve the solar facilities in the A (Agricultural) Zone with the understanding there may be visual impacts of solar facilities. He stated he would like to see medium-scale facilities reviewed through the USR process on a case-by-case basis. Commissioner Freeman stated the one (1) medium facility was approved in the I-3 (Industrial) Zone. He suggested doing a 1041 for the large and medium scale facilities as determined by the acreage size and not megawatts. Commissioner Moreno stated the impact on the acreage size needs to be considered. Chair Kirkmeyer stated the Board needs to consider the harmonious development of the County. She stated they are trying to establish the zone districts and decide what is truly the intent of the zone district. She clarified

solar facilities are not a “farm” or a “garden”, rather they are an industrial use. She stated they create an industrial zone in the agricultural zone. Commissioner Freeman stated they have seven (7) applications and four (4) have been approved. Chair Kirkmeyer stated she is looking at how much acreage the solar facility will cover, and she is willing to go to ten (10) acres, but not willing to go to 20 acres covered by panels. Mr. Parko confirmed 20 acres or less is a small-scale facility, 20 acres or more would be a medium scale, and there are 30 megawatts for large scale. Commissioner James clarified the trigger for a 1041 is determined by megawatts. Mr. Barker suggested the Board revisit the Ordinance and decide how to handle the different zone districts. Commissioner Freeman stated it should stay in the industrial zone and be a USR process. He stated solar panels are not consistent with the land uses of the agricultural zone.



Chair Kirkmeyer stated she gets calls about the unsightly appearance of solar facilities. Chair Kirkmeyer inquired about Batch Plants and suggested changes for the First Reading. Commissioner James moved to read Code Ordinance #2019-02 on First Reading. Seconded by Commissioner Conway, the motion carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2019-09, #2019-10, and #2019-11 were approved on First Reading and Code Ordinance #2019-02 was 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 2:42 p.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

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


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

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 12, 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, June 12, 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 - EXCUSED  
Commissioner Steve Moreno - EXCUSED

Also present:


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


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

 **READ ORDINANCE BY AUDIO:** Commissioner Freeman moved to read Code Ordinance #2019-12 by audio. The motion was seconded by Commissioner Conway and it carried unanimously.


 **CERTIFICATION OF HEARINGS:** Commissioner Conway moved to approve the Certification of Hearings conducted on June 10, 2019, as follows: 1) USR19-0014 – Leeward Renewable Energy Development, LLC. 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 Conway seconded the motion, and it carried unanimously.


 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, thanked the Board for the recognition of Vietnam Veterans. Chair Kirkmeyer thanked Mr. Gillard for his military services and she also thanked staff for the exceptional job of organizing the Welcome Home Pinning Ceremony event.


**BIDS:**


 1) APPROVE BID #B1900095, RECYCLED ASPHALT CRUSHING – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Department of Purchasing, reviewed the two (2) bids received and stated staff recommends awarding to the low bidder, J-2 Contracting, for the total amount of \$125,000.00. Commissioner Freeman moved to approve said low bid. The motion was seconded by Commissioner Conway, and it carried unanimously.


 2) APPROVE BID #B1900098, COMMERCIAL CLOTHES WASHER FOR THE JAIL (QTY 2) - DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf reviewed the four (4) bids received and stated staff recommends awarding to the low bidder who meets specifications, Clean Designs, for the total amount of \$36,460.00. Commissioner Conway moved to approve said low bid which meets specifications. Seconded by Commissioner Freeman, the motion carried unanimously.


**NEW BUSINESS:**


 1) CONSIDER GRANT APPLICATION FOR WELD COUNTY INFORMATION TECHNOLOGY RISK ASSESSMENT PROJECT AND AUTHORIZE ELECTRONIC SUBMITTAL: Jamie Ulrich, Deputy Director of the Department of Human Services, reviewed the details of the application for \$50,000.00 in grant funds to conduct a risk assessment of the Weld County Department of Human Services information systems to ensure security control requirements are being met. Commissioner Freeman moved to approve said application and authorize electronic submittal. The motion was seconded by Commissioner Conway, and it carried unanimously.

 2) CONSIDER CONTRACT ID #2548 LICENSE AGREEMENT FOR QUARTERLY CENSUS EMPLOYMENT AND WAGE (QCEW) MICRO DATA AND AUTHORIZE DIRECTOR OF HUMAN SERVICES TO SIGN: Ms. Ulrich presented the agreement between the Colorado Department of Labor and Employment and the Weld County Department of Human Services to share labor and employment data with Upstate Colorado. Commissioner Conway moved to approve said agreement and authorize the Director of Human Services to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

 3) CONSIDER CONTRACT ID #2553 AGREEMENT TO PURCHASE OUT-OF-HOME PLACEMENT SERVICES AND AUTHORIZE CHAIR TO SIGN – KAIROS FAMILY SERVICES, LLC: Ms. Ulrich reviewed the details for the agreement with Kairos Family Services, LLC. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Conway, carried unanimously.


 4) CONSIDER CONTRACT ID #2596 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – TINA KRISKO: Ms. Ulrich presented the terms of the agreement with Tina Krisko to provide respite services. 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 CONTRACT ID #2539 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – TINA KRISKO: Ms. Ulrich presented the agreement for a new foster care home in Johnstown, Colorado. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.


 6) CONSIDER CONTRACT ID #2613 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – DANIEL AND JEANNIE TORRES: Ms. Ulrich presented the agreement for a new foster care home in Firestone,





Colorado. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Conway, carried unanimously.


 7) CONSIDER CONTRACT ID #2663 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – WILLIAM BILLINGSLEY, III, AND KELLY PRIBBLE: Ms. Ulrich reviewed the details of a new foster care home located in Greeley, Colorado. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 8) CONSIDER CONTRACT ID #2743 AGREEMENT FOR SINGLE ENTRY POINT FOR LONG-TERM CARE SERVICES AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich reviewed the terms for the Area Agency on Aging to serve as the single entry point for long-term clients and provide screening, referral and care management services for them. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

 9) CONSIDER CONTRACT ID #2766 INTERGOVERNMENTAL AGREEMENT FOR AGING AND DISABILITY RESOURCE OF COLORADO (ADRC) TRANSITION-RELATED REFERRALS AND OPTIONS COUNSELING AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich presented the intergovernmental agreement to expand the capacity of the Aging Disability Resource of Colorado (ADRC) to provide counseling for nursing home residents considering relocating to a community setting. Commissioner Conway moved to approve said intergovernmental agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.


 10) CONSIDER CONTRACT ID #2635 EXPENDITURE AUTHORIZATION FOR JOBS FOR VETERAN'S STATE GRANT (JVSG) AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated the expenditure authorization will be used to cover the overhead and operational costs for the two (2) State Disabled Veterans Outreach Program staff. Commissioner Freeman moved to approve said expenditure authorization and authorize the Chair to sign. The motion, which was seconded by Commissioner Conway, carried unanimously.

 11) CONSIDER CONTRACT ID #2769 EXPENDITURE AUTHORIZATION FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) DISLOCATED WORKER (DW) PROGRAM AND APPRENTICESHIP USA (APPR) PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich presented the expenditure authorization for individuals enrolled in registered apprentice programs, for the total amount of \$30,000.00. Commissioner Conway moved to approve said expenditure authorization and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 12) CONSIDER CONSENT TO ENFORCEMENT OF THE 2018 FIRE CODE, WITH AMENDMENTS, WITHIN CERTAIN AREAS OF UNINCORPORATED WELD COUNTY LYING WITHIN THE FRONT RANGE FIRE RESCUE FIRE PROTECTION DISTRICT: Jose Gonzales, Department of Building Inspection the, stated Front Range Fire Rescue Fire Protection District is requesting consent to enforce the 2018 International Fire Code within the unincorporated areas of Weld County within their district boundaries. In response to Chair Kirkmeyer, Mr. Gonzales confirmed the agreement has the local amendments concerning with access and sprinklers. Mr. Barker suggested the last Whereas paragraph in the Resolution be changed from the “*attached*” to specifically refer to “*Resolution #2019-06*”. Commissioner Conway moved to amend the Resolution. The motion was seconded by Commissioner Freeman, and it carried unanimously. Tyler Drage, representative of Front Range Fire Rescue Fire

Protection District, expressed his appreciation for the support of the Board and the assistance of Mr. Gonzales with the terminology. Commissioner Conway moved to consent to enforcement of the 2018 International Fire Code, with Amendments, which was seconded by Commissioner Freeman, and it carried unanimously.

**PLANNING:**

 1) FIRST 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 (1041 OIL AND GAS RESOURCE AREA - STORM DRAINAGE AND TRANSPORT PERMITS): Dawn Anderson, Department of Public Works, presented the changes and modifications for the purpose of clean-up and review as a result of the new 1041 Designation in relation to Oil and Gas in the County. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve Code Ordinance #2019-12 on First Reading. Seconded by Commissioner Conway, the motion carried unanimously. Commissioner Conway thanked staff for the hard work they did on this Code Ordinance.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-12 was approved on First Reading.

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

There being no further business, this meeting was adjourned at 9:23 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

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


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

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 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, June 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 - EXCUSED  
Commissioner Scott K. James  
Commissioner Steve Moreno - EXCUSED


Also present:


Assistant County Attorney, Karin McDougal  
Acting Clerk to the Board, Stephanie Frederick  
Controller, Barbara Connolly

 **MINUTES:** Commissioner Freeman moved to approve the minutes of the Board of County Commissioners meeting of June 12, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.


 **CERTIFICATION OF HEARINGS:** Commissioner James moved to approve the Certification of Hearings conducted on June 12, 2019, as follows: 1) USR19-0021 – The Entrust Group, Inc., fbo, John Charles Schreckengast Roth IRA, and 2) USR19-0008 – Rocky Mountain Midstream, LLC. 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 James seconded the motion, and it carried unanimously.

 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, invited the Board to the North Colorado Nightmares Football Team's future games and stated they are the number one football team in the region.


#### BIDS:


 1) APPROVE BID #B1900097, FLEET SERVICES WELDING SHOP VENTILATION – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Department of Purchasing, reviewed the two (2) bids received and stated staff recommends awarding to the low bidder, Colorado Mechanical


Systems, for the total amount of \$109,800.00. Commissioner James moved to approve said low bid. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 2) PRESENT BID #B1900100, ARCHITECTURAL AND DESIGN SERVICES AND ON CALL – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf reviewed the fifteen (15) bids received and stated staff will bring back a recommendation on July 8, 2019.


**NEW BUSINESS:**


 1) CONSIDER CONTRACT ID #2775 AMENDMENT #5 TO INTERGOVERNMENTAL AGREEMENT FOR COUNTY INCENTIVES PROGRAM AND AUTHORIZE CHAIR TO SIGN: Jamie Ulrich, Deputy Director of the Department of Human Services, reviewed the Amendment to Intergovernmental Agreement and stated the Department of Health Care and Finance has allocated additional funds, in the amount of \$33,692.63, if performance measures are met. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 2) CONSIDER FIVE (5) STANDARD FORMS OF AGREEMENTS AND RATES FOR VARIOUS OUT-OF-HOME PLACEMENT SERVICES BETWEEN THE WELD COUNTY DEPARTMENT OF HUMAN SERVICES AND VARIOUS PROVIDERS ON ATTACHED LISTS AND AUTHORIZE CHAIR TO SIGN AGREEMENTS CONSISTENT WITH SAID FORMS: Ms. Ulrich presented the template form for various Out-of-Home Placement Services Agreements and Individual Provider Contract to Purchase Foster Care Services in a Foster Care Home to reflect updated rates and providers. Commissioner James moved to approve said forms and authorize the Chair to sign agreements consistent with said forms. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 3) CONSIDER CONTRACT ID #2788 PARTICIPATING AGREEMENT FOR NOXIOUS WEED TREATMENT AND AUTHORIZE CHAIR TO SIGN: Tina Booton, Weed and Pest Division, reviewed the details of the agreement for Weld County to treat noxious weed throughout the Pawnee National Grassland. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.




 4) FINAL READING OF WELD COUNTY ORDINANCE #2019-05, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS, OF THE WELD COUNTY CODE (MS4): Commissioner James moved to read Code Ordinance #2019-05 by title only. The motion was seconded by Commissioner Freeman, and it carried unanimously. Karin McDougal, Assistant County Attorney, read the title for the record. Lyndsey Holbrock, Department of Public Works, presented the changes and stated staff recommends modifying Appendix 8-E. No public input was offered concerning this matter. Commissioner Freeman moved to approve on Final Reading. The motion, which was seconded by Commissioner James, carried unanimously.

 5) FINAL READING OF WELD COUNTY ORDINANCE #2019-06, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION, OF THE WELD COUNTY CODE (DISPOSITION OF RECOVERED PROPERTY): Commissioner Freeman moved to read Code Ordinance #2019-06 by title only. Seconded by Commissioner James, the motion carried unanimously. Ms. McDougal read the title for the record and stated there have been no changes since the Second Reading. No public input was offered concerning this matter. Commissioner James moved to approve on Final Reading. Seconded by Commissioner Freeman, the motion carried unanimously.

 6) SECOND 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 James moved to read Code Ordinance #2019-08 by title only. The motion, which was seconded by Commissioner Freeman, carried unanimously. Ms. McDougal read the title for the record. Barb Connolly, Controller, stated there has been no changes since First Reading; however, there are some technical changes that will be proposed during a work session on July 1, 2019. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve on Second Reading. The motion was seconded by Commissioner James, and it carried unanimously.

#### **PLANNING:**

 1) CONSIDER APPLICATION FOR SMALL BUSINESS INCENTIVE PROGRAM AND AUTHORIZE RELEASE OF ECONOMIC DEVELOPMENT TRUST FUNDS (TIER II) – DAIRY TECH, INC.: Tom Parko, Director of the Department of Planning Services, presented the details of the application from Dairy Tech, Inc., for the Small Business Incentive Program. He stated he reviewed the Tier II application and recommends awarding the business \$30,000.00 to reimburse the owner for permit costs. Commissioner James moved to approve said application and authorize the release of economic development trust funds as recommended by staff. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 2) CONSIDER PROBABLE CAUSE HEARING, PCSC19-0002, CONCERNING USE BY SPECIAL REVIEW PERMIT, USR12-0019 – C&M RODRIGUEZ SERVICES, INC.: Chris Gathman, Department of Planning Services, inquired about continuing this matter to allow for a full quorum. Chair Kirkmeyer clarified the purpose of a Probable Cause hearing is to see if there are findings to set a Show Cause Hearing. Mr. Gathman presented a brief background on the property and detailed the steps staff took to notify the property owner of the violations. Mr. Gathman stated they are advertising for RV storage and towing services and recently there have been oil and gas combustors moved to the site. He went on to explain the towing service is not part of the original USR, nor is the banner sign. No property owner or representative was present.  Steve Nelson, adjacent property owner, stated he is north of U.S. Highway 85 and stated the oil and gas combustor towers and the sandboxes are obstructing his business sign and there are safety concerns.  Dan Balderas, adjacent property owner, stated his concern is the operation of the towing company because the site is not zoned for a multi-use business. He stated the towing company has also been in violation with the Public Utilities Commission (PUC) rules. In response to Chair Kirkmeyer, Mr. Balderas stated this isn't a secure facility and is listed as public storage, so anybody has access to the property. Commissioner James clarified they are using the facility as an impound lot. Mr. Gathman suggested adding Development Standard (DS) #26 to the Resolution. Commissioner Freeman moved to amend the Resolution to add DS #26. Seconded by Commissioner James, the motion carried unanimously. Commissioner Freeman moved to find there is probable cause and to set the Show Cause Hearing for August 14, 2019, at 9:00 a.m. Seconded by Commissioner James, the motion carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2019-05 and #2019-06 were approved on Final Reading and Code Ordinance #2019-08 was 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 9:33 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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

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

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

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


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

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 19, 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, June 19, 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 - EXCUSED  
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 Freeman moved to approve the minutes of the Board of County Commissioners meeting of June 17, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

 **AMENDMENTS TO AGENDA:** Commissioner James moved to add the following under New Business item #1) Consider Grant Application for Skilled Worker Training Programs and authorize Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.


 **CONSENT AGENDA:** Commissioner James moved to pull the warrant for Commissioner Moreno from the Consent Agenda. Commissioner Freeman seconded the motion. Upon a roll call vote, the motion passed, with Commissioner Conway excused and Commissioner Moreno recused. Commissioner James moved to approve amended Consent Agenda. Seconded by Commissioner Freeman, the motion carried unanimously.


 **PUBLIC INPUT:** Dave Kisker, resident of Johnstown, inquired about when the Board will begin video streaming their meetings. Chair Kirkmeyer stated there is work session scheduled with the Clerk to the Board, and the vendor is finalizing some details. Subsequently, Commissioner Freeman stated the work session will be July 1, 2019, at 3:15 p.m.


#### NEW BUSINESS:


 1) CONSIDER GRANT APPLICATION FOR SKILLED WORKER TRAINING PROGRAMS AND AUTHORIZE CHAIR TO SIGN: Jamie Ulrich, Deputy Director of the Department of Human Services,


presented the terms of the application for the Division of Employment Services to partner with the industry to offer or fund a Skilled Worker Training Programs. Commissioner Moreno moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 2) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES FOR FOSTER PARENT PRIDE CO-FACILITATOR AND AUTHORIZE CHAIR TO SIGN – ESTHER DENNIS: Ms. Ulrich presented the agreement with Esther Dennis to serve as a Foster Parent Pride Co-Facilitator and provide training to current and potential foster families. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 3) CONSIDER ADDITIONS TO SECTION 2.000 CHILD WELFARE OF THE DEPARTMENT OF HUMAN SERVICES POLICIES AND GUIDELINES MANUAL: Ms. Ulrich reviewed the additions to Section 2.000 Child Welfare, which is related to Foster Care Services. Commissioner Moreno moved to approve said additions to the policies and guidelines manual. Seconded by Commissioner Freeman, the motion carried unanimously.


 4) CONSIDER CONTRACT ID #2760 COOPERATIVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN – COLORADO STATE PATROL (CSP): Ms. Ulrich presented the agreement with the Colorado State Patrol which enhances cooperation between agencies to protect children and families involved in child abuse and neglect investigations. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.


 5) CONSIDER CONTRACT ID #2762 MEMORANDUM OF UNDERSTANDING FOR SENIOR NUTRITION PROGRAM (FRIENDLY FORK) AND AUTHORIZE CHAIR TO SIGN – TOWN OF MILLIKEN, ON BEHALF OF MILLIKEN COMMUNITY CENTER: Ms. Ulrich presented the terms of memorandum of understanding for the Milliken Community Center to provide nutrition services and a congregate meal site to senior citizens. Commissioner Freeman moved to approve said memorandum of understanding and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 6) CONSIDER CONTRACT ID #2774 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT CONTRACT FOR LONG TERM CARE OMBUDSMAN PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich reviewed the details of the six-month extension of the grant to meet the increasing need of advocacy, on behalf of this vulnerable population. Commissioner James moved to approve said grant extension and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.


 7) CONSIDER CONTRACT ID #2780 TASK ORDER CONTRACT AMENDMENT #1 FOR TUBERCULOSIS PREVENTION AND CONTROL PROGRAM AND AUTHORIZE CHAIR TO SIGN: Dr. Mark Wallace, Director of the Department of Public Health and Environment, reviewed the amendment of the task order contract to continue assisting in preventing and controlling the spread of Tuberculosis in Weld County. Commissioner Freeman moved to approve said task order amendment #1 and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.




 8) CONSIDER CONTRACT ID #2782 TASK ORDER CONTRACT FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace presented the details of the task order contract for funds which will allow the department to train for pandemics, bioterrorism and emergent diseases. Commissioner James moved to approve said task order contract and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.


 9) CONSIDER CONTRACT ID #2783 TASK ORDER CONTRACT AMENDMENT #2 FOR AIR QUALITY PROGRAM CONTINUATION AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace presented the amendment #2 for funding to operate the air quality enforcement program, conduct inspections and provide guidance when responding to complaints. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 10) CONSIDER CONTRACT ID #2781 TASK ORDER CONTRACT AMENDMENT #2 FOR IMMUNIZATION CORE SERVICES PROGRAM AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace presented the terms of the task order contract to attempt to increase the rate of children who receive immunizations in Weld County and allow the Department of Public Health and Environment to be reimbursed. He stated Colorado has a low immunization rate and explained the department is working with schools and families to help them understand the benefit of having their child immunized. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 11) CONSIDER VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT APPLICATION FOR VICTIM SERVICES UNIT AND AUTHORIZE CHAIR TO SIGN: Sonja Kohlgraf, Sheriff's Office reviewed the details of the application requesting the amount of \$71,638.00 for the Victims Services Unit. Commissioner James moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 12) CONSIDER CONTRACT ID #2708 MEMORANDUM OF UNDERSTANDING FOR MAP-DATA SERVICES AND AUTHORIZE CHAIR TO SIGN: Jacob Mundt, Department of Information Technology, stated this memorandum of understanding will allow staff to have access to map services available on the Coloradotrip.org website, including road and weather conditions. Commissioner Moreno moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

*(Clerk's Note: The remaining new business items #12 thru #17 are on a separate recording.)*

 13) CONSIDER CERTIFICATION TO THE WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – LANCE RAUSCH: Karin McDougal, Assistant County Attorney, presented the request to certify penalties against the property owner for violations.


 Lance Rausch, resident of Milliken, explained he has spent a considerable amount of money to properly screen the property and continues working on the fence. He expressed his frustration with not being able to meet the regulations and stipulations from staff. He stated he wants to get his property cleaned up and would like acknowledgement toward the work he has completed. In response to Commissioner Moreno, Mr. Rausch confirmed the fence has been constructed but is damaged in areas. Chair Kirkmeyer stated, according to the photos from staff, Mr. Rausch has not successfully cleaned up the property. Mr. Rausch stated there has been progress. Bethany Pascoe, Department of Planning Services, stated she has communicated to Mr. Rausch that the screening material can't be fabric and it must be of the same material and she noted the vehicles are being removed. Chair Kirkmeyer stated it has been three (3) years since the property owner signed a stipulation agreeing he would clean up the property and to install a proper fence with the approved material. Mr. Rausch stated the fence has been up long enough to sustain vandalism and weather damage; however, Mr. Rausch stated he has a limited budget compounded by health issues and he would like to sell the property to resolve this matter. In response to Chair Kirkmeyer, Ms. McDougal stated the mobile homes were removed but, at last inspection, two (2) more trailers have been moved on to the property. She stated the fencing which was required and some of the items have been completed. Ms. McDougal confirmed Mr. Rausch signed the Stipulation and then she reviewed the Board's options for progressing forward with the certification. Commissioner Moreno stated certifications are a difficult process, but Mr. Rausch has been in this process for three (3) years, therefore, he is in support of the certification. Commissioner Freeman stated the photos show that the property is not in compliance and moved to approve said Certification to the Weld County Treasurer. The motion was seconded by Commissioner James, and it carried unanimously.


 14) CONSIDER CERTIFICATION TO THE WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – CHRISTINA ELAM AND DONALD HARRIS: Ms. McDougal presented the request to certify penalties against the property owner for having a non-commercial junkyard, including campers and trailers which are being used as residences. She stated the property owners entered into a Stipulation in May, 2017. Ms. Pascoe presented photos from June, 2019, which show the property is still in violation. She explained the property is in a floodplain so the newly constructed fence will not meet the criteria and there are campers occupied on the site. No representative was present at the hearing. Commissioner Moreno moved to approve said Certification to the Weld County Treasurer, which was seconded by Commissioner James. In response to Chair Kirkmeyer, Ms. McDougal stated to increase the fee, the matter will have to go back to court. Commissioner Moreno expressed his frustration that there was not a representative present. There being no further discussion, the motion carried unanimously.


 15) CONSIDER CERTIFICATION TO THE WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JOSE SANTOS LOPEZ: Ms. McDougal presented the request to certify penalties against the property owner for operating a tire business and storage of commercial vehicles. She stated the property is still in violation and the Department of Planning Services has not received an application. Ms. Pascoe presented the photos showing the property is still in violation and explained the USR application must be complete to prevent future fees from incurring. No property representative was present at the hearing. Commissioner James moved to approve said Certification to the Weld County Treasurer. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 16) CONSIDER CERTIFICATION TO THE WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – GRACIELA QUINONEZ AND VERONICA

GUTIERREZ: Ms. McDougal presented the certification for violations due to the presence of multiple buildings without building inspections. Tonya Johnson, Department of Planning Services, on behalf of Building Compliance, stated she has not received a building permit. In response to Commissioner James, Ms. Johnson confirmed the permit is free to file but the construction needs to be inspected. No property representative was present at the hearing. Commissioner James moved to approve said Certification to the Weld County Treasurer. The motion, which was seconded by Commissioner Moreno, carried unanimously.

 17) CONSIDER AGREEMENT PURSUANT TO C.R.S. §30-11-123 AND AUTHORIZE CHAIR TO SIGN – J.M. SMUCKER, LLC: Barb Connolly, Controller, presented the amendment from J. M. Smucker, LLC, requesting the amount of tax incentive payments be increased to 56 percent. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 18) FINAL READING OF CODE ORDINANCE #2019-07, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION AND CHAPTER 3 HUMAN RESOURCES, OF THE WELD COUNTY CODE (*WORKING RETIREES*): Commissioner Freeman moved to read Code Ordinance #2019-07 by title only. The motion, which was seconded by Commissioner James, carried unanimously. Mr. Barker read the title for the record. Patti Russell, Director of the Department of Human Resources, presented the three (3) changes since the Second Reading.

 Elizabeth Rodriguez, employee of Weld County, inquired about the rule of “80” and Chair Kirkmeyer explained it came from federal regulations. Commissioner James moved to approve Code Ordinance #2019-07 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 #2019-07 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 10:03 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

EXCUSED

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

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


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

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 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, June 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 - EXCUSED  
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 Freeman moved to approve the minutes of the Board of County Commissioners meeting of June 19, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.


 **CERTIFICATION OF HEARINGS:** Commissioner Moreno moved to approve the Certification of Hearings conducted on June 19, 2019, as follows: 1) Authorizing the Issuance and Sale of Weld County, Colorado, Revenue Note (North Range Behavioral Health Project) Series 2019, 2) PUDZ18-0005 – Boulder Creek Estates, LLC, c/o Grow Your Storage, LLC, and 3) USR19-0011 – Kerr-McGee Gathering, LLC. Commissioner James 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 James seconded the motion, and it carried unanimously.


 **PUBLIC INPUT:** Bill Gillard, resident of Greeley, stated during the Nightmares semi-pro football team game next weekend they will have a ceremony recognizing Veterans and emergency personnel. In response to Mr. Gillard, Bruce Barker, County Attorney, stated in accordance with State statute, if there is a meeting where a vote is required, a meeting will need to be recorded and the Charter also states that setting regular meetings or special meetings requires a vote; however, the Board is unable to make a decision by vote, during work sessions.


## **FINANCIAL WARRANT REGISTERS:**


 1) WARRANT FOR COMMISSIONER JAMES – JUNE 21, 2019: Commissioner James stated he will recuse himself for the vote. Commissioner Freeman moved to approve said warrants for Commissioner James on June 21, 2019. The motion was seconded by Commissioner Moreno. Upon a roll call vote, the motion passed with Commissioner James recused and Commissioner Conway being excused.

 2) GENERAL WARRANT REGISTER – JUNE 21, 2019: Commissioner James moved to approve said general warrants. Seconded by Commissioner Freeman, the motion carried unanimously.


## **BIDS:**


 1) PRESENT AND APPROVE EMERGENCY BID #B1900107, TASERS AND ACCESSORIES – SHERIFF'S OFFICE: Rob Turf, Department of Purchasing, explained a required order was misplaced and the essential equipment is needed immediately for the Sheriff's Office. He reviewed the two (2) bids received and stated staff recommends emergency approval for the low bidder, Pro Force Law Enforcement, in the amount of \$49,934.00. Commissioner Moreno moved to approve said bid on an emergency basis. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 2) PRESENT AND APPROVE EMERGENCY BID #B1900108, 822 7TH STREET ROOF REPLACEMENT – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf explained the Chase Building's roof has been leaking and needs replaced. He reviewed the four (4) bids received and stated staff recommends awarding to the low bidder who meets specifications, Moisture Control, for the total amount of \$212,858.00. Commissioner James moved to approve said bid on an emergency basis. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 3) PRESENT 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 will bring back a recommendation on July 8, 2019.


## **NEW BUSINESS:**


 1) CONSIDER CONTRACT ID #2786 CONTRACT FOR NURSE HOME VISITOR PROGRAM AND AUTHORIZE CHAIR TO SIGN: Mark Wallace, Director of the Department of Public Health and Environment, stated a specially-trained nurse will provide home visits to vulnerable low-income, first-time mothers residing in Weld County beginning in pregnancy and continuing until her child reaches the age of two (2) years, for the total amount of \$954,006.00. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.


 2) CONSIDER CONTRACT ID #2784 CONTRACT AMENDMENT #1 FOR WOMEN'S WELLNESS CONNECTION CANCER PREVENTION AND EARLY DETECTION PROGRAM AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace reviewed the terms of amendment #1 for an additional \$155,354.00 of funding for low-income, uninsured women to access high-quality screening and diagnostic services to detect cervical and breast cancer at early stages. Commissioner James moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 3) CONSIDER CONTRACT ID #2796 TASK ORDER CONTRACT AMENDMENT #2 FOR LOCAL PLANNING AND SUPPORT (PER CAPITA) AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace reviewed the annual task order to support the core public health services and stated the amount the County Health


Department will receive is \$432,589.00. In response to Chair Kirkmeyer, Dr. Wallace explained Karin McDougal, Assistant County Attorney, reviewed the contract and there will be separate applications and funding concerning food safety and child care. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 4) CONSIDER CONTRACT ID #2785 CONTRACT AMENDMENT #4 FOR HEALTHY COMMUNITIES PROGRAM AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace presented the amendment for funding to educate families with children who use Medicaid and also how to access preventive health care and the goal is to decrease the costs to Medicaid. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. The motion, which was seconded by Commissioner Freeman, carried unanimously.


 5) CONSIDER APPLICATION FOR EXTENSION OF 2018-2019 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT CONTRACT FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE CHAIR TO SIGN: Michael Rourke, District Attorney, presented the application for the six-month extension of the VALE Grant. Commissioner James moved to approve said application and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

 6) CONSIDER APPLICATION FOR 2020 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE CHAIR TO SIGN: Mr. Rourke reviewed the details of the application for the amount of \$136,182.00, for the Victim Witness Unit. Commissioner Freeman moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

 7) CONSIDER MODIFICATION OF GRANT FOR 2019 COOPERATIVE LAW ENFORCEMENT OPERATING AND FINANCIAL PLAN AND AUTHORIZE CHAIR TO SIGN: Sonja Kohlgraf, Sheriff's Office, presented the Annual Operating Plan between the U.S. Forest Service and the Weld County Sheriff's Office to provide patrol services in the Pawnee National Grassland. Commissioner James moved to approve said plan and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 8) CONSIDER AGREEMENT FOR PROVISION OF COMMUNITY CORRECTIONS SERVICES AND AUTHORIZE CHAIR TO SIGN – INTERVENTION, INC., DBA INTERVENTION COMMUNITY CORRECTIONS SERVICES (ICCS): Doug Erler, Director of the Department of Justice Services, reviewed the terms for the agreement for Intervention, Inc., dba Intervention Community Corrections Services, to provide community correction services. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 9) CONSIDER LEASE AGREEMENT RENEWAL FOR PROVISION OF COMMUNITY CORRECTIONS SERVICES AND AUTHORIZE CHAIR TO SIGN – INTERVENTION, INC., DBA INTERVENTION COMMUNITY CORRECTIONS SERVICES (ICCS): Mr. Erler stated the lease agreement goes with the previous agreement and there are no changes to the terms, except for the 2.3% lease amount increase. Commissioner Moreno moved to approve said lease agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.


 10) CONSIDER TEMPORARY CLOSURE OF CR 45 BETWEEN CRS 4 AND 8: Amy Mutchie, Department of Public Works, presented the closure beginning July 8, 2019, through July 26, 2019, to


repair a bridge deck on Bridge 45/6A. She explained the two (2) miles of gravel roadway on the detour route will be treated with magnesium chloride. Commissioner James moved to approve said closure. The motion was seconded by Commissioner Freeman, and it carried unanimously.


 11) CONSIDER CONTRACT ID #2790 AGREEMENT FOR RENTAL OF 20KW GENERATOR AND AUTHORIZE CHAIR TO SIGN – SUNBELT RENTALS: Jay McDonald, Director of the Department of Public Works, presented the agreement for the rental of a 20kw Generator to supply power to a job-site trailer. He recommended awarding to Sunbelt Rentals, in the total amount of \$2,641.80. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

 12) CONSIDER CONTRACT ID #2795 AGREEMENT FOR RENTAL OF 2019 40-TON ARTICULATING HAUL TRUCK AND AUTHORIZE CHAIR TO SIGN – 4 RIVERS EQUIPMENT: Mr. McDonald presented the agreement to rent an articulating haul truck for use in mining and reclamation activities. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously. Commissioner Moreno thanked Mr. McDonald and Curtis Hall, Department of Public Works, for their hard work and coordination to get this job done.

 13) CONSIDER CONTRACT ID #2758 AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY BY WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT FOR CERTAIN IMPROVEMENTS TO COUNTY ROAD 44/33A BRIDGE AND AUTHORIZE CHAIR TO SIGN ALL NECESSARY DOCUMENTS – CLARENCE CARLSON AND THE ESTATE OF VIOLET JUNE CARLSON: Cameron Parrott, Department of Public Works, reviewed the terms of agreement to acquire right-of-way and a temporary construction easement, for the total amount of \$2,950.00. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

 14) CONSIDER CONTRACT ID #2759 AGREEMENT CONCERNING PURCHASE OF PUBLIC ROAD RIGHT-OF-WAY BY WARRANTY DEED AND TEMPORARY CONSTRUCTION EASEMENT FOR CERTAIN IMPROVEMENTS TO COUNTY ROAD 44/33A BRIDGE AND AUTHORIZE CHAIR TO SIGN ALL NECESSARY DOCUMENTS – BRET AND CHERYL CLAUSEN: Mr. Parrot presented the agreement to purchase right-of-way and temporary construction easement, for the total amount of \$5,350.00. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

 15) CONSIDER CONTRACT ID #2791 INTERGOVERNMENTAL AGREEMENT FOR REPLACEMENT OF COUNTY ROAD BRIDGE 19/46.5A AND AUTHORIZE CHAIR TO SIGN: Mike Bedell, Department of Public Works, presented the intergovernmental agreement with the Colorado Department of Transportation (CDOT) for Bridge 19/46.5, which is about 50 to 60 years old and needs replaced. Mr. Bedell stated a typical bridge has a 50-year lifetime. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

 16) CONSIDER RENEWAL APPLICATION FOR A FERMENTED MALT BEVERAGE OFF-PREMISES (COUNTY) LICENSE AND AUTHORIZE CHAIR TO SIGN – CIRCLE K STORES, INC., DBA CIRCLE K STORE 2709846: Bob Choate, Assistant County Attorney, presented the application for a Fermented Malt Beverage Off-Premises license and noted there are no concerns. Commissioner

Freeman moved to grant said license and authorize the Chair to sign. 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. No Ordinances were approved.

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

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

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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

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

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

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

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




# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JUNE 26, 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, June 26, 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 - EXCUSED  
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 24, 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.

#### PRESENTATIONS:

 1) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – ANNETTE GUTIERREZ-JONES: Chair Kirkmeyer read the certificate for the record, recognizing Ms. Gutierrez for her dedicated service to all Weld County citizens. Judy Griego, Director of the Department of Human Services, along with Tammy Grant, Department of Human Services, thanked Ms. Gutierrez for her positive attitude and stated she assisted in serving 6,000 people in the last year and her absence will leave a large void in the Department. Ms. Gutierrez thanked everyone for their support. Each Commissioner, in turn, thanked Ms. Gutierrez for her dedication and service to Weld County citizens and congratulated her on her retirement and extended well wishes for her future. *(Clerk's Note: The Board paused the meeting for a photo opportunity.)*

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



### **FINANCIAL WARRANT REGISTERS:**

1) GENERAL WARRANT REGISTER – JUNE 25, 2019: Commissioner Freeman moved to approve said financial warrant registers for June 25, 2019. The motion, which was seconded by Commissioner Moreno, carried unanimously.

### **NEW BUSINESS:**



1) CONSIDER CONTRACT ID #2671 AGREEMENT FOR AGING MASTERY PROGRAM AND AUTHORIZE CHAIR TO SIGN – NATIONAL COUNCIL ON AGING (NCOA): Jamie Ulrich, Deputy Director of the Department of Human Services, presented the agreement to add the Aging Well Program to better serve the aging population of Weld County. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.



2) CONSIDER CONTRACT ID #2736 MEMORANDUM OF UNDERSTANDING FOR SHARED USE OF QUARTERLY CENSUS OF EMPLOYMENT WAGES DATABASE AND AUTHORIZE CHAIR TO SIGN – UPSTATE COLORADO ECONOMIC DEVELOPMENT: Ms. Ulrich reviewed the details of the Memorandum of Understanding with to allow access to economic development data from the Colorado Department of Labor and Employment and Weld County and share the information with Upstate Colorado Economic Development. Commissioner Freeman moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.



3) CONSIDER CONTRACT ID #2740 MEMORANDUM OF UNDERSTANDING FOR COORDINATED INVESTIGATIONS INTO CHILD ABUSE AND NEGLECT AND AUTHORIZE CHAIR TO SIGN – LIFE STORIES CHILD AND FAMILY ADVOCACY: Ms. Ulrich presented the terms of the Memorandum of Understanding for the Department of Human Services and the Weld County Sheriff's Office to use Life Stories Child and Family Advocacy for coordinated investigations into child abuse and neglect cases. Commissioner Freeman moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.




4) CONSIDER 2019-2020 CHILD WELFARE RESPITE CARE CONTRACT PROVIDER LIST AND RATE: Ms. Ulrich presented the 2019-2020 Child Welfare Respite Care provider list and rate. Commissioner Moreno moved to approve said provider list and rate. The motion was seconded by Commissioner James, and it carried unanimously.



5) CONSIDER 2019-2020 ANNUAL BUDGET FOR AREA AGENCY ON AGING PROGRAMS: Ms. Ulrich reviewed the 2019-2020 annual budget for the Area Agency on Aging. Commissioner James moved to approve said budget. The motion was seconded by Commissioner Freeman, and it carried unanimously.



6) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R6811197 – YJ INVESTMENT, INC.: Brenda Dones, Assessor, presented the petition for abatement or refund of taxes for tax years 2017 and 2018. She stated the petitioner requested the refund because the property value was increased based on a purchase that was executed outside of the relevant base period and was a non-market transaction. She stated the petitioner is not present because they agree with the recommendation from the Assessor's Office to set the value at \$65,000.00 per room. Commissioner James moved to approve, in-part, said petition for abatement or refund of taxes. Seconded by Commissioner Moreno, the motion carried unanimously.

 7) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – CORVETTES WEST CAR CLUB CHAPTER: Karin McDougal, Assistant County Attorney, presented the agreement with Corvettes West Car Club Chapter for activities during the 2019 County Fair. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.


 8) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – LONGS PEAK ANTIQUE TRACTOR AND ENGINE ASSOCIATION: Ms. McDougal reviewed the details of the agreement with the Longs Peak Antique Tractor and Engine Association with activities during the 2019 County Fair. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.


 9) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – MOUNTAIN SHADOWS CARRIAGES, C/O DARIN HENRY: Ms. McDougal presented the terms of the agreement with Mountain Shadows Carriages, c/o Darin Henry, for activities during the 2019 County fair. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Freeman, carried unanimously.


 10) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – NORTHERN COLORADO DRAFT HORSE ASSOCIATION: Ms. McDougal presented the details of the agreement with the Northern Colorado Draft Horse Association for activities during the 2019 County Fair. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.


 11) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – JC MCDOWELL, DBA YOUNG GUNS ENTERTAINMENT CORP: Ms. McDougal reviewed the terms of the agreement with JC McDowell, dba Young Guns Entertainment Corporation, for activities during the 2019 County Fair. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.


 12) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY MEAT GOAT BREEDERS ASSOCIATION: Ms. McDougal presented the details of the agreement with the Weld County Meat Goat Breeders Association for activities during the 2019 County Fair. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

 13) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – MINI TRACTOR PULLERS OF AMERICA: Ms. McDougal presented the terms of the agreement with Tractor Pullers of America for activities during the 2019 County Fair. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.



 14) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – 5 FLAT PRODUCTIONS, C/O GARY RODARME: Ms. McDougal reviewed the details of the agreement with 5 Flat Productions, c/o Gary Rodarmel, for activities during the 2019 County Fair. Commissioner James moved to approve said agreement and authorize the Chair to sign. Commissioner Moreno seconded the motion, and it carried unanimously.






 15) CONSIDER PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – THE WEATHERED OAK, LLC, C/O LESLIE REEVES: Ms. McDougal presented the agreement with The Weathered Oak, LLC, c/o Leslie Reeves, for activities during the 2019 County Fair. 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 PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZE CHAIR TO SIGN – AIRBOUND, C/O MICHELLE KENNEDY: Ms. McDougal presented the terms of the agreement with Airbound, c/o Michelle Kennedy, for activities during the 2019 County Fair. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

 17) CONSIDER AUTHORIZING BOARD OF COUNTY COMMISSIONERS TO CONVENE AS A BOARD OF EQUALIZATION FOR CALENDAR YEAR 2019: Commissioner Freeman moved to authorize the Board of County Commissioners to convene as a Board of Equalization for 2019. The motion was seconded by Commissioner James, and it carried unanimously.

#### **PLANNING:**

 1) CONSIDER RESUBDIVISION, RES18-0006, TO REDESIGN LOT 31 OF BLOCK N AND LOT 35 OF BLOCK K OF EVANS SUBDIVISION – ELSA VALDEZ, AND JARED AND KAITLIN LIPPERT: Angela Snyder, Department of Planning Services, stated the applicants want to redesign Lot 31 of Block N and Lot 35 of Block K of Evans Subdivision. Ms. Snyder explained when the applicants vacated Koch Avenue half was granted to each property owner, but the applicants want to divide the right-of-way unequally to establish the fence line. Ms. Snyder explained this Resubdivision will define the boundaries and correct the incorrect plats which were submitted by the applicants. She presented photos of the property.  Elsa Valdez, applicant, agreed with the Conditions of Approval and stated she doesn't have any questions. Commissioner Moreno moved to approve said Resubdivision. Seconded by Commissioner James, the motion carried unanimously.

 2) CONSIDER APPEAL OF THE DECISION BY THE DEPARTMENT OF PLANNING SERVICES CONCERNING USR18-0100 OR 1041 SPECIAL REVIEW PERMIT APPLICATION FOR PUBLIC SERVICE COMPANY OF COLORADO – KUTAK ROCK, LLP: Commissioner Freeman recused himself. Bob Choate, Assistant County Attorney, presented the appeal brought forth by multiple land owners and reported the Planning Commission has already heard this case and the Board has already approved several waivers extending the time to consider the application to allow the applicant to attempt to address concerns from the Town of Eaton. Mr. Choate stated the applicant was given two options: 1) request an extension of time to address the referrals from the Town of Eaton, or 2) narrow the scope of the application and will file a new application. Mr. Choate recommended the Board dismiss the appeal because the appellant will be allowed to present their concerns to the Board at the hearing for the new application.  Chris Gathman, Department of Planning Service, stated the applicants submitted an updated application after the March, 2019, meeting and after staff reviewed the application it was sent back out for referrals.  Bruce Barker, County Attorney, read Section 21-1-70 and stated the concerns have been presented by the appellants should be heard by the Board on July 24, 2019, after the notice has been sent out. Mr. Barker explained after reviewing the letters he cannot determine where anyone has been aggrieved.  Chair Kirkmeyer inquired concerning the criteria to determine whether an appellant is aggrieved, and Mr. Barker confirmed the appropriate time to hear complaints is at the July 24, 2019, hearing.  After discussion, the Board agreed with the County Attorney's Office, and determined that the appellant is not aggrieved and will have the opportunity to make their argument at the July 24,

2019, hearing. Commissioner Moreno moved to dismiss the appeal. Seconded by Commissioner James, the motion carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:43 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

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

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

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