

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO NOVEMBER 4, 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, November 4, 2019, at the hour of 9:00 a.m.

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

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

Also present:

County Attorney, Bruce Barker
Clerk to the Board, Esther Gesick
Senior Accountant, Chris D'Ovidio

MINUTES: Commissioner Conway moved to approve the minutes of the Board of County Commissioners meeting of October 30, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner Moreno moved to read Code Ordinance #2019-17 by audio. The motion was seconded by Commissioner Conway, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on October 30, 2019, as follows: 1) USR19-0054 – Western Equipment and Truck, Inc., c/o SunShare, LLC, 2) USR19-0048 – David and Cynthia Stark, and 3) USR19-0036 – Richard and Kathi Crooks. Commissioner Conway seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: No public input was given.

PRESENTATIONS:

1) **RECOGNITION OF SERVICES, CLERK AND RECORDER'S OFFICE – DENISE ADAME:** Chair Kirkmeyer read the certificate recognizing Ms. Adame for her years of outstanding dedication to the citizens of Weld County. Carly Koppes, Clerk and Recorder, expressed her appreciation of Ms. Adame's flexibility and caring customer service, and wished her the best in her retirement. Rudy Santos, Clerk

and Recorder's Office, stated he attended Ms. Adame's retirement party at the Fort Lupton office and it was very rewarding to see the recognition of her role in the office. Commissioner Moreno stated Ms. Adame started in the Clerk and Recorder's Office the year before he did, in 1984, and she is well respected for her work and love of family. Each of the remaining Commissioners, in turn, thanked her for her dedication, sunny disposition, mentorship, and involvement in the Fort Lupton community. (*Clerk's Note: The meeting was paused for a photograph.*)

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 31, AND NOVEMBER 1, 2019: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER TASK ORDER AMENDMENT #1 TO AGREEMENT FOR PROFESSIONAL SERVICES FOR SOUTHWEST SERVICES CENTER BOOKING INTAKE REMODEL (BID #B1900051) – AMERICAN CONSTRUCTION SERVICES, LLC: Toby Taylor, Director of Buildings and Grounds, stated during the demolition phase it was discovered that the HVAC ducting was not in compliance with fire code, therefore, the project was shut down while the architect and engineers developed a practical solution to correct the design, resulting in the need for a change order in the amount of \$76,143.00. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER TASK ORDER AMENDMENT #1 TO AGREEMENT FOR PROFESSIONAL SERVICES FOR HUMAN SERVICES B DESIGN SERVICES (BID #B1900100) – C2D ARCHITECTS, LLC: Mr. Taylor stated design services are required for the remodeling project at the Human Services B Building, therefore, he recommended an amendment to the on-call contract with C2D Architects, LLC, in the amount of \$70,600.00, for their services. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

3) CONSIDER APPEAL OF THE DECISION BY THE DEPARTMENT OF PUBLIC WORKS TO DENY ACCESS PERMIT, AP19-00242 – NWC DEVELOPMENT, LLC: Dawn Anderson, Department of Public Works, stated this appeal is concerning denial of Access Permit, AP19-00242, on County Road (CR) 86, east of CR 49. She indicated the location of the original oil and gas access, AP12-00062, issued to Chesapeake Operating in 2012, is located 520 feet east of the intersection with CR 49. She also identified the location proposed by staff at 330 feet to meet distance from intersection requirements, and showed the appellant's proposed location at 150 feet. Ms. Anderson noted the inspection reported there are no sight spacing issues and staff would support the request, with the requirement that the new access replace the original location which was never constructed. In response to Commissioner Conway, Ms. Anderson reviewed the traffic count data for the area. Ryder Reddick, Tetra Tech, represented the applicant and explained the property owners, Douglas and Joyce Fred, wish to retain their land in CRP production; however, the original location and the distance required by staff will remove additional land from production to accommodate the access road leading to the pipeline valve site located on the property. He displayed an aerial map depicting the site located approximately 7.5 miles from the town of Ault, as well as photographs of the site and surrounding views. He reiterated the 330-foot distance is further east and will remove a fair portion of the property owner's land from CRP, whereas, the requested location at 150 feet will still preserve the health, safety and welfare of the traveling public. In response to Chair Kirkmeyer, Mr. Reddick expressed no opposition to removing the 2012 access permit location, and clarified the existing permit is not related to USR18-0080, because the pipeline within the property is a Use Allowed by Right. Ms. Anderson confirmed staff's only reason for denial is intersection spacing requirements. Responding to Commissioner James, Ms. Anderson confirmed if the use changes, the

access permit would need to be modified accordingly. Mr. Barker suggested an amendment to the Resolution that as a Condition of granting this appeal, the applicant shall remove the access granted under Access Permit, AP12-00062. Commissioner Conway moved to amend the Resolution to include the conditional language as stated by the County Attorney. The motion was seconded by Commissioner Moreno, and it carried unanimously. Commissioner Conway moved to grant the appeal of NWC Development, LLC, and reverse the decision of the Department of Public Works, with instruction to issue Access Permit, AP19-00242, at the 150-foot location and the condition of removing AP12-00062. Seconded by Commissioner Freeman, the motion carried unanimously.

4) CONSIDER RATIFICATION OF APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE HIGH PLAINS LIBRARY DISTRICT: Matthew Hort, Executive Director of the High Plains Library District (HPLD), stated as of December 13, 2019, the terms of two members are ending and he recommended ratification of the two new individuals selected to fill the vacancies. Commissioner Freeman stated as a representative on the HPLD he supports the selection of Ken Poncelow and Jana Caldwell, therefore, he moved to approve the Resolution ratifying the appointments. Commissioner Moreno seconded the motion, and it carried unanimously. In response to Commissioner Conway, Mr. Hort reported the HPLD has purchased the Greeley Tribune building to establish a downtown Greeley Library and Innovation Center. Commissioner James encouraged collaboration with the Workforce Development Center, and Commissioner Moreno expressed his appreciation for the new leadership and working relationships that have been fostered.

5) CONSIDER CANCELLATION OF BOARD OF COUNTY COMMISSIONERS MEETING SCHEDULED FOR DECEMBER 4, 2019: Commissioner Freeman moved to approve said cancellation, which is necessary due to the Commissioners attending the CCI Winter Conference. Commissioner James seconded the motion, and it carried unanimously.

PLANNING:

1) FIRST READING OF WELD COUNTY CODE ORDINANCE #2019-17, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 19 COORDINATED PLANNING AGREEMENTS, OF THE WELD COUNTY CODE (*JOHNSTOWN*): Tom Parko, Director of the Department of Planning Services, stated this agreement is consistent with the other Coordinated Planning Agreements, with one change to add the last sentence in Section 19-21-50.B concerning the right to seek annexation. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2019-17 on First Reading. Commissioner Conway seconded the motion, and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance 2019-17 was approved on 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 9:42 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

EXCUSED DATE OF APPROVAL
Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO NOVEMBER 6, 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, November 6, 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
Clerk to the Board, Esther Gesick
Senior Accountant, Chris D'Ovidio

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of November 4, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance 2019-16 by audio. The motion was seconded by Commissioner Freeman, and it carried unanimously.

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

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

PUBLIC INPUT: Bill Gillard, Greeley resident, commended the Commissioners for implementing Live Streaming of their public Board meetings. He also expressed appreciation for the public assistance directing people to the ballot drop-off areas on Election Day.

PROCLAMATIONS:

1) **VETERANS DAY – NOVEMBER 11, 2019:** Chair Kirkmeyer read the Proclamation recognizing November 11, 2019, in honor of Veterans Day and thanked the veterans in attendance for their service in the armed forces.

WARRANTS:

- 1) GENERAL WARRANTS –NOVEMBER 5, 2019: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.
- 2) COMMISSIONER WARRANTS (SEAN P. CONWAY) – NOVEMBER 5, 2019: Commissioner James moved to approve the Warrant for Commissioner Conway, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.
- 3) COMMISSIONER WARRANTS (SCOTT K. JAMES) – NOVEMBER 5, 2019: Commissioner James recused himself from voting on this matter. Commissioner Moreno moved to approve the Warrant for Commissioner James, as printed. Commissioner Freeman seconded the motion, and on a roll call vote it carried with three in favor and Commissioner James recused.

BIDS:

- 1) APPROVE BID #B1900131, INMATE MEDICAL SERVICES – SHERIFF’S OFFICE (CONT’D FROM 10/30/2019): Rob Turf, Purchasing Department, stated staff reviewed the seven (7) bids received and recommends approval of the low bid from Turn Key Health, in the amount of \$4,094,988.00, for the first year at the North Jail complex. Commissioner Freeman moved to approve said bid as recommended by staff. Commissioner Moreno seconded the motion, and it carried unanimously. *(Clerk’s Note: Following the Board meeting the Sheriff’s Office/Purchasing Department staff provided corrected information for the award, in the amount of \$4,284,420.00, which was made part of the public record.)*
- 2) PRESENT AND APPROVE EMERGENCY BID #B1900147, ASSESSOR’S OFFICE REMODEL – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf stated the Department of Buildings and Grounds received three (3) bids and is requesting emergency approval to the coordinated timelines of other available support contractors which are needed during the holiday season to minimize operational impacts to remodel of the Assessor’s Office. Mr. Turf stated staff recommends awarding to the low bidder which meets specifications, Kilgore Construction, for the amount of \$58,600.00. Commissioner James moved to approve said low bid on an emergency basis. Commissioner Freeman seconded the motion, and it carried unanimously.

NEW BUSINESS:

- 1) CONSIDER CONTRACT ID #3169 AGREEMENT FOR SNOW REMOVAL SERVICES AT SOUTHWEST SERVICE CENTER AND AUTHORIZE CHAIR TO SIGN (INFORMAL BID #B1900140) – S.J. WARD LANDSCAPES, LLC: Mr. Taylor stated he pursued the informal bid process in accordance with the procurement policy and recommended approval of the low bid from S.J. Ward Landscapes, LLC, for the terms specified in the agreement. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.
- 2) CONSIDER CONTRACT ID #3196 AGREEMENT FOR SNOW REMOVAL SERVICES AT SOUTHEAST SERVICE CENTER AND AUTHORIZE CHAIR TO SIGN (INFORMAL BID #B1900143) – L&M ENTERPRISES, INC.: Mr. Taylor recommended approval of the low bid from L&M Enterprises, Inc., and he reviewed the rates for full and partial snow removal. 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 CONTRACT ID #3199 MEMORANDUM OF UNDERSTANDING FOR VICTIM ADVOCATE SERVICES UNIT AND AUTHORIZE CHAIR TO SIGN – TOWN OF MEAD POLICE DEPARTMENT: Sonja Kohlgraf, Sheriff’s Office, stated the provisions of the Memorandum of Understanding for the Victim Advocate Services Unit (VSU) have been in place for several years, including a maximum reimbursement from the municipalities in the amount of \$4,500.00 per year.

Commissioner Moreno moved to approve said memorandum of understanding and authorize the Chair to sign, which was seconded by Commissioner James. Debbie Calvin, Coordinator for the Victim Services Unit, highlighted the collaborative efforts of the VSU with the Frederick Police Department in service to the public. Commissioner Moreno expressed his appreciation for the work being accomplished. There being no further comments, the motion carried unanimously.

4) CONSIDER CONTRACT ID #3201 MEMORANDUM OF UNDERSTANDING FOR VICTIM ADVOCATE SERVICES UNIT AND AUTHORIZE CHAIR TO SIGN – TOWN OF FREDERICK POLICE DEPARTMENT: Based on the explanation and comments made concerning the previous item, 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.

5) CONSIDER TEMPORARY CLOSURE OF CRS 39 AND 50.5 BETWEEN NORTH 1ST STREET IN LASALLE, COLORADO, AND CR 41: Amy Mutchie, Department of Public Works, requested approval of the temporary closure commencing November 7, 2019, through November 22, 2019, to allow for intersection improvements and final roadway construction for CRs 39 and 50.5, and noted water will be used for dust control along the detour route. Commissioner Moreno moved to approve said temporary closure. Commissioner Freeman seconded the motion, and it carried unanimously.

6) FIRST READING OF WELD COUNTY CODE ORDINANCE #2019-16, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 5 REVENUE AND FINANCE, OF THE WELD COUNTY CODE (FEES): Chair Krikmeyer stated there will be a work session prior to Second Reading. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve Code Ordinance #2019-16 on First Reading. Commissioner James seconded the motion, and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance 2019-16 was approved on 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 9:17 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

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 WEDNESDAY, NOVEMBER 13, 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, November 13, 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
Clerk to the Board, Esther Gesick
Controller, Barbara Connolly

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of November 6, 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 November 6, 2019, as follows: 1) USR19-0052 – The Guest Family Trust, 2) USR19-0036 – Richard and Kathi Crooks, and 3) USR19-0051 – Alyson Carney, c/o AB Underground, LLC. Commissioner Moreno seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: Bill Gillard, Greeley resident, thanked Commissioner James for relaying his question regarding the sustainability of the Bright Futures program to Don Warden, Director of Finance and Administration, who indicated it will be fully self-sufficient within the next five (5) years. He also referred to CR 392 and suggested the placement of improved warning signs, alerting that cross traffic on CR 49 does not stop, to ensure the safety of the traveling public. Commissioner Moreno stated staff reviewed the intersection and has been coordinating with the Colorado Department of Transportation (CDOT), since it is within their jurisdiction. Chair Pro-Tem Freeman agreed the warrants justify a Stop light, but it is uncertain when that will be installed.

Steve Teets, Greeley resident, referred to the Emergency Preparedness booklet prepared by the Office of Emergency Management and stated it is a good document which should be better distributed.

Secondly, he requested a solution for improved services for veterans, seniors, and Medicaid patients in need of transportation for medical appointments.

PRESENTATIONS:

1) RECOGNITION OF SERVICES, JUVENILE COMMUNITY REVIEW BOARD – HOLLY MAY: Chair Pro-Tem Freeman read the certificate recognizing Ms. May for her voluntary services on the Juvenile Community Review Board.

2) RECOGNITION OF SERVICES, WELD FAITH PARTNERSHIP COUNCIL – NATE TREVERNER, LYNDA EASTER, JODI HARTMANN, AND ROSANN HOLMAN: Chair Pro-Tem Freeman read the certificates recognizing each of the past Faith Partnership Council members for their voluntary services. Commissioner Moreno stated these are great citizens and expressed his thanks for their service and commitment to make things better.

PROCLAMATIONS:

1) WELD COUNTY ADOPTION DAY – NOVEMBER 22, 2019; AND NATIONAL ADOPTION DAY – NOVEMBER 23, 2019: Chair Pro-Tem Freeman read the certificate proclaiming November 22, 2019, as Weld County Adoption Day, and November 23, 2019, as National Adoption Day. Jamie Ulrich, Deputy Director of the Department of Human Services, thanked staff for their tireless work and shared some statistics concerning foster care and adoption activities. Julie Witkowski, Department of Human Services, introduced adoptive parents: Trent and Stephanie Korby, Nicole Griswald, and Craig and Debbie Cleveland. Ms. Korby stated they have adopted two daughters and expressed her thanks to the staff and to the Board for recognizing this day. Commissioner James stated he and his wife, Julie, adopted their son, Jack, and adoption “fills a child-sized hole in the heart”. He shared their adoption story and thanked all of the foster and adoptive families for taking care of kids in need and providing a forever home. Commissioner Moreno agreed and thanked all those who adopt and provide stability and an opportunity for children to be successful. Chair Pro-Tem Freeman stated the statistics reflect the success of the program, and expressed thanks to the adoptive families who completely change childrens’ lives and give them a better opportunity.

2) APPRENTICESHIP WEEK – NOVEMBER 11-17, 2019: Chair Pro-Tem Freeman read the certificate proclaiming the week of November 11-17, 2019, as Apprenticeship Week. Ms. Ulrich stated the Workforce Development team is committed to establishing relationships with members of the business community to drive the workforce and develop the apprenticeships. She shared statistics reflecting a strong workforce and the value of apprentices. Cecilia ‘Cece’ Moreno, Department of Human Services, recognized the members of the Workforce Development Board and highlighted various local programs, events and efforts to bring forth more registered apprenticeships. Tami Grant, Department of Human Services, further recognized the Board members for their efforts throughout the community to again earn recognition from the Colorado Department of Workforce Development as a “High Performing Board”. Katrina Walker, Department of Labor, Office of Apprenticeship, thanked the Commissioners, staff and community members for supporting the various programs and initiatives which make it possible to support individuals to pursue careers for a thriving workforce. Commissioner James praised those individuals and employers who participate in apprenticeships to create phenomenal careers. Commissioner Moreno concurred and thanked the Human Services employees and Board members for their efforts which benefit the citizens of Weld County. Chair Pro-Tem Freeman agreed and appreciates the tremendous amount of ongoing work.

WARRANTS:

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

BIDS:

1) APPROVE BID #B1900136, FACILITATION SERVICES – DEPARTMENT OF HUMAN SERVICES: Rob Turf, Purchasing Department, stated one bid was received; however, the Department of Human Services determined it was cost prohibitive and requested the bid be rejected. Commissioner Moreno moved to reject said sole bid from Oval Options for Conflict Management, LLC. Commissioner James seconded the motion, and it carried unanimously.

2) APPROVE BID #B1900144, PS DATA DOMAIN – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Department of Information Technology, stated four (4) bids were received and staff recommends awarding to the low bidder, Lewan Technology, for the amount of \$72,461.00, which is covered in the budgeted 2019 Capital Improvement Plan. Commissioner James moved to approve said low bid, as recommended by staff. Commissioner Moreno seconded the motion, and it carried unanimously.

3) APPROVE BID #B1900145, PS UNITY STORAGE – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose stated four (4) bids were received and, upon review, staff recommends awarding to the low bidder, Lewan Technology, for the amount of \$35,432.00, which is covered in the budgeted 2019 Capital Improvements Plan. Commissioner Moreno moved to approve said low bid, as recommended by staff. Commissioner James seconded the motion, and it carried unanimously.

4) APPROVE BID #B1900146, CISCO ROUTERS – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose stated seven (7) bids were received and staff recommends awarding to the low bidder, Saitech, Inc., for the amount of \$35,126.00, which is covered in the budgeted 2019 Capital Improvements Plan. Commissioner James moved to approve said low bid, as recommended by staff. Commissioner Moreno seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER DESIGNATION OF CERTAIN BANKS AS DEPOSITORIES FOR WELD COUNTY FUNDS: John Lefebvre, Treasurer, presented the list of banks to be designated as depositories of Weld County Funds. Commissioner Moreno moved to approve said list of designated banks. Commissioner James seconded the motion, and it carried unanimously.

2) CONSIDER DESIGNATION OF CERTAIN BROKERS AND DEALERS FOR HANDLING INVESTMENT TRANSACTIONS OF WELD COUNTY FUNDS: Mr. Lefebvre stated the list has been updated to ensure current background checks of the brokers and dealers who handle and invest Weld County funds. Commissioner James moved to approve the list of brokers and dealers designated to handle investment transactions of Weld County Funds. Commissioner Moreno seconded the motion, and it carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 74 BETWEEN CRS 29 AND 31: Amy Mutchie, Department of Public Works, requested approval of the temporary closure beginning on November 12, 2019, and ending November 15, 2019, to replace a drainage culvert. She stated the one-mile detour route will be treated with magnesium chloride for dust control. Commissioner Moreno moved to approve said temporary closure. Commissioner James seconded the motion, and it carried unanimously.

4) CONSIDER CONTRACT ID #3228 SOLE SOURCE LEASE DATA SERVICES AGREEMENT FOR ROADSIDE WEATHER INFORMATION SYSTEM AND AUTHORIZE CHAIR TO SIGN – VAISALA, INC.:

Elizabeth Relford, Department of Public Works, stated this agreement will result in the placement of eleven (11) weather sensors throughout Weld County to enhance the weather desk functionality, for the amount of \$132,000.00 per year, and the towers will be bid separately. She further stated this project will also allow the Office of Emergency Management and the Colorado Department of Transportation (CDOT) the opportunity to share access to the equipment for their unique purposes. In response to Commissioner Moreno, Ms. Relford stated the sensor equipment does not currently utilize cameras; however, there is the opportunity to enhance the system in the future, which would allow public observation. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

5) CONSIDER APPEAL OF DENIAL BY THE DEPARTMENT OF PUBLIC WORKS FOR ACCESS PERMIT FOR RECORDED EXEMPTION, RECX18-0152 – WOODLAND HOME COMPANY, C/O RYAN WOODLAND: Dawn Anderson, Department of Public Works, provided a brief description of the location of the site on County Road (CR) 66 (aka AA St), east of CR 37. She explained a shared access was required during the Recorded Exemption (RE) process in alignment with another existing access across the road; however, after the plat was recorded the applicant submitted an access permit application which was flagged for sight safety concerns. She stated staff inspected the site on August 16, 2019, and she displayed photographs demonstrating sight distance constraints. She stated Mr. Woodland began construction without an approved access permit, she reviewed the sight distance calculations, and referenced a Resolution of the Board of Commissioners from 1969, establishing the speed limits in the area. She stated CR 66 is a paved collector roadway, reviewed the average daily traffic counts, truck percentages, and 85th percentile traffic speeds, and stated staff recommends locating the access 1,330 feet east of CR 37. In response to Commissioners Moreno and James, Ms. Anderson reviewed the chronology of the property development, explained the plat is recorded but the access permit has not been issued, and stated staffs' concern with the 1969 Resolution which establishes various speed limits which are not consistent with the existing signage. She indicated, regardless of the outcome of this appeal, staff will likely return with a recommendation for adjusting the speed limits.

Patrick Groom, Attorney, represented property owner, Ryan Woodland, and introduced Mary Wohnrade with Wohnrade Civil Engineers. He stated the law is the posted speed limit of 35 Miles Per Hour (MPH), which is what the public has to follow. He questioned when and where the traffic counts were taken, explained where the speed limits are posted, and stated the purpose for the access is to serve residential Lots A, B and C, not Lot D, which will remain in agricultural production and have a separate access. Mr. Groom explained Mr. Woodland does not want to grant access across Lot D to serve residential lots and referenced an email from the Department of Public Works accepting the existing location prior to recording the plat. He argued that the access permit process should be subject to, and completed as part of, the RE process, and the County is incorrectly defining the access location as an intersection and applying the incorrect speed limit criteria.

Mary Wohnrade, Wohnrade Engineers, summarized the survey data and design criteria utilized for her evaluation, which referenced the County's design criteria for an access location, versus an intersection. She stated the requested location complies based on the 35 MPH posted speed and can meet the 45 MPH criteria using Table 6.3 of the County's criteria. Mr. Groom stated the County rejected Ms. Wohnrade's findings using the ASHTO criteria; however, staff should be using the County's standards.

Ms. Anderson clarified the email from Mr. McRoberts was in reference to the site plan reflecting the location being requested by staff, and addressed the information recently submitted by the appellant. Commissioner James stated the situation is complicated by the 1969 Resolution, which conflicts with the posted speed limit signs. He also expressed frustration with the property owner moving dirt and commencing with construction without an approved Access Permit, especially considering the recorded plat shows a shared access for all four lots. Commissioner Moreno agreed this is a public safety issue.

Commissioner Freeman commented he is struggling with the plat design, which requires the future owners of Lots A, B and C to cross Lot D, and agreed the posted 35 MPH is the law and if raised to 45 MPH, it would still meet the criteria. Elizabeth Relford, Department of Public Works, explained the 85th Percentile is the national standard and staff would be comfortable proposing a 55 MPH speed limit. She further stated currently there is only one sign posted in one direction and if a roadway is not posted, then the speed limit is assumed to be 55 MPH.

In response to Commissioner Moreno, Mr. Groom stated Lot D currently has a farm access with an oil and gas and ditch road from CR 66, and if Lot D is developed it will have to go through a Subdivision process to determine the new access. He stated the access to Lots A, B and C at the proposed location does not pose a safety risk; the lots will generate less than 15 trips per day. Commissioner James moved to grant said appeal, which was seconded by Commissioner Moreno for the purpose of discussion. In response to Commissioner Moreno, Ms. Anderson explained, if the Board chooses to grant the appeal with direction to change the access location, then a Condition would need to be included to amend the Recorded Exemption plat. Chair Pro-Tem Freeman stated he is in support of the location of the existing access shown on the recorded plat, which is in alignment with the other access across the road. There being no further discussion, the motion carried unanimously.

6) **CONSIDER REAPPOINTMENT TO WELD FAITH PARTNERSHIP COUNCIL:** Commissioner Moreno moved to approve said reappointment. The motion was seconded by Commissioner James, and it carried unanimously.

7) **CONSIDER REAPPOINTMENTS TO JUVENILE COMMUNITY REVIEW BOARD:** Commissioner James moved to approve said reappointments. The motion, which was seconded by Commissioner Moreno, carried unanimously.

8) **CONSIDER APPOINTMENTS TO NORTHERN COLORADO RETAC (NORTHEAST COLORADO REGIONAL EMERGENCY MEDICAL AND TRAUMA SERVICES ADVISORY COUNCIL):** The motion to approve said appointments was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

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

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

There being no further business, this meeting was adjourned at 10:31 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

EXCUSED
Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

EXCUSED
Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, NOVEMBER 18, 2019

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, November 18, 2019, at the hour of 9:00 a.m.

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

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

Also present:

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

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of November 13, 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 James moved to approve the Consent Agenda, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – NOVEMBER 15, 2019: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #3237 AGREEMENT FOR PROFESSIONAL SERVICES FOR WELD COUNTY YOUTH CONSERVATION CORPS (WCYCC) AND AUTHORIZE CHAIR TO SIGN – CITY OF EVANS: Lennie Bottorff, Department of Human Services, stated under the terms of this agreement the Youth Conservation Corps will remove noxious weeds from the Tuscany neighborhood. In response to Commissioner Conway, Mr. Bottorff stated there is very little federal funding and this type of arrangement is how the AmeriCorps Program is funded. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER CONTRACT TO BUY AND SELL REAL ESTATE (0 CR 23, CARR) AND AUTHORIZE CHAIR TO SIGN ALL NECESSARY DOCUMENTS: Toby Taylor, Director of the Department of Buildings and Grounds, described the location of the vacant parcel. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

3) CONSIDER TAX INCREMENT REVENUE SHARING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – FIRESTONE URBAN RENEWAL AUTHORITY: At the request of Mr. Barker, Chair Pro-Tem Freeman also called up item #4 to be considered concurrently. AJ Krieger, Firestone Town Manager, introduced Paula Mehle, Director of Community Development and Urban Renewal, and stated this is a great example of County and Town cooperation to develop a 235-acre site and capture some of the oil and gas drilling revenues which will be designated for a new water treatment facility to provide long-term potable water for the Town. He stated it is also a key part of the NISP project, which will result in less debt for the residents and translate into reduced water bills. Commissioner Conway thanked Mr. Krieger and Ms. Mehle for attending, and stated the County enjoys a strong working relationship with the Town of Firestone. Responding to Commissioner Conway, Mr. Krieger stated the Firestone Urban Renewal Authority will be voting on the matter this Wednesday, and as a voting member, Mr. Barker advised Commissioner Conway to abstain from voting on this matter but clarified he may consider the Resolution for the following item #4. At the request of Mr. Barker, the Board voted on item #4 first. Following that vote, Commissioner Moreno moved to approve said agreement, which was seconded by Commissioner James, and it carried, with Commissioner Conway recused and Chair Kirkmeyer excused.

4) CONSIDER CONSENT TO AGRICULTURAL LANDS INCLUDED INTO FIRESTONE URBAN RENEWAL AUTHORITY – BIGHORN URBAN RENEWAL AREA: *(Clerk's Note: This item was called up and voted on prior to item #3.)* Commissioner James moved to approve said Resolution. Commissioner Conway seconded the motion, and it carried unanimously.

5) CONSIDER CONTRACT ID #3236 AGREEMENT FOR RELOCATION OF GAS PIPELINE FOR COUNTY ROADS 17/54 INTERSECTION PROJECT AND AUTHORIZE CHAIR TO SIGN – PUBLIC SERVICE COMPANY OF COLORADO (PSCO): Michael Bedell, Department of Public Works, explained the intersection project will construct a large roundabout, which requires relocating an Xcel gas distribution pipeline outside of the existing right-of-way and purchasing a new easement for the new location of the pipeline, for the amount of \$195,792.83. He stated the relocation work is scheduled to commence in December and is anticipated to be completed within 60 days. He further stated DCP Gas Company will also be relocating their gas pipelines on the north side of CR 54 and the Shoecraft property is currently in the demolition process. In response to Commissioner Moreno, Mr. Bedell confirmed the demolition work is ongoing and Chair Pro-Tem Freeman stated there is a small change order concerning asbestos removal on the Consent Agenda. In response to Commissioner Conway, Mr. Bedell stated when purchasing right-of-way over the top of an existing easement, staff typically provides the legal survey and acquisition paperwork to relocate the utilities. He also reviewed the project schedule which anticipates completion in early summer of 2020. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

6) CONSIDER CONTRACT ID #3204 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT OFF-SITE COLLATERAL FOR CR 6 ACCESS PERMIT, AP19-00231 – CRESTONE PEAK RESOURCE HOLDINGS, LLC: Tisa Juanicorena, Department of Public Works, recommended acceptance of the project collateral, in the amount of \$56,291.21, for the scope of work included in the agreement. Commissioner Conway moved to approve said agreement, accept the collateral, and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER ASSUMPTION OF LIABILITY RIDER CONCERNING IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS FOR ACCESS PERMIT, AP18-00270, AND AUTHORIZE CHAIR TO SIGN – CLIFF SIMPSON / HIGHLAND INDUSTRIAL PARK: Mr. Barker stated this assumption documents the transfer of the surety to a new company. Commissioner Conway moved to approve said assumption and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

PLANNING:

1) CONSIDER APPLICATION FOR SMALL BUSINESS INCENTIVE PROGRAM AND AUTHORIZE RELEASE OF ECONOMIC DEVELOPMENT TRUST FUNDS (TIER I) – PERFECTION PAINTING COMPANY: Tom Parko, Director of the Department of Planning Services, stated the applicant has completed the Site Plan Review process and meets all the Tier I criteria. He requested a release of \$15,552.78 from the Trust Fund to reimburse Perfection Painting Company for their fees. Commissioner James moved to approve said application and authorize release of funds. Commissioner Conway seconded the motion, and it carried unanimously.

2) CONSIDER APPLICATION FOR SMALL BUSINESS INCENTIVE PROGRAM AND AUTHORIZE RELEASE OF ECONOMIC DEVELOPMENT TRUST FUNDS (TIER I) – DREAMS AND DRAGONFLIES EVENTS CENTER, C/O VAUGHN CITO: Mr. Parko stated the applicant has completed the Use by Special Review process for a wedding event center near the Town of Johnstown and meets the Tier I criteria. He recommended release of the full \$20,000.00 from the Trust Fund to reimburse the applicant for some of their fees. Commissioner Moreno moved to approve said application and authorize release of funds. Commissioner James seconded the motion, and it carried unanimously. The Board expressed their appreciation to staff for processing these applications in support of small businesses and job creation.

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 9:23 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

EXCUSED

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO NOVEMBER 20, 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, November 20, 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
Deputy Clerk to the Board, Chloe A. Rempel
Controller, Barbara Connolly

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

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

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

PUBLIC INPUT: No public input was given.

PROCLAMATIONS:

1) FRONTIER ACADEMY WOLVERINES DAY, BOYS CROSS COUNTRY – NOVEMBER 20, 2019: Chair Kirkmeyer read the proclamation for the record. Frontier Academy Boys Cross Country Coach, Brett Shanklin, described the team's journey to achieving the state championship title, including his coaching and motivational style, which helped lead the team to success athletically and as individuals. The members of the Cross Country team introduced themselves and shared what motivated them throughout the season. Each of the Commissioners, in turn, expressed their pride in the team's accomplishments, and expressed their excitement for the coming season.

WARRANTS:

1) GENERAL WARRANTS – NOVEMBER 19, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #3112 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – DAVID AND CASSONDRA WELLS: Jamie Ulrich, Deputy Director of Department of Human Services, recommended approval of the agreement for a respite care services home located in Windsor, Colorado. Commissioner Conway 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 #3134 PROMOTING SAFE AND STABLE FAMILIES (PSSF) PARTNERSHIP PROJECT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – CATHOLIC CHARITIES AND COMMUNITY SERVICES OF THE ARCHDIOCESE DENVER, INC., WELD REGIONAL OFFICE: Ms. Ulrich explained the request is to continue contracting with the provider from October 1, 2019, through September 30, 2020. The project is a collaborative prevention effort to serve Weld County families facing homelessness, as well as families at risk of becoming involved in the child welfare system. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3148 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN – FAMILY TREE, INC.: Ms. Ulrich stated the agreement is for supervised visitation services for the term of September 1, 2019, through May 31, 2020, at a rate of \$65.00 per hour. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

4) CONSIDER CONTRACT ID #3156 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN – BASELINE ASSOCIATES, INC.: Ms. Ulrich stated the agreement is for polygraph services for a term from September 1, 2019, through May 31, 2020, at a rate of \$250.00 per polygraph examination episode. In response to Commissioner Conway, Ms. Ulrich confirmed there is not a cap on the number of episodes provided per client because the services are for sex offender treatments, and there could be one episode or a need for subsequent episodes. Commissioner James moved to approve said agreement and authorize the Chair to sign. Commissioner Freeman seconded the motion, and it carried unanimously.

5) CONSIDER CONTRACT ID #3188 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN – JEREMY T. SHARP, PHD, LLC, DBA COLORADO CENTER FOR ASSESSMENT AND COUNSELING: Ms. Ulrich explained the provider will be supplying various mental health services from October 1, 2019, through May 31, 2020. The motion to approve said agreement and authorize the Chair to sign, was made by Commissioner Conway, seconded by Commissioner Moreno, and it carried unanimously.

6) CONSIDER CONTRACT ID #3210 EXPENDITURE AUTHORIZATION AND BOARD DEVELOPMENT WORK PLAN FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) YOUTH (10%) PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich explained that the board development funds will support local Workforce Development Board costs associated with staff support and meeting expenses for the development of the 2020 local four-year plan, with a period of performance ranging from September 4, 2019, through June 30, 2020, for an amount not to exceed \$42,500.00. Commissioner Moreno moved to approve said expenditure authorization and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

7) CONSIDER CONTRACT ID #3212 EXPENDITURE AUTHORIZATION AND TRADE ADJUSTMENT ASSISTANCE (TAA) WORK PLAN FOR CASE MANAGEMENT PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich specified the Trade Adjustment Assistance (TAA) case management funds, in the amount of \$60,462.00, will allow Employment Services of Weld County staff to provide reemployment and case management services to trade-affected workers receiving reemployment trade adjustment assistance under the trade act for a period of performance ranging from October 1, 2019, to September 30, 2021. Commissioner Freeman moved to approve said expenditure authorization and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

8) CONSIDER TEMPORARY CLOSURE OF CR 33 BETWEEN CR 44 AND U.S. HWY 85: Amy Mutchie, Department of Public Works, provided a request for a temporary road closure, effective from December 2, 2019, through December 6, 2019, for the replacement of an irrigation culvert, and noted the detour routes are all paved. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Conway, and it carried unanimously.

9) CONSIDER TEMPORARY CLOSURE OF CR 28 EAST OF CR 31 TO DEAD END: Ms. Mutchie presented a temporary road closure request for a period ranging from December 2, 2019, through December 6, 2019, for the replacement of a drainage culvert. The closure is for a dead-end road and detour arrangements have been made with all local residents. Commissioner Moreno moved to approve said temporary closure. Commissioner James seconded the motion, and it carried unanimously.

10) CONSIDER TEMPORARY CLOSURE OF CR 19 BETWEEN CRS 20 AND 22: Ms. Mutchie provided a request from Xcel Energy for permission to temporarily close County Road (CR) 19 between CRs 20 and 22, from December 2, 2019, through December 20, 2019, in order to install a new four-inch gas service main and to replace an existing 1.75-inch gas service main that is no longer adequate for the service area. She clarified the detour route is paved, except one mile of gravel road, which is already treated with magnesium chloride. She also noted that a previous closure approved on October 16, 2019, for CR 19 between CRs 22 and 24, is ahead of schedule and will be finished by November 22, 2019. Commissioner Freeman moved to approve said temporary closure. Seconded by Commissioner Moreno, the motion carried unanimously.

11) CONSIDER STANDARD TERMS AND CONDITIONS OF ENGAGEMENT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – LAW OFFICE OF ED FRADO, LLC: Bruce Barker, County Attorney, presented an agreement engagement letter to have Mr. Frado of the Law Office of Ed Frado, LLC, and his staff provide legal services for the County's retirement 457(b) Plans and 401k Plans for the Internal Revenue Service's (IRS) new hardship regulations. He confirmed the rates are standard in the industry for this type of work, which is estimated to amount to \$5,000.00 at job completion. He also stated that other work specific to the above-mentioned retirement plans in relation to qualified domestic relations orders is conducted by the Weld County Attorney's Office; therefore, Mr. Frado's services will not need to be expanded beyond the terms of the agreement. In response to Commissioner Conway, Mr. Barker confirmed the need for the revisions to the County's current retirement plans resulted from IRS Code changes. In response to Commissioner Moreno, Mr. Barker stated the project funding amount of \$5,000.00 is an estimate and not a funding limit. The motion to approve said agreement and authorize the Chair to sign, was made by Commissioner Freeman, seconded by Commissioner Conway, and it carried unanimously.

12) CONSIDER LOBBYING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – COLORADO LEGISLATIVE SERVICES, LLC, DBA COLORADO LEGISLATIVE STRATEGIES: Chair Kirkmeyer stated the County Commissioners held a work session regarding this matter, and Don Warden, Director of Finance and Administration, reviewed the agreement. In response to Commissioner Conway,

Chair Kirkmeyer confirmed the work session was held over a month prior and discussion was held regarding the contract itself. In response to Commissioner Conway, Mr. Barker noted there was not an increase in the contract for the coming year. Commissioner Conway requested a work session be scheduled to discuss the County's overall lobbying costs. Chair Kirkmeyer directed staff to schedule a work session to this effect. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

PLANNING:

1) CONSIDER RECORDED EXEMPTION, RECX19-0060 – PAUL AND CRYSTAL ESH: Diana Aungst, Department of Planning Services, stated staff is recommending denial of Recorded Exemptions, RECX19-0060 and RECX19-0061, and requested to present items #1 and #2 under 'Planning' together. After advisement from Mr. Barker, Chair Kirkmeyer called up item #2 under 'Planning' as well. Ms. Aungst read her staff report for the record, stating that staff believes the two (2) Recorded Exemptions appear to be evading subdivision regulations, per Section 24-8-20.A of the Weld County Code. Additionally, Ms. Aungst stated that pursuant to Section 24-8-40.C.4, access points should be on the adjacent road with the lowest traffic count which, in this instance, would be County Road (CR) 102 (the gravel road to the north), but the applicants are requesting an access on CR 100, which is a paved collector status road. Ms. Aungst stated pursuant to Section 24-8-40.J, the proposal is not consistent with sound land use planning practices and, furthermore, pursuant to Section 24-8-40.K, the proposal does not lend to orderly and integrated development, does not promote the health, safety, and welfare of the residents of Weld County, and does not encourage well-planned subdivisions by establishing adequate standards for design and improvement. Ms. Aungst explained that the parcel does meet size requirements to apply for a four-lot Recorded Exemption (RE), but the applications have been referred to the Commissioners to review the subdivision regulations in relation to said RE applications. Ms. Aungst then presented maps and photos from her PowerPoint presentation and read her recommendation of denial into the record as reflected in staff's Comments. In response to Commissioner Conway, Ms. Aungst agreed that any future RE requests would be administratively reviewed and brought before the Board of Commissioners if they appear to be evading the Subdivision regulations. Responding to Commissioner Moreno, Ms. Aungst confirmed staff is recommending the access be on CR 102, as it has the least amount of traffic. In response to Commissioner Freeman, Ms. Aungst reviewed the requested access locations, as well as staff's recommendation for shared accesses at alternate locations. In response to Chair Kirkmeyer, Ms. Aungst explained staffs' review of the proposals and determination for acceptable design.

Mike McRoberts, Department of Public Works, reviewed the traffic counts for CRs 100 and 102, with 21 percent truck traffic.

Paul and Crystal Esh, applicants, were present to answer questions. Mr. Esh shared family photographs and expressed their appreciation for Weld County and the opportunities it affords. Ms. Esh stated they have no intention of creating a subdivision, rather, they planned to sell the smaller parcels to help finance the purchase of the larger parcel to be utilized for cattle grazing pasture. However, the recent change in staffs' recommendation concerning the appearance of evading the Subdivision regulations has complicated their financial planning. Mr. Esh displayed a PowerPoint presentation, marked Exhibit A, reviewed the original design, subsequent layouts, case timeline, and fees. In response to Chair Kirkmeyer, Mr. Barker stated the Code does not require accesses to be limited to less traveled roads, and Mr. McRoberts added that in conjunction with the original layout, he had previously agreed to a joint access from CR 100, as well as a shared access to the north from CR 102.

In response to Chair Kirkmeyer, Ms. Aungst reviewed Planning Staffs' review of the applications and interpretation of what is allowed. Chair Kirkmeyer expressed frustration with the misdirection provided by staff, and acknowledged that although she would typically vote against a RE resulting in evasion of the Subdivision regulations and lack of orderly development, in this instance, she would support the applicant's proposal, with some modification to the design. Mr. Barker stated the applications before the

Board may be granted or denied, and reiterated the purpose of a RE is to create a lot(s), which does not afford the ability to address orderly development. However, the Board does have the discretion to move Lot A of RECX19-0160 so all the lots form a cluster or linear formation with a shared access.

In response to Commissioner Conway, Mr. and Ms. Esh confirmed their intent to establish the new lots as a means of generating income to maintain and expand their existing agricultural operations, and reiterated there are no plans to create a subdivision.

Bill Garcia, Attorney with Coan, Payton, and Payne, represented the applicants and stated the location of Lot A was selected due to oil and gas improvements on the site.

Chair Kirkmeyer referenced Condition of Approval (COA) #1.B which states, “. . .the applicant shall attempt to address the concerns. . .”, and stated that does not mean the applicants are required to pay the fee; however, she recognized that they have already paid. She further stated there should only be one access, therefore, COA #2.E should be amended to delete the ‘s’ from ‘points’ and include the shared access permit number.

Tiffnee Lamb, Department of Public Works, clarified she previously issued access permit, AP19-00371, for the original location of Lot A in the southwest corner of the property from CR 100, and there is currently no access granted from CR 102 for the cluster of lots. Following discussion, the Board directed staff to eliminate the existing access and apply the \$75 access permit fee towards the issuance of a new access permit to serve the cluster of lots from CR 100. In response to Chair Kirkmeyer, Mr. Garcia stated they had an initial concern with the requirement to complete the plat within sixty (60) days; however, he was assured by the surveyor that they could meet that deadline. The Board agreed to amend COA #5 and #6 to extend the submittal deadline to one hundred twenty (120) days. Chair Kirkmeyer proposed COA #2.E be modified to state, “*Show and label the agricultural access and proposed access point to the cluster of Lots A, B and C. Public Works will review the access location as a part of the plat submittal.*” She also proposed the following language to be accomplished prior to recording the plat: “*Lots A, B and C shall be in a cluster, with Lot A immediately adjacent to, and south of Lot B.*” (Clerk’s note: *Rather than adding a new COA #2, this language was added as a new COA #1.F*). She also clarified for the applicants that the creation of the new shared access does not prevent them from utilizing the agricultural access and that both access types should be reflected on the plat.

Commissioner Conway moved to approve Recorded Exemption, RECX19-0060, based on the finding that this proposal will keep a productive agricultural property in existence and allow for the expansion of agricultural operations for future generations to come, along with the Conditions of Approval, as amended. The motion was seconded by Commissioner Freeman. Commissioner James stated an issue regarding evasion of the subdivision process is a subjective determination by the Board, and he does not believe there was any intentional evasion; rather, the applicants were following the guidance they were given. Chair Kirkmeyer stated the clustering of the lots with a shared access lends to orderly, integrated and well-planned development, which ensures the health, safety and welfare of Weld County residents by limiting the proposal to one access from CR 100. There being no further discussion, the motion carried unanimously.

2) CONSIDER RECORDED EXEMPTION, RECX19-0061 – PAUL AND CRYSTAL ESH: Chair Kirkmeyer clarified for the record that all of the comments and amendments discussed in the previous item of business (RECX19-0060) are to be incorporated into the record for RECX19-0061. She further stated, the same notes will need to be added to the plat, with the exception that the lots have already been clustered and references to that requirement may be omitted. Regarding the access, the Board directed staff that the fee that was previously paid will be applied to the access for RECX19-0061, which will be immediately adjacent to the access for RECX19-0060 and appear as one joint access.

Commissioner Freeman suggested the option to allow a second access from CR 102 to the north, since there is no concern with traffic counts. Ms. Lamb clarified, based on the direction from the Board, staff would issue a single permit for the shared access to serve all of the lots, which would be reflected on the plat for both Recorded Exemptions. In response to Chair Kirkmeyer, Mr. Esh indicated his preference to access the lots from the south, off of CR 100, and he further confirmed his agreement with the modifications, as discussed. Chair Kirkmeyer thanked the applicants for their patience working through this process. She stated normally she would not support adjacent four-lot Recorded Exemptions; however, in this case, the clustered lots will have a shared access, along with the applicants who have demonstrated their intent to retain agricultural land in production, working to ensure orderly, integrated and well-planned development, and promoting the health, safety and welfare of the area. Commissioner Freeman moved to approve Recorded Exemption, RECX19-0061, for Paul and Crystal Esh, with the Conditions of Approval, as amended. Seconded by Commissioner James, the motion carried unanimously.

3) CONSIDER ACCEPTANCE OF FILING OF SERVICE PLAN, REFERRAL TO WELD COUNTY PLANNING COMMISSION FOR STUDY AND RECOMMENDATION, AND SET HEARING DATE FOR CONSIDERATION – DRY CREEK METROPOLITAN DISTRICT NO. 1: Chair Kirkmeyer noted the hearing to consider acceptance of the Service Plan for the Dry Creek Metropolitan District No. 1 is scheduled for January 29, 2020. Commissioner Conway moved to accept the filing of a service plan, refer said matter to the Weld County Planning Commission for study and recommendation, and set the hearing date for consideration on January 29, 2020, at 10:00 a.m. 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 10:36 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Barbara Kirkmeyer, Chair

BY: _____
Deputy Clerk to the Board

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, NOVEMBER 25, 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, November 25, 2019, at the hour of 9:00 a.m.

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

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

Also present:

Assistant County Attorney, Bob Choate
Clerk to the Board, Esther Gesick
Controller, Barbara Connolly

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of November 20, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on November 20, 2019, as follows: 1) 2MJUSR19-08-1660 – Global Asset Recovery, LLC, and 2) USR19-0059 – Gary McCormick, c/o Oak Leaf Solar 42, LLC. Commissioner Conway seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – NOVEMBER 22, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

BIDS:

1) PRESENT AND APPROVE EMERGENCY BID #B1900130, CRS 17/54 IRRIGATION PROJECT – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Purchasing Department, stated five (5) bids were received and staff is requesting emergency approval to allow additional time to complete the bonding and insurance to speed up commencement of the project. Commissioner Moreno moved to approve Bid #B1900130 on an emergency basis. Commissioner Freeman seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER AMENDMENT #2 TO AGREEMENT FOR SERVICES FOR MOTOR VEHICLE SELF-SERVICE KIOSKS AND AUTHORIZE CHAIR TO SIGN – INTELLECTUAL TECHNOLOGY, INC.: A representative of the Clerk and Recorder’s Office was unavailable, therefore, Commissioner Conway moved to continue the matter to Wednesday, November 27, 2019. The motion was seconded by Commissioner Freeman, and it carried unanimously.

2) CONSIDER THIRTEENTH AMENDMENT TO OFFICE LEASE AGREEMENT (822 7TH STREET, GREELEY) AND AUTHORIZE CHAIR TO SIGN – ANIMAL HEALTH INTERNATIONAL, INC.: Toby Taylor, Director of the Department of Buildings and Grounds, stated this amendment will extend the lease agreement for one year and he reviewed the rates. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3258 APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE FUND (EIAF) PROGRAM GRANT FOR CR 79 IMPROVEMENT PROJECT (DECEMBER CYCLE-TIER I) AND AUTHORIZE ELECTRONIC SUBMITTAL: Stacey Swanson, Department of Public Works, stated this application is for \$200,000.00 in grant funds to assist with a full-depth reconstruction of 2.25 miles of County Road (CR) 79, from CR 136 north to the Wyoming state line. Commissioner Conway moved to approve said application and authorize electronic submittal. The motion was seconded by Commissioner Freeman, and it carried unanimously.

4) CONSIDER CONTRACT ID #3261 APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE FUND (EIAF) PROGRAM GRANT FOR FLEET WASH BAY BUILDING PROJECT (DECEMBER CYCLE-TIER II) AND AUTHORIZE ELECTRONIC SUBMITTAL: Ms. Swanson stated this application is for \$1 million in grant funds to construct a wash bay for the County’s fleet of 773 vehicles and equipment, strategically located in the County business park, between the Fleet and Public Works facilities, near the Sheriff’s Office. Commissioner Moreno moved to approve said application and authorize electronic submittal, which was seconded by Commissioner James, and it carried unanimously.

5) CONSIDER CONTRACT ID #3234 AGREEMENT CONCERNING PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS (COUNTY ROADS 54/17 INTERSECTION PROJECT) AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – HANKINS FARMS, LLC: Tiffane Johnson, Department of Public Works, described the location of the 160-acre property, and reviewed the various right-of-way and utility easement acquisitions, for a total compensation amount of \$119,800.00. The motion to approve said agreement and authorize the Chair to sign necessary documents was made by Commissioner James, seconded by Commissioner Moreno, and it carried unanimously.

6) CONSIDER CONTRACT ID #3260 AGREEMENT CONCERNING PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS (COUNTY ROADS 54/17 INTERSECTION PROJECT) AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – SHARON WIEDEMAN: Ms. Johnson described the location of the property and reviewed the various right-of-way and easement

acquisitions and relocations, for a total compensation amount of \$85,000.00. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign any necessary documents. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER CONTRACT ID #3262 AGREEMENT CONCERNING PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS (COUNTY ROADS 54/17 INTERSECTION PROJECT) AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS – EDWARD KINZER, MARJORIE A. KINZER FAMILY TRUST, AND MARJORIE A. KINZER MARITAL TRUST: Ms. Johnson reviewed the property location, as well as the right-of-way and easement acquisitions and relocations, for a total compensation amount of \$26,585.00. Commissioner Conway moved to approve said agreement and authorize the Chair to sign any necessary documents. The motion was seconded by Commissioner Moreno, and it carried unanimously. Commissioner Conway thanked the staff for all their hard work on this project.

8) CONSIDER TEMPORARY CLOSURE OF CR 78 BETWEEN CRS 27 AND 29: Amy Mutchie, Department of Public Works, requested approval of the temporary closure of CR 78, commencing December 2, 2019, through January 3, 2020, to allow for redeck work on Bridge 78/27B. She noted water will be used for dust control on the detour route. Commissioner James moved to approve said temporary closure. Commissioner Conway seconded the motion, and it carried unanimously.

9) CONSIDER DIRECTING THE CLERK TO THE BOARD TO HAVE PUBLISHED EMERGENCY ORDINANCE NO. 255-B SUPPLEMENTAL APPROPRIATION FOR 2019: Barb Connolly, Controller, explained a notice must be published prior to consideration of an emergency ordinance. Commissioner Moreno moved to approve directing the Clerk to the Board to publish Emergency Ordinance #255-B. Commissioner Freeman seconded the motion, and it carried unanimously.

10) SECOND READING OF WELD COUNTY CODE ORDINANCE #2019-16, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 5 REVENUE AND FINANCE, OF THE WELD COUNTY CODE (*FEES*): Commissioner James moved to read Code Ordinance #2019-16 by title only. Commissioner Conway seconded the motion, and it carried unanimously. Bob Choate, Assistant County Attorney, read the title for the record. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve Code Ordinance #2019-16 on Second Reading. Commissioner James seconded the motion, and it carried unanimously.

PLANNING:

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

2) CONSIDER ISSUANCE OF BUILDING PERMIT ON AN ILLEGAL PARCEL OF LAND – RONALD WALTER: Mr. Parko provided a brief summary concerning the subject parcel and stated the Willow Creek Annexation into the town of Johnstown left a legal parcel in the County which is non-buildable because it does not meet the minimum lot size of 80 acres. He stated this is a rare circumstance and noted the last action taken by the Board on a similar case was done in 1984. Mr. Parko reviewed the criteria listed in Section 24-10-30.C of the Weld County Code, as well as staff's findings of compliance.

Ronald Walter, applicant, stated he has owned the property since 1989, and has farmed in the area for 50 years. He further stated his desire to build a home on their family land within Weld County, confirming he does not intend to annex. Commissioner Freeman agreed with staff's findings and moved to approve the issuance of a Building Permit on the parcel owned by Mr. Walter. Commissioner Conway seconded the motion, and it carried unanimously.

3) CONSIDER PROBABLE CAUSE HEARING, PCSC19-0020, CONCERNING USE BY SPECIAL REVIEW PERMIT, USR-988 – COUNTY RV STORAGE, LLC: Maxwell Nader, Department of Planning Services, stated the property is permitted by USR-988 for use as a commercial RV storage facility; however, the applicant submitted a revised USR map and constructed a 72 by 96 square-foot building and expressed it was to be utilized for dry storage. Mr. Nader reviewed the history of site inspections, communications, and staff actions concerning the case, and displayed a vicinity map of the site and the surrounding land uses. He stated staff finds the site to be in violation of Development Standards (DS) #1, #18, #20, and #21, due to the substantial change in use without an amendment to the USR. He referenced social media posts promoting the site as an indoor sports training facility. In response to Commissioner Conway, Mr. Nader confirmed that at the time of the building inspection, the permit indicated there was to be no electrical service; however, electrical was subsequently installed. Eric Disparti, property owner, explained he did not intend for the indoor use to advance to this point, and once he was notified of the violation, he removed the signs and social media posts until the matter is resolved. He stated he was relying upon a General Contractor to ensure compliance with all the permitting requirements. Responding to Commissioner Freeman, Chair Kirkmeyer stated if the Board finds Probable Cause, then the appropriate action would be to schedule a Show Cause hearing, at which time the Board may take action to continue the hearing, revoke the USR permit, or dismiss the matter based on any compliance actions taken by the property owner. Mr. Nader stated he notified Mr. Disparti of the Probable Cause hearing, and he subsequently contacted staff to work on resolving the situation. The Board discussed timing options for scheduling a Show Cause hearing, and Mr. Nader confirmed the existing USR does allow for continued operations of the RV storage. Mr. Disparti committed to submitting an application for a major amendment to the USR as soon as possible. No public testimony was offered concerning this matter. Following additional discussion concerning the timing of a Show Cause hearing, Commissioner Moreno moved to find Probable Cause concerning DS #1, #18, #20, and #21, and set the Show Cause hearing for January 20, 2020, at 9:00 a.m. Seconded by Commissioner Freeman, the motion carried unanimously. In response to Clerical staff, the Board clarified that if the amended USR application is proceeding and notices are sent, then a memorandum to the Board would be sufficient evidence to forego the notice of a Show Cause hearing and they could administratively dismiss the matter.

4) CONSIDER DIRECTING THE DEPARTMENT OF PLANNING SERVICES TO ACCEPT AND RECORD USE BY SPECIAL REVIEW MAP, USR16-0041 – HUNT BROTHERS PROPERTIES, INC., C/O ASPHALT SPECIALTIES COMPANY, INC.: Mr. Choate provided a summary of the USR approval, development requirements, and mitigation measures to control stormwater from flowing into the Bull Canal which runs adjacent to the site, and the administrative approval of a Recorded Exemption which relocated the access further to the east, which created a problem since the design is different from what was presented to the Board. He stated the options are either to direct staff to accept and record the plat as amended, or approve a Second Corrected Resolution to update the legal description and access permit number AP19-0199, in which case Commissioners Conway and James would have to be recused because Commissioner Conway was absent from the original hearing and Commissioner James was not yet on the Board. He confirmed legal notice was provided for the various topics to be discussed and explained if the Board approves the Resolution listed as item #4 under Planning New Business (Second Corrected Resolution), then item #1 under Planning Old Business (Direct staff to accept and record) would be dismissed.

Chair Kirkmeyer referenced Development Standard #39 of the proposed Second Corrected Resolution and stated she believes there is a third option which would be to require the applicant to go through a full amendment of the USR to be reviewed by both the Planning Commission and Board of Commissioners in public hearings. She noted not all of the Conditions of Approval (COA) and Development Standards (DS) have been completed and the subsequent Recorded Exemption should not have been recorded. She stated, during the public hearing in 2017, the public offered comments with concerns and requested to be bought out or that the access be moved to the east; however, that offer was declined and now the access is directly across from their home. She further stated the public comment regarding landscaping, vehicle counts, dust, berming, acceleration/deceleration lanes, night operations and efforts for mitigation still need to be reviewed and addressed prior to proceeding. In response to Conway expressing concern regarding participating on a matter related to a hearing that he was not part of, Mr. Choate stated he and Mr. Barker discussed this matter at length and they believe Commissioners Conway and James may participate in a motion to direct staff to accept and record the plat. Mr. Choate confirmed he personally sent notice to property owners within 500 feet and those in attendance at the prior hearings. In response to Chair Kirkmeyer concerning DS #39, Mr. Choate explained it is not possible for the Board to amend the permit because technically the permit does not exist, since the conditions have not been finalized and the plat has not been recorded. Commissioner Freeman commented it may be necessary to direct staff to accept and record in order to create a permit, at which time the Board would then have the option of amending or finding Probable Cause since they have designed the site without the mitigating factors put in place by the Board. The Board agreed that because Commissioner Conway was excused from the original hearing and Commissioner James was not yet in office, they should be recused from consideration of item #4. *(Clerk's Note: Commissioners Conway and James left the meeting.)* In response to Chair Kirkmeyer, Mr. Choate explained if the Board proceeds with option #2 concerning a Seconded Correction Resolution, then they would have the ability to make further revisions to the requirements of the permit because this matter was noticed to the public.

Kim Ogle, Department of Planning Services, displayed a PowerPoint presentation (Exhibit A) and reviewed the proposed Landscaping and Screening Plan depicting the plant materials, fencing, and signage. He also displayed diagrams of the off-site improvements related to AP19-0199, including headlight mitigation on the property across County Road (CR) 6. In response to Chair Kirkmeyer, Dawn Anderson, Department of Public Works, reviewed the improvements required through the Improvements Agreement and Access Permit. She also provided the average traffic speed and traffic counts, described the plans for the new round about design at CR 6 and Colorado Boulevard, as well as the eastbound right-turn deceleration lane.

Jonathan Pray, Attorney, and Steve Ward and Dan Hunt, Asphalt Specialties representatives, displayed a PowerPoint presentation (Exhibit B) addressing the history of the CR 6 access road, design of the new Recorded Exemptions, RECX19-0183 and RECX19-0184, increased speed limit signage, and negotiation of the Improvements Agreement. Mr. Pray displayed photographs of the attempted mitigation for the access alignment across from the Vue property. He noted staffs' proposal for berming and landscaping on the Vue property is new information, but the applicant is willing if the owners are agreeable. He further stated the applicant is willing and able to perform the necessary work, but an additional delay will prevent them from meeting the three-year recording deadline. Lastly, Mr. Pray stated they have already reduced the height of the piles, are maintaining the weeds and the ditch work will be completed this fall when the water is not running. At the request of Chair Kirkmeyer, Mr. Choate provided the file location of the legal notice and certification of mailing. There was also additional discussion concerning placement of the access on a collector roadway and impacts on the neighbors.

No public testimony was offered concerning this matter.

Chair Kirkmeyer stated, in August of 2007, she voted in support of the application due to the mitigating measures which were put in place, including buffering, and she inquired whether the applicant was willing to place a covenant on Lot B of RECX16-0183 to ensure it remains in agricultural production, and Mr. Hunt agreed. She commented the new Landscaping Plan also appears to satisfy the mitigation of buffering. She acknowledged an agreement with the Vues would be necessary in order to place a berm with landscaping on their property, and reminded the applicant they must account for the six-foot drop in topography from the road down to the Vue residence.

Chair Kirkmeyer recessed the meeting at 11:25 to allow staff to discuss allowable options and for Mr. Pray to confer with the applicant.

Chair Kirkmeyer reconvened the meeting at 11:45 a.m. Ms. Anderson stated the applicant is proposing to offset the access, approximately 1,370 feet west of the Vue driveway to assist with mitigating the impact from truck lights, which would also eliminate the need for mitigating landscaping on the Vue property.

Chair Kirkmeyer referenced Condition of Approval (COA) #1.A and following discussion, the Board agreed to retain the current language. Ms. Anderson stated staff will issue a new access permit number to avoid confusion and the applicant will be required to close the existing access which was permitted in 2016. The Board discussed revisions to the COA and DS, including: amending COA #1.D to clarify that the access road will also be screened and that the Screening Plan includes berming, vinyl fencing and/or six-foot wood fencing; amending the second sentence of COA #1.F to state, *“Road maintenance, including dust control, damage repair, specified haul routes, future traffic triggers for improvements, and a proportional share of improvements to the intersection of County Road 6 and County Road 13/Colorado Boulevard will be included.”*; removing the Access Permit number from COA #1.I.9 since a new number will be assigned; inserting a new COA #1.C to state, *“The applicant shall provide a restrictive covenant or similar document demonstrating that Lot B of RECX16-0183 shall be limited to agricultural purposes for the life of the USR permit.”*; and amending DS #10 to add, *“. . . maintained, in accordance with the approved Landscape and Screening Plan.”*

In response to Chair Kirkmeyer, Mr. Pray stated they have reviewed, and agreed to abide by, the COA and DS, as amended.

No public testimony was offered regarding the amended COA and DS.

Based on the preceding discussion, Commissioner Freeman moved to dismiss item #4 concerning direction to staff. The motion was seconded by Commissioner Moreno, and it carried with Commissioners Conway and James both recused from the matter.

PLANNING OLD BUSINESS:

1) CONSIDER SECOND CORRECTED RESOLUTION FOR USE BY SPECIAL REVIEW PERMIT, USR16-0041 – HUNT BROTHERS PROPERTIES, INC. / ASPHALT SPECIALTIES COMPANY, INC.: Based on the testimony concerning the preceding item of business, Commissioner Freeman moved to approve the Second Corrected Resolution, with the amendments to the Conditions of Approval and Development Standards, as previously discussed. The motion was seconded by Commissioner Moreno and passed, with Commissioners Conway and James both recused from the matter.

2) CONSIDER ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY AND AUTHORIZE CHAIR TO SIGN – HUNT BROTHERS PROPERTIES, INC.: *(Clerk's Note: Commissioner James rejoined the meeting, and Commissioner Conway was excused.)* Mr. Choate explained the Board of Commissioners is required by State statute to accept right-of-way, and this Deed of Dedication will allow for completion of required improvements as reflected on the plat. Commissioner Freeman moved to approve acceptance of said Deed of Dedication and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN AND ACCEPT OFF-SITE COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR16-0041 – HUNT BROTHERS PROPERTIES, INC., C/O ASPHALT SPECIALTIES COMPANY, INC.: Ms. Anderson stated the Improvements Agreement has been negotiated in accordance with the requirements of the USR, including a proportional share to improve the intersection at CRs 6 and 13 (Colorado Blvd.) and the off-site improvements discussed today. Mr. Pray and Mr. Ward had no further comments. Commissioner Moreno moved to approve said agreement, authorize the Chair to sign, and accept off-site collateral. Seconded by Commissioner James, the motion carried unanimously. The Board expressed their thanks to staff and the applicant for all their efforts to reach a resolution on this matter.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2019-16 and #2019-17 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 12:15 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

EXCUSED DATE OF APPROVAL
Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, NOVEMBER 27, 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, November 27, 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:

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

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of November 25, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

AMENDMENTS TO AGENDA: Commissioner Freeman moved to amend the Agenda to remove November 27, 2019, from the Warrant dates. Commissioner James seconded the motion, and it carried unanimously.

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

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – NOVEMBER 25, 2019: Commissioner James moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

OLD BUSINESS:

1) CONSIDER AMENDMENT #2 TO AGREEMENT FOR SERVICES FOR MOTOR VEHICLE SELF-SERVICE KIOSKS AND AUTHORIZE CHAIR TO SIGN – INTELLECTUAL TECHNOLOGY, INC. (CONT'D FROM 11/25/2019): Carly Koppes, Clerk and Recorder, stated this amendment will extend the term through January 31, 2021, and increase the credit card processing fee to 2.25%, plus \$0.75. Ms. Koppes stated there has also been discussion with the State to consider ending the pilot program, thereby allowing the State to take it over and expand the program. In response to Commissioner Moreno,

Ms. Koppes stated the Greeley kiosk averages 1,000-2,000 transactions per month (15% of the overall amount) and she is working with the vendor to review the analytics and determine a kiosk site in southern Weld County, which could then be absorbed into the anticipated State system. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

NEW BUSINESS:

1) CONSIDER SUBMITTAL OF LAND USE APPLICATION FOR FINAL PLANNED UNIT DEVELOPMENT (MOTOR POOL / FLEET SERVICES WASH BAY) AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Toby Taylor, Department of Buildings and Grounds, stated this application to the City of Greeley will start the land use process to remove the lot line between the Fleet Services lot (1399 North 17th Avenue) and the Oil and Gas Energy lot (1301 North 17th Avenue) to allow for the construction of a new wash bay building. Commissioner Freeman moved to approve said application for submittal and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously. In response to Chair Kirkmeyer, Mr. Taylor stated the application was compiled using a hired consultant, it will be reviewed by the City of Greeley Planning Commission, and he is not currently aware of any issues or concerns.

2) CONSIDER CONTRACT ID #3122 AGREEMENT FOR PROFESSIONAL SERVICES FOR INFANT EARLY CHILDHOOD MENTAL HEALTH (IECMH) CONSULTATION AND AUTHORIZE CHAIR TO SIGN – NORTH RANGE BEHAVIORAL HEALTH: Lennie Bottorff, Department of Human Services, requested retroactive approval of the renewal term to commence on May 24, 2019, to provide enhanced recruitment initiatives and strategies to increase the number of in-home child care providers. Commissioner James moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

3) CONSIDER CONTRACT ID #3230 AGREEMENT FOR PROFESSIONAL SERVICES FOR SAFETOUCH: BODY SAFETY PROGRAM, AND AUTHORIZE CHAIR TO SIGN – LUTHERAN FAMILY SERVICES ROCKY MOUNTAINS: Mr. Bottorff stated this agreement will provide SafeTouch training through June 30, 2020. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

4) CONSIDER CONTRACT ID #3130 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – CYNTHIA BERRY: Mr. Bottorff reviewed the terms for a new foster care provider in Frederick, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

5) CONSIDER CONTRACT ID #3153 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MICHAEL AND JAMIE GOODRICH: Mr. Bottorff presented the terms of the contract for a new foster care home in Windsor, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

6) CONSIDER CONTRACT ID #3174 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MATTHEW AND YVETTE BERRELEZ: Mr. Bottorff presented the terms of the contract for a new foster care home in Greeley, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

7) CONSIDER CONTRACT ID #3175 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – RODNEY SELLMAN AND SAMANTHA HISE: Mr. Bottorff presented the terms of the contract for a new foster care home in Milliken, Colorado. The motion to approve said contract and authorize the Chair to sign was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

8) CONSIDER CONTRACT ID #3186 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – CHRISTOPHER ARCHULETA AND CARMEN SHIVELY: Mr. Bottorff presented the terms of the contract for a new foster care home in Greeley, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

9) CONSIDER CONTRACT ID #3194 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – RYAN AND AMANDA VISSER: Mr. Bottorff presented the terms of the contract to recertify a foster care home in Greeley, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

10) CONSIDER CONTRACT ID #3155 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – RICHARD AND ANJA BINGLEY: Mr. Bottorff presented the terms of the agreement for respite care services. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

11) CONSIDER CONTRACT ID #3161 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – DANNY AND TIERNEY BALDWIN: Mr. Bottorff presented the terms of the agreement for respite care services. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

12) CONSIDER CONTRACT ID #3195 AGREEMENT FOR CHILD PROTECTION SERVICES (BID #B1900025) AND AUTHORIZE CHAIR TO SIGN – APRIL RABILLARD: Mr. Bottorff stated, under this agreement, April Rabillard will provide home studies for the rates detailed in the summary memorandum. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner Freeman, and it carried unanimously.

13) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – FREDERICK-FIRESTONE FIRE PROTECTION DISTRICT: Dr. Mark Wallace, Director of the Department of Public Health and Environment, stated his department is delegated with the authority to review the annual applications to determine whether the various paramedic providers meet the licensure requirements. Jeff Stranahan, Vice Chair, and Bernie Covillo, Secretary of the Weld County Emergency Medical Trauma Services (EMTS) Council, explained each of the applicants are present during the review, at which time they discuss the importance of good patient care and make a recommendation. He confirmed the EMTS Council had no concerns with any of the applications for licensing. Commissioner Moreno moved to approve said application and authorize the Chair to sign the license. Seconded by Commissioner James, the motion carried unanimously.

14) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – FRONT RANGE FIRE RESCUE FIRE PROTECTION DISTRICT: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval.

Commissioner Freeman moved to approve said application and authorize the Chair to sign the license. The motion was seconded by Commissioner James, and it carried unanimously.

15) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – MOUNTAIN VIEW FIRE PROTECTION DISTRICT: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner James moved to approve said application and authorize the Chair to sign the license, which was seconded by Commissioner Moreno, and it carried unanimously.

16) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – BANNER HEALTH / NORTH COLORADO MEDICAL CENTER PARAMEDICS SERVICE: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. The motion to approve said application and authorize the Chair to sign the license was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

17) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – POUDDRE VALLEY HOSPITAL EMERGENCY MEDICAL SERVICE: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner Moreno moved to approve said application and authorize the Chair to sign the license. Commissioner James seconded the motion, and it carried unanimously.

18) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – SOUTHEAST WELD FIRE PROTECTION DISTRICT: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner James moved to approve said application and authorize the Chair to sign the license. Seconded by Commissioner Moreno, the motion carried unanimously.

19) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – THOMPSON VALLEY EMERGENCY MEDICAL SERVICE: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner James moved to approve said application and authorize the Chair to sign the license. The motion was seconded by Commissioner Freeman, and it carried unanimously.

20) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – WINDSOR SEVERANCE FIRE PROTECTION DISTRICT: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner Freeman moved to approve said application and authorize the Chair to sign the license, which was seconded by Commissioner Moreno, and it carried unanimously.

21) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – PLATTE VALLEY AMBULANCE SERVICE: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. The motion to approve said application and authorize the Chair to sign the license was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

22) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – PLATTEVILLE-GILCREST FIRE PROTECTION DISTRICT: Dr. Wallace noted the Platteville-Gilcrest Fire Protection District is a new applicant this year. He stated this provider meets the license requirements of Chapter 7 of the Weld County Code, all Mutual Aid Agreements are in place, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner James moved to approve said application and authorize the Chair to sign the license. Commissioner Moreno seconded the motion, and it carried unanimously.

23) CONSIDER APPLICATION FOR TIER I EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – NORTH METRO FIRE RESCUE DISTRICT: Dr. Wallace noted the North Metro Fire Rescue District is a new applicant this year. He stated this provider meets the license requirements of Chapter 7 of the Weld County Code, all Mutual Aid Agreements are in place, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner Freeman moved to approve said application and authorize the Chair to sign the license. Seconded by Commissioner James, the motion carried unanimously.

24) CONSIDER APPLICATION FOR TIER II EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – AMERICAN MEDICAL RESPONSE OF COLORADO: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner James moved to approve said application and authorize the Chair to sign the license. The motion was seconded by Commissioner Moreno, and it carried unanimously.

25) CONSIDER APPLICATION FOR TIER III EMERGENCY MEDICAL SERVICES LICENSE AND AUTHORIZE CHAIR TO SIGN – STADIUM MEDICAL, INC.: Dr. Wallace stated this provider meets the license requirements of Chapter 7 of the Weld County Code, and the EMTS Council reviewed the application on November 20, 2019, and recommends approval. Commissioner Moreno moved to approve said application and authorize the Chair to sign the license, which was seconded by Commissioner James, and it carried unanimously.

26) CONSIDER DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY, APPROVING SALE OF SAME AT AUCTION WITH ROLLER AND ASSOCIATES, AND DELEGATING AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Barbara Connolly, Controller, stated the listed equipment has been replaced. Commissioner Freeman moved to declare said equipment as surplus, approve the sale at auction, and delegate authority to the Controller to sign any necessary documents. Commissioner James seconded the motion, and it carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:34 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

EXCUSED DATE OF APPROVAL
Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

EXCUSED
Sean P. Conway

EXCUSED DATE OF APPROVAL
Scott K. James

Steve Moreno