

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 2, 2019

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, October 2, 2019, at the hour of 9:00 a.m.

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

Commissioner Barbara Kirkmeyer, Chair
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 Conway moved to approve the minutes of the Board of County Commissioners meeting of September 30, 2019, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

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

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

PUBLIC INPUT: Jay Mendoza, United Power (UP) representative, stated UP is a not-for-profit electric cooperative which provides members with at-cost services, therefore, when there is a profit margin the earnings are returned to the members on an annual basis. He stated, for 2019, the Board of Directors authorized a \$5.5 million retirement, which is the largest in cooperative history. Mr. Mendoza noted, of that amount, approximately \$3.25 million was returned to Weld County members, and he presented the Board with a check in the amount of \$2,836.01. He further mentioned, since 2007, UP has retired \$22,455.98 back to Weld County. Lastly, he thanked the Board for the cooperative spirit in the interest of Weld County. Troy Whitmore, UP representative, stated October 2, 2019, is also recognized as National Energy Efficiency Day, and he presented the Commissioners with a box of commemorative cookies as a token of appreciation for working with United Power. Chair Kirkmeyer and Commissioner James each commented they are satisfied customers of UP and expressed their appreciation for UP's philanthropic engagement and investment back into Weld County as a community partner. Commissioners Moreno, Freeman and Conway each agreed that although they are not immediate members of the cooperative service, they are thankful for the various collaborative projects and for UP

being an early innovator of community solar projects. *(Clerk's Note: The meeting was paused for a photo opportunity.)*

PROCLAMATIONS:

1) LONG TERM CARE RESIDENT'S RIGHTS MONTH – OCTOBER, 2019: Chair Kirkmeyer read the certificate proclaiming October, 2019, as Long Term Care Resident's Rights Month. Jamie Ulrich, Deputy Director of the Department of Human Services, recognized Raegan Maldonado, Teresa Hill, and Niki Elder for their dedicated work with the Long Term Care Ombudsman programs. Ms. Maldonado submitted a brochure of information, marked Exhibit A, and introduced three residents of the Aladdin Assisted Living facility, in Keenesburg, Colorado: Caroline Carver, Anita Woodson, and Gee Gee Morris. Ms. Carver stated it has been a nice place to live for the past 17 years and she thanked the Board for the invitation to attend the meeting. The Commissioners, in turn, thanked the staff for caring for the residents of Weld County and conducting the important work of assisting seniors. They also honored each of the guests for traveling to participate in the recognition of Long Term Care Resident's Rights Month. *(Clerk's Note: The meeting was paused for a photo opportunity.)*

PRESENTATIONS:

1) RECOGNITION OF SERVICES, FAIR BOARD – CHRISTINE GABEL, ROBBY ADAMS, KIMBERLY TREGONING, TERI SEGELKE, BRIDGET HOLCOMB, MIGUEL OJEDA, CODY LEBLANC, PAT DAY, ANDREW RAFF, LARRY WAGNER, NEIL TEMMER, JENNIFER SELTZER, JO TEMMER, DAKOTA KOS, ALLAN HALLEY, TRACY AXTON, AARON HELUS, MARLIN KUNAU, DR. JOHN SCANGA, JANE MILLER, AND MICHAEL MITCHELL: Neil Temmer was present and Chair Kirkmeyer read the certificate recognizing him for his four years of service on the Fair Board, and Commissioner James presented him with a gift of appreciation. Chair Kirkmeyer also read a certificate and acknowledged each of the other individuals for their service on the Fair Board.

WARRANTS:

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

NEW BUSINESS:

1) CONSIDER MEMORANDUM OF UNDERSTANDING CONCERNING USE OF MISSILE SILO PARK AND AUTHORIZE CHAIR TO SIGN – BOY SCOUT TROOP 888: Toby Taylor, Director of Buildings and Grounds, stated this MOU will allow Boy Scout Troop 888 to utilize the County's Missile Silo Campground for camping activities from October 25, 2019, through October 27, 2019. Commissioner Conway moved to approve said MOU and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER CONTRACT ID #3142 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AGREEMENT AND AUTHORIZE CHAIR TO SIGN LETTER OF ACCEPTANCE: Roy Rudisill, Director of the Office of Emergency Management, stated the grant application was submitted in 2018, and the County has been awarded \$76,000.00 to be used for training activities and staff time. He noted this amount represents approximately twenty percent (20%) of the Department's budget. Commissioner Moreno moved to approve said grant agreement and authorize the Chair to sign the Letter of Acceptance. The motion was seconded by Commissioner Conway, and it carried unanimously.

3) CONSIDER STANDARD FORM OF PROVISIONAL AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE WELD COUNTY DEPARTMENT OF HUMAN SERVICES AND VARIOUS PROVIDERS AND DELEGATE AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO SIGN AGREEMENTS CONSISTENT WITH SAID FORM: Karin McDougal, Assistant County Attorney, stated the terms of this form are limited to three (3) months and a reimbursement

amount not to exceed \$25,000.00 for a limited scope of urgent services when there is no provider in place. She further stated the provider may not access this process more than twice, at which time they must go through the formal bid process. Commissioner Moreno moved to approve said standard form agreement and authorize the Director of the Department of Human Services to sign agreements consistent with said form. The motion was seconded by Commissioner Conway, and it carried unanimously.

4) CONSIDER CONTRACT ID #2818 MEMORANDUM OF UNDERSTANDING TO ESTABLISH DIRECTOR OF COMMUNITY ENGAGEMENT (DCE) POSITION AND AUTHORIZE CHAIR TO SIGN – WELD FAMILY LEADERSHIP COMMISSION (WFLC): Jamie Ulrich, Deputy Director of the Department of Human Services, stated this MOU has been revised in accordance with the requests of the Board during the work session. She explained the terms establish the Weld Finance Leadership Commission Director position, detail the roles and responsibilities concerning oversight of the position, and the MOU has been signed by Dr. Mark Wallace. Commissioner Freeman moved to approve said MOU, and it was seconded by Commissioner James. Chair Kirkmeyer reviewed the changes, including the provision that the Director position is subject to the Weld County Human Resources policies, and employment decisions concerning hiring or firing are at the discretion of the Director of the Department of Human Services. Commissioner Conway confirmed the position is also under the direct oversight of Dr. Mark Wallace in the Health Department and would have the ability to go through the grievance process, if needed. There being no further discussion, the motion carried unanimously.

5) CONSIDER CONTRACT ID #2963 MEMORANDUM OF UNDERSTANDING FOR HEAD START AND EARLY HEAD START PROGRAMS AND DELEGATE AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO SIGN – COLORADO EARLY EDUCATION NETWORK (CEEN): Ms. Ulrich stated the goal of this MOU is to facilitate the effective and collaborative recruitment of families with children ages six weeks to five years old who are eligible for Child Care, TANF and/or Kinship programs and could potentially be enrolled in CEEN Head Start or Early Head Start classrooms. The motion to approve said MOU and authorize the Director of Human Services to sign was made by Commissioner Conway, seconded by Commissioner James, and it carried unanimously.

6) CONSIDER CONTRACT ID #3139 ANNUAL PROGRAM PLAN FOR CHAFEE FOSTER CARE INDEPENDENCE PROGRAM (CFCIP) AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated the Chafee Foster Care Independence Program is federally funded and provides age-appropriate independent living services to youth, ages 14 through 23. Commissioner James moved to approve said annual plan and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

7) CONSIDER CONTRACT ID #2917 AGREEMENT FOR PROFESSIONAL SERVICES FOR GROUP CONSULTATION AND TRAINING SERVICES AND AUTHORIZE CHAIR TO SIGN – BARRY R. LINDSTROM, PH.D., LLC: Ms. Ulrich reviewed the terms of the agreement to provide group consultation and training for the purpose of addressing loss, trauma or secondary trauma among departmental staff. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Commissioner Conway seconded the motion, which carried unanimously.

8) CONSIDER CONTRACT ID #3057 ADDENDUM TO AGREEMENT FOR HIPAA BUSINESS ASSOCIATE AND AUTHORIZE CHAIR TO SIGN – EASTER SEALS COLORADO: Ms. Ulrich stated the purpose of the non-financial MOU is to partner in a Tailored Caregiver Assessment and Referral (TCARE) Pilot Program with Easter Seals Colorado. Commissioner Freeman moved to approve said addendum to agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

9) CONSIDER CONTRACT ID #2979 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MARCEL AND SHANTAY MARCOS: Ms. Ulrich presented the terms of the contract for a new foster care provider in Greeley. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

10) CONSIDER CONTRACT ID #3004 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – DANIEL AND ANDREA MUNOZ: Ms. Ulrich presented the terms of the contract for a new foster care provider in Commerce City. Commissioner Conway moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

11) CONSIDER CONTRACT ID #3028 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – NATHAN AND MISTIE SCUDDER: Ms. Ulrich presented the terms of the contract for a new foster care provider in Eaton. Commissioner James moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

12) CONSIDER CONTRACT ID #3058 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MICHAEL AND JENNIFER BAUER: Ms. Ulrich presented the terms of the contract for a new foster care provider in Johnstown. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

13) CONSIDER DISSOLUTION OF FAIR BOARD: Commissioner Freeman moved to dissolve the existing Fair Board. The motion was seconded by Commissioner James. Commissioner Freeman commented this action is necessary to incorporate new provisions into the bylaws and reduce the number of members from 21 down to 7. Chair Kirkmeyer agreed the revisions will result in a new board that is more focused on policy matters of the Fair, versus running the actual Fair. The motion carried unanimously.

14) CONSIDER CREATION OF WELD COUNTY FAIR BOARD AND ADOPTION OF BYLAWS: Karin McDougal presented the bylaws for the new Fair Board, which detail the duties for the seven (7) members and one (1) alternate position. Keith Maxey, Director of the CSU Cooperative Extension, thanked the outgoing members for their dedicated service, as well as the Board of Commissioners for their assistance in restructuring the new board to address policies and allow sub-committees to operate the Fair. Commissioner James also thanked the Extension Office staff for working through the process and stated he is confident the change will enact a more efficient Fair Board. Commissioner Freeman commented the Weld County Fair is the best in the state and he agreed that reducing the number of members from 21 to 7 will result in a stronger, more coherent board with the ability to deal with policy issues. Commissioner Moreno agreed and stated this will be a win-win for the citizens of Weld County. Commissioner Freeman moved to approve creation of the new Fair Board and adopt the Bylaws. Commissioner Moreno seconded the motion, and it carried unanimously.

15) CONSIDER APPOINTMENTS TO WELD COUNTY FAIR BOARD: Chair Kirkmeyer read the names and terms of the individuals appointed to said board. Commissioner Conway moved to approve said appointments, which was seconded by Commissioner James. Commissioner Freeman explained the terms are staggered to ensure smoother transitions going forward. Chair Kirkmeyer stated the new members will be tasked with ensuring the success of the Fair Board and Fair activities, and she is looking forward to working with the new board. Commissioner Conway commented the new structure allows for committees to assist in Fair activities, so there will still be many opportunities for others in the community

to continue to be engaged. The motion passed unanimously. Commissioner Conway also commented concerning the 4-H recognition event which had more than 300 people in attendance and acknowledged the quality of the Fair and the large number of 4-H members who represent Weld County at the State Fair. He also thanked the local business sponsors and commended staff for a successful event.

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 9:49 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 7, 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, October 7, 2019, at the hour of 9:00 a.m.

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

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

Also present:

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

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

CERTIFICATION OF HEARINGS: Commissioner Conway moved to approve the Certification of Hearings conducted on October 2, 2019, as follows: 1) USR19-0050 – Todd McCormick, c/o Oak Leaf Solar 40 LLC, 2) COZ19-0003 – Chester Thompson, 3) USR19-0045 – Joel Velasco, and 4) USR19-0032 – Front Range Landfill, Inc. Commissioner Freeman seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: James Chapman, Hill-N-Park resident, stated he has been voluntarily mowing the playground area; however, his mower broke down and he requested the County consider mowing the common areas for the safety of the children. He also expressed concerns with certain properties which are not managing the weeds. Commissioner Conway explained the residents do have the option of contacting the Zoning Compliance Officer, Bethany Pascoe, to inspect the properties and enforce maintenance, when necessary. In response to Chair Kirkmeyer, Mr. Barker confirmed Hill-N-Park did have a Homeowners' Association (HOA) originally, however, it has dissolved. Chair Kirkmeyer suggested to Mr. Chapman the option of coordinating with his neighbors to consider re-establishing an HOA to help facilitate expectations for maintenance of the individual lots, as well as certain common areas. She confirmed the County does not conduct maintenance on private property.

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 2, AND 4, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

2) COMMISSIONER WARRANTS – OCTOBER 4, 2019: Chair Kirkmeyer and Commissioner Freeman recused themselves from consideration of this matter. Commissioner Moreno moved to approve the Warrant for Commissioners Kirkmeyer and Freeman, as printed. Commissioner James seconded the motion. Upon a roll call vote, the motion carried, with Chair Kirkmeyer and Commissioner Freeman both recused.

BIDS:

1) APPROVE BID #B1900113, RFQ-ENGINEERING SERVICES FOR BRIDGES – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Purchasing Department, stated there are three (3) separate bridge projects within this bid. He stated staff recommends approval of the bid from J-U-B Engineers, Inc., to replace Bridge 19/46.5A, in the amount of \$499,723.00; to approve the bid from J-U-B Engineers, Inc., to replace Bridge 54/13A, in the amount of \$502,772.00; and to approve the bid from Felsburg, Holt and Ullevig to perform design engineering services for Bridge 64/39A, in the amount of \$394,030.00. He stated the total cost for the three projects is \$1,396,525.00. Commissioner Moreno moved to approve said bid as recommended by staff. Seconded by Commissioner James, the motion carried unanimously.

2) PRESENT BID #B1900123, STRUCTURED DECISION-MAKING PROCESS – DEPARTMENT OF JUSTICE SERVICES: Mr. Turf presented the two (2) bids received and stated staff will bring back a recommendation on October 21, 2019. In response to Commissioner Conway, Mr. Turf stated the project is 100% grant funded, therefore, it is not a low bid only decision; however, the participation of a local vendor will be considered.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #3157 AGREEMENT FOR SERVICES FOR SNOW REMOVAL FOR WELD COUNTY DEPARTMENT OF HUMAN SERVICES NORTH CAMPUS AND STORAGE BUILDING AND AUTHORIZE CHAIR TO SIGN (INFORMAL BID #B1900135) – BUFFALO LANDSCAPING AND SNOW REMOVAL: Toby Taylor, Department of Buildings and Grounds, stated he posted a bid for snow removal at the Human Services North Campus and storage building and received the low bid from Buffalo Landscaping and Snow Removal, in the amount of \$1,530.00 for full removal and \$805 for a partial removal if the snow continues through the day. He also explained the three percent (3%) escalation rate for the option of three (3) one-year increments. In response to Commissioner Conway, Mr. Taylor confirmed the County has conducted satisfactory business with this company in the past. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER TEMPORARY CLOSURE OF CR 31 BETWEEN CRS 70 AND 72: Amy Mutchie, Department of Public Works, stated this closure will commence October 14, 2019, and end October 18, 2019, to replace a drainage culvert, and magnesium chloride will be applied to the detour route for dust control. Commissioner James moved to approve said temporary closure. The motion, which was seconded by Commissioner Conway, carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 78 BETWEEN CRS 19 AND 21: Ms. Mutchie stated this closure is from October 14, 2019, through October 17, 2019, to replace an irrigation culvert, and water will be applied to the detour route to control dust as necessary. Commissioner Freeman moved to approve said temporary closure. Commissioner James seconded the motion, which carried unanimously.

4) CONSIDER TEMPORARY CLOSURE OF CR 76 BETWEEN CRS 29 AND 31: Ms. Mutchie stated County Road 76 will be closed from October 14, 2019, through November 11, 2019, for a bridge re-deck project, and she noted the detour route is paved. Commissioner Conway moved to approve said temporary closure. Commissioner James seconded the motion, which carried unanimously.

5) CONSIDER ITEMIZED LIST OF LEGAL HOLIDAYS DURING CALENDAR YEAR 2020: Commissioner Conway moved to approve the list of legal holidays for calendar year 2020. Commissioner Freeman seconded the motion, which carried unanimously.

PLANNING:

1) CONSIDER RESUBDIVISION, RES19-0009, TO SPLIT LOT 5 IN THE ANTELOPE HILLS SUBDIVISION INTO TWO (2) RESIDENTIAL LOTS – LESLIE HANSEN, C/O MELISSA WATT: Kim Ogle, Department of Planning Services, stated this proposal will split Lot 5 into two (2) lots, with the intent of a residence on each lot. He reviewed the uses in the surrounding area and stated this is the first Resubdivision request of Antelope Hills Subdivision. Mr. Ogle indicated notice was mailed to nine (9) surrounding property owners, but no correspondence or inquiries were received. He gave a brief overview of the location of the property, which is within the Coordinated Planning Agreement Areas for the Towns of Windsor and Severance; however, Severance did not respond, and Windsor indicated no concerns. Additionally, the City of Greeley responded to the referral request and indicated the site is not within the City's Long Range Expected Growth Area. Mr. Ogle indicated the property is not within an Urban Growth Boundary or Regional Urbanization Area, stated the lot is zoned A (Agricultural), reviewed the surrounding land uses, and displayed a site plan. He discussed the proposed new access from Cliff Road, explained the parent parcel contains a ten (10)-foot utility easement on the southern property boundary and reviewed the required drainage and utility easements to be established and recorded through this Resubdivision process. Mr. Ogle stated staff finds this proposal to be consistent with the existing lots in the subdivision, as no rules, regulations or ordinances are proposed to be changed and it does not affect the character of the original subdivision and is in compliance with Section 24-5-30.A and B of the Weld County Code. Lastly, he stated a site visit was conducted on September 24, 2019, and he displayed and reviewed photographs of the subject site and surrounding views.

Melissa Watt, applicant's daughter and authorized representative, was present to answer questions.

Rodney Cheek, surrounding property owner to the east, stated he owns the largest 5-acre lot in the Subdivision, and expressed concerns with impacts to his views and property value. He questioned why the applicant didn't pursue the appropriate permits to allow for a second residence, without splitting the lot, and stated the applicant's intent is to sell, which creates uncertainty of how it will be developed by a future potential owner who may not construct a home that is compatible with the area.

In response to Chair Kirkmeyer, Mr. Ogle reviewed the lots sizes within the development. Mr. Cheek reiterated an additional house will impede his views and property value. Responding to Commissioner James, Mr. Ogle stated there is no Homeowners' Association. There being no further comments, Chair Kirkmeyer closed public testimony.

Michael Watt, applicant's son-in-law, stated they did consider the impact of the neighbors and, due to the steep topography of the site, they plan to construct a residence with a walk-out basement with square footage that is consistent with the neighborhood. He further stated the proposed lot size is consistent with the lot that is on the other side of Mr. Cheek's property. He also confirmed they currently have a Use by Special Review (USR) permit to build a second home; however, they were concerned that constructing two large homes would make the property difficult to sell, and the separate lot allows more flexibility for Ms. Hansen.

Mr. Ogle reviewed the size of the other homes in the development. Chair Kirkmeyer stated she appreciates the neighbor's comments; however, she recognizes there is already a USB to develop another home, regardless of this application. She requested the applicants be considerate of the neighbors, but commented it appears they are trying to maintain the nature of the original development. Chair Kirkmeyer requested the words "attempt to" be added to Condition of Approval (COA) #1.A (requirements of the Weld County School District RE-4), stated COA #1.B requiring the withdrawal and vacation of unperfected USB16-0046 now makes sense based on Mr. Watt's explanation, and affirmed the proposed deletion of COA #1.D.13-17 as they are duplicates of COA #1.D.8-12. The Board agreed with the aforementioned changes. No SPO comments were offered concerning the amended COA.

In response to Chair Kirkmeyer, Ms. Watts stated she has reviewed, and agrees to abide by, the Conditions of Approval, as amended.

Commissioner Conway moved to approve the application of Leslie Hansen, c/o Melissa Watts, for Resubdivision, RES19-0009, to split Lot 5 of Antelope Hills Subdivision into two (2) Residential lots, with the Conditions of Approval, as amended. Seconded by Commissioner Moreno, the motion carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:39 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 9, 2019

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

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

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

Also present:

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

MINUTES: Commissioner James moved to approve the minutes of the Board of County Commissioners meeting of October 7, 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 Freeman seconded the motion, and it carried unanimously.

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 2, AND 8, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER ADDITIONS TO SECTION 1.000 GENERAL ADMINISTRATIVE AND SECTION 2.000 CHILD WELFARE OF THE DEPARTMENT OF HUMAN SERVICES POLICIES AND GUIDELINES MANUAL: Karin McDougal, Assistant County Attorney, reviewed the proposed policy and guideline language. Commissioner Moreno moved to approve said additions. Commissioner James seconded the motion, and it carried unanimously.

2) CONSIDER APPLICATION FOR CHILD WELFARE RECRUITMENT AND RETENTION INNOVATION FUNDS GRANT AND AUTHORIZE CHAIR TO SIGN: Ms. McDougal stated this application is requesting grant funding, in the amount of \$4,000.00, to provide efforts or activities that recruit new foster and adoptive parents or support the retention of active foster families. Commissioner Freeman moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

3) CONSIDER CONTRACT ID #3159 GRANT APPLICATION FOR REPLACEMENT OF BRIDGES 13/44B AND 60.5/49A – COLORADO COUNTIES, INC. (CCI): Michael Bedell, Department of Public Works, stated this grant application is for two bridge replacement projects requesting \$500,000.00 per bridge. Commissioner Conway moved to approve said grant application. Seconded by Commissioner Moreno, the motion carried unanimously.

4) CONSIDER CONTRACT ID #3166 AGREEMENT FOR RELOCATION OF GAS/OIL PIPELINES FOR CRS 17/54 INTERSECTION PROJECT AND AUTHORIZE CHAIR TO SIGN – DCP OPERATING COMPANY, LP: Mr. Bedell stated the County is redesigning the intersection of County Roads (CR) 17 and 54 to construct a large roundabout, and the project is currently out for bid. He explained DCP Operating Company has existing pipelines and easements located on the north side of CR 54 and this agreement provides for the compensation of DCP to relocate the easement and pipelines approximately 40-50 feet north later this winter. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

PLANNING:

1) CONSIDER CONTRACT ID #3146 PARTIAL RELEASE OF COLLATERAL AND ACCEPTANCE OF WARRANTY COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR11-0027 – M & M EXCAVATION COMPANY: Tisa Juanicorena, Department of Public Works, stated staff inspected the site and recommends release of the project collateral, in the amount of \$42,500.00, and acceptance of warranty collateral, in the amount of \$7,500.00, to be retained for the duration of the two-year warranty period. She noted the applicant has completed street lighting, fencing and landscaping. Commissioner Moreno moved to approve said partial release and acceptance of warranty collateral, which was seconded by Commissioner Freeman, and it carried unanimously.

2) CONSIDER CONTRACT ID #3147 CANCELLATION AND RELEASE OF PROJECT COLLATERAL AND ACCEPT WARRANTY COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR-1540 – CHURCH BARN, LLC: Ms. Juanicorena stated staff inspected the site and recommends release of the project collateral, in the amount of \$33,220.96, and acceptance of warranty collateral, in the amount of \$4,983.14. She noted the applicant has completed the grading, street paving, landscaping and a parking lot, with the road maintenance portion to be retained for the duration of the USR. Commissioner James moved to approve said cancellation and release of project collateral and acceptance of warranty collateral, which was seconded by Commissioner Freeman, and it carried unanimously.

3) CONSIDER CONTRACT ID #3162 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, USR19-0014 – LEEWARD RENEWABLE ENERGY DEVELOPMENT, LLC – PHASE ONE AGREEMENT – MOUNTAIN BREEZE WIND, LLC: Ms. Juanicorena stated staff recommends acceptance of project collateral, in the amount of \$2 million, related to the required improvements for Phase 1 only. She noted Phase 2 for the Panorama portion will be presented at a later date. Commissioner Conway moved to approve said agreement, accept the off-site collateral and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

4) CONSIDER CONTRACT ID #3163 CANCELLATION AND RELEASE OF COLLATERAL AND ACCEPT REPLACEMENT COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR14-0065 – WAGISTICS, LLC: Ms. Juanicorena stated the property owner has submitted adequate documentation reflecting that Select Energy is no longer leasing the site, therefore, staff recommends release of the road maintenance collateral provided by Select Energy, in the amount of \$3,600.00, and to accept replacement collateral for the same amount of \$3,600.00 from Wagistics. Commissioner Freeman moved to approve said cancellation and release of collateral and acceptance of replacement collateral, which was seconded by Commissioner James, and it carried unanimously.

Chair Kirkmeyer used the Chair’s prerogative to state she received an email from a constituent complaining about pot holes, which she forwarded to the Department of Public Works to address. She reported she received a follow-up email expressing pleasure that the potholes had been repaired and she commended the Department for a job well done. In response to Commissioner Conway, Jay McDonald, Director of the Department of Public Works, confirmed the Department is prepared for the forecasted storm. He also reported that the paving for the ongoing intersection project at CRs 34 and 13 will be taking place today and the project is anticipated to be open by the end of October, 2019.

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 9:14 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

BY: _____
Deputy Clerk to the Board

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 14, 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, October 14, 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 - EXCUSED

Also present:

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

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

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on October 9, 2019, as follows: 1) PUDF19-0004 – Russell Coburn, LLC, 2) USR19-0053 – Patricia Nash, and 3) COZ19-0002 – Daniel and Janna Miller. 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 – OCTOBER 11, 2019:** Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

2) **COMMISSIONER WARRANTS – OCTOBER 11, 2019:** Commissioner Freeman moved to approve the Warrant for Commissioner Moreno, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR 2019 CITY OF BRIGHTON RECALL ELECTION AND AUTHORIZE CHAIR TO SIGN – ADAMS COUNTY CLERK AND RECORDER: Chair Kirkmeyer noted a pass around memorandum for this item was reviewed by the Board. Carly Koppes, Clerk and Recorder, indicated there have been no changes since the review. Commissioner Conway moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER CONTRACT ID #3168 2018 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT AWARD AND AUTHORIZE ELECTRONIC SUBMITTAL: Sonja Kohlgraf, Sheriff's Office, recommended acceptance and authorization for drawdown of 2018 SCAAP grant award funds, in the amount of \$134,841.00. She explained a local government is eligible to apply for the funds if it incarcerated individuals in a correctional facility who are undocumented, criminal aliens. Additionally, the award may only be used for correctional purposes, therefore, the Sheriff's Office intends to offset medical expenses for inmates in the jail. Commissioner Conway moved to approve said grant award and authorize electronic submittal by the Clerk to the Board. The motion was seconded by Commissioner James, and it carried unanimously.

3) CONSIDER TASK ORDER AMENDMENT #1 FOR WELD COUNTY BUILDING 1400 DESIGN SERVICES (BID #B1900100) AND AUTHORIZE CHAIR TO SIGN – CAIRN DESIGN, LLC: Toby Taylor, Director of the Department of Buildings and Grounds, stated the Board previously awarded a bid for On-call Design Services to four vendors. He stated Cairn Design, LLC, has proposed a lump sum of \$36,845.00 to design additional space for the Treasurer's Office and new Public Trustee office needs, as well as some meeting rooms for the Assessor's Office. Commissioner Freeman moved to approve said task order amendment #1 and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

4) CONSIDER APPOINTMENT OF DEPUTY DISTRICT ATTORNEY AND AUTHORIZE CHAIR TO SIGN – MICHAEL BAILEY: Commissioner Conway moved to approve said appointment and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:09 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

EXCUSED
Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 16, 2019

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, October 16, 2019, at the hour of 9:00 a.m.

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

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

Also present:

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

MINUTES: Commissioner Conway moved to approve the minutes of the Board of County Commissioners meeting of October 14, 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 remove item #3 from the Resolutions listed on the Consent Agenda and add it to the regular Agenda as item #1 under Planning. The motion was seconded by Commissioner Conway, and it carried unanimously.

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 11, AND 15, 2019: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

BIDS:

1) PRESENT BID #B1900131, INMATE MEDICAL SERVICES – SHERIFF'S OFFICE: Rob Turf, Purchasing Department, presented the seven (7) bids received. He stated staff will bring back a recommendation for approval on October 30, 2019.

NEW BUSINESS:

1) CONSIDER APPLICATION FOR A TRANSFER OF OWNERSHIP FROM RINN VALLEY, LLLP, DBA

RINN VALLEY RESTAURANT AND TAVERN, TO COL-BARB, LLC, DBA MAGGI'S KITCHEN, FOR A HOTEL AND RESTAURANT (COUNTY) LIQUOR LICENSE, AND AUTHORIZE CHAIR TO SIGN: Bob Choate, Assistant County Attorney, stated the Board previously granted a Temporary Permit on September 4, 2019, pending completion of the transfer application. He explained since there is no change to the location or the premises, the Board does not need to make any findings concerning the needs of the neighborhood; however, they do need to consider the good moral character of the applicant. He stated a referral was sent to the Sheriff's Office and a background check was conducted, with no concerns reported. Carol Parker, applicant, was present to answer any questions. Commissioner Freeman moved to approve said application and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

2) CONSIDER RENEWAL APPLICATION FOR A HOTEL AND RESTAURANT (COUNTY) LIQUOR LICENSE WITH ONE (1) OPTIONAL PREMISES FROM RNR, LLC, DBA MCCARTY'S AT EATON CC, AND AUTHORIZE CHAIR TO SIGN: Mr. Choate stated no concerns were received through the referral process and staff recommends approval. Commissioner Conway moved to approve said renewal application and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

3) CONSIDER FILING OF PROCEEDINGS IN EMINENT DOMAIN, PURSUANT TO C.R.S. §38-1-101, AGAINST HEIN FAMILY, LLP: Karin McDougal, Assistant County Attorney, stated staff has been negotiating with the property owner; however, they have been unable to reach an agreement, therefore, she requested permission for the County Attorney's Office to file proceedings in Eminent Domain against the Hein Family, LLP. She recommended \$55,000.00 be held in the court registry, which was determined to be a fair amount for the property at this time. In response to Commissioner Conway, Ms. McDougal confirmed the property owner was initially offered a Possession and Use Agreement, which was declined, and although the property owner has an appraiser, they have not provided an appraisal to the County. She explained the purpose of this action is to allow continued dialogue with the property owner. Chair Kirkmeyer confirmed neither the property owner, nor a representative, were present to discuss the matter. Commissioner Freeman moved to authorize the Filing of Proceedings in Eminent Domain, finding it was necessary to proceed with this process to ensure the construction project stays on schedule as a necessity to ensure the health, safety and welfare of the citizens of Weld County, Colorado. The motion was seconded by Commissioner Moreno, and it carried unanimously.

4) CONSIDER TEMPORARY CLOSURE OF CR 19 BETWEEN CRS 22 AND 24: Amy Mutchie, Department of Public Works, stated this closure is on behalf of Xcel Energy, beginning October 18, 2019, through November 17, 2019, to replace a gas service main to provide adequate service in the area. Responding to Chair Kirkmeyer, Ms. Mutchie described the detour route, stated they have notified the Town of Firestone, and confirmed the gravel roads have already been treated with magnesium chloride to control dust. Chair Kirkmeyer expressed concern with the timing during harvest and requested the closure be postponed for one month, until November 12, 2019. Commissioner Conway moved to amend the Resolution to delay the start of the closure until November 12, 2019, to avoid disrupting harvest routes. Commissioner Freeman seconded the motion, which carried unanimously. Commissioner Conway moved to approve the amended Resolution for said temporary closure. Commissioner James seconded the motion, which carried unanimously.

5) CONSIDER CONTRACT ID #3179 INTERGOVERNMENTAL AGREEMENT FOR CROSSING OF UNION PACIFIC RAILROAD COMPANY (UPRR) TRACKS ADJACENT TO CR 30 AND U.S. HWY 85 AND AUTHORIZE CHAIR TO SIGN – TOWN OF PLATTEVILLE: Elizabeth Relford, Deputy Director of the Department of Public Works, stated this Intergovernmental Agreement (IGA) was executed by the Town of Platteville on October 1, 2019, and she explained a separate IGA with the Union Pacific Railroad was previously finalized in January regarding various railroad crossing closures along U.S. Highway 85. She stated the Town of Platteville will close the crossings within its jurisdiction utilizing CDOT funds which will pass through the County, and the Town will also submit the closure application to the Public Utilities Commission (PUC). Chair Kirkmeyer commented she attended the town meeting and discussed the closures, at which time there were only two individuals in the audience who had questions. She stated they inquired concerning how the funds, in the amount of \$1 million, will be used to ensure connectivity on the east side of the tracks between County Roads (CR) 30 and 32. Responding to Commissioner Conway, Ms. Relford reiterated the Town of Platteville, through CDOT, will submit the application to the PUC. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

6) CONSIDER APPEAL OF THE DECISION BY THE DEPARTMENT OF PUBLIC WORKS TO DENY ACCESS PERMIT APPLICATION FOR LOT A OF RECORDED EXEMPTION, RECX16-0118 – ROMULO SALVADOR ROBLES MARTINEZ: Dawn Anderson, Department of Public Works, stated the residential access permit application was submitted in May, 2019, in connection with a Four-Lot Recorded Exemption, REXC16-0118, which was recorded on December 7, 2016. She provided a brief description of the location of the site, and stated the plat shows Lot A with a shared, non-exclusive utility and access easement and a note indicating the existing access was to be closed by March 15, 2017. She stated AP16-00354 was originally granted to SB Farms and it specified to: 1) utilize the residential access on County Road (CR) 39, 2) close and reclaim the existing northern access, south of CR 50, and 3) that no future access points were to be granted. Ms. Anderson noted that since Mr. Robles purchased the site, he has been approved for a USR granting a second single family dwelling and Public Works did grant AP18-00192, approved March 28, 2018, which also indicated a shared access, with the second existing access south of Taylor Avenue to be closed and reclaimed (it references the same access just measured from two different cross roads). Ms. Anderson reviewed the Code criteria which limits recorded exemption lots to one access point, which is also identified on the approved plat. She referenced Exhibit B concerning the variance request citing reasons of easier mailbox placement and improved access for trash trucks and emergency services, reviewed the average daily traffic (ADT) count, and displayed photographs documenting that sight distance is not a concern. She stated staff is recommending denial based on the previous approvals which required closure and reclamation of the second access, as well as the Code requirement which limits the lot to one access. Chair Kirkmeyer questioned why the property owner had not closed and reclaimed the northern access in accordance with the notes on the plat and the original access permit, and whether there was any recourse. Bruce Barker, County Attorney, stated since the note is on both access permits, they can be revoked since the condition was never met.

Salvador Robles, appellant, stated his appeal and request for the northern access to remain is to allow better placement for the mailbox and provide an easier access for trash pickup and propane deliveries. Responding to Commissioner Freeman, Tom Parko, Director of the Department of Planning Services, clarified the second residence was granted through a Zoning Permit for a Second Dwelling for family, which was conditionally approved in May, 2019; however, they put a hold on the final Certificate of Occupancy (CO) due to this access issue. In response to Commissioner Conway, Mr. Robles reiterated his request is based on easier access for utility services. Responding to Chair Kirkmeyer, staff clarified the original home is occupied by the appellant's father on the south side of the lot, near the original access, and a temporary CO was issued for the mobile home located on the north where Mr. Robles currently resides. Responding further to Chair Kirkmeyer, Ms. Anderson confirmed the northern access

has not been closed or properly reclaimed, nor has the appellant been using it.

Chair Kirkmeyer stated she supports denial of the appeal, finding that the ease of access for utility services is not sufficient reason to allow a second access on a roadway with high traffic and truck volumes. She stated the closure was clearly required as part of the Recorded Exemption plat and original access, and it does not meet the requirement of an emergency need. Commissioners Moreno, James and Freeman concurred. Commissioner Moreno moved to deny the appeal and affirm the decision of the Department of Public Works to deny the access permit. The motion was seconded by Commissioner James. Commissioner Conway commented he is typically in support of granting appeals where there is not a sight distance concern; however, in this case, the average daily traffic count is a concern, the shared access and direction to close the northern access was clearly stated on the Recorded Exemption plat, and the appellant has not demonstrated a hardship. There being no further discussion, the motion carried unanimously.

PLANNING:

1) CONSIDER APPROVAL OF AMENDED PUD FINAL PLAN, PUDF19-0004 – RUSSELL COBURN, LLC: Mr. Barker stated the intent behind Condition of Approval (COA) #1.F was to give the applicant a path forward; however, the method is not feasible, therefore, he proposed modified language for COA #1.E and #1.F. He stated there are two parts to the situation dealing with Mr. Coburn’s application, as well as the drainage violation for the overall development. He stated he and Commissioner James attended a community meeting on Monday evening and found the Homeowners’ Association (HOA) has been working diligently to enter into a contract to complete the necessary drainage work, which they intend to complete within 60 days, pending inclement weather, to get the drainage ponds up to the requisite holding capacity. Mr. Barker recommended the Board continue this matter to allow additional time for staff to work with the applicant and the HOA, which has been in contact with the original developer, to provide notice and prepare finalized language to properly address the situation. In response to Chair Kirkmeyer, Mr. Barker stated formal notice and public comment is not required because the new language will not change the intent of correcting the drainage violation, rather, it will remove the requirement for an Improvements Agreement and simply cite the improvements which must be completed by 2020. He stated the continuance will allow adequate time to notify the applicant and for the HOA to submit the necessary documentation to the Department of Public Works. Commissioner James moved to set this matter for reconsideration on Wednesday, October 23, 2019, at 9:00 a.m. The motion was seconded by Commissioner Conway, and it carried unanimously. Chair Kirkmeyer thanked the County Attorney and Commissioner James for attending the neighborhood meeting and for finding a solution to ensure the drainage issues are resolved.

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 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 21, 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, October 21, 2019, at the hour of 9:00 a.m.

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

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

Also present:

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

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

CERTIFICATION OF HEARINGS: Commissioner James moved to approve the Certification of Hearings conducted on October 16, 2019, as follows: 1) USR19-0035 – DVM Burros, LLC, and 2) USR19-0047 – SS Storage Hudson, LLC. Commissioner Conway seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 18, 2019: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B1900123, STRUCTURED DECISION-MAKING PROCESS – DEPARTMENT OF JUSTICE SERVICES: Rob Turf, Purchasing Department, noted this is a fully funded bid which will be covered by the Colorado Division of Criminal Justice. He stated two (2) bids were received and, upon review, staff recommends awarding to Dr. Victoria Terranova and Dr. Kyle Ward with the University of Northern Colorado Criminal Justice Department, in the amount of \$22,500.00. Commissioner Freeman moved to approve said bid, as recommended by staff. The motion was seconded by Commissioner James, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER ADDENDUM #25 TO AGREEMENT FOR SERVICES AND ADDENDUM #26 CLAIM PAYMENT FUNDS AND AUTHORIZE CHAIR TO SIGN – COLORADO TECHNICAL SERVICES, INC. (CTSI): Don Warden, Director of Finance and Administration, stated Addendum #25 increases the third-party administration of Workers' Comp claims contract for 2020 to \$43,228.00, which is a two percent (2%) increase over 2019, and Addendum #26 sets the amount deposited to pay claims at \$175,000.00. Commissioner Conway moved to approve said addendums and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

2) CONSIDER ADDENDUM TO AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – BASE TACTICAL DISASTER RECOVERY: Mr. Warden stated this is the seventh amendment to the contract for assistance with recovery efforts related to the 2013 Flood. He stated all the projects have been submitted to the State for reimbursement; however, they are still waiting on FEMA to close 22 of them, therefore, the addendum simply extends the term for one year to allow additional time for the closeout work to be completed. Commissioner Freeman moved to approve said addendum and authorize the Chair to sign. Commissioner Conway seconded the motion, which carried unanimously.

3) CONSIDER CONTRACT ID #3187 CHANGE ORDER #1 TO AGREEMENT FOR CONSTRUCTION SERVICES FOR MATERIAL CRUSHING (BID #B1900037) AND AUTHORIZE CHAIR TO SIGN – PREMIER EARTHWORKS AND INFRASTRUCTURE (PEI): Curtis Hall, Deputy Director of the Department of Public Works, stated \$1,340,000.00 was budgeted for concrete crushing in 2019, and PEI was the low bidder and, based on their performance, it was determined that the remaining budget amount could be utilized to pay for the stockpiling of 100,000 cubic yards of material at the Peters 313 Pit. He stated PEI submitted a cost estimate of \$198,700.00 to stockpile material which will be crushed in 2020 and 2021 and used as surface gravel on roads throughout northeastern Weld County. He also noted this Change Order also provides for the stockpiling of material at other County-operated pits. Commissioner Moreno moved to approve said change order and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

4) CONSIDER TEMPORARY CLOSURE OF CR 47 BETWEEN CRS 74 AND 76: Amy Mutchie, Department of Public Works, stated this temporary closure will begin October 28, 2019, and end November 1, 2019, to replace a drainage culvert, and water will be used for dust control on the gravel portion of the detour route. Commissioner Freeman moved to approve said temporary closure. Commissioner James seconded the motion, which carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 6 BETWEEN CR 23 AND U.S. HWY 85: Ms. Mutchie stated this temporary closure will commence on November 1, 2019, and end on November 27, 2019, to redeck Bridge 6/25 and replace the guard rail, and the detour route is paved. In response to Chair Kirkmeyer, Ms. Mutchie stated the crews typically build a little extra time into the closure requests this time of year due to possible weather delays, so she will monitor and come back for an extension request, if necessary. She also confirmed message boards will be placed in advance of the closure to notify the

public. Commissioner James moved to approve said temporary closure. Commissioner Freeman seconded the motion, which carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF USE BY SPECIAL REVIEW PERMIT, USR18-0047 – TODD G. MCCORMICK, C/O OAK LEAF 40 LLC, C/O MICHAEL MCCABE: Angela Snyder, Department of Planning Services, stated this request is a condition of approval for their newly approved USR19-0050. In response to Chair Kirkmeyer, Ms. Snyder confirmed this partial vacation will match the new Recorded Exemption Lot B. Commissioner Conway moved to approve said partial vacation. Commissioner Freeman seconded the motion, which carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:10 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, OCTOBER 23, 2019

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, October 23, 2019, at the hour of 9:00 a.m.

(Clerk's Note: Due to technical difficulties, the audio quality is minimal until the equipment issue was resolved at time stamp 9:20, near the end of Public Input.)

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

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

Also present:

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

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of October 21, 2019, as printed. Commissioner James seconded the motion, and it carried unanimously.

AMENDMENTS TO AGENDA: Commissioner Conway moved to add the following item under New Business: 15) Consider Appointments to Board of Directors of Newell Lake Drainage District. The motion was seconded by Commissioner Freeman, and it carried unanimously.

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

PUBLIC INPUT: Brett Abernathy, County Council member, displayed a PowerPoint containing three photographs of the intersection at County Road (CR) 47 and State Highway 392, and expressed concern with inadequate signage and multiple accidents and fatalities at the dangerous intersection. Councilman Abernathy submitted a letter, marked Exhibit A, proposing the installation of two (2) signs alerting the travelling public that they are approaching a Stop sign and a merge into a single lane. Chair Kirkmeyer spoke to the Uniform Traffic Model and coordination with the Colorado Department of Transportation (CDOT). Elizabeth Relford, Department of Public Works, provided further information about the ongoing discussions surrounding this intersection, stating the Department of Public Works, with approval from CDOT, installed flashing Stop signs, and CDOT is performing an evaluation of this intersection to see if it warrants further advanced notification signage. She stated staff is also evaluating

whether additional lighting and larger signs in the area could be beneficial. In response to Councilman Abernathy concerning jurisdiction over the right-of-way and easement in this area, Chair Kirkmeyer stated the County is working collaboratively with CDOT; however, both jurisdictions are required to follow the traffic manual. Ms. Relford stated safety concerns are Public Works' top priority and clarified staff is working with CDOT to install signs that state 'Crossing Traffic Does Not Stop'. Commissioner Conway suggested the installation of rumble strips, and the Board directed staff to further evaluate this safety concern.

WARRANTS:

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

BIDS:

1) PRESENT BID #B1900136, FACILITATION SERVICES – DEPARTMENT OF HUMAN SERVICES: Rob Turf, Purchasing Department, stated 43 vendors downloaded the bid specifications; however, only one bid was received. He stated this vendor has done work for the County in the past, and upon review of the bid proposal, staff will bring back a recommendation on November 13, 2019.

2) PRESENT BID #B1900137, CRISIS INTERVENTION AND STABILIZATION SERVICES – DEPARTMENT OF HUMAN SERVICES: Mr. Turf stated 15 vendors downloaded the specifications; however, no bids were received. He stated the Department of Human Services is reviewing the project to determine whether the bid will be reposted.

NEW BUSINESS:

1) CONSIDER CREATION OF THE WELD COUNTY TRUST FUND: Don Warden, Director of Finance and Administration, stated on September 30, 2019, the County sold property and equipment associated with the North Colorado Medical Center, for \$59,546,000.00, which will be placed in the 'Weld Trust' and used for charitable purposes. He further stated the Board previously entered into a Restricted Fund Agreement with NCMC Inc. that the 'Weld County Trust Fund' will be set aside within the 'Weld Trust' and will comply with IRS requirements. He stated this Resolution also establishes Policies and Procedures which document that any earnings and net proceeds will be totally dedicated to funding the Bright Futures program, as well as management of investments to ensure the fund will remain and grow. In response to Commissioner Moreno, Mr. Warden explained the Weld Trust is an IRS-approved charitable trust, therefore, the monies must be used for the education, health, and welfare of the citizens of Weld County. He clarified that future Commissioner boards may designate funds for a different use if it meets the criteria. Commissioner Conway moved to approve the creation of said Weld County Trust Fund, along with the Policies and Procedures included as Exhibit A. Commissioner Moreno seconded the motion, and it carried unanimously.

2) CONSIDER AGREEMENT PURSUANT TO C.R.S. §30-11-123 AND AUTHORIZE CHAIR TO SIGN – VESTAS BLADES AMERICA, INC.: Mr. Warden stated this agreement provides personal property tax incentive credits equating to fifty percent (50%) or \$397,725.00, over a 10-year period, if the qualifying investor can document that 50% of their employees are Weld County residents. He stated Vestas is making an \$80 million investment in the facility located near Windsor and they estimate a minimum expansion of 50-100 employees, in addition to maintaining the current workforce. In response to Commissioner Conway, Mr. Warden confirmed they must report and make a renewal request on an annual basis. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Conway, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3088 AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – NORTH COLORADO HEALTH ALLIANCE: Jamie Ulrich, Deputy

Director of the Department of Human Services, stated under this agreement the North Colorado Health Alliance will provide nursing consultation, care management and education/training 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.

4) CONSIDER CONTRACT ID #3090 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – BRANDON AND AMANDA VEYETTE: Ms. Ulrich stated this contract establishes the terms for a new foster care home in Eaton. Commissioner Freeman moved to approve said contract, which was seconded by Commissioner James, and it carried unanimously.

5) CONSIDER CONTRACT ID #3091 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – EUGENE AND ANA CRAMER: Ms. Ulrich stated this contract establishes the terms for a new foster care home in Dacono. The motion to approve said contract and authorize the Chair to sign was made by Commissioner Conway, seconded by Commissioner James, and it carried unanimously.

6) CONSIDER CONTRACT ID #3092 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – DAVID AND CASSONDRA WELLS: Ms. Ulrich stated this contract is for a new foster care home in Windsor. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER CONTRACT ID #3080 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – NATHAN AND JENNIFER GROSS: Ms. Ulrich stated this agreement is for a new Respite Care provider in Greeley. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

8) CONSIDER CONTRACT ID #3093 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – JON AND NICOLE WRIGHT: Ms. Ulrich stated this agreement is for a new Respite Care provider in Greeley. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

9) CONSIDER CONTRACT ID #3111 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – CYNTHIA MCLAUGHLIN: Ms. Ulrich stated Cynthia McLaughlin is a new Respite Care provider in Greeley. Commissioner Moreno moved to approve said agreement, which was seconded by Commissioner James, and it carried unanimously.

10) CONSIDER CONTRACT ID #3180 AGREEMENT FOR CHILD PROTECTION SERVICES AND AUTHORIZE CHAIR TO SIGN – SPECIALIZED SITTERS, LLC: Ms. Ulrich stated through this agreement Specialized Sitters, LLC, will provide child protection services, including behavioral modification, social skills development, and treatment implementation. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Conway, and it carried unanimously.

11) CONSIDER CONTRACT ID #3182 AMENDMENT #2 FOR TALX INCOME VERIFICATION SERVICES AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated the purpose of this agreement is to allow the Colorado Department of Human Services to enter into a state-wide agreement on behalf of the counties to continue services with TALX for access to Equifax Verification Services for the Work Number as further explained in the staff memorandum. Commissioner Freeman moved to approve said

amendment and authorize the Chair to sign. Commissioner Conway seconded the motion, and it carried unanimously.

12) CONSIDER CONTRACT ID #3183 EXPENDITURE AUTHORIZATION FOR MIGRANT SEASONAL FARM WORKER (MSFW) PROGRAM AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich requested approval of the expenditure authorization. Commissioner Moreno moved to approve said expenditure authorization and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

13) CONSIDER CONTRACT ID #3184 EXPENDITURE AUTHORIZATION FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) RESTORED ADULT, DISLOCATED WORKER, YOUTH, AND WAGNER-PEYSER PROGRAMS AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich requested approval of the expenditure authorization for the various programs. Commissioner James moved to approve said expenditure authorization and authorize the Chair to sign. The motion was seconded by Commissioner Conway, and it carried unanimously.

14) CONSIDER CONTRACT ID #3185 WORK PLANS AND WORK PLAN MODIFICATION FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) ADULT, DISLOCATED WORKER, YOUTH, WAGNER-PEYSER, AND EMPLOYMENT SUPPORT FUNDS (ESF) PROGRAMS AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich requested approval of the expenditure authorization for the various programs, as well as the Regional Work Plan Modification. Commissioner Freeman moved to approve said expenditure authorization and work plan modification, which was seconded by Commissioner James, and it carried unanimously.

15) CONSIDER APPOINTMENTS TO BOARD OF DIRECTORS OF NEWELL LAKE DRAINAGE DISTRICT: Commissioner Freeman moved to approve said appointments. Commissioner James seconded the motion, and it carried unanimously.

PLANNING:

1) CONSIDER RESUBDIVISION, RES19-0010, TO COMBINE LOTS 4, 7, C, AND D OF KERSEY COLONY SUBDIVISION (HISTORIC TOWNSITE) INTO ONE (1) RESIDENTIAL LOT – RANDY AND DOROTHY FRIAS: Angela Snyder, Department of Planning Services, stated the sign was posted and notices were mailed to 55 surrounding property owners; however, no objections were received. She further stated ten (10) referrals were sent out, and eight (8) agencies responded with no concern or offered comments which have been addressed by staff in the Conditions of Approval. She explained the applicants have applied to combine four (4) lots to reflect current, contiguous ownership and allow an existing garage to be a compliant structure. She noted the combined lots will total 0.39 acres, which is less than the minimum lot size allowed for an individual septic system; however, the site is historic, and staff is satisfied the health, safety and wellness concerns will be adequately addressed. She displayed images of the site and surrounding views. Randy Frias, applicant, stated the primary purpose of the request is to allow the garage to store his vehicles. In response to Chair Kirkmeyer, Mr. Frias stated his neighbors have no concerns with the request, water is provided by the Central Weld County Water District, and he is agreeable with the Conditions of Approval. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve Resubdivision, RES19-0010, with the Conditions of Approval as presented. Commissioner Conway seconded the motion, and it carried unanimously.

2) CONSIDER RESOLUTION GRANTING AMENDED SITE SPECIFIC DEVELOPMENT PLAN AND PLANNED UNIT DEVELOPMENT FINAL PLAN, PUDF19-0004, FOR VISTA COMMERCIAL CENTER 2ND FILING (S-416) TO VACATE THE INTERNAL LOT LINES OF LOTS 3, 4, 7, AND 8, OF BLOCK 7, TO CREATE A SINGLE LOT, WITH MODIFIED CONDITIONS OF APPROVAL 1.E. AND 1.F. – RUSSELL COBURN, LLC: *(Clerk's Note: Pursuant to a notice dated September 13, 2019, and duly*

published September 18, 2019, in the Greeley Tribune, a public hearing was conducted October 9, 2019, to consider the request of Russell Coburn, LLC, for an Amended Site Specific Development Plan and Planned Unit Development Final Plan, PUDF19-0004, of Vista Commercial Center 2nd Filing (S-416) to vacate the internal lot lines of Lots 3, 4, 7 and 8 of Block 7, to create a single lot, at which time the Board conditionally approved the Resolution for an Amended PUDF19-0004. Approval of said Resolution was on the Consent Agenda on October 16, 2019, at which time the Board deemed it necessary to continue approval of said Resolution to October 23, 2019, to allow for adequate time to review Conditions of Approval 1.E and 1.F with the applicant, Russell Coburn, LLC.) Mr. Barker referenced Conditions of Approval (COA) #1.E and #1.F in the Resolution and affirmed the applicant, Russell Coburn, agreed to the proposed language. He summarized both COA, discussed the timeline of the project, and recommended approval of the Resolution. In response to Chair Kirkmeyer, Mr. Barker confirmed all communication related to the application had been included in the record, and no public testimony was provided. Commissioner Freeman moved to approve the Resolution Granting Amended PUDF19-0004, with the Conditions of Approval as amended. The motion was seconded by Commissioner Conway, and it carried unanimously. Chair Kirkmeyer and Commissioner Conway thanked Mr. Barker and Commissioner James for the time they spent working with all of the parties involved to ensure the drainage issues are corrected and to allow current development proposals to proceed.

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 9:58 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 28, 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, October 28, 2019, at the hour of 9:00 a.m.

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

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

Also present:

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

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

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on October 23, 2019, as follows: 1) PUDF19-0004 – Russell Coburn, 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 – OCTOBER 24, AND 25, 2019:** Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

2) **COMMISSIONER WARRANTS – OCTOBER 25, 2019:** Chair Kirkmeyer recused herself from consideration of this item. Commissioner James moved to approve the Warrant for Commissioner Kirkmeyer, as printed, which was seconded by Commissioner Freeman. Upon a roll call vote, the motion carried, with four Commissioners voting in support and Chair Kirkmeyer recused.

NEW BUSINESS:

1) CONSIDER APPOINTMENT OF JAMIE ULRICH AS DIRECTOR OF HUMAN SERVICES: Chair Kirkmeyer read the Resolution for the record appointing Jamie Ulrich as the Director of Human Services, effective January 16, 2020. Commissioner Freeman moved to approve said appointment, which was seconded by Commissioner Moreno. Each of the Commissioners, in turn, thanked Judy Griego for her invaluable years of service to the citizens of Weld County. They also commended her for mentoring and guiding Ms. Ulrich during her time as Deputy Director, stating they have utmost confidence in her skills and abilities to carry the department forward in the future. There being no further discussion, the motion carried unanimously. Ms. Ulrich thanked the Board for the opportunity to serve as the Deputy Director, which afforded her a tremendous amount of time spent with Ms. Griego, who is well respected among the State department and her peers. She accepted the appointment and stated she will strive to do her best on behalf of Weld County and its citizens.

2) CONSIDER CONTRACT ID #3170 2019-2020 HAZARDOUS MATERIALS EMERGENCY PLANNING (HMEP) GRANT AGREEMENT AND AUTHORIZE CHAIR TO SIGN LETTER OF ACCEPTANCE: Roy Rudisill, Director of the Office of Emergency Management, stated the grant award is for \$79,600.00, with a local match of \$19,900.00, for a total of \$99,500.00 to support the emergency management staff. Commissioner Conway moved to approve said agreement and authorize the Chair to sign the letter of acceptance. Seconded by Commissioner James, the motion carried unanimously.

3) 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 speed trailers were previously sold at the auction conducted on October 15, 2019, and the remaining items of equipment are scheduled to be sold at auction on November 13, 2019. Commissioner Freeman moved to declare said equipment as surplus property, approve the sale at auction and delegate authority to the Controller to sign any necessary documents. The motion was seconded by Commissioner Conway, and it carried unanimously.

4) CONSIDER DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE DISPOSAL: Ms. Connolly requested the list of old and obsolete microfiche reading machines be declared surplus. She noted they have no value for auction, therefore, this Resolution will authorize staff to dispose of the equipment. Commissioner James moved to declare said equipment as surplus property and authorize disposal. Commissioner Moreno seconded the motion, and it carried unanimously.

5) CONSIDER DECLARING CERTAIN VEHICLES AS SURPLUS PROPERTY AND DELEGATING AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Ms. Connolly stated this item is for a variety of vehicles which have been wrecked and are ready for salvage. Commissioner Conway moved to declare said vehicles as surplus property and delegate authority to the Controller to sign any necessary documents. The motion, which was seconded by Commissioner Freeman, carried unanimously.

6) CONSIDER RESCHEDULED TEMPORARY CLOSURE OF CR 6 BETWEEN CR 23 AND U.S. HWY 85: Curtis Hall, Department of Public Works, stated at the direction of the Board, staff is requesting this temporary closure be rescheduled to commence November 4, 2019, and end December 13, 2019, to complete a re-deck and guardrail replacement project on Bridge 6/25B. He stated the reschedule and extended dates will accommodate the time needed for acquisition of the necessary materials, as well as any weather or holiday delays. He further stated message boards will be placed in advance of the closure and the detour route is paved. Commissioner Moreno moved to approve said

rescheduled temporary closure. Commissioner Conway seconded the motion. In response to Chair Kirkmeyer, Mr. Hall confirmed the road crew will work diligently to complete the project in a timely manner; however, staff requested additional time for the closure, noting there will be no work done this week due to the weather conditions. There being no further comments, the motion carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:28 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

EXCUSED DATE OF APPROVAL
Barbara Kirkmeyer, Chair

Weld County Clerk to the Board

Mike Freeman, Pro-Tem

BY: _____
Deputy Clerk to the Board

Sean P. Conway

Scott K. James

Steve Moreno

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO OCTOBER 30, 2019

The Board of County Commissioners of Weld County, Colorado, met in regular session in full conformity with the laws of the State of Colorado at the regular place of meeting in the Weld County Administration Building, Greeley, Colorado, October 30, 2019, at the hour of 9:00 a.m.

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

Commissioner Barbara Kirkmeyer, Chair - EXCUSED
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
Senior Accountant, Chris D'Ovidio

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of October 28, 2019, as printed. Commissioner Conway seconded the motion, and it carried unanimously.

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

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

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 29, 2019: Commissioner Conway moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B1900131, INMATE MEDICAL SERVICES – SHERIFF'S OFFICE: Rob Turf, Purchasing Department, requested this item be continued to November 6, 2019, to allow staff additional time to review the proposals and conduct a work session. Commissioner Moreno moved to continue the item to November 6, 2019. Commissioner James seconded the motion, which carried unanimously.

2) PRESENT BID #B1900144, PS DATA DOMAIN – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, presented the four (4) bids received and stated staff will review and make a recommendation on November 13, 2019.

3) PRESENT BID #B1900145, PS UNITY STORAGE – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose presented the four (4) bids received and stated staff will review and make a recommendation on November 13, 2019.

4) PRESENT BID #B1900146, CISCO ROUTERS – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose presented the seven (7) bids received and stated staff will review and make a recommendation on November 13, 2019.

NEW BUSINESS:

1) CONSIDER ADDITION TO SECTION 2.000 CHILD WELFARE OF THE DEPARTMENT OF HUMAN SERVICES POLICIES AND GUIDELINES MANUAL: Karin McDougal, Assistant County Attorney, reviewed the addition for the record. In response to Commissioner Conway, Ms. McDougal explained the purpose of respite care. Commissioner Conway moved to approve said addition to the Policies and Guidelines Manual. Commissioner James seconded the motion, and it carried unanimously.

2) CONSIDER CONTRACT ID #3202 AMENDMENT #2 FOR WOMEN'S WELLNESS CONNECTION CANCER PREVENTION AND EARLY DETECTION PROGRAM AND AUTHORIZE CHAIR TO SIGN: Dr. Mark Wallace, Director of the Department of Public Health and Environment, explained the State is trying to minimize the number of budget amendments by removing the funds previously approved under a contract and placing them in the General Accounting Encumbrance (GAE), which allows the State to pool dollars among the various entities and provides more flexibility for the reimbursement of direct client services which can be administered without having to amend the contract each time the contracted amount is exceeded. Commissioner Conway commented he supports the concept as long as there are no unfunded mandates inserted by the State without prior review by the Board of Commissioners. Dr. Wallace stated the contract must reference the GAE and he explained the pooled funds are still siloed within the GAE for the respective agencies so Weld dollars are not utilized by other agencies. Commissioner Conway moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3203 TASK ORDER CONTRACT AMENDMENT #3 FOR LOCAL PLANNING AND SUPPORT (PER CAPITA) AND AUTHORIZE CHAIR TO SIGN: Dr. Wallace stated this amendment is for per capita funding, in the amount of \$84,889.22, for basic and core services to be performed prior to June 30, 2020, with a focus on marijuana use, the opioid crisis, drug testing on cases under review by the Coroner's Office, and mental health services. In response to Commissioner Conway, Dr. Wallace stated the testing and documentation of opioid abuse will help ensure the County's share of funding to be passed through the State. Commissioner Conway moved to approve said amendment and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

4) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR VARIOUS ACCOUNTS – CRESTONE PEAK RESOURCES, LP: Brenda Dones, Assessor, stated Crestone is the operator of 1,300 wells in Weld County; however, it was discovered that the NGL data was double reported which increased gas revenue and resulted in an overpayment of taxes. She stated staff has conducted a thorough audit and recommends approval, which changes the actual valuation and assessment amounts as reflected in the petition, and results in an abatement in the amount of \$14,009,332.86. In response to Commissioner Conway, Ms. Dones agreed it is a huge abatement and the special districts have been notified so they have an opportunity to adjust their budget expectations. Commissioner Moreno moved to approve said petition, in part, as recommended by the Assessor's Office. Commissioner James seconded the motion, and it carried unanimously.

PLANNING:

1) CONSIDER SECOND CORRECTED RESOLUTION FOR USE BY SPECIAL REVIEW PERMIT, USR16-0041 – HUNT BROTHERS PROPERTIES, INC. / ASPHALT SPECIALTIES COMPANY, INC.: Chair Pro-Tem Freeman stated Chair Kirkmeyer is absent conducting County business and she desires to participate in this and the following items of business, and the next available date when the full Board will be present is November 25, 2019. Commissioner Moreno moved to continue said Resolution to November 25, 2019, at 9:00 a.m. Commissioner James seconded the motion, and it carried unanimously.

2) CONSIDER ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY AND AUTHORIZE CHAIR TO SIGN – HUNT BROTHERS PROPERTIES, INC.: Commissioner James moved to continue said matter to November 25, 2019, at 9:00 a.m. Commissioner Moreno seconded the motion, and it 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.: Commissioner Conway moved to continue said matter to November 25, 2019. Commissioner James seconded the motion, which carried unanimously.

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

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

There being no further business, this meeting was adjourned at 9:26 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

EXCUSED
Barbara Kirkmeyer, Chair

Weld County Clerk to the Board

Mike Freeman, Pro-Tem

BY: _____
Deputy Clerk to the Board

Sean P. Conway

Scott K. James

Steve Moreno