

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, AUGUST 2, 2021

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, August 2, 2021, 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 Steve Moreno, Chair
Commissioner Scott K. James, Pro-Tem
Commissioner Perry L. Buck
Commissioner Mike Freeman
Commissioner Lori Saine

Also present:

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

MINUTES: Commissioner James moved to approve the Minutes of the Board of County Commissioners meeting of July 28, 2021, as printed. Commissioner Saine seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance #2021-13 by audio. The motion was seconded by Commissioner Freeman, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on July 28, 2021, as follows: 1) Public Hearing to Consider Use of Coronavirus State and Local Fiscal Recovery Funds Under the American Rescue Plan Act. Commissioner Saine seconded the motion, which carried unanimously.

PUBLIC INPUT: No public input was given.

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

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

COMMISSIONER COORDINATOR REPORTS: Commissioner Buck reported the Department of Human Services has delivered \$3.5 million in Emergency Rental Assistance payments and processed 1,803 requests. She stated 94 youth participated in Summer Youth programs overseen by the Employment Services Division. Next, she relayed the Area Agency on Aging Friendly Fork program has 16 sites congregating in person, and Carbon Valley, Erie and Windsor are planning to open in September. Lastly,

the school lunch assistance payments funded by the federal government support families affected by the pandemic. Commissioner Freeman reported the Department of Public Works is starting to receive orders of asphalt, which will allow them to finally move forward with pending road construction projects. Commissioner James shared concerning proactive outreach to disproportionately impacted communities concerning transportation needs, and he will be offering testimony on behalf of Weld County in regard to the Air Quality Enterprise created by SB-260. Commissioner Saine reported Weld County was recognized for its leadership at a national conference.

WARRANTS:

1) GENERAL WARRANTS – JULY 30, 2021: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Saine seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – JULY 30, 2021: Commissioner Freeman moved to approve the Greeley-Weld County Airport Authority Warrants, as printed. Commissioner Buck seconded the motion, and it carried four (4) to one (1), with Commissioner Saine opposed.

NEW BUSINESS:

1) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R4697107 (2019) – VALUE PLACE DENVER CO N FIRESTONE, LLC, AKA WOODSPRING SUITES FIRESTONE, LLC: Brenda Dones, Assessor, stated this petition is requesting a Mixed-Use classification of the Value Place Hotel in Firestone, Colorado, and explained the Commercial assessment rate is 29%, versus the Residential rate of 7.15%. She noted hotels are typically classified as Commercial; however, a room that is leased/rented for 30 consecutive days, or longer, by the same person is considered an 'extended stay' room and eligible for the Residential classification. Ms. Dones stated the petitioner was able to provide documentation that, in 2018, 50% of the rooms were leased on the extended stay basis; therefore, she recommended approval of the reclassification of 50% of the property as Residential for tax year 2019, which results in an adjustment to the assessed value in the amount of \$1,093,530.00, for a tax amount of \$113,008.67, and a refund in the amount of \$61,584.16. Commissioner Freeman moved to approve said petition. Seconded by Commissioner Buck, the motion carried unanimously.

2) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R4697107 (2020) – VALUE PLACE DENVER CO N FIRESTONE, LLC, AKA WOODSPRING SUITES FIRESTONE, LLC: Assessor Dones stated this petition is for the same property presented in the previous item, for the 2020 tax year. She explained the documentation provided shows the property is eligible for a Mixed-Use classification, with 45% of the rooms classified as Residential and 55% classified as Commercial, which results in an adjustment to the assessed value in the amount of \$1,159,630.00, for a tax amount of \$118,109.48, and a refund in the amount of \$53,962.69. Commissioner James moved to approve said petition. Seconded by Commissioner Freeman, the motion carried unanimously.

3) CONSIDER AUTHORIZATION TO RELEASE INFORMATION AND AUTHORIZE CHAIR TO SIGN – EVERSIDE HEALTH, AND AETNA LIFE INSURANCE COMPANY: Patti Russell, Director of the Department of Human Resources, stated this authorization will allow the County's Employee Clinic to share patient information with Aetna Health Insurance to improve overall health and care of the employees. Commissioner James moved to approve said authorization to release information and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) CONSIDER CONTRACT ID #5083 AGREEMENT CONCERNING PURCHASE OF CERTAIN PROPERTY FOR TEMPORARY CONSTRUCTION EASEMENT FOR IMPROVEMENTS PROJECT AT INTERSECTION OF CRS 37 AND 80, AND AUTHORIZE CHAIR TO SIGN NECESSARY DOCUMENTS

– FAGERBERG PRODUCE, INC.: Clay Kimmi, Department of Public Works, stated a temporary construction easement is necessary to reconstruct an access for Fagerberg Produce as part of the Intersection Improvements project at County Roads 80 and 37, for an amount not to exceed \$1,000.00. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

5) CONSIDER ENTRY UPON VARIOUS LANDS BY WELD COUNTY VEGETATION MANAGEMENT SPECIALIST: Tina Booton, Department of Public Works – Weed Management Specialist, stated pursuant to State statute and the Weld County Code, she requires authorization to enter identified properties for weed control measures. In response to Chair Moreno, Ms. Booton confirmed the drone is not utilized for this process, rather, they conduct visual inspections. Commissioner Buck moved to approve said entry. Commissioner James seconded the motion, and it carried unanimously.

6) FINAL READING OF CODE ORDINANCE #2021-12, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 3 HUMAN RESOURCES, OF THE WELD COUNTY CODE: Commissioner Freeman moved to read Code Ordinance #2021-12 by title only. The motion was seconded by Commissioner James, and it carried unanimously. Mr. Barker read the title for the record. Patti Russell, Director of the Department of Human Resources, stated there have been no changes since Second Reading. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2021-12 on Final Reading. Commissioner Freeman seconded the motion, and it carried unanimously.

PLANNING:

1) FIRST READING OF CODE ORDINANCE #2021-13, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 29 BUILDING REGULATIONS, OF THE WELD COUNTY CODE (2018 INTERNATIONAL RESIDENTIAL CODE - RADON CONTROL METHODS): Tom Parko, Director of the Department of Planning Services, recommended adding Appendix F dealing with radon control methods. He noted the presence of radon is fairly prolific throughout Weld County and the state, so this change would require the installation of mitigation systems, if needed, in new construction; however, it will not be a retroactive requirement for existing structures. Gabri Vergara, Department of Public Health and Environment, clarified builders would be adding a passive system at the time of new construction, thus allowing future homeowners to activate, if necessary. Ms. Vergara explained between the years 2005-2020, Weld County has provided more than 6,500 radon test kits and over 49% of the homes have registered high radon levels, but staff has had no way to ensure mitigation systems were installed. She explained the process can be as simple as adding a fan, if needed, which is minimal considering radon is the second leading cause of lung cancer, after smoking, and results in an average of 20,000 deaths per year. Commissioner Buck thanked staff for bringing this issue to light, and Ms. Vergara reiterated the department receives state funding and can offer the radon test kits at no cost to the public. No public testimony was offered concerning this matter. Commissioner Buck moved to approve Code Ordinance #2021-13 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 #2021-12 was approved on Final Reading and Code Ordinance #2021-13 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 9:20 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Scott K. James, Pro-Tem

Perry L. Buck

Mike Freeman

Lori Saine