

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, MARCH 30, 2020

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, March 30, 2020, 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 Mike Freeman, Chair  
Commissioner Steve Moreno, Pro-Tem  
Commissioner Scott K. James  
Commissioner Barbara Kirkmeyer  
Commissioner Kevin D. Ross

Also present:

County Attorney, Bruce Barker  
Acting Clerk to the Board, Bri White  
Controller, Barbara Connolly

**MINUTES:** Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of March 25, 2020, as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

**READ ORDINANCE BY AUDIO:** Commissioner James moved to read Emergency Code Ordinance #2020-08 by audio. The motion was seconded by Commissioner Ross, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Ross moved to approve the Certification of Hearings conducted on March 25, 2020, as follows: 1) USR19-0058 – Orrlando, LLC, c/o Bucklen Services Company, 2) USR20-0003 – Robert and Donna Ackerman, and 3) 2MJUSR19-08-1660 – Global Asset Recovery, LLC. Commissioner Moreno seconded the motion, which carried unanimously.

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

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

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

#### **WARRANTS:**

1) GENERAL WARRANTS – MARCH 27, 2020: Commissioner James moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B2000039, CRS 54 AND 17 ROUNDABOUT PROJECT – DEPARTMENT OF PUBLIC WORKS (*CONT'D FROM 3/23/2020*): Rob Turf, Purchasing Department, stated staff reviewed the four (4) potential vendors and recommends selecting Ames Construction for a total amount of \$6,911,400.00, based on a work session with the Board and a Best-And-Final-Offer process. Commissioner Moreno moved to approve said bid. The motion, which was seconded by Commissioner Ross, carried unanimously.

**NEW BUSINESS:**

1) CONSIDER ACCEPTANCE OF CONTRACT ID #3485 DEED RESTRICTION DEDICATION FOR CR 39 EXTENSION PROJECT FOR WETLAND MITIGATION AND AUTHORIZE CHAIR TO SIGN: Eric Green, Department of Public Works, stated the construction of the County Road (CR) 39 Extension Project was completed in November 2019, in relation to the Army Corps of Engineers 404 (wetland) permit issued on July 25, 2019. The Deed Restriction creates a conservancy easement to prevent the wetland mitigation area from being utilized for another purpose. Commissioner Kirkmeyer moved to approve said Deed Restriction Dedication and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) CONSIDER CONTRACT ID #3486 INTERGOVERNMENTAL AGREEMENT FOR IMPROVEMENTS TO CR 37 AND STATE HWY 52 INTERSECTION AND AUTHORIZE CHAIR TO SIGN: Mr. Green presented the collaboration with the Colorado Department of Transportation (CDOT) to share construction costs for improvements to said intersection, for which Weld County will contribute a total amount of \$1,994,880.11 toward the project. In response to Commissioner Kirkmeyer's concern with the 2021 construction date prolonging the project's completion, Mr. Green shared the agreement is a critical path item needed for CDOT to move forward, but the project completion is at the discretion of CDOT's timelines. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3491 GRANT APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE FUND (EIAF) PROGRAM FOR CR 6 FULL DEPTH RECONSTRUCTION FROM U.S. HWY 85 TO CR 19 PROJECT (APRIL CYCLE-TIER I) AND AUTHORIZE ELECTRONIC SUBMITTAL: Elizabeth Relford, Department of Public Works, stated the Tier I application for \$200,000.00 assists with full-depth reconstruction of CR 6 and 19. Commissioner Kirkmeyer moved to approve said application and authorize electronic submittal. The motion, which was seconded by Commissioner James, carried unanimously.

4) CONSIDER CONTRACT ID #3492 GRANT APPLICATION FOR ENERGY AND MINERAL IMPACT ASSISTANCE FUND (EIAF) PROGRAM FOR CRS 80 AND 37 DESIGN BUILD PROJECT (APRIL CYCLE-TIER II) AND AUTHORIZE ELECTRONIC SUBMITTAL: Ms. Relford stated the Tier II application for \$1,000,000.00 is for the design and construction of the improvements to the intersection at CR 80 and 37. Commissioner James moved to approve said application and authorize electronic submittal. Commissioner Ross seconded the motion, and it carried unanimously.

5) SECOND READING OF CODE ORDINANCE #2020-05, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 17 PUBLIC PLACES, OF THE WELD COUNTY CODE (*TRAILS AND E- BIKES*): Due to the COVID-19 Pandemic, the closure of County lobbies, and the public being unable to provide input, the Commissioners discussed the need to continue the code ordinance. The motion to continue said Code Ordinance to April 22, 2020, was made by Commissioner Kirkmeyer, seconded by Commissioner James, and it carried unanimously.

6) EMERGENCY CODE ORDINANCE #2020-08, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 3 HUMAN RESOURCES, OF THE WELD COUNTY CODE (*COVID-19 LEAVE POLICY*): Karin McDougal, Assistant County Attorney, stated the emergency ordinance is a result of the passing of the Families First Coronavirus Response Act (FFCRA), which affects how the County provides sick leave for COVID-19 impacted employees and determines COVID-19 eligibility related to the Family Medical Leave Act (FMLA). No public input was provided. Commissioner Kirkmeyer moved to approve said Emergency Code Ordinance. The motion was seconded by Commissioner Moreno, and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2020-05 was continued on Second Reading and Emergency Code Ordinance #2020-08 was 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 9:13 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

\_\_\_\_\_  
Mike Freeman, Chair

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Steve Moreno, Pro-Tem

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Scott K. James

\_\_\_\_\_  
Barbara Kirkmeyer

\_\_\_\_\_  
Kevin D. Ross