

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, APRIL 22, 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, April 22, 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 April 15, 2020, as printed. Commissioner Ross 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 Kirkmeyer seconded the motion, and it carried unanimously.

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

#### **WARRANTS:**

1) GENERAL WARRANTS – April 21, 2020: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

#### **OLD BUSINESS:**

1) CONSIDER APPOINTMENT OF DIRECTORS TO FILL VACANCIES ON BOARD OF DIRECTORS OF KITELEY RANCH METROPOLITAN DISTRICT – *(CONT'D FROM 4/20/2020)*: Jennifer Ivey, Kiteley Ranch Metropolitan District representative, and Chad Ellington, Peak Development Group representative, joined the meeting by teleconference. Mr. Ellington explained the property transfer history and confirmed Chair Freeman's inquiry regarding the need for an updated land use entitlement plan, as it expired in 2016. In response to Commissioner James, Ms. Ivey stated the District does not have a board of directors or any form of representation and she presumed its intent to achieve statutory compliance and implement an updated service plan. In response to Commissioner Moreno, she

confirmed the last election was held in 2016, as there were no Board members to call for a 2018 or 2020 election. In response to Commissioner Kirkmeyer, Bruce Barker, County Attorney, stated the metropolitan district is not absolved, even though it currently doesn't have representatives, and advised the Board to conduct a quinquennial review. In continuing the conversation with Commissioner Kirkmeyer, Mr. Barker referenced Mr. Ellington's email displaying the recording of a plat for a Planned Unit Development (PUD) Change of Zone and confirmed it is expired. Commissioner Kirkmeyer demonstrated the Board of County Commissioner's obligation to review their service plan and ensure the metropolitan district is financially sound. Mr. Ellington expressed he appreciates the Board's consideration. Commissioner Moreno moved to approve the appointment of directors as listed, which was seconded by Commissioner James. Commissioner Kirkmeyer proposed Mr. Barker submit a request for the metropolitan district to conduct a quinquennial review of the service plan and the motion carried unanimously.

**NEW BUSINESS:**

1) CONSIDER APPLICATION FOR FOSTER AND KINSHIP FAMILY PLACEMENT STABILIZATION FUNDING AND AUTHORIZE ELECTRONIC SUBMITTAL: Jamie Ulrich, Director of the Department of Human Services, shared the application provides \$1,200.00 in placement stabilization funding to support foster and kinship families during the COVID-19 Pandemic Health Emergency. Commissioner Ross moved to approve said application and authorize electronic submittal. Seconded by Commissioner James, the motion carried unanimously.

2) CONSIDER CONTRACT ID #3564 AT-GRADE CROSSING CLOSURE AND MAINTENANCE AGREEMENT FOR CR 29 AND AUTHORIZE CHAIR TO SIGN – UNION PACIFIC RAILROAD (UPRR) COMPANY: Elizabeth Relford, Deputy Director of the Department of Public Works, requested approval of the agreement for closure and maintenance improvements at said railroad crossing to address safety concerns. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF INTERSECTION AT CRS 17 AND 54: Commissioner Kirkmeyer moved to approve said closure. Commissioner Moreno seconded the motion, and it carried unanimously.

4) FINAL READING OF CODE ORDINANCE #2020-02, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 17 PUBLIC PLACES AND CHAPTER 8 PUBLIC WORKS, OF THE WELD COUNTY CODE (*RIGHT-OF-WAY VACATION PETITIONS*): The motion to continue said ordinance to May 4, 2020, was made by Commissioner Ross, seconded by Commissioner Moreno, 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*) – (*CONT'D FROM 03/30/2020*): The motion to continue said ordinance to May 4, 2020, was made by Commissioner Kirkmeyer, seconded by Commissioner James, and it carried unanimously.

6) FIRST READING OF CODE ORDINANCE #2020-07, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 5 REVENUE AND FINANCE, OF THE WELD COUNTY CODE (APPENDIX 5Q, 5R AND 5S): The motion to continue said ordinance to May 4, 2020, was made by Commissioner James, seconded by Commissioner Kirkmeyer, and it carried unanimously.

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

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

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

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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Mike Freeman, Chair

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Steve Moreno, Pro-Tem

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Scott K. James

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

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