

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, MAY 27, 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, May 27, 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 James moved to approve the minutes of the Board of County Commissioners meeting of May 20, 2020, as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Ross moved to approve the Certification of Hearings conducted on May 20, 2020, as follows: 1) COZ20-0001 – Sandra Miranda, Scott Gillis, and Jill and Milton Vega, c/o Sandra Miranda, 2) COZ20-0003 – Doug Derr and Darwin Derr, and 3) COZ20-0002 – Scott and Lynn Laramore. Commissioner Kirkmeyer seconded the motion, which carried unanimously.

AMENDMENTS TO AGENDA: The motion to add item #4 under Presentations and Miscellaneous on the Consent Agenda: 4) Recognition of Services, Department of Public Health and Environment – Dr. Mark Wallace, was made by Commissioner Kirkmeyer, seconded by Commissioner Moreno, and it carried unanimously.

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

PUBLIC INPUT: No public input was given.

PRESENTATIONS:

1) RECOGNITION OF SERVICES, EXTENSION ADVISORY COUNCIL – BRAD WALKER: Chair Freeman read the certificate for the record. Brad Walker was not present.

2) RECOGNITION OF SERVICES, BOARD OF PUBLIC HEALTH – JOYCE SMOCK AND LINDA KAUTZ: Chair Freeman read the certificates for the record. *(Clerk's Note: The group gathered for a photo opportunity.)*

3) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – DORA SANTILLANES: Chair Freeman read the certificate for the record. Jamie Ulrich, Director of the Department of Human Services, shared a tribute to Ms. Santillanes, who was 81 years old and still working for the department when she passed away on May 2, 2020. She was remembered fondly for her upbeat personality.

4) RECOGNITION OF SERVICES, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT – DR. MARK WALLACE: Chair Freeman read the certificate for the record. Dr. Mark Wallace, Director of the Department of Public Health and Environment, recognized the County's shared passion for the community and stated he's grateful for all the County has taught him throughout his career. The Commissioner consecutively thanked Dr. Wallace for his friendship, professionalism, dedication, and devotion to the health and safety of the citizens of Weld County. The Board also wished him well during retirement and during his time with family in Hawaii. *(Clerk's Note: The group gathered for a photo opportunity.)*

WARRANTS:

1) GENERAL WARRANTS – MAY 26, 2020: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2000114, NUNN TOWER LIGHTS – DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS: Rob Turf, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, United Tower Service, LLC, for a total amount of \$26,925.50. Commissioner Kirkmeyer moved to approve said bid, the motion was seconded by Commissioner Ross, and it carried unanimously.

2) APPROVE BID #B2000115, PUBLIC WORKS SIGN SHOP RENOVATION – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf reviewed staff's recommendation to select TCC Corporation, the low bidder meeting specifications, for a total of \$193,306.00. Commissioner Ross moved to approve said bid, the motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

3) PRESENT BID #B2000091, CISCO UNIFIED COMMUNICATIONS MAINTENANCE AND SUPPORT – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated staff received five (5) bids and will make a recommendation on June 10, 2020.

NEW BUSINESS:

1) CONSIDER COMPREHENSIVE FUND APPLICATION FOR AGING MASTERY PROGRAM, TOMANDO CONTROL DE SU SALUD WORKSHOP, AND ONLINE ACCESS TO WELD AGING WELL PROGRAMS, AND AUTHORIZE ELECTRONIC SUBMITTAL: Jamie Ulrich, Director of the Department of Human Services, shared the request to submit said application, for a total amount of \$7,700.00, through The Denver Foundation in preparation for anticipated budget cuts due to the COVID-19 Emergency Health Pandemic. Commissioner James moved to approve said application and authorize electronic submittal. The motion was seconded by Commissioner Kirkmeyer and it carried unanimously.

2) CONSIDER DONATION OF \$33,000.00 FROM THE COLORADO HEALTH FOUNDATION TO THE WELD COUNTY DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO BE DESIGNATED FOR COVID-19 RESPONSE ACTIVITIES OR DELIVERY OF CORE PUBLIC HEALTH SERVICES:

Chris D'Ovidio, Assistant Controller, requested acceptance of the donation from the Colorado Health Foundation, in the amount of \$33,000.00, for the delivery of health services during the COVID-19 Emergency Health Pandemic. Commissioner Kirkmeyer moved to approve said donation. Seconded by Commissioner Ross, the motion carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 17 BETWEEN CRS 38 AND 40: Amy Mutchie, Department of Public Works, stated the closure will occur between June 2, 2020, and June 12, 2020, for two (2) drainage culvert replacements and to complete paving operations. She noted the detour route will be treated with magnesium chloride for dust control. Commissioner Moreno moved to approve said temporary closure. The motion, which was seconded by Commissioner James, carried unanimously.

4) CONSIDER TEMPORARY CLOSURE OF CR 6 BETWEEN CR 23 AND U.S. HWY 85: Ms. Mutchie presented the closure to occur from June 2, 2020, to June 19, 2020, for four (4) drainage culverts and paving operations, and she noted the detour route is paved. In response to Commissioner Kirkmeyer, Ms. Mutchie confirmed staff is now covering the culverts with a concrete flow fill overlay before laying the asphalt because it provides added support to the culvert structure. Commissioner James moved to approve said temporary closure. Commissioner Ross seconded the motion and it carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 6 BETWEEN CRS 19 AND 21: Ms. Mutchie stated the closure will occur between June 1, 2020, and July 10, 2020, for a re-deck on Bridge 6/9A and noted the detour route is paved and was reduced to one (1) mile. In response to Commissioner Kirkmeyer, Ms. Mutchie stated she will ensure staff performs a full overlay to fill potholes in the area. The motion to approve said temporary closure was made by Commissioner Ross, seconded by Commissioner Moreno, and it carried unanimously.

6) CONSIDER REAPPOINTMENT TO BOARD OF PUBLIC HEALTH: Commissioner James moved to approve said reappointment. The motion was seconded by Commissioner Ross and it carried unanimously.

7) CONSIDER REAPPOINTMENTS TO EXTENSION ADVISORY COUNCIL: Commissioner Moreno moved to approve said reappointments. The motion was seconded by Commissioner James and it carried unanimously.

8) CONSIDER REAPPOINTMENT TO FEDERAL MINERAL LEASE ACT BOARD OF DIRECTORS: Commissioner Ross moved to approve said reappointment. The motion, which was seconded by Commissioner James, carried unanimously.

9) CONSIDER EXPRESSION OF OPPOSITION TO NATIONAL POPULAR VOTE COMPACT, WHICH WILL APPEAR ON THE 2020 GENERAL ELECTION BALLOT: Commissioner Kirkmeyer presented the Board's opposition to the National Popular Vote Compact, as the Colorado vote should count, and Chair Freeman further stated he does not agree with overturning the electoral college. The motion to approve said Resolution of opposition was made by Commissioner Kirkmeyer and seconded by Commissioner James. Commissioner Kirkmeyer expressed the importance of obtaining input from a community with an agricultural understanding and she identified the state is in a budget crisis due to the property tax reduction, which is largely a result of S.B.181 and its negative impacts on oil and gas production. There being no further discussion, the motion carried unanimously.

10) SECOND 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): Commissioner Kirkmeyer moved to read Code Ordinance #2020-07 by title only. The motion was seconded by Commissioner James, and it carried

unanimously. Bruce Barker, County Attorney, read the title for the record and stated there were no changes made after First Reading. No public input was provided. Commissioner James moved to approve said code ordinance on Second Reading, which was seconded by Commissioner Moreno, and the motion carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF USE BY SPECIAL REVIEW PERMIT, USR-798 – GARY AND CONNIE SANDSTEAD: Diana Aungst, Department of Planning Services, presented the applicant's request to split the parcel via the Recorded Exemption (RE) proves, thus requiring removal of USR-798 from proposed Lot A of RECX20-0008, and further stated staff's request to also vacate USR-798 from Lot A of Recorded Exemption AMRE-4026. Ms. Aungst displayed photos and maps of the site and surrounding uses. Connie Sandstead, applicant, was present to answer any questions. Commissioner Kirkmeyer moved to approve said partial vacation. Commissioner Moreno seconded the motion and it carried unanimously.

2) CONSIDER TWO-LOT RECORDED EXEMPTION, RECX20-0047 – BRIAN AND DENISE BARTON: Angela Snyder, Department of Planning Services, provided a brief summary of the location of the site and stated the applicant's request to remove the remaining northeast dry corner, which is outside the agricultural operation of the sprinkler pivot. She shared staff's recommendation for denial because it would create a fifth exemption lot on the quarter section and summarized previous parcel splits on the property. Ms. Snyder further explained the applicant's ability to submit a RE application every five (5) years; however, the applicant is evading the subdivision process because the proposal is inconsistent with sound land use practices and it doesn't assist with orderly and integrated development standards. Lauren Shanks, Surveyor representing the applicant, stated this is the final application to complete the separation of all dry corners from the agricultural land. Brian Barton, applicant, stated the proposal to remove the corner creates a more profitable parcel of land and further secures the financial success of remaining agricultural operations. In response to Commissioner Ross, Ms. Snyder confirmed staff's recommendation for denial is solely based on the number of RE applications and the Board agreed with staff's intention to remain consistent in their approach to REs. Commissioner Ross moved to approve said Recorded Exemption, with the proposed Conditions of Approval (COA), which was seconded by Commissioner James. In response to Chair Freeman, the applicant stated he had no questions or concerns regarding the conditions, and the motion carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2020-07 was approved on Second Reading.

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

There being no further business, this meeting was adjourned at 9:57 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

Steve Moreno, Pro-Tem

Scott K. James

Barbara Kirkmeyer

Kevin D. Ross