

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO JULY 15, 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, July 15, 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 July 13, 2020, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

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

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

PUBLIC INPUT: Cody LeBlanc, former Area Representative for Congressman Ken Buck, introduced Benjamin Seulean as the new Area Representative for Congressman Buck and Mr. Seulean detailed his history with Weld County, engagement in local and state government, and his work with Congressman Buck.

PRESENTATIONS:

1) PRESENTATION OF THE FAIR BOOK BY WELD COUNTY FAIR ROYALTY: Emerson Labato, Windsor High School student, Ella Niecoli, Greeley Central High School student, and Shelby Tuereis, Roosevelt High School graduate and Fair Queen, introduced themselves, reviewed the various 4-H events they have prepared for throughout the year, and offered the Fair Book to express thanks for the Board's steadfast support. The Board, in turn, thanked the Fair Royalty for skillfully representing the County. *(Clerk's Note: The group gathered for a photo opportunity).*

2) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – PATRICIA CURTS: Chair Freeman read the certificate for the record. Tami Grant, Deputy Director of the Department of Human Services, recognized Patricia Curts' tremendous work ethic and the vast number of people she aided throughout the years. Ms. Curts thanked the Board for their appreciation and support, especially during the COVID-19 Pandemic Health Emergency, and she expressed her excitement to dedicate more time to her grandchildren. The Board consecutively complimented Ms. Curts for the commendable services she has provided the community. *(Clerk's Note: The group gathered for a photo opportunity).*

3) RECOGNITION OF SERVICES, DEPARTMENT OF BUILDINGS AND GROUNDS – GARY CASSEDAY: Chair Freeman read the certificate for the record. Toby Taylor, Director of the Department of Buildings and Grounds, thanked Gary Casseday for his 32 years of enthusiastic service to the Weld family and affirmed the County will miss him greatly. Mr. Casseday thanked the community for their fond recognition and the Board expressed their gratitude to Mr. Casseday's kindhearted, efficient work. Steve Reams, Weld County Sheriff, shared his appreciation to Mr. Casseday's impartial devotion to his work at the jail. *(Clerk's Note: The group gathered for a photo opportunity).*

WARRANTS:

1) GENERAL WARRANTS – JULY 14, 2020: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2000145, RFQ-LEAD HAZARD CONTROL PROGRAM – DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Rob Turf, Purchasing Department, stated staff recommends selecting all five (5) bidders who met specifications: Risk Removal, MJB Environmental Services UBC, Premier Environmental, LLC, Unleaded, Inc., and All Phase Restoration to allow the Department of Human Services to elicit quotes, as they see fit. Commissioner Moreno moved to approve said bid, the motion was seconded by Commissioner Ross, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #3777 MEMORANDUM OF UNDERSTANDING FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) SERVICE DELIVERY AGREEMENTS AND AUTHORIZE CHAIR TO SIGN – AIMS COMMUNITY COLLEGE: Jamie Ulrich, Director of the Department of Human Services, stated the memorandum of understanding (MOU) implements additional provisions. Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer and it carried unanimously.

2) CONSIDER CONTRACT ID #3778 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – RANDALL AND AMANDA NIX: Ms. Ulrich shared the new foster home in Milliken, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

3) CONSIDER CONTRACT ID #3779 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – KACI AND ANGELA HECKER: Ms. Ulrich presented the new foster care home in Greeley, Colorado. Commissioner Kirkmeyer moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

4) CONSIDER ENTRY UPON VARIOUS LANDS BY WELD COUNTY VEGETATION MANAGEMENT SPECIALIST: Tina Booton, Pest and Weed Division of the Department of Public Works, detailed the request for a right of entry onto certain lands to conduct weed control measures, if needed. Commissioner James moved to approve said entry. Commissioner Kirkmeyer seconded the motion and it carried unanimously.

PLANNING:

1) CONSIDER TWO-LOT RECORDED EXEMPTION, RECX20-0061 – DCL, LLC, C/O DENNIS SCHULTE: Maxwell Nader, Department of Planning Services, reviewed the lot location, surrounding land uses, and the property's Recorded Exemption (RE) historical timeline. He summarized the request for a third two-lot RE on the property, which is currently utilized for agriculture and oil and gas energy purposes, in order to build a home on proposed Lot A. Mr. Nader detailed staff's recommendation for denial due to the creation of a linear subdivision layout, without applying for the appropriate Planned Unit Development (PUD) or Minor Subdivision processes, and the RE process does not include the thorough evaluation necessary for higher density development, such as ensuring adequate water supply. Furthermore, he stated the current access and utility easement on the lot is considered landlocked by not allowing direct access to a public road, such as County Road (CR) 66, and may cause neighbor maintenance disputes or safety concerns in the future. Kathy Schulte, applicant, expressed her and her husband's intent to pass the farm onto their children, who have been readily engaged in farming activities, and to increase the property value. In response to Commissioners James and Ross, Ms. Schulte confirmed the intent is not to sell the land, but solely to gift the lots to their family members, but she stated it is uncertain whether their children will want to build a home on the proposed lots in the future. Responding to Commissioner Kirkmeyer, Ms. Schulte clarified she and her husband do not currently reside on the property. In response to Commissioner James, Ms. Schulte suggested relocating the proposed lot location to the west side of the farm, changing the proposed access to be on CR 27, instead of CR 66, in order to mitigate staff's concerns regarding the linear subdivision layout and the landlocked access point. Commissioners Ross and Moreno determined the proposal fits the intent of the RE process by utilizing it for their children and by continuing agricultural operations. Commissioner James requested staff consider the proposal to relocate Lot A to avoid creating a linear layout, and Mr. Nader stated the matter still would have been brought before the Board because it is the 3rd RE request on the property and CR 27 is not currently adjacent to the property or a public road right-of-way to utilize as an access point. Zackery Roberson, Department of Public Works, shared the future plan for CR 27 to be relocated just to the west of the property; however, moving the lot to its new proposed location would not meet spacing requirements and the initial proposal to access off CR 66 would best meet safety requirements. In response to Commissioner Kirkmeyer, Mr. Roberson clarified there is not an existing road on the west side, rather there is future development to relocate CR 27, and there is a current traffic count of 2,576 on CR 27 and 161 on CR 66 for 2020. Dennis Schulte, applicant, stated there is an existing access where CR 27 will be, which is what the surrounding property owners are utilizing to access their lots. Commissioner Kirkmeyer stated moving the lot would prove more profitable because the land near the ditch is not as agriculturally lucrative. Bruce Barker, County Attorney, stated the Resolution does not specify a required location for the lot and the applicant and the Board would have the discretion to place it in either location. Elizabeth Relford, Deputy Director of the Department of Public Works, explained the Board would need to grant an easement off CR 27 and Mr. Barker confirmed both Lots A and B would have separate accesses off CR 27. Mr. Barker recommended amending Condition of Approval (COA) #1.D to read: "Lot A shall be located on the west side of the property, south of the existing ditch. Access for Lots A and B shall be from CR 27." The applicants agreed to the changes made. The motion to approve Recorded Exemption, RECX20-0061, with amendments was made by Commissioner James, seconded by Commissioner Ross, 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 10:08 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