

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, JULY 20, 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 20, 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 – EXCUSED
Commissioner Kevin D. Ross

Also present:

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

MINUTES: Commissioner Ross moved to approve the minutes of the Board of County Commissioners meeting of July 15, 2020, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner James moved to approve the Certification of Hearings conducted on July 15, 2020, as follows: 1) USR18-0130 – City of Thornton. Commissioner Ross seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: Josh Wainscott, Greeley resident, stated choosing not to require mask-wearing during the COVID-19 Pandemic Health Emergency creates a personal precedent and responsibility but people will generally put their personal needs and desires first, rather than protecting the safety and well-being of others. Through his experience as a teacher, he explained parents will choose to go to work to ensure their family's income, forcing them to send their ill children to school. Mr. Wainscott detailed various negative effects it would pose on the community if the Board chooses to sacrifice public health to protect the economy.

Mary Achziger, Evans resident, expressed her value in the Commissioners for providing the community with liberty, shared her respect for Governor Polis, and acknowledged Weld County's differences and strengths as a Home Rule Charter County to recognize its operational needs vary from other regions.

Therese Gilbert, Greeley resident, declared it is irresponsible not to enforce mask-wearing, while supporting fortifying the economy. She expressed concerns regarding potentially asymptomatic children putting others at risk because they are not required to wear masks.

Jessica Miller, Greeley resident, shared she works with at-risk and vulnerable families who have no other choice but to work to put food on the table and cannot afford to stay home if their children are required to homeschool. She requested the Board support those in poverty by utilizing various resources to aid at-risk families, as demonstrated by other counties, while Weld County has the advantage of doing so as a Home Rule Charter County. Furthermore, she discussed the uncontrollable actions of children, even if they are required to wear masks, and the inevitability of improper mask usage; thus, she shared the most adequate solution is to enforce homeschooling and support impoverished families.

Debra Taylor, Carr resident, expressed she is grateful mask-wearing is not a requirement due to personal health issues and she stated the masks will cause children to breathe in bacteria and moisture during the entire school day, as her daughter recently suffered from pneumonia. Ms. Taylor expressed her appreciation for allowing parents to make the decision for their own children and allowing capable adults to handle the COVID-19 Pandemic Health Emergency in their own way.

Jeri Shepherd, Greeley resident, detailed the importance to respond based on science, and not on politics, placing the community's safety and wellness at the forefront of discussions.

Blythe Driver, Greeley resident, thanked the Commissioners for allowing the school districts to decide whether they choose to open back up and require mask-wearing.

Commissioner James thanked those who provided input and for being engaged in government business. He further stated his decision not to enforce mask-wearing is solely because he does not have the authority to mandate mask-wearing, explaining Governor Polis committed tyranny by issuing a mandate without proper authority. Commissioner James shared scientists are uncertain whether masks truly are effective and whether they have other side effects, so it would be irresponsible to enforce something that has not yet been properly researched. Commissioner Moreno also thanked the speakers for their courage and agreed scientific data is very important, as the Board would not be able to make credible decisions otherwise. He declared the Board has a big heart for the community and wishes to protect the health of every individual. Commissioner Ross and Chair Freeman stated the Commissioners are tasked with overseeing the Home Rule Charter County and do not have authority over the proceedings within schools, as the decision lies with each school board to determine whether children return to school and/or wear masks.

WARRANTS:

1) GENERAL WARRANTS – JULY 17, 2020: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2000136, SOUTHWEST SERVICE CENTER-AUDIO/VISUAL UPGRADE – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Systems Technologies, Inc., for a total amount of \$69,050.03. Commissioner Ross moved to approve said bid, the motion was seconded by Commissioner Moreno, and it carried unanimously.

2) APPROVE BID #B2000138, CRUSHED TYPE I/TYPE II COVER COAT AGGREGATE SUPPLY – DEPARTMENT OF PUBLIC WORKS: Mr. Turf reviewed staff's recommendation to select Martin Marietta Materials, the low bidder meeting specifications, for a total of \$546,000.00. Commissioner James moved to approve said bid, the motion was seconded by Commissioner Ross, and it carried unanimously.

3) PRESENT BID #B2000139, 2020 PAVEMENT DATA COLLECTION SERVICE – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated staff received seven (7) bids and will make a recommendation on August 3, 2020.

4) PRESENT BID #B2000143, PROXIMITY DOOR SYSTEM (ADDITIONAL DOORS) – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf presented the two (2) bids received and stated staff will make a recommendation on August 3, 2020.

NEW BUSINESS:

1) CONSIDER RENTAL CONTRACT FOR WELD COUNTY FAIR AND AUTHORIZE CHAIR TO SIGN – MILE HIGH PRODUCTIONS, LLC, DBA DENVER TENT AND EVENT RENTALS: Jenette Masarie, Fair Coordinator, specified the rented tents will be used to cover the beef, dairy, and swine show rings at the Weld County Fair, as the show rings will be outside this year to accommodate for social distancing in response to the COVID-19 Pandemic Health Emergency. The motion to approve said rental contract and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner Ross, and it carried unanimously.

2) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY OF WELD COUNTY AS A RECIPIENT OF CARES ACT MONIES AND AUTHORIZE CHAIR TO SIGN: Barbara Connolly, Controller, presented the awarded sum of \$75,000.00 will assist citizens impacted by the COVID-19 Pandemic Health Emergency from August 1, 2020, through December 30, 2020. Commissioner Ross moved to approve said memorandum of agreement and authorize the Chair to sign. Commissioner James seconded the motion and it carried unanimously.

3) CONSIDER AGREEMENT PURSUANT TO C.R.S. §30-11-123 AND AUTHORIZE CHAIR TO SIGN – BASALITE BUILDING PRODUCTS, LLC: Ms. Connolly expressed staff's aim to promote economic development by generating employment opportunities for County residents and investing in qualifying personal property. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

4) CONSIDER ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY AND AUTHORIZE CHAIR TO SIGN – EDUARDO SALVADOR RIVERA TORRES: Dawn Anderson, Department of Public Works, shared Condition of Approval (COA) #1.B for Use By Special Review Permit, USR19-0022, an Animal Boarding and Training Facility, states the applicant shall dedicate and record 30 feet of right-of-way on the east side of the section line along the entire frontage of the parcel. Commissioner James moved to approve said deed of dedication and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 70 BETWEEN U.S. HWY 85 AND CR 39: Amy Mutchie, Department of Public Works, detailed the closure will occur between July 27, 2020, and August 7, 2020, for road construction and paving. Commissioner Ross moved to approve said closure. The motion was seconded by Commissioner James and it carried unanimously.

PLANNING:

1) CONSIDER FEE SCHEDULES FOR ROAD IMPACT, COUNTY FACILITIES IMPACT, AND DRAINAGE IMPACT FEES COLLECTED BY THE WELD COUNTY DEPARTMENT OF PLANNING SERVICES: Tom Parko, Director of the Department of Planning Services, presented staff's recommendation to alter the Impact Fees to account for a 1.9% inflation adjustment in 2020. Commissioner Moreno moved to approve said fee schedules. The motion was seconded by Commissioner James and it carried unanimously.

2) CONSIDER WAIVER OF ANNEXATION IMPACT REPORT REQUIREMENT AND AUTHORIZE CHAIR TO SIGN – CITY OF EVANS: Mr. Parko detailed the request to waive the requirement for an annexation impact report for the property described in Exhibit A, intended to be used for open space and for part of the City of Evans' trail system. The motion to approve said waiver and authorize the Chair to

sign was made by Commissioner James, seconded by Commissioner Moreno, 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 9:43 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

EXCUSED

Barbara Kirkmeyer

Kevin D. Ross