

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, SEPTEMBER 14, 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, September 14, 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 Ross moved to approve the minutes of the Board of County Commissioners meeting of September 9, 2020, as printed. Commissioner James seconded the motion, and it carried unanimously.

**AMENDMENTS TO AGENDA:** : The motion to insert the following under Consent Agenda – Miscellaneous and Renumber Items 11 through 15: 11) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of LaSalle was made by Commissioner Kirkmeyer, seconded by Commissioner James, and it carried unanimously.

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

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

#### **WARRANTS:**

1) GENERAL WARRANTS – SEPTEMBER 11, 2020: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NUMBER R1424802 – HEIDBRINK FAMILY TRUST: Brenda Dones, Weld County Assessor, discussed the parcel location and property tax specifics, and stated staff’s recommendation for approval of the petition for the 2019 tax year, correcting the assessed valuation to a total amount of \$167,770.00, which results in an abatement of \$15,456.61. The taxpayer was not present for discussion. Commissioner James moved to approve said petition. The motion was seconded by Commissioner Ross and it carried unanimously.

2) CONSIDER CREATION OF WELD COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE AND ADOPTION OF BYLAWS: Don Sandoval, Community Development Block Grant (CDBG) Manager, shared the recommendation to create an advisory committee to review matters regarding the CDBG program and to counsel, advise, and deliberate with staff. Commissioner Kirkmeyer thanked Mr. Sandoval and Karla Ford, the Commissioners’ Office Manager, for their swift efforts. The motion to approve said Resolution was made by Commissioner Kirkmeyer, seconded by Commissioner Ross, and it carried unanimously.

3) CONSIDER AGREEMENT PURSUANT TO C.R.S. §30-11-123 AND AUTHORIZE CHAIR TO SIGN – VESTAS BLADES AMERICA, INC.: Don Warden, Director of Finance and Administration, detailed the taxing authority’s request to promote economic development and generate employment opportunities for County residents, with an incentive payment totaling in \$397,725.00 over a ten-year period. Mr. Warden explained the funds are currently in the Economic Development Trust and the company complies as long as at least 51% of the employees be Weld County residents. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. Commissioner Ross seconded the motion and it carried unanimously.

4) CONSIDER RENEWAL APPLICATION FOR AN OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – FRITZLER FARMS, INC., DBA FRITZLER FARM PARK: Bob Choate, Assistant County Attorney, detailed the property location and stated no concerns were received through the referral process. Commissioner Kirkmeyer moved to approve said renewal application and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

5) CONSIDER APPOINTMENT OF DEPUTY DISTRICT ATTORNEY AND AUTHORIZE CHAIR TO SIGN – CARLE TARNUTZER: Commissioner Kirkmeyer moved to approve said appointment and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

6) CONSIDER ITEMIZED LIST OF LEGAL HOLIDAYS DURING CALENDAR YEAR 2021: Commissioner Kirkmeyer moved to approve said itemized list. The motion was seconded by Commissioner James and it carried unanimously.

7) SECOND READING OF CODE ORDINANCE #2020-11, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING, OF THE WELD COUNTY CODE (ZPAG CHANGES) – (RESCHEDULED FROM 8/24/2020): Commissioner Kirkmeyer moved to read Code Ordinance #2020-11 by title only. The motion was seconded by Commissioner James, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Jim Flesher, Department of Planning Services, stated no changes were made between First and Second Reading. No public input was provided. The motion to approve said Code Ordinance #2020-11 on Second Reading was made by Commissioner James, seconded by Commissioner Moreno, and it carried unanimously.

8) SECOND READING OF CODE ORDINANCE #2020-15, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING, AND REPEALING CHAPTER 26 REGIONAL URBANIZATION AREAS, OF THE WELD COUNTY CODE (I-25 OVERLAY DISTRICT): Commissioner Ross moved to read Code Ordinance #2020-15 by title only. The motion was seconded by Commissioner Moreno, and it carried unanimously. Mr. Barker read the title for the record. Mr. Flesher stated no changes were made between First and Second Reading. No public input was provided. Commissioner Kirkmeyer moved to approve said Code Ordinance #2020-15 on Second Reading. Commissioner James seconded the motion and it carried unanimously.

**PLANNING:**

1) CONSIDER DISMISSAL OF CERTIFICATION TO THE WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JOSE LOPEZ (CONT'D FROM 7/13/2020): Corey Preston, Grant and Hoffman Lawfirm, represented the property owner and reviewed the zoning violations, affirming the business has been shut down, there is a potential buyer for the property, and the non-commercial junkyard will be cleared by the end of the day, bringing the site into compliance. Responding to Commissioner Kirkmeyer, Bethany Pascoe, Zoning and Compliance Officer of the Department of Planning Services, confirmed the junkyard has not yet been cleared and is still in violation because of the existence of commercial and derelict vehicles, but the recent site-visit photos display significant improvements have been made in less than a week. In response to Commissioner Kirkmeyer, Jose "Santos" Lopez, property owner, stated the site is just under four (4) acres and he can have the junkyard in compliance by September 21, 2020. Commissioner Kirkmeyer moved to dismiss said certification. The motion was seconded by Commissioner Moreno and it carried unanimously. Commissioner Kirkmeyer expressed the applicant has shown great determination to resolve the violations.

2) CONSIDER RESCINDING RESOLUTION #2019-4345, DATED OCTOBER 9, 2019, CONCERNING USE BY SPECIAL REVIEW PERMIT, USR19-0053 – PATRICIA NASH (CONT'D FROM 6/8/2020): Angela Snyder, Department of Planning Services, reviewed the violation case for the non-commercial junkyard, which currently has non-commercial vehicles in unapproved areas of the land and does not have adequate screening. At the request of Commissioner Kirkmeyer, Ms. Snyder confirmed the violation case began in March 2019 and then the applicant submitted an application for a Use by Special Review (USR) Permit, USR19-0053; however, after approval, the USR mylar map was not recorded because the landscaping and screening plan was not executed. In response to Commissioner Kirkmeyer, Ms. Pascoe shared the violation case began in March 2019. While displaying site photos, Ms. Snyder discussed the non-commercial junkyard and the commercial vehicle and truck parking is not consistent with the standards of the USR. The applicant was not present for discussion and Ms. Snyder stated the applicant was aware of the hearing but may not have been aware of her mandatory attendance. Commissioner Kirkmeyer moved to continue the matter to Monday, September 28, 2020, at 9:00 a.m. Seconded by Commissioner James, the motion carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2020-11 and #2020-15 were 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 9:27 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

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Barbara Kirkmeyer

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Kevin D. Ross