

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, DECEMBER 30, 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, December 30, 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 - EXCUSED
Commissioner Barbara Kirkmeyer
Commissioner Kevin D. Ross

Also present:

County Attorney, Bruce Barker
Clerk to the Board, Esther Gesick

By unanimous consent, Chair Freeman turned the meeting over to Commissioner Kirkmeyer to chair her final board meeting.

MINUTES: Commissioner Ross moved to approve the minutes of the Board of County Commissioners meeting of December 28, 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 Freeman moved to approve the Consent Agenda, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

PUBLIC INPUT: No public input was given.

BIDS:

1) APPROVE BID #B2000195, GREELEY FUEL TANK REPLACEMENTS – DEPARTMENT OF BUILDINGS AND GROUNDS: Rob Turf, Purchasing Department, explained the low bid was incomplete, therefore, staff recommends awarding to the second low bidder, Kubat Equipment and Service, which meets specifications, for the amount of \$273,782.00. Commissioner Moreno moved to approve the second low bid as recommended by staff. Seconded by Commissioner Freeman, the motion carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #4311 MEMORANDUM OF UNDERSTANDING AND AUTHORIZE CHAIR TO SIGN – CAROL FREIMARK, ON BEHALF OF BAGS OF LOVE: Jamie Ulrich, Director of the

Department of Human Services, recommended approval of the terms as detailed in the staff memorandum. Commissioner Ross moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

2) CONSIDER CONTRACT ID #4327 MEMORANDUM OF AGREEMENT FOR COORDINATED INVESTIGATIONS INTO CHILD ABUSE AND NEGLECT AND AUTHORIZE CHAIR TO SIGN – LIFE STORIES CHILD AND FAMILY ADVOCACY: Ms. Ulrich stated under this agreement the Department of Human Services, Sheriff's Office and District Attorney's Office will use the vendor facility to conduct coordinated investigations of alleged child abuse and neglect. Commissioner Freeman moved to approve said memorandum of agreement and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

3) CONSIDER CONTRACT ID #4330 EXPENDITURE AUTHORIZATION FOR ADULT (AD), DISLOCATED WORKER (DW), AND ENHANCED DISLOCATED WORKER (EDW) WORK PLAN AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich explained this authorizes expenditure of Workforce Innovation and Opportunity Act (WIOA) funds for the various programs. Commissioner Moreno moved to approve said expenditure authorization work plan and authorize the Chair to sign, which was seconded by Commissioner Ross, and it carried unanimously.

4) CONSIDER CONTRACT ID #4342 AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – GREELEY TRANSITIONAL HOUSE, DBA GREELEY FAMILY HOUSE: Ms. Ulrich stated under this agreement the Greeley Family House will be reimbursed to provide community shelter services during 2021. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Freeman, seconded by Commissioner Ross, and it carried unanimously.

5) CONSIDER CONTRACT ID #4344 AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – A WOMAN'S PLACE: Ms. Ulrich stated this agreement will issue reimbursement to A Woman's Place to provide community shelter services during 2021. Commissioner Ross moved to approve said agreement. Commissioner Freeman seconded the motion, and it carried unanimously.

6) CONSIDER CONTRACT ID #4354 AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – CATHOLIC CHARITIES AND COMMUNITY SERVICES OF THE ARCHDIOCESE OF DENVER, INC.: Ms. Ulrich presented the reimbursement terms for Catholic Charities to provide community shelter services during 2021. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Ross, the motion carried unanimously.

7) CONSIDER CONTRACT ID #4345 AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – 24 HOUR SIGN LANGUAGE SERVICES, INC.: Ms. Ulrich stated under this agreement the vendor will provide sign language interpretation services for hearing impaired clients. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

8) CONSIDER CONTRACT ID #4351 AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – ESTHER DENNIS: Ms. Ulrich introduced the agreement for Ms. Dennis to provide foster parent training co-facilitation. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Moreno, and it carried unanimously.

9) CONSIDER CONTRACT ID #4353 CHILD PROTECTION AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – SMITH AGENCY, INC.: Ms. Ulrich presented the agreement with Smith

Agency to provide behavior coaching. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner Ross, seconded by Commissioner Moreno, and it carried unanimously.

10) CONSIDER CONTRACT ID #4348 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JOHN AND NATALIE MCGUKIN: Ms. Ulrich stated this is a full certification of a foster care home in Lafayette, Colorado. Commissioner Ross moved to approve said contract and authorize the Chair to sign. Commissioner Freeman seconded the motion, and it carried unanimously.

11) CONSIDER CONTRACT ID #4349 APPLICATION FOR BEAT AUTO THEFT THROUGH LAW ENFORCEMENT (BATTLE) SUB GRANTEE FUNDING AND AUTHORIZE SHERIFF'S OFFICE TO SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff's Office, along with Lieutenant Joshua Noonan, presented the application to apply for \$31,798.00 in Colorado Automobile Theft Prevention Authority (CATPA) funding, which will be used to purchase an automatic license plate recognition system and the supporting cellular service. Commissioner Ross moved to approve said application and authorize the Sheriff's Office staff to submit electronically. Seconded by Commissioner Freeman, the motion carried unanimously.

12) CONSIDER AMENDMENT #1 TO TAX INCREMENT REVENUE SHARING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – FIRESTONE URBAN RENEWAL AUTHORITY: Bruce Barker, County Attorney, stated this amendment modifies provision #1.b to establish that the initial 100% of the first five years shall only be used for financing a water treatment facility and financing the objectives of the Central Park Master Plan, including without limitation, the development of a regional athletic and recreational facility. Commissioner Ross moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

PLANNING:

1) CONSIDER TWO-LOT RECORDED EXEMPTION, RECX20-0142 – KATHIE SANDLIN: Michael Hall, Department of Planning Services, stated this application seeks to split an existing 46-acre parcel into a new 11-acre Lot A and 35-acre Lot B. He displayed a vicinity map showing the surrounding land uses and jurisdictional boundaries, and noted the applicant owns four contiguous parcels. He summarized the land split history, which started in 2010 with an original 80-acre parcel divided under RE-5013, followed by RECX17-0144 in 2018 to extend Lot A to the north, then RECX17-0145 which created a new 29-acre Lot A and 46-acre Lot B. He noted a Corrected RE to fix a technical error on the map, and explained the current request is to create a new 11-acre Lot A east of the Boulder and Weld County Ditch (no easement or right-of-way identified). He reviewed the access may be achieved with an easement extending from the west across Lot B and a ditch crossing, or the applicant would have to gain approval from the adjacent Morningside Subdivision which does not wish to grant access. Mr. Hall stated staff is recommending denial, as the request does not meet the five (5)-year requirement cited in Section 24-8-40.M.1 of the Weld County Code. He explained they are applying two (2) years early and staff did notify the applicant of other process options; however, the applicant opted to proceed with the RE process with the goal of creating a new Lot A for estate planning purposes for family members and the remaining Lot B will continue to be farmed. In response to Commissioner Moreno, Mr. Hall reiterated the new Lot A will be 11 acres, the remaining Lot B will be 35 acres, and there is no home on the existing 46-acre parcel. Kathie Sandlin, applicant, explained the Town of Frederick will grant access through the adjacent subdivision, conditional upon annexation. In response to Commissioner Kirkmeyer regarding extenuating circumstances, Ms. Sandlin explained her estate planning goal is to divide off the 11-acre parcel east of the ditch for her son to build a home and continue farming, and the only reason she applied early was because the Code changed before the five-year limit could be met. Responding to Commissioners Kirkmeyer and Ross, Mr. Hall confirmed the house on the original Lot A is under separate ownership, no other homes have been built on the remaining parcels, and Condition of Approval (COA) #1.D addresses

obtaining an access via the options as previously described. He reiterated the other land development and access options were reviewed with the applicant at the pre-application meeting. Commissioner Kirkmeyer confirmed the proposed 11-acre Lot A is not landlocked, as it is not a fee-simple ditch and is eligible for a crossing. Ms. Sandlin clarified her home is located to the north and was purchased in 1982, and the other surrounding lots were also created through the Recorded Exemption process in 2018, for estate planning purposes. In response to Commissioner Kirkmeyer, Mr. Hall confirmed the Code amendment eliminated the Subdivision Exemption process to be used for financing purposes; however, Bruce Barker, County Attorney, explained the applicant is still capable of receiving financing on the current Lot B which is a legal lot. Mr. Hall stated the proposal is not consistent with the Weld County Comprehensive Plan, reviewed the access options, and noted the site falls under the urban scale classification, due to the close proximity to the Town of Frederick, and any residential development will require annexation and connection to public water and sewer for development through Frederick. Commissioner Ross moved to deny Recorded Exemption, RECX20-0142, with the finding that the applicant has not demonstrated extenuating circumstances, nor does the request meet the five-year requirement. Commissioner Moreno seconded the motion, and it carried unanimously. Commissioner Ross urged Ms. Sandlin to meet with staff to review the other land development options in an effort to meet her end goal for estate planning.

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 9:38 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

EXCUSED

Scott K. James

Barbara Kirkmeyer

Kevin D. Ross