

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 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, December 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
Clerk to the Board, Esther Gesick
Controller, Barbara Connolly
Director of Finance and Administration, Don Warden (via teleconference)

MINUTES: Commissioner James moved to approve the minutes of the Board of County Commissioners meeting of December 9, 2020, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner Kirkmeyer moved to read Emergency Ordinances #256-B and #257 by audio. The motion was seconded by Commissioner Ross, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Moreno moved to approve the Certification of Hearings conducted on December 9, 2020, as follows: 1) USR20-0030 – Cannon Land Company and Platte Valley Irrigation Company, c/o L.G. Everist, Inc., 2) 1MJUSR20-15-0048 – Pawnee Waste, LLC, and 3) PCSC20-0025 – Eduardo Salvador Rivera Torres. Commissioner James seconded the motion, which 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: Benjamin Seulean, representative of Congressman Ken Buck, thanked Commissioners Kirkmeyer and Ross for their personal sacrifice and service to the citizens of Weld County and wished them luck in their future endeavors as they continue to work to make Weld County and the State of Colorado a better place. He stated Congressman Ken Buck signed a letter, along with 108 other Republican members of Congress, supporting the Amicus Brief filed by the Texas Attorney General, as

well as requested the Department of Justice and Attorney General Barr appoint a special council to investigate the activities of Hunter Biden. Congressman Buck introduced a Bill to stop China's IT theft, as well as a Bill known as the Bricks Act, in an effort increase criminal penalties against violent rioters and insurrectionists. He also joined the effort to strengthen trade protections for the American Food Producers in the global market and penned the Anti-Trust Act regarding Big Tech censorship of conservative groups.

PRESENTATIONS:

1) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – RITA RUYLE: Chair Freeman read the certificate honoring Ms. Ruyle for her 20 years of service. Jamie Ulrich, Director of the Department of Human Services, thanked Ms. Ruyle for her dedicated, flexible and cheerful work primarily in Assistance Payments, which is responsible for distributing benefits to citizens. Ms. Ruyle stated she has witnessed many changes and expressed her appreciation for the many things she learned as an employee of Weld County. The Commissioners expressed their appreciation of Ms. Ruyle's dedication while serving people when they are vulnerable and wished her a happy retirement. *(Clerk's Note: the group gathered for a photo opportunity.)*

2) RECOGNITION OF SERVICES, CSU EXTENSION OFFICE – KEITH MAXEY: Chair Freeman read the certificate for the record. Commissioner Kirkmeyer shared Mr. Maxey's Weld background as part of a local agricultural family, a Dairy Agent, and the best CSU Extension Agent in the State of Colorado. She stated his calm and reasonable personality helped the Extension and 4-H/Fair programs smoothly navigate various transitions through the years, and she presented him with a jacket as an expression of the Board's appreciation and a reminder of his roots in Weld County. Mr. Maxey stated his 25 years of service have gone very quickly, he was privileged to work with many talented people, and he thanked the Board for their support and guidance over the years. The Commissioners thanked him for a job well done, as he worked globally to look for ways to make agricultural improvements locally, and wished him all the best spending time with family, while still looking forward to seeing him as he remains active at future community events. *(Clerk's Note: the group gathered for photo opportunity.)*

3) 2020 EMPLOYEE SERVICE AWARDS – 10, 20, 30, AND 40 YEAR EMPLOYEES: Chair Freeman read the presentations into the record and the various Elected Officials and Department Heads spent the next 45 minutes honoring numerous employees and presenting them with 10-, 20-, 30- and 40-year pins. The Board thanked the employees for their years of dedication to the citizens of Weld County.

WARRANTS:

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

BIDS:

1) PRESENT BID #B2000197, LEGAL NEWSPAPER SERVICE FOR 2021 – CLERK TO THE BOARD'S OFFICE: Rob Turf, Purchasing Department, presented the two bids received and stated staff will make a recommendation on December 28, 2020.

NEW BUSINESS:

1) CONSIDER EXTENSION OF TEMPORARY CLOSURE OF CR 13 BETWEEN CRS 42 AND 44: Amy Mutchie, Department of Public Works, presented the request to extend the closure through March 1, 2021, due to unanticipated delays. She confirmed the shoefly is working well and staff has received only minor complaints which have been addressed by the contractor. Commissioner Ross moved to approve said extension of the temporary closure. Commissioner James seconded the motion, and it carried unanimously.

2) CONSIDER REAPPOINTMENT TO NORTH FRONT RANGE WATER QUALITY BOARD: Commissioner James moved to approve said reappointment. Commissioner Ross seconded the motion, and it carried unanimously.

3) CONSIDER 2021 AMOUNT TO BE PAID FOR INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GREELEY AND WELD COUNTY FOR ISLAND GROVE PARK MANAGEMENT SERVICES: Don Warden, Director of Finance and Administration, via teleconference, explained this Resolution authorizes the expenditure of \$507,585.00 for Island Grove Park management. Commissioner Moreno moved to approve said Resolution. Commissioner Ross seconded the motion, and it carried unanimously.

4) CONSIDER MEMORANDUM OF UNDERSTANDING FOR ADULT TREATMENT COURT AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this and the following eight (8) items provide funding to various community agencies approved through the 2021 Budget review process. This MOU provides \$100,000.00 in support of the Adult Drug Treatment Court. Commissioner Kirkmeyer moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Ross, the motion carried unanimously.

5) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND ENVISION AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement provides financial support, in the amount of \$38,225.00, for services to developmentally disabled individuals. Commissioner James moved to approve said memorandum of agreement and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

6) CONSIDER MEMORANDUM OF AGREEMENT FOR MENTAL HEALTH SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden recommended approval of the agreement designating \$471,000.00 to North Range Behavioral Health (NRBH) for mental health services. Commissioner Moreno moved to approve said memorandum of agreement and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

7) CONSIDER MEMORANDUM OF AGREEMENT FOR SUICIDE EDUCATION AND PREVENTION SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden presented the agreement for financial support of NRMH suicide prevention services, in the amount of \$20,000. The motion to approve said memorandum of agreement and authorize the Chair to sign was made by Commissioner Kirkmeyer. Commissioner Ross seconded the motion and stressed the importance of this program, in light of the challenges and struggles people are facing during the pandemic. There being no further comments, the motion carried unanimously.

8) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND PROMISES FOR CHILDREN AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement will provide \$10,000.00, along with six (6) other contributing partners, for the Promises for Children program operated by United Way. He noted they have also been very successful in leveraging the funds to obtain additional grant funds. Commissioner Kirkmeyer moved to approve said memorandum of agreement and authorize the Chair to sign. Seconded by Commissioner Ross, the motion carried unanimously.

9) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND WELD COUNTY SENIOR CITIZEN COORDINATORS AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated Senior Citizen Coordinators will divide \$40,000.00 among 20 senior centers (\$2,000.00 to each center) to be used to cover operational costs. Commissioner Kirkmeyer commented, in 2009, the amount started at \$500.00, so she is pleased that the County has been able to increase the amount, which goes a long way to provide elderly nutrition and well-being programs. Commissioner Kirkmeyer moved to approve said memorandum of agreement and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

10) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND EAST COLORADO SMALL BUSINESS DEVELOPMENT CENTER (SBDC) AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the SBDC is operated under the University of Northern Colorado, and this will provide \$65,000.00 to be used towards the creation of jobs and support of small businesses. Commissioner Ross moved to approve said memorandum of agreement and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

11) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY OF WELD COUNTY (WELD'S WAY HOME PROGRAM) AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated United Way will receive \$5,000.00 to assist citizens who are without shelter through the Weld's Way Home Program. Commissioner Ross moved to approve said memorandum of agreement and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

12) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UPSTATE COLORADO ECONOMIC DEVELOPMENT AS A RECIPIENT OF WELD COUNTY ECONOMIC DEVELOPMENT TRUST FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated \$150,000.00 has been budgeted for use by Upstate, with \$100,000 designated for standard operations and an additional \$50,000 for succession planning. The motion to approve said memorandum of agreement and authorize the Chair to sign was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

13) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UPSTATE COLORADO ECONOMIC DEVELOPMENT AS A RECIPIENT OF WELD COUNTY ECONOMIC DEVELOPMENT TRUST FUND MONIES FOR ADMINISTRATION OF WELD COUNTY SERVICE INDUSTRY RELIEF FUND AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated this agreement designates Upstate to administer up to \$2 million in grant funding to assist service industry businesses in response to the COVID-19 Pandemic Health Emergency. Commissioner Ross stressed the importance of providing aid and immediate relief to service industry businesses and their employees. He encouraged business owners to apply and explained the award periods administered by Upstate. Commissioner Ross moved to approve said memorandum of agreement and authorize the Chair to sign, which was seconded by Commissioner James. Commissioner Moreno commented it is important to recognize the prompt actions of Upstate in an effort to assist businesses in desperate need. Commissioner Kirkmeyer added the Economic Development Trust Fund was created ten (10) years ago to ensure jobs are retained in Weld County, and grant awards are particularly targeted at those businesses impacted by the Level Red matrix enforced by the Governor. She further stated individuals need relief in hopes of retaining and saving jobs, particularly in the hospitality sector. Commissioner James commented this is the right thing to do, in an effort to get the state back open for business in a healthy way. There being no further discussion, the motion carried unanimously.

14) CONSIDER AMENDMENT #1 TO MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UPSTATE COLORADO ECONOMIC DEVELOPMENT AS A RECIPIENT OF CARES ACT MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden explained this amendment will increase Weld County's contribution to the Business Recovery Program, to the new amount of \$2,173,293.00, with \$62,000.00 for administration of the program. He stated of the \$27.8 million received in CARES Act monies received from federal government, approximately 15% was allocated to business relief. Commissioner Kirkmeyer commended Mr. Warden for all of his work as he pursued the funding, conducted meetings with municipalities, and calculated the appropriate amounts through great working partnerships with the municipalities to make sure Weld County and each municipality could cover its COVID-19 expenses in a timely manner. The Board also recognized Rich Warner, Director of Upstate Colorado Economic Development, who is always willing to step up and helped to gather guidelines for the Business Recovery Fund and distributed approximately \$4 million in a very short amount of time. Commissioner Kirkmeyer moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

15) EMERGENCY ORDINANCE #256-B, IN THE MATTER OF A SUPPLEMENTAL APPROPRIATION FOR THE YEAR 2020: This item was previously read by audio. Mr. Warden stated this is the second supplemental appropriation for the year, confirmed a notice was published prior to consideration today, referenced the related Exhibits for line item review, and reviewed the various adjustments made since the mid-year appropriation. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve Ordinance #256-B on an emergency basis. Commissioner Ross seconded the motion, and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Emergency Ordinance #256-B was approved on an emergency basis.

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 10:27 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Mike Freeman, Chair

BY: _____
Deputy Clerk to the Board

Steve Moreno, Pro-Tem

Scott K. James

Barbara Kirkmeyer

Kevin D. Ross