

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, FEBRUARY 12, 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, February 12, 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, Chair Pro-Tem
Commissioner Scott K. James
Commissioner Barbara Kirkmeyer
Vacant Commissioner Position

Also present:

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

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of February 10, 2020, as printed. Commissioner James seconded the motion, and it carried unanimously.

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

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

PUBLIC INPUT: Steve Teets spoke regarding City of Greeley's food tax rebate program and requested to leave brochures and post a page on the community bulletin board. He expressed his safety concern regarding Colorado legislators working to prevent employers from firing employees for marijuana use.

WARRANTS:

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

BIDS:

1) APPROVE BID #B2000041, CNG 1/2-TON FULL SIZE PICKUPS (QTY 5) – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Purchasing Department, stated staff recommends selecting Spradley Barr Ford Lincoln of Greeley, the low bidder, for a total amount of \$230,925.00. Commissioner Kirkmeyer moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

2) APPROVE BID #B2000042, CNG 1/2-TON FULL SIZE PICKUP (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf shared staff recommended selecting the low bidder, Spradley Barr Ford Lincoln of Greeley, for a total of \$48,745.00. Commissioner James moved to approve said bid. Seconded by Commissioner Moreno, the motion carried unanimously.

3) APPROVE BID #B2000043, CNG 3/4-TON 4X4 LONG BED EXTENDED CAB PICKUPS (QTY 4) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated staff requested selecting the bid for three (3) pickups to Phil Long Ford of Denver, the low bidder meeting specifications, and the remaining bid for one (1) pickup to Spradley Barr Ford Lincoln of Greeley, the low bidder, with a combined total of \$205,228.00. Commissioner Moreno moved to approve said. The motion, which was seconded by Commissioner James, carried unanimously.

4) APPROVE BID #B2000044, CNG 3/4-TON 4X4 FULL SIZE EXTENDED CAB PICKUP (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented staff's recommendation to select the lowest bidder who meets specifications, Spradley Barr Ford Lincoln of Greeley, at a cost of \$46,504.00. Commissioner James moved to approve said bid. Commissioner Moreno seconded the motion, and it carried unanimously.

5) APPROVE BID #B2000045, CNG TANDEM AXLE DUMP TRUCK, REGULAR CAB WITH SNOW PLOW (QTY 3) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated staff requests selecting Transwest Truck Trailer RV, the sole bidder, with a total cost of \$961,026.00. The motion to approve said bid was made by Commissioner Kirkmeyer, seconded by Commissioner James, and it carried unanimously.

6) APPROVE BID #B2000046, CNG TANDEM AXLE DUMP TRUCK, REGULAR CAB WITH SNOW PLOW (QTY 2) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated staff recommends selecting the sole bidder, Transwest Truck Trailer RV, for \$617,786.00. Commissioner James moved to approve said bid. The motion was seconded by Commissioner Moreno, and it carried unanimously.

7) APPROVE BID #B2000047, CNG 1/2-TON FULL SIZE PICKUP (QTY 1) – TOWN OF GILCREST: Mr. Turf stated staff recommends selecting the lowest bidder, Spradley Barr Ford Lincoln of Greeley, for a total amount of \$51,749.00 and he noted the Town of Gilcrest's match of \$8,906.00. Commissioner Kirkmeyer moved to approve said bid. Seconded by Commissioner James, the motion carried unanimously.

8) APPROVE BID #B2000048, CNG 3/4-TON 4X4 QUAD CAB PICKUP (QTY 1) – TOWN OF PLATTEVILLE: Mr. Turf shared staff recommends selecting Spradley Barr Ford Lincoln of Greeley, the low bidder, with a total cost of \$47,663.00 and the Town of Platteville's match of \$8,202.80. Commissioner Moreno moved to approve said bid. Commissioner James seconded the motion, and it carried unanimously.

9) APPROVE BID #B2000050, CNG 1-TON 4X4 PICKUP (QTY 1) – TOWN OF KERSEY: Mr. Turf presented staff's recommendation to select Phil Long Ford of Denver, the lowest bidder, for a total of

\$49,184.00. Commissioner Kirkmeyer moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

10) APPROVE BID #B2000051, CNG 78-PASSENGER SCHOOL BUS (QTY 1) – WELD COUNTY SCHOOL DISTRICT RE-9 (HIGHLAND SCHOOL): Mr. Turf stated staff recommends selecting the sole bidder, Colorado West, at a total cost of \$169,917.00. Commissioner Kirkmeyer moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

11) APPROVE BID #B2000052, CNG 3/4-TON 4X4 FULL SIZE PICKUP (QTY 1) – SOUTHEAST WELD FIRE DISTRICT: Mr. Turf stated neither bid met specifications and staff recommends rebidding with an updated bid specification sheet. The Board had no questions and took no action.

12) APPROVE BID #B2000054, CNG STREET SWEEPER (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf shared staff requests selecting the lowest bidder, Faris Machinery Co., at a total cost of \$309,865.00. Commissioner James moved to approve said bid. The motion, which was seconded by Commissioner Moreno, carried unanimously.

13) APPROVE BID #B2000055, CNG TANDEM AXLE TRUCK TRACTOR-WET KIT (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented staff's recommendation to select the sole bidder, MHC Kenworth-Greeley, for a total amount of \$188,547.00. The motion to approve said bid was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

14) APPROVE BID #B2000057, PROFESSIONAL SERVICES HAZARD MITIGATION PLAN – OFFICE OF EMERGENCY MANAGEMENT: Mr. Turf stated staff recommends selecting Synergy Disaster Recovery, LLC, the low bidder, at a total amount of \$69,556.00. Commissioner Moreno moved to approve said bid. Commissioner James seconded the motion, and it carried unanimously.

15) PRESENT BID #B2000058, PS UNITY STORAGE – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated two (2) bids were received and staff will make a recommendation on February 26, 2020.

16) PRESENT BID #B2000070, BODY SCANNER – SHERIFF'S OFFICE: Mr. Turf stated staff received two (2) bids and will make a recommendation on February 26, 2020.

NEW BUSINESS:

1) CONSIDER CRIME VICTIM SERVICES (CVS) GRANT APPLICATION FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE ELECTRONIC SUBMITTAL: JoAnn Holden and Carol Patch, District Attorney's Office, stated the grant supports the Victim Assistance Unit and explained the increase to the 2021-2022 allotment is due to added criminal justice positions. Commissioner Kirkmeyer moved to approve said application and authorize electronic submittal. The motion was seconded by Commissioner James, and it carried unanimously.

2) CONSIDER REAPPOINTMENT OF AMBER PEPLINSKI AS ASSISTANT VETERANS SERVICES OFFICER: Toby Taylor, Veterans Services Officer, requested approval of the reappointment of Amber Peplinski from February 21, 2020, to February 20, 2022. Commissioner Kirkmeyer moved to approve said reappointment and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER REAPPOINTMENT OF WENDY NALLY AS ASSISTANT VETERANS SERVICES OFFICER: Mr. Taylor recommended approval of the reappointment of Wendy Nally from February 21, 2020, to February 20, 2022. Commissioner Moreno moved to approve said reappointment. The motion, which was seconded by Commissioner James, carried unanimously.

4) CONSIDER REVISIONS AND ADDITION TO SECTION 2.000 CHILD WELFARE OF THE DEPARTMENT OF HUMAN SERVICES POLICIES AND GUIDELINES MANUAL: Jamie Ulrich, Director of Department of Human Services, presented the two (2) revisions and one (1) addition to the program, as detailed in the staff memorandum. Commissioner James moved to approve said revisions and addition. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

5) CONSIDER ADDITIONS TO SECTION 8.000 EMPLOYMENT SERVICES OF THE DEPARTMENT OF HUMAN SERVICES POLICIES AND GUIDELINES MANUAL: Ms. Ulrich presented the two (2) additions to the program, as detailed in the staff memorandum. The motion to approve said addition was made by Commissioner Moreno, seconded by Commissioner James, and it carried unanimously.

6) CONSIDER CONTRACT ID #3257 MEMORANDUM OF UNDERSTANDING (MOU) FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) AND AUTHORIZE CHAIR TO SIGN – SERVICE EMPLOYMENT REDEVELOPMENT-JOBS FOR PROGRESS NATIONAL, INC.: Ms. Ulrich stated the memorandum maintains the agreement of duties and responsibilities for provisions of WIOA. Commissioner James moved to approve said MOU and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

7) CONSIDER CONTRACT ID #3308 MEMORANDUM OF UNDERSTANDING (MOU) FOR SPECIAL YOUTH OPPORTUNITIES AND EMERGENCY FUNDING AND AUTHORIZE CHAIR TO SIGN – REALITIES FOR CHILDREN CHARITIES: Ms. Ulrich shared the annual MOU to access emergency funds for youth activities. Commissioner Moreno moved to approve said MOU and authorize the Chair to sign. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

8) CONSIDER CONTRACT ID #3343 MEMORANDUM OF UNDERSTANDING AND AUTHORIZE CHAIR TO SIGN – CAROL FREIMARK, ON BEHALF OF BAGS OF LOVE: Ms. Ulrich presented the annual MOU to provide toys and handmade blankets for children placed in protective custody. Commissioner Moreno moved to approve said MOU and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

9) CONSIDER CONTRACT ID #3368 MEMORANDUM OF AGREEMENT (MOA) FOR COORDINATED INVESTIGATIONS INTO CHILD ABUSE AND NEGLECT AND AUTHORIZE CHAIR TO SIGN – LIFE STORIES CHILD AND FAMILY ADVOCACY: Ms. Ulrich presented the annual MOA for the use of facilities in the course of coordinated investigations into child abuse and neglect. Commissioner James moved to approve said MOA and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

10) CONSIDER CONTRACT ID #3358 AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – THE GREELEY TRANSITIONAL HOUSE, INC.: Ms. Ulrich presented the annual agreement for

shelter services. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

11) CONSIDER CONTRACT ID #3367 CHILD PROTECTION AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – LAURICE FRIHAUF: Ms. Ulrich remained present to answer any questions, but wasn't required to present items 11 through 16, as they were reviewed by the Board through a pass-around memo process. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

12) CONSIDER CONTRACT ID #3377 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ELIAS AND ALEJANDRA SAAVEDRA: The motion to approve said contract and authorize the Chair to sign, was made by Commissioner Kirkmeyer, seconded by Commissioner James, and it carried unanimously.

13) CONSIDER CONTRACT ID #3379 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – LYNETTE SPARKS: Commissioner Kirkmeyer moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

14) CONSIDER CONTRACT ID #3380 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ROBERT AND DEBRA BASYE: Commissioner James moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

15) CONSIDER CONTRACT ID #3390 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – VICTORIA TANGUMA-GUTIERREZ: Commissioner Kirkmeyer moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

16) CONSIDER CONTRACT ID #3396 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – CHARLOTTE EBERT: Commissioner James moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner Kirkmeyer, carried unanimously.

PLANNING:

1) CONSIDER FOUR-LOT RECORDED EXEMPTION, RECX19-0130 – KENNETH AND JAMIE STARMAN: Diana Aungst, Department of Planning Services, provided a brief description of the location of the site and surrounding properties which are primarily agricultural and residential. Ms. Aungst stated staff's recommendation to deny the Four-Lot Recorded Exemption (RE) because it evades normal subdivision requirements for health, safety and welfare, it is inconsistent with sound land use planning practices, and the proposed access creates safety concerns in regard to spacing. Ms. Aungst displayed photographs of the site and surrounding views to illustrate the reasonings previously stated. In response to Commissioner Kirkmeyer, Zachery Roberson, Department of Public Works, noted the privately shared access from State Highway 392 to Lots B, C, and D, with Lot A's access from County Road 53. Sheri Lockman, Lockman Land Consulting, represented the applicant and stated the property was purchased in 2001, and she reviewed the site layout and various adjacent properties owned by the applicant. Ms. Lockman submitted the Well Abandonment Reports (Exhibit A) and she continued to address the other staff concerns, as previously presented.

Commissioner James expressed the inability to enter into a Road Maintenance Agreement on a private road. Ms. Lockman demonstrated another agricultural access point on CR 51 for Lot D. In response to Commissioner James, Ms. Lockman expressed financial concerns and issues regarding the amount of time it takes to complete the subdivision process. Chair Freeman shared he is in support of this RE, in that it is not a subdivision and meets the purpose of a RE, while Commissioner James agreed, but expressed concerns with the safety of the access points. Commissioner Kirkmeyer agreed with Commissioner James' safety concerns and disagreed with the applicant's request to combine the lots because it creates a linear subdivision in an A (Agricultural) Zone District. Commissioner Moreno discussed the lack of reason for the fourth lot, but he does agree with Chair Freeman in stating it does not qualify as a subdivision, meeting the RE Standards. Commissioner Kirkmeyer stated the RE does not meet sound land use practice and Chair Freeman stated the access was approved by CDOT and meets requirements. In response to Commissioner Kirkmeyer, Mr. Roberson indicated the location of the proposed access for Lot A and confirmed they would meet safety and spacing requirements if the existing oil and gas access was closed and if the proposed access was moved. Commissioner James recommended a continuation, as it was unclear whether the access point would become available to the applicant. Mr. Barker proposed language for Condition of Approval regarding access. Commissioner Moreno moved to approve the Four-Lot Recorded Exemption, as amended, which was seconded by Commissioner James. Upon a roll-call vote, the Recorded Exemption was passed three (3) to one (1), with Commissioner Kirkmeyer opposed.

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 10:30 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Mike Freeman, Chair

Steve Moreno, Pro-Tem

BY: _____
Deputy Clerk to the Board

VACANT

Scott K. James

Barbara Kirkmeyer