

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, JULY 21, 2021

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 21, 2021, 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 Steve Moreno, Chair  
Commissioner Scott K. James, Pro-Tem  
Commissioner Perry L. Buck  
Commissioner Mike Freeman  
Commissioner Lori Saine

Also present:

County Attorney, Bruce Barker  
Clerk to the Board, Esther Gesick  
Assistant Controller, Chris D'Ovidio

**MINUTES:** Commissioner Saine moved to approve the Minutes of the Board of County Commissioners meeting of July 19, 2021, as printed. Commissioner James seconded the motion, and it carried unanimously.

**PUBLIC INPUT:** Steve Teets, Greeley resident, relayed how he recently met an individual who was waiting for a delayed bus, which caused them to be late for an appointment, resulting in consequences for something that was not within their control. In response to Mr. Teets, Commissioner James gave an update on the Metropolitan Planning Organization (MPO), which he attended virtually to speak concerning the Employee Trip Reduction Program, which was determined to be voluntary by the Air Quality Control Commission. He relayed the next meeting will held in Larimer County and the August meeting will be hosted by Weld County. Mr. Teets discussed the Bustang route from Sterling to Greeley and encouraged support for the route to be extended to Loveland.

Ron Goheen, Gill resident, shared a section of the Zoning code stipulates one (1) horse is allowed per acre; however, he owns two (2) miniature horses, which are being counted as two (2) full animal units. Mr. Goheen asserted miniature horses do not have the same impact as one single horse or the 13 alpacas allowed, which are even taller than horses, and he requested a commonsense approach on the matter. In response to Chair Moreno, Mr. Goheen stated he did speak with Jim Flesher, Department of Planning Services, and Hannah Duttrow, Zoning Compliance. Commissioner James referred the topic to Tom Parko, Director of the Department of Planning Services, to research further.

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

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

**PROCLAMATIONS:**

1) EATON REDS DAY, CLASS 3A BOYS BASEBALL STATE CHAMPIONSHIP – JULY 21, 2021: Chair Moreno read the certificate recognizing the Eaton Reds Boys Baseball team for winning the 2021 Class 3A State Championship, which is the 12th State Championship for the Reds. Coach Todd Hernandez expressed his thanks for the recognition, stated the kids showed tremendous teamwork throughout the season, and expressed his pride in the players’ efforts to put the team first and continue the Eaton tradition. Scott Moser, Eaton Mayor, also expressed his pride in the selflessness of the whole team, expressing his personal pride in his son, Logan Moser. He shared his love for the entire team and stated the parents are the foundation of Eaton’s community success. At the request of Chair Moreno, each of the team members introduced themselves, their position and grade. Commissioner Buck shared her mother was a loyal Eaton Red alumnus and joked about how her mom struggled to cheer for her when Greeley West played against the Eaton Reds. Commissioner Freeman spoke about the difficult year everyone experienced and commended the team on their dedication despite navigating odd schedules and constant changes to the rules. Commissioner James challenged the team with some baseball trivia, congratulated them as State Champions and asked them to remember their accomplishments while making Weld County proud. Commissioner Saine shared she is honored and proud to have the team represent Weld County. Chair Moreno recognized the families and stated their support is an important part of the team’s success. *(Clerk’s Note: The group gathered for a photo opportunity.)*

**WARRANTS:**

1) GENERAL WARRANTS – JULY 20, 2021: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B2100097, REQUEST FOR QUOTE (RFQ) FOR SH 392 AND CR 35 INTERSECTION IMPROVEMENTS - DEPARTMENT OF PUBLIC WORKS: Rob Turf, Purchasing Department, stated the engineer’s estimate for the scope of work was \$325,000.00, and staff recommends selecting the lowest bidder who met specifications, Drexel, Barrell and Company, for a total amount not to exceed \$298,437.00. Commissioner Buck moved to approve said bid as recommended by staff. Commissioner Freeman seconded the motion, and it carried unanimously.

2) APPROVE BID #B2100105, PUBLIC WORKS STORAGE BUILDING – FACILITIES DEPARTMENT: Mr. Turf reviewed staff’s recommendation to select Landmark Buildings, Inc., the low bidder meeting specifications, for a total amount of \$1,456,546.00. Commissioner Buck moved to approve said bid as recommended by staff. Commissioner James seconded the motion, and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER SUBRECIPIENT AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZE CHAIR TO SIGN – TOWN OF FIRESTONE: Don Sandoval, CDBG Manager, stated this is the first subrecipient grant from the new Weld County CDBG program and this agreement allows the Town of Firestone to proceed with the approved Transit Program, for the amount of \$90,000.00. The funds will be used to expand the hours of operation and provide citizen transport for jobs, medical appointments, groceries, and other essential needs. He explained the program is for low-to moderate-income persons and people with disabilities. Paula Mehle, Firestone Town Manager, expressed her thanks for the grant, which will provide the ability to extend service times to Monday through Friday, from 8:00 a.m. to 3:00 p.m. She stated this will have a positive impact for community

residents who need assistance. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

2) CONSIDER ROOFTOP TELECOMMUNICATIONS SITE LEASE AND AUTHORIZE CHAIR TO SIGN – SKYBEAM, LLC, DBA RISE BROADBAND: Toby Taylor, Director of the Facilities Department, stated Rise Broadband is the current tenant at 822 7th Street for antenna and associated equipment, and this lease extends the term for a five-year period with new rates. Commissioner Freeman moved to approve said lease and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER CONTRACT ID #5013 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – HAROLD AND LAURA WAHR: Jamie Ulrich, Director of the Department of Human Services, introduced the new foster care providers located in Severance, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

4) CONSIDER CONTRACT ID #5025 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JULIANNA NELSON: Ms. Ulrich introduced the new kinship foster care provider located in Brighton, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

5) CONSIDER CONTRACT ID #5026 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – TERRY AND SUSAN SKOV: Ms. Ulrich introduced the new kinship foster care providers located in Johnstown, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

6) CONSIDER CONTRACT ID #5015 AGREEMENT FOR PROFESSIONAL SERVICES FOR FOSTER PARENT TRAINING CO-FACILITATOR AND AUTHORIZE CHAIR TO SIGN – YVETTE BERRELEZ: Ms. Ulrich stated this agreement will add an additional co-facilitator for foster parent training. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER CONTRACT ID #5021 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENT AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich explained the funds will allow certain Wagner-Peyser staff to focus their efforts on assistance for unemployment insurance claimants. Commissioner Freeman moved to approve said expenditure authorization and work plan and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

8) CONSIDER CONTRACT ID #5022 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) JOBS FOR VETERANS STATE GRANT AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich explained this funding will cover overhead and operational costs associated with the State Disabled Veterans Outreach Program for two (2) staff who will provide services at the Department of Employment Services of Weld County. Commissioner Buck moved to approve said expenditure authorization and work plan and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

9) CONSIDER CONTRACT ID #5024 CHANGE LETTER AMENDMENT #2 TO MEMORANDUM OF UNDERSTANDING FOR DISASTER RECOVERY NATIONAL DISLOCATED WORKER GRANT (CORESPONDS) AND NATIONAL EMPLOYMENT RECOVERY DISLOCATED WORKER GRANT (RECOVERCO) AND AUTHORIZE CHAIR TO SIGN – JEFFERSON COUNTY: Ms. Ulrich stated this is the second change letter to decrease the funds to the new amount of \$207,742.62. In response to Commissioner James, Tami Grant, Deputy Director of the Department of Human Services, explained this was part of a national direct grant for specific criteria, part of which will place people into employment, so sending money to Jefferson County will help meet the federal requirements of the grant. Commissioner James moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

10) CONSIDER CONTRACT ID #5030 MEMORANDUM OF UNDERSTANDING FOR FAMILY MEDICAID ENROLLMENT SERVICES AND AUTHORIZE CHAIR AND DIRECTOR OF DEPARTMENT OF HUMAN SERVICES TO SIGN – WELD COUNTY SCHOOL DISTRICT 6: Ms. Ulrich stated this allows eligibility determination functions for public assistance programs at the Weld County School District 6 Family Center. Commissioner Buck moved to approve said memorandum of understanding and authorize the Chair to sign, which was seconded by Commissioner James, and it carried unanimously.

11) CONSIDER CONTRACT ID #5032 AMENDMENT #1 TO INTERGOVERNMENTAL AGREEMENT FOR 2021-2022 COUNTY INCENTIVES PROGRAM AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Ms. Ulrich stated the amendment extends the term date to June 30, 2022. The motion to approve said amendment and authorize the Chair to sign was made by Commissioner Freeman, seconded by Commissioner Buck, and it carried unanimously.

12) CONSIDER REASSIGNMENT AND APPOINTMENT TO JUVENILE COMMUNITY REVIEW BOARD: Commissioner James moved to approve said reassignment and appointment. Commissioner Buck seconded the motion, and it carried unanimously.

13) CONSIDER RENEWAL APPLICATION FOR AN OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – IHRF, INC., C/O ANA ORNELAS-MORENO: Bob Choate, Assistant County Attorney, stated on June 30, 2021, the Board of County Commissioners set a public hearing on a renewal application, he reviewed the testimony and evidence previously entered into the record which led to a finding of Probable Cause and set a hearing related to over-service, over-consumption, bringing alcohol onto the site, and events not allowed with an optional premises liquor license. Mr. Choate explained Sheriff's Office Deputies, Tom Miller and Brandon Stupka, interviewed the operator, and after an investigation of the complaints, are recommending renewal of the optional premises liquor license. He noted the truck show event scheduled for July 4, 2021, was cancelled, and approximately one week later the applicant held a horse match racing event, which is allowed by the USR, and staff found no liquor concerns or calls for service. He stated the deputies reviewed video evidence and determined one (1) truck show event was held in May 2021, and the other events were hosted prior to June 2020. He stated the truck show events are not allowed by the USR permit and such events were discussed with Department of Planning Services staff who determined the applicant does have the option to amend the USR permit. Mr. Choate explained the optional premises license allows one (1) drink per person at a time, the Deputies confirmed the violation of June 2020, involved bottle service in a VIP area and the open case of beer on the stage was for performers. He confirmed the applicant now understands that form of alcohol service is not allowed and has not done so since June 2020. Additionally, the applicant is now only serving one (1) can of beer per person, and the Sheriff's Office believes liquor violations will not be an ongoing problem; however, if issues arise, they can be readdressed and bring all relevant issues before the Board at that time. Mr. Choate explained Deputy Miller lives across the street and was impressed with the applicant's efforts to bring the operations into

compliance. He stated the initial complaint was an anonymous email complaint and notice of this hearing was provided but no further response was received.

In response to Commissioner James, Mr. Choate stated the liquor license is not bound to the USR, but the optional premises liquor license is use-specific for outdoor sports recreational facility, so it was brought up based on that connection. Responding to Chair Moreno, Mr. Choate reiterated the video evidence occurred more than a year ago and explained there is a current understanding of what is allowed or should be prohibited. Deputy Miller explained he lives across the field from the facility and, generally, he has observed the events are quiet. Ana Ornelas-Moreno, applicant, confirmed she has worked with staff to ensure compliance at her facility. No public testimony was offered concerning this matter. Commissioner Saine moved to approve the renewal application and authorize the Chair to sign said application and liquor license. Seconded by Commissioner Buck, the motion 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 9:48 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

\_\_\_\_\_  
Steve Moreno, Chair

Weld County Clerk to the Board

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Scott K. James, Pro-Tem

BY: \_\_\_\_\_  
Deputy Clerk to the Board

\_\_\_\_\_  
Perry L. Buck

\_\_\_\_\_  
Mike Freeman

\_\_\_\_\_  
Lori Saine