

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, OCTOBER 25, 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, October 25, 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 – EXCUSED
Commissioner Mike Freeman
Commissioner Lori Saine

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Houston Aragon
Controller, Barbara Connolly

MINUTES: Commissioner James moved to approve the Minutes of the Board of County Commissioners meeting of October 11, 2021, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

PUBLIC INPUT: No public input was given.

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

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

COMMISSIONER COORDINATOR REPORTS: There were no reports given.

PRESENTATIONS:

1) RECOGNITION OF SERVICES, WELD FAITH PARTNERSHIP COUNCIL – RYAN DOUGHERTY: Chair Moreno read the certificate for the record and he and Commissioner James thanked Ryan Dougherty for his service on the Weld Faith Partnership Council.

WARRANTS:

1) GENERAL WARRANTS – OCTOBER 22, 2021: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2100121, WORKFORCE INNOVATION GRANT PROGRAM – DEPARTMENT OF HUMAN SERVICES, WORKFORCE DEVELOPMENT BOARD: Rob Turf, Purchasing Department, stated the Workforce Development Board recommends two (2) entities to receive Innovation Grant Funds: 1) Immigrant and Refugee Center of Northern Colorado, in the amount of \$336,138.00, for the Soft Skill, English as a Second Language (ESL), and Technology Upskilling programs, and 2) Jobs of Hope, Inc., in the amount of \$161,700.00, for the House of Hope Project, which teaches leadership and other job-related skills. He welcomed others to reapply in the future. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner James and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #5282 PROFESSIONAL SERVICE AGREEMENT FOR PARKING LOTS SNOW REMOVAL (BID #B2100133) AND AUTHORIZE CHAIR TO SIGN – BULLDOG LANDSCAPING, INC.: Toby Taylor, Director of the Facilities Department, stated the agreement results from a formal bid that was not presented to the Board due to the low monetary value of \$475.00 for full snow removal for each occurrence and \$295.00 for partial snow removal per occurrence. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

2) CONSIDER CONTRACT ID #5302 AGREEMENT FOR FIELD EXPERIENCES AND AUTHORIZE CHAIR TO SIGN – UNIVERSITY OF SOUTHERN MISSISSIPPI: Mark Lawley, Director of the Department of Public Health and Environment, stated the agreement is with the University of Southern Mississippi for standard intern-level work with an internship emphasis on health-related items. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

3) CONSIDER CONTRACT ID #5337 AMENDMENT #1 TO TASK ORDER CONTRACT FOR CHILD FATALITY PREVENTION SYSTEM AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Mr. Lawley stated the amendment is for a state-wide and multi-disciplinary, multi-agency initiative to prevent the death of children, and it changes how payment is requested, received, and distributed. Commissioner James moved to approve said amendment and authorize the Chair to sign and submit electronically. Commissioner Saine seconded the motion and it carried unanimously.

4) CONSIDER CONTRACT ID #5338 RADON GRANT STATEMENT OF WORK AND AUTHORIZE CHAIR TO SIGN: Mr. Lawley stated the Weld County Department of Public Health and Environment will receive grant funding, in the amount of \$13,886.00, from the Colorado Department of Public Health and Environment to further the Radon Education and Public Outreach programs. The motion to approve said statement of work and authorize the Chair to sign was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

5) CONSIDER CONTRACT ID #5339 INTERGOVERNMENTAL AGREEMENT FOR INSPECTIONS OF FACILITIES HOLDING CERTIFICATE OF DESIGNATION AND AUTHORIZE CHAIR TO SIGN – TOWN OF KEENESBURG: Mr. Lawley stated the Town of Keenesburg has successfully annexed the Greeley Green Energy Facility with a Certificate of Designation and is requesting inspection and review services for said facility. The Department of Public Health and Environment will bill the Town of Keenesburg quarterly for said services and will be reimbursed at an hourly staff rate that will be established through the annual fee schedule. The motion to approve said statement of work and authorize the Chair to sign was made by Commissioner Saine, seconded by Commissioner James, and it carried unanimously.

6) CONSIDER CONTRACT ID#5323 POSSESSION AND USE AGREEMENT FOR CRS 41 AND 66 INTERSECTION IMPROVEMENTS PROJECT AND AUTHORIZE CHAIR TO SIGN – DARYL AND

DALENE SCHUMP: Clay Kimmi, Department of Public Works, stated this agreement is for the possession and use of the Schump property to relocate utilities and a septic system, for the cost of \$171,000.00, as a part of the County Roads 41 and 66 Intersection Improvements Project. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

7) CONSIDER TEMPORARY CLOSURE OF CR 58.5 BETWEEN CRS 55.5 AND 57.5: Amy Mutchie, Department of Public Works, stated the request for a temporary road closure is from November 1-5, 2021, for a culvert replacement, and water will be used for dust mitigation on the detour route. Commissioner Saine moved to approve said temporary road closure. Seconded by Commissioner James, the motion carried unanimously.

8) CONSIDER TEMPORARY CLOSURE OF CR 65 BETWEEN CRS 50 AND 52: Ms. Mutchie, stated the temporary road closure will be from November 1-5, 2021, for a new culvert installation, and water will be used for dust mitigation on the detour route. Commissioner Freeman moved to approve said temporary road closure. Seconded by Commissioner Saine, the motion carried unanimously.

9) CONSIDER MEMORANDUM OF UNDERSTANDING FOR COLORADO OPIOIDS SETTLEMENT AND AUTHORIZE CHAIR TO SIGN: Bruce Barker, County Attorney, stated the Opioid Settlement Funds that are coming to the State of Colorado require an agreement between the State and local government. Additionally, each local government must have agreements regionally, with Weld County being treated as one (1) region. He explained this allows for participation in the 20% share from the State of Colorado directly to local government, with an additional 60% to be divided within the region by a Regional Council. Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign. The motion, which was seconded by Commissioner Saine, carried unanimously.

10) CONSIDER MODEL COLORADO REGIONAL OPIOID INTERGOVERNMENTAL AGREEMENT AND AUTHORIZE CHAIR TO SIGN – VARIOUS ENTITIES: Mr. Barker stated this agreement creates the Regional Council which will allow a portion of the 60% of funds to be allotted to Weld County as a region from the State of Colorado. He explained eight (8) municipalities are listed in said agreement, with fifteen (15) members on the Regional Council for equal representation from municipalities that have more than 10,000 in population or participated in litigation from northern and southern areas in the Weld County Region. Commissioner Saine moved to approve said intergovernmental agreement and authorize the Chair to sign. Commissioner James seconded the motion and it carried unanimously.

11) CONSIDER AMENDED BYLAWS FOR BOARD OF ADJUSTMENT: Bob Choate, Assistant County Attorney, stated the State statutes specify that no more than half of the members on the Board of Adjustment may serve on the Planning Commission. In response to Commissioner Saine, Mr. Choate clarified, there is no current violation within the Board of Adjustment. The motion to approve said amended bylaws was made by Commissioner Saine, seconded by Commissioner James, and it carried unanimously.

12) CONSIDER AMENDED BYLAWS FOR NOXIOUS WEED MANAGEMENT ADVISORY BOARD: Mr. Barker stated the amendment clarifies that members on the Noxious Weed Management Advisory Board do not have to be residents from unincorporated Weld County, and it also includes some cleanup language. The motion to approve said amended Bylaws amendment was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

13) CONSIDER REAPPOINTMENT TO NOXIOUS WEED MANAGEMENT ADVISORY BOARD: The motion to approve said reappointment was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

14) CONSIDER REAPPOINTMENTS TO WELD COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE (CDBGAC): The motion to approve said reappointments was made by Commissioner James, seconded by Commissioner Freeman, and it carried unanimously.

15) CONSIDER REAPPOINTMENTS TO WELD FAITH PARTNERSHIP COUNCIL: The motion to approve said reappointment was made by Commissioner James, seconded by Commissioner Saine, and it carried unanimously.

16) CONSIDER APPOINTMENT AND REAPPOINTMENTS TO JUVENILE COMMUNITY REVIEW BOARD: The motion to approve said appointment and reappointments was made by Commissioner James, seconded by Commissioner Saine, and it carried unanimously.

17) CONSIDER REAPPOINTMENT TO BOARD OF PUBLIC HEALTH: The motion to approve said reappointment was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

PLANNING:

1) CONSIDER FULL RELEASE OF WARRANTY COLLATERAL FOR MINOR AMENDED USE BY SPECIAL REVIEW PERMIT, MUSR14-0025 – ROSE ROCK MIDSTREAM CRUDE, LP, AND ASPHALT SPECIALTIES COMPANY, INC.: Jazmyn Trujillo-Martinez, Department of Planning Services, requested full release of the Warranty Collateral, in the amount of \$8,500.00. She stated the applicants have completed their five (5) year warranty period, staff inspectors deemed the work satisfactory, and the terms of the Road Maintenance will remain in place for the life of the Use by Special Review permit. Commissioner James moved to approve said full release of warranty collateral. The motion was seconded by Commissioner Saine, and it carried unanimously.

2) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX12-0122, FOR REMOVAL OF LOT D – RON AND TRINA ERBES: Angela Snyder, Department of Planning Services, stated staff received a letter from Lawrence Shanks, with Uintah Engineering and Land Surveying, as the authorized agent of Ron and Trina Erbes, requesting the partial vacation of RECX12-0122 for the removal of Lot D. She stated the resulting parcel will be larger than 35 acres. Lots A, B, and C share an easement that was created on the plat, but that easement will not be affected, as they each have their own access, as well as several pipeline easements that are of no concern. She also noted the plat will need to be updated prior to recording. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve said partial vacation. Seconded by Commissioner James, the motion carried unanimously.

3) SECOND READING OF CODE ORDINANCE #2021-15, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING AND CHAPTER 24 SUBDIVISIONS, OF THE WELD COUNTY CODE (*BULK REQUIREMENTS AND PUBLIC WATER*): Commissioner Freeman moved to read Code Ordinance #2021-15 by title only, Commissioner James seconded the motion, and it carried unanimously. Mr. Barker read said title for the record. Ms. Snyder stated there have been four (4) minor updates since the First Reading, which she reviewed for the record. Commissioner James moved to approve Code Ordinance #2021-15 on Second Reading. The motion was seconded by Commissioner Saine, and it 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 9:29 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Scott K. James, Pro-Tem

EXCUSED

Perry L. Buck

Mike Freeman

Lori Saine