

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, NOVEMBER 17, 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, November 17, 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  
Acting Clerk to the Board, Houston Aragon  
Controller, Chris D'Ovidio

**MINUTES:** Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of November 3, 2021, as printed. Commissioner James seconded the motion, and it carried unanimously.

**PUBLIC INPUT:** Steve Hall, Town of Severance resident, read Exhibit "A" titled, "The Lesser Magistrate Doctrine: A Sword Against Unjust Edicts and Tyranny" by Pastor Matt Trewhella, for the record. Steven Grant, City of Evans resident, submitted Exhibit "B", a vaccination flyer, for the record, which he received in the mail. Mr. Grant expressed he believes this is coercion and infringes on liberty. Steve Teets, City of Greeley resident, expressed his concerns regarding graffiti related to gangs in the Greeley area. He also discussed homelessness in Weld County and the 'right to shelter' to help further the initiative of housing for the homeless, and suggested a regional transportation system to accommodate the growing population of Weld County. Commissioner Saine stated the concerns received today have been heard and as a government agency, public information presented needs to remain neutral.

**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.

**PROCLAMATIONS:**

1) WELD COUNTY ADOPTION DAY – NOVEMBER 19, 2021: Chair Moreno read the proclamation for the record. Jaime Ulrich, Director of the Department of Human Services, stated this is the twenty-first year the County has celebrated Adoption Day and fifteen children will be adopted to their families this year. She introduced Department of Human Services staff members and expanded upon the vital role they play in the adoption process. Commissioner James shared he is an adoptive parent and expressed the importance of celebrating the ‘Gotcha Day,’ which is the day a family adopts a child. Commissioner Buck stated in 2016, only 16% of adoptions in Colorado were finalized, which has risen to 42% in 2021; since 2000, over 902 finalized adoptions of children have been completed by the Weld County Department of Human Services; in 2020, approximately 800 youth and children that had been in foster care were adopted in the State of Colorado; and by the end of 2021, it’s estimated over 30 children will be adopted in Weld County. Each of the Commissioners thanked staff for their hard work and devotion to serving the citizens of Weld County. *(Clerk’s Note: The group gathered for a photo opportunity.)*

**WARRANTS:**

1) GENERAL WARRANTS – NOVEMBER 15, AND 16, 2021: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner James seconded the motion and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – NOVEMBER 16, 2021: Commissioner Freeman moved to approve the Greeley-Weld County Airport Authority Warrants, as printed. Commissioner James seconded the motion, and upon a roll call vote, the motion passed four (4) to one (1), with Commissioner Saine opposed.

**BIDS:**

1) PRESENT BID #B2100139, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT LIGHT POLE REPLACEMENT – FACILITIES DEPARTMENT: Rob Turf, Purchasing Department, stated five (5) bids were received and the Facilities Department will review and make a recommendation for approval on December 6, 2021.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #5294 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – DONALD AND JENNIFER TUPPER: Ms. Ulrich stated the contract is for a new kinship care home in Firestone, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Saine and it carried unanimously.

2) CONSIDER CONTRACT ID #5298 MEMORANDUM OF UNDERSTANDING FOR SCHOOL STABILITY FOR STUDENTS IN FOSTER CARE AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY SCHOOL DISTRICT RE-9: Ms. Ulrich stated the memorandum of understanding outlines collaboration with Weld County School District RE-9 to make school placement decisions and share transportation costs for students in out-of-home foster care placement. Commissioner Freeman moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

3) CONSIDER CONTRACT ID #5299 MEMORANDUM OF UNDERSTANDING FOR SCHOOL STABILITY FOR STUDENTS IN FOSTER CARE AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY SCHOOL DISTRICT RE-10J: Ms. Ulrich stated the memorandum of understanding outlines collaboration with Weld County School District RE-10J to make school placement decisions and share transportation costs for students in out-of-home foster care placement. Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

4) CONSIDER CONTRACT ID #5342 MEMORANDUM OF UNDERSTANDING FOR SCHOOL STABILITY FOR STUDENTS IN FOSTER CARE AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY SCHOOL DISTRICT RE-4: Ms. Ulrich stated the memorandum of understanding outlines collaboration with Weld County School District RE-4 to make school placement decisions and share transportation costs for students in out-of-home foster care placement. Commissioner Buck moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

5) CONSIDER CONTRACT ID #5354 MEMORANDUM OF UNDERSTANDING FOR SCHOOL STABILITY FOR STUDENTS IN FOSTER CARE AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY SCHOOL DISTRICT RE-2: Ms. Ulrich stated the memorandum of understanding outlines collaboration with Weld County School District RE-2 to make school placement decisions and share transportation costs for students in out-of-home foster care placement. Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

6) CONSIDER CONTRACT ID #5380 MEMORANDUM OF UNDERSTANDING FOR SCHOOL STABILITY FOR STUDENTS IN FOSTER CARE AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY SCHOOL DISTRICT RE-7: Ms. Ulrich stated the memorandum of understanding outlines collaboration with Weld County School District RE-7 to make school placement decisions and share transportation costs for students in out-of-home foster care placement. Commissioner Freeman moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

7) CONSIDER CONTRACT ID #5368 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR ADDITIONAL TRADE ADJUSTMENT ASSISTANCE (TAA) CASE MANAGEMENT GRANT FUNDS (FY 2020) AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich stated Employment Services of Weld County received additional TAA grant funds to support a wide array of reemployment case management services and training. In response to Chair Moreno, Ms. Ulrich confirmed the additional funds amount to \$20,000.00. Commissioner Buck moved to approve said expenditure authorization and work plan, and authorize the Chair to sign electronically. The motion, which was seconded by Commissioner Saine, carried unanimously.

8) CONSIDER CONTRACT ID #5369 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR TRADE ADJUSTMENT ASSISTANCE (TAA) CASE MANAGEMENT GRANT FUNDS (FY 2021) AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich stated Employment Services of Weld County received \$14,659.00 in TAA grant funds to support reemployment case management services and training. Commissioner Buck moved to approve said expenditure authorization and work plan, and authorize the Chair to sign electronically. The motion, which was seconded by Commissioner James, carried unanimously.

9) CONSIDER TEMPORARY CLOSURE OF CR 34 BETWEEN NORTH FRONT ST AND CR 29: Amy Mutchie, Department of Public Works, stated the road closure is from December 6, 2021, through

December 10, 2021, for the replacement of an irrigation culvert, and water will be used for dust control along the detour route. Commissioner Freeman moved to approve said temporary road closure. Commissioner James seconded the motion and it carried unanimously.

10) CONSIDER TEMPORARY CLOSURE OF CR 48 BETWEEN CRS 1 AND 3: Ms. Mutchie stated the road closure is from December 13, 2021, through December 17, 2021, for the replacement of an irrigation culvert, and water will be used for dust control along the detour route. Commissioner James moved to approve said temporary road closure. Commissioner Saine seconded the motion and it carried unanimously.

11) SECOND READING OF CODE ORDINANCE #2021-17, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21 AREAS AND ACTIVITIES OF STATE INTEREST, OF THE WELD COUNTY CODE (1041 WOGLA CODE): Commissioner Freeman moved to read Code Ordinance #2021-17 by title only, the motion was seconded by Commissioner James, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Jason Maxey, Director of the Department of Oil and Gas Energy, referenced the changes proposed at First Reading and stated an operator contacted the department regarding lighting and Best Management Practices thereof to maintain compliance with said lighting standards, but at this time, there are no revisions suggested regarding lighting. No public testimony was offered concerning this matter. Commissioner Saine moved to approve Code Ordinance 2021-17 on the Second Reading. The motion was seconded by Commissioner Buck and it carried unanimously.

12) SECOND READING OF CODE ORDINANCE #2021-18, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 7 EMERGENCY MEDICAL SERVICES, OF THE WELD COUNTY CODE: Commissioner Freeman moved to read Code Ordinance #2021-18 by title only, the motion was seconded by Commissioner James, and it carried unanimously. Mr. Barker read the title for the record and further stated there have been no changes between First and Second Readings. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2021-18 on Second Reading. The motion was seconded by Commissioner Buck and it carried unanimously.

13) SECOND READING OF CODE ORDINANCE #2021-20, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION, OF THE WELD COUNTY CODE (MINERAL LEASING POLICY): Commissioner Freeman moved to read Code Ordinance #2021-20 by title only, the motion was seconded by Commissioner James, and it carried unanimously. Mr. Barker read the title for the record and stated there have been no changes between First and Second Readings. No public testimony was offered concerning this matter. Commissioner Buck moved to approve Code Ordinance #2021-20 on Second Reading. The motion was seconded by Commissioner Saine and it carried unanimously.

14) FINAL READING OF CODE ORDINANCE #2021-14, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 20 IMPACT FEES, OF THE WELD COUNTY CODE: Commissioner James moved to read Code Ordinance #2021-14 by title only, the motion was seconded by Commissioner Freeman, and it carried unanimously. Mr. Barker read the title for the record. Elizabeth Relford, Deputy Director of the Department of Public Works, explained the purpose for the Impact Fee Study is to create a rational nexus for the fees identified, and stated the fees collected in a specific district will be applied to that same district. Ms. Relford further discussed the drainage impact fee increase and County facility fees, and stated the Commissioners are not considering the actual fee amounts as part of this Ordinance. She confirmed no changes have been made between First and Second Readings. No public testimony was offered concerning this matter. Chair Moreno stated the Board is considering placing the findings of the study into the Code, not revising the fees themselves.

Commissioner Freeman moved to approve Code Ordinance #2021-14 on Final Reading. The motion was seconded by Commissioner James, and upon a roll call vote, the motion passed four (4) to one (1), with Commissioner Saine opposed.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2021-17, #2021-18, and #2021-20 were approved on Second Reading, and #2021-14 was approved on Final Reading.

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:

Weld County Clerk to the Board

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Steve Moreno, Chair

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Scott K. James, Pro-Tem

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

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Perry L. Buck

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EXCUSED DATE OF APPROVAL  
Mike Freeman

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