

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 6, 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, December 6, 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 – EXCUSED
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 meetings of November 17, and 22, 2021, as printed. Commissioner Saine seconded the motion, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner James moved to approve the Certification of Hearings conducted on November 22, 2021, as follows: 1) USR21-0014 – Shawn and Victoria McCune, 2) USR21-0015 – Stacy Ditter, and 3) RES21-0005 – Kenneth and Daniella Perez. Commissioner Buck seconded the motion, which 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 Buck seconded the motion, and it carried unanimously.

COMMISSIONER COORDINATOR REPORTS: Commissioner Buck stated the Department of Human Services has disbursed \$7.7 Million in Emergency Rental Assistance funds, processed 3,303 requests, and evaluated 2,244 households. In the second round of funding, \$55,000.00 has been approved, 23 requests have been processed, and 21 households have been evaluated. She stated the Department hosted a 'Grandparents raising Grandkids' holiday event last week and this week they are hosting evening events in recognition of foster care and kinship families. Commissioner James mentioned his involvement with the State-Wide Transportation Advisory Committee (STAC), which consists of elected officials, and further stated there is a cancellation of the last meeting ahead of the Transportation

Commission, which consists of appointed members, where the Greenhouse Gas rulemaking will be discussed. Chair Moreno shared his condolences on the passing of Bob Dole, former United States Senator, and called for a moment of silence.

WARRANTS:

1) GENERAL WARRANTS – NOVEMBER 30, 2021, AND DECEMBER 3, 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 – DECEMBER 3, 2021: Commissioner James moved to approve the Greeley-Weld County Airport Authority Warrants, as printed. Commissioner Buck seconded the motion, and upon a roll call vote, the motion carried three (3) to one (1), with Commissioner Saine opposed.

BIDS:

1) APPROVE BID #B2100139, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT LIGHT POLE REPLACEMENT – FACILITIES DEPARTMENT: Rob Turf, Purchasing Department, stated five (5) bids were received and staff is recommending approval of the low bidder, MAC Electric Company, Inc., in the amount of \$32,067.00. Commissioner James moved to approve said bid. The motion was seconded by Commissioner Buck and it carried unanimously.

2) PRESENT BID #B2100142, WORKFORCE INNOVATION GRANT PROGRAM – DEPARTMENT OF HUMAN SERVICES, WORKFORCE DEVELOPMENT BOARD: Mr. Turf presented the six (6) bids received and stated the Department of Human services and Workforce Development Board will review the bids and return with a recommendation on December 20, 2021.

3) PRESENT BID #B2100137, CRS 80 AND 37 INTERSECTION PROJECT - DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 140 suppliers downloaded this bid; however, only one bid was received. He noted staff of the Department of Public Works will review and return on December 20, 2021, to make a recommendation.

4) PRESENT BID #B2100145, 35TH AVE AND O ST ROUNDABOUT PROJECT – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated five (5) supplier qualification submissions were received, which will be reviewed by staff to establish a list of qualified vendors. He explained staff will return with a recommendation once the interviews have been conducted.

NEW BUSINESS:

1) CONSIDER AGREEMENT FOR AIRPORT RESCUE GRANT AND AUTHORIZE CHAIR TO SIGN: Cooper Anderson, Greeley-Weld County Airport, stated the Federal Aviation Administration (FAA) is offering Airport Rescue Grant funds through the American Rescue Plan Act, in the amount of \$59,000.00, for the benefit of employee salaries and wages. In response to Commissioner James, Mr. Anderson clarified the qualifications for use of the funds. In response to Chair Moreno, Bruce Barker, County Attorney, confirmed there were no conflicts of interest resulting from Chair Moreno and Commissioner James sitting on the Greeley-Weld County Airport Authority Board. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER AGREEMENT FOR VENDING MACHINE SERVICES AT ALTERNATIVE SENTENCING PROGRAMS FACILITY (BID #B2100136) AND AUTHORIZE CHAIR TO SIGN – COMPASS GROUP USA, INC.: Mr. Turf indicated five (5) vendors downloaded the specifications; however, only one (1) bid was received from the incumbent vending machine company, Compass Group USA, Inc., by and through

their local vending company Canteenincumbent, and there is no cost to the County. In response to Commissioner Saine, Mr. Turf confirmed there was a two-week time frame for bids to be received, which is standard for all bids. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

3) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – BANNER HEALTH / NORTHERN COLORADO MEDICAL CENTER PARAMEDICS SERVICE: Gabri Vergara, Department of Public Health and Environment, and Bernie Cavillo, Secretary of Emergency Medical Trauma Services (EMTS) Council, stated a total of sixteen (16) applications for existing ambulance services were received. She confirmed there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, which was seconded by Commissioner James, and it carried unanimously.

4) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – FREDERICK-FIRESTONE FIRE PROTECTION DISTRICT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Saine moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

5) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – FRONT RANGE FIRE RESCUE: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

6) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – GREELEY FIRE DEPARTMENT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

7) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – MOUNTAIN VIEW FIRE PROTECTION DISTRICT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner James moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Saine, carried unanimously.

8) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – NORTH METRO FIRE RESCUE DISTRICT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

9) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – PLATTE VALLEY AMBULANCE SERVICE: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner James moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Buck, carried unanimously.

10) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – PLATTEVILLE-GILCREST FIRE PROTECTION DISTRICT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Saine moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Buck, carried unanimously.

11) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – SOUTHEAST WELD FIRE PROTECTION DISTRICT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Saine moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Buck, carried unanimously.

12) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – THOMPSON VALLEY EMERGENCY MEDICAL SERVICE: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Saine moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

13) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – UCHEALTH EMERGENCY MEDICAL SERVICE: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

14) CONSIDER APPLICATION FOR TIER I AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – WINDSOR-SEVERANCE FIRE PROTECTION DISTRICT: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Saine, carried unanimously.

15) CONSIDER APPLICATION FOR TIER II AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – AMBULNZ CO, LLC: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner James moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Buck, carried unanimously.

16) CONSIDER APPLICATION FOR TIER II AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – AMERICAN MEDICAL RESPONSE OF COLORADO: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner James moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Buck, carried unanimously.

17) CONSIDER APPLICATION FOR TIER III AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – STADIUM MEDICAL, INC.: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner James moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner Saine, carried unanimously.

18) CONSIDER APPLICATION FOR TIER III AMBULANCE SERVICE LICENSE AND AUTHORIZE CHAIR TO SIGN – MILE HIGH AMBULANCE SERVICE: Ms. Vergara stated there are no issues with the application and it is recommended for approval. Commissioner Buck moved to approve said application and authorize the Chair to sign said license, and the motion, which was seconded by Commissioner James, carried unanimously.

19) CONSIDER APPLICATION FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROJECT GRANT FUNDS FOR CRS 74 AND 31 ROUNDABOUT PROJECT AND AUTHORIZE DEPARTMENT OF PUBLIC WORKS TO SUBMIT ELECTRONICALLY – NORTH FRONT RANGE METROPOLITAN PLANNING ORGANIZATION (NFRMPO): Evan Pinkham, Department of Public Works, stated the application requests funding in the amount of \$2,538,870.00 to be utilized for the County Roads 74 and 31 Roundabout Project. He explained the total project cost is approximately \$8 Million, plus the right-of-way and design costs. Commissioner James moved to approve said application and authorize staff to submit electronically. Commissioner Buck seconded the motion and it carried unanimously.

20) CONSIDER APPLICATIONS FOR SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROJECT FUNDS AND CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROJECT GRANT FOR CRS 13 AND 54 ROUNDABOUT PROJECT AND AUTHORIZE DEPARTMENT OF PUBLIC WORKS TO SUBMIT ELECTRONICALLY: Mr. Pinkham stated this roundabout project has two different grant applications: one is for CMAQ funding in the amount of \$2,538,870.00 to be utilized for cement, and the other is for STBG funding in the amount of \$1,419,409.00. He confirmed the total project costs are approximately \$8 Million, plus the right-of-way and design costs. Commissioner James moved to approve said applications and authorize staff to submit electronically. Commissioner Buck seconded the motion and it carried unanimously.

21) CONSIDER EXTENSION OF TEMPORARY CLOSURE OF CR 72 BETWEEN CRS 31 AND 33: Amy Mutchie, Department of Public Works, stated the roadway was originally scheduled to be closed from November 22, 2021, to December 3, 2021, to replace two irrigation culverts. She explained upon construction, it was discovered that another irrigation culvert needed to be replaced and she is requesting an extension of one additional week until December 10, 2021, and noted the detour route is paved. Commissioner Saine moved to approve said extension. The motion was seconded by Commissioner James and it carried unanimously.

22) CONSIDER TEMPORARY CLOSURE OF CR 35 BETWEEN CRS 394 AND 46: Ms. Mutchie stated the closure is to replace an irrigation culvert, beginning on December 13, 2021, and ending December 22, 2021, and the detour route is paved. Commissioner Buck moved to approve said closure. The motion was seconded by Commissioner James and it carried unanimously.

23) CONSIDER LOBBYING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – COLORADO LEGISLATIVE SERVICES, LLC, DBA COLORADO LEGISLATIVE STRATEGIES: Bruce Barker, County Attorney, stated this agreement reflects a two percent (2%) increase from last year, for a total amount of \$66,300.00. Commissioner Buck moved to approve said agreement and authorized the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

24) CONSIDER AMENDMENT TO BYLAWS FOR UTILITY COORDINATING ADVISORY BOARD: Tom Parko, Director of the Department of Planning Services, stated the bylaw changes reflect the recent reorganization between the Department of Planning Services and the Department of Public Works, as well as the committee membership being increased from five (5) members to six (6) to include a representative from both stated departments, and to also make a gender-inclusive administrative language update. Commissioner James moved to approve said amendment. The motion was seconded by Commissioner Buck and it carried unanimously.

25) CONSIDER APPOINTMENT OF CHERYL PATTELLI AS WELD COUNTY CHIEF FINANCIAL OFFICER (CFO): Cheryl Pattelli introduced herself for the record. Don Warden, Director of Finance and Administration, spoke on the recruitment process of a CFO for the County and the confidence he has in her filling this position. Ryan Rose, Director of Administrative Services, likewise expressed his confidence with Ms. Patelli and stated he is looking forward to working with her. Chair Moreno stated that he and Commissioner James were honored to be part of the interview panel and gave a brief list of her professional accomplishments. The Commissioners, in turn, welcomed her to Weld County. Commissioner James made a motion to approve the appointment of Cheryl Patelli as the Weld County Chief Financial Officer (CFO), effective November 29, 2021. Commissioner Buck seconded and the motion carried unanimously.

26) CONSIDER APPOINTMENT OF DEPUTY DISTRICT ATTORNEY AND AUTHORIZE CHAIR TO SIGN – WARREN KNUTSON: Commissioner James made a motion to approve the appointment of Warren Knutson as a Deputy District Attorney. Commissioner Buck seconded and the motion carried unanimously.

27) SECOND READING OF CODE ORDINANCE #2021-19, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 5 REVENUE AND FINANCE OF THE WELD COUNTY CODE (*ANNUAL FEES*): Commissioner James moved to read Code Ordinance #2021-19 by title only. Commissioner Buck seconded the motion, and it carried unanimously. Mr. Barker read the title for the record. Mr. Warden provided a brief overview of the various changes to the departmental fee schedules. There was no public comment concerning this matter. Commissioner Buck commented the adjustments to the fees are relatively low, compared to other counties. Commissioner James echoed her comments and moved to approve Code Ordinance #2021-19 on Second Reading. The motion was seconded by Chair Moreno, and upon a roll call vote, the motion passed three (3) to one (1), with Commissioner Saine opposed.

28) FINAL 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 James moved to read Code Ordinance #2021-18 by title only. Commissioner Buck seconded, and it passed unanimously. Mr. Barker read the title for the record and stated there were no proposed changes since Second Reading. There was no public comment concerning this matter. Commissioner Buck moved to approve Code Ordinance #2021-18 on Final Reading. The motion was seconded by Commissioner James and it carried unanimously.

29) FINAL 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 Saine moved to read Code Ordinance #2021-19 by title only. Commissioner James seconded the motion, and it carried unanimously. Mr. Barker read the title for the record and further stated there were no proposed changes since Second Reading. There was no public comment concerning this matter. Commissioner James moved to approve Code Ordinance #2021-20 on Final Reading. The motion was seconded by Commissioner Saine and it carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF USE BY SPECIAL REVIEW PERMIT, USR17-0045 – DENNIE KUTCHER: Diana Aungst, Department of Planning Services, displayed a PowerPoint presentation for the record and stated staff received a letter from the property owner, dated November 12, 2021, requesting partial vacation of the Use by Special Review (USR) Permit boundary to satisfy a requirement of a Lot Line Adjustment (LLA-00327) that is currently under review. Ms. Aungst explained the LLA is splitting the property and the applicant is requesting that the USR permit remain on Lot B, but be removed from Lot A, with a new LLA plat be recorded prior to the recording of the partial vacation map. Dennie Kutcher, applicant, was present to answer any questions. There was no public comment concerning this matter. Commissioner James moved to approve said partial vacation. The motion was seconded by Commissioner Buck and it carried unanimously.

2) FINAL READING OF CODE ORDINANCE #2021-16, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING OF THE WELD COUNTY CODE (*SIGN CODE UPDATE*): Commissioner James moved to read Code Ordinance #2021-16 by title only. Commissioner Buck seconded the motion, and it carried unanimously. Mr. Barker read the title for the record. Jim Flesher, Department of Planning Services, gave a brief overview of a single proposed change to strike and reletter an item regarding the sign limitations for home occupations. In response to Commissioner James, Mr. Flesher confirmed this change would make it less permissive. There was no public comment concerning this matter. Commissioner Buck moved to approve Code Ordinance #2021-16 on Final 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. Code Ordinance #2021-19 was approved on Second Reading, and Code Ordinances #2021-16, #2021-18, and #2021-20 were 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 9:54 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Steve Moreno, Chair

Scott K. James, Pro-Tem

BY: _____
Deputy Clerk to the Board

EXCUSED DATE OF APPROVAL
Perry L. Buck

EXCUSED
Mike Freeman

Lori Saine