

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 13, 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 13, 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 James moved to approve the Minutes of the Board of County Commissioners meeting of November 29, 2021, as printed. Commissioner Buck 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 Freeman seconded the motion, and it carried unanimously.

**COMMISSIONER COORDINATOR REPORTS:** Commissioner Saine requested to present her Commissioner Coordinator Report on Wednesday, December 15, 2021. Commissioner Buck stated the Employment Services Division of the Department of Human Services is helping Georgia Boys Barbeque hire 75 employees at their new location in the City of Greeley.

**PRESENTATIONS:**

1) 2021 EMPLOYEE SERVICE AWARDS – 10, 20, AND 30-YEAR EMPLOYEES: Chair Moreno introduced the presentation for the record and the various Elected Officials and Department Heads spent approximately the next 30 minutes honoring numerous employees and presenting them with 10-, 20-, and 30-year pins. The Board thanked the employees for their years of dedication to the citizens of Weld County.

**WARRANTS:**

1) GENERAL WARRANTS – DECEMBER 10, 2021: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – DECEMBER 10, 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 carried four (4) to one (1), with Commissioner Saine opposed.

**BIDS:**

1) PRESENT BID #B2100076, STORM IMPROVEMENTS PROJECT – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Purchasing Department, stated four (4) bids were received and staff will review and make a recommendation for approval on December 27, 2021.

**NEW BUSINESS:**

1) CONSIDER TWO (2) CONTRACTS FOR 2022 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM WITNESS ASSISTANCE UNIT, AND AGREEMENT WITH SUBRECIPIENT OF FEDERAL RECOVERY FUNDS, AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Michael Rourke, 19th Judicial District Attorney, stated there are two contracts for grant funding, the first being from the local VALE board for the amount of \$90,788.00 and the second being from the Federal American Rescue Plan Act (ARPA) to distribute through local VALE programs for the amount of \$45,394.00. Mr. Rourke explained this is the third largest source of funding for the Victim Witness Assistance Unit. Commissioner Buck moved to approve said contracts and agreement, and authorize the Chair to sign. The motion was seconded by Commissioner Freeman and it carried unanimously.

2) CONSIDER APPOINTMENT OF DEPUTY DISTRICT ATTORNEY AND AUTHORIZE CHAIR TO SIGN – HASSAN HASSAN: Commissioner Freeman moved to approve said appointment and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

3) CONSIDER AMENDMENT #2 TO VOTING SYSTEM ACQUISITION AGREEMENT AND AUTHORIZE CHAIR TO SIGN (BID #B1700093) – DOMINION VOTING SYSTEMS, INC.: Carly Koppes, Weld County Clerk and Recorder, presented the second amendment to the existing contract for the electronic voting system for American Disabilities Act (ADA) compliance and stated the amendment includes an increase in maintenance fees. In response to Commissioner Saine, Ms. Koppes confirmed the increase is at the request of the vendor and ensures compliance and inclusiveness, maintenance, and replacement of the hardware, as needed. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

4) CONSIDER REVISIONS TO FEE SCHEDULE FOR FEES COLLECTED BY DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Mark Lawley, Director of the Department of Public Health and Environment, gave a brief overview of the changes that have been made to the fee schedule for 2022 within the different divisions of the department, which allow greater cost recovery and reduced costs to taxpayers by shifting costs to persons utilizing the services. Commissioner Saine stated she is satisfied

with a portion of the fees, but not in their entirety. Commissioner Freeman moved to approve said revisions. Commissioner James seconded the motion, and upon a roll call vote, the motion passed four (4) to one (1), with Commissioner Saine opposed, with the clarification that she supports the Environmental Health fees, but is not satisfied with the clinical portion of the fee schedule.

5) CONSIDER SUBRECIPIENT AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND AUTHORIZE CHAIR TO SIGN – CITY OF EVANS: Don Sandoval, CDBG Manager, stated the agreement, for the amount of \$50,000.00, allows for improvements through housing rehabilitation with a water efficiency program by replacing water fixtures in low- and moderate-income homes, that are then subjected to an environmental review process. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Commissioner Saine seconded the motion and it carried unanimously.

6) CONSIDER DECLARATION OF CERTAIN EQUIPMENT AS SURPLUS PROPERTY, AUTHORIZE SALE OF SAME TO COSTILLA COUNTY SHERIFF'S OFFICE, AND DELEGATE AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Chris D'Ovidio, Weld County Controller, stated Costilla County expressed their interest in purchasing a 2016 Ford Taurus from the County for the amount of \$2,500.00, which is approximately the same amount that would be received at auction. Commissioner James moved to approve said declaration of surplus property, authorize the sale to the Costilla County Sheriff's Office, and delegate authority to the Controller to sign any necessary documents. The motion seconded by Commissioner Freeman and it carried unanimously.

7) FINAL 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 James moved to read Code Ordinance #2021-17 by title only, the motion was seconded by Commissioner Saine, 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 memorandum scanned into the file detailing minor proposed changes and noted that there have been no further comments received from the industry. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve Code Ordinance #2021-17 on Final Reading, with the revisions as proposed in the memorandum referenced by Mr. Maxey. The motion was seconded by Commissioner James and it carried unanimously.

**PLANNING:**

1) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX20-0087, FOR REMOVAL OF LOT D – WCR 19-20, LLC, C/O RICHARD JOHNSON: Maxwell Nader, Department of Planning Services, provided a brief overview of the property location and size, and presented the request for the partial vacation of RECX20-0087 for the removal of Lot D. Mr. Nader stated that all County Code requirements have been met, the partial vacation results in an approximately 158-acre in size unplatted parcel, and Lots A, B, and C are not part of this action. He expanded Lots A and B will utilize a 60-foot access and utility easement created by the RECX20-0087 plat; therefore, the applicant will need to create a new 60-foot access and utility easement by separate document to ensure Lots A and B still have adequate access and the agreement will need to be signed by all owners that currently benefit from the easement. Mr. Nader stated staff recommends approval and reviewed the Conditions of Approval (COA) in the Resolution. Richard Johnson, property owner and Managing Partner, was available for questions but offered no comments concerning this matter. Likewise, no public testimony was offered concerning this matter. Commissioner James moved to approve said partial vacation with the COAs per the Resolution. The motion was seconded by Commissioner Buck and it carried unanimously.

**RESOLUTIONS AND ORDINANCES:** The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2021-17 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 9:55 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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Steve Moreno, Chair

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Scott K. James, Pro-Tem

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Perry L. Buck

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

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Lori Saine