

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, DECEMBER 15, 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 15, 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

ORDINANCES: Commissioner James moved to read Emergency Ordinances #257-B and #258 by audio, Commissioner Buck seconded the motion, and it carried unanimously.

PUBLIC INPUT: Steve Teets, City of Greeley resident, spoke regarding the increasing homeless population in Greeley and the impact on the community due to the economy. Mr. Teets further inquired about the location of the next North Front Range Metropolitan Planning Organization (NFRMPO) meeting and Commissioner James confirmed that it will be located at the Greeley Family Fun Plex. Chair Moreno commented on being a Board member of United Way of Weld County and the programs available to help the homeless in the area and stated he will contact Mr. Teets with further information.

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

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

COMMISSIONER COORDINATOR REPORTS: Commissioner Saine provided an end-of-the-year overview of the accomplishments of the County Departments she coordinates: Planning Services, Oil and Gas Energy, and CSU Extension Service of Weld County. Commissioner Saine highlighted many of the partnerships made, the thousands of people impacted by programs implemented, and the updates to the County Code. She further recognized the directors of each department with a token of her appreciation. Chair Moreno, likewise, thanked all of the departments and employees in Weld County for doing their part every day for the citizens of Weld County.

WARRANTS:

1) GENERAL WARRANTS – DECEMBER 14, 2021: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Saine seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – DECEMBER 14, 2021: Commissioner James moved to approve the Greeley-Weld County Airport Authority Warrants, as printed. Commissioner Freeman seconded the motion, and upon a roll call vote, the motion passed four (4) to one (1), with Commissioner Saine opposed.

BIDS:

1) APPROVE BID #B2100143, 1417 O ST DEMOLITION PROJECT – FACILITIES DEPARTMENT (CONT'D FROM 12/8/2021): Rob Turf, Purchasing Department, stated six (6) bids were received; however, the two lowest bids were deemed incomplete due to contingencies and exclusions. Therefore, staff recommends approval of the bid from American Demolition, Inc., in the amount of \$45,500.00. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner James and it carried unanimously.

2) PRESENT BID #B2100152, LEGAL NEWSPAPER SERVICE FOR 2022 – CLERK TO THE BOARD'S OFFICE: Mr. Turf stated there was a single bid proposal received, which staff will review and return with a recommendation for approval on December 29, 2021.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #5355 CONSENT TO ASSIGNMENT AND ASSUMPTION OF SERVICE AGREEMENT FOR OLDER AMERICANS ACT IN-HOME SERVICES AND AUTHORIZE CHAIR TO SIGN – ANDREA'S ANGELS, INC.: Jaime Ulrich, Director of the Department of Human Services, stated the agreement transitions all responsibilities to the new owners and the sale took place on August 3, 2021. Commissioner Buck moved to approve said consent to assignment and agreement, and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

2) CONSIDER CONTRACT ID #5360 AGREEMENT FOR PROFESSIONAL SERVICES FOR FOSTER PARENT TRAINING AND CO-FACILITATOR SERVICES AND AUTHORIZE CHAIR TO SIGN – TIERNEY BALDWIN: Ms. Ulrich stated the agreement brings existing foster parents to help co-facilitate training for new foster parents. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

3) CONSIDER CONTRACT ID #5383 AGREEMENT FOR PROFESSIONAL SERVICES FOR LOW-INCOME ENERGY ASSISTANCE PROGRAM (LEAP) OUTREACH INCENTIVE PROGRAM AND AUTHORIZE CHAIR TO SIGN – UNITED WAY OF WELD COUNTY: Ms. Ulrich stated the agreement allows United Way of Weld County to help with outreach of the LEAP Program. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

4) CONSIDER CONTRACT ID #5367 PROMOTING SAFE AND STABLE FAMILIES (PSSF) PARTNERSHIP PROJECT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – CATHOLIC CHARITIES AND COMMUNITY SERVICES OF THE ARCHDIOCESE DENVER, WELD REGIONAL OFFICE: Ms. Ulrich stated the agreement is a collaborative effort for families that face homelessness or are at risk of becoming involved with the Child Welfare system. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

5) CONSIDER CONTRACT ID #5398 PROMOTING SAFE AND STABLE FAMILIES (PSSF) PARTNERSHIP PROJECT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – KIDS AT HEART: Ms. Ulrich stated the agreement is for a new partnership utilizing PSSF grant funds for respite and kinship homes. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

6) CONSIDER CONTRACT ID #5427 SENATE BILL 290 (SB21-290) GRANT APPLICATION AND AUTHORIZE CHAIR TO SIGN AND DEPARTMENT OF HUMAN SERVICES TO SUBMIT ELECTRONICALLY: Ms. Ulrich stated the grant application is for funding for the Area Agency on Aging Division to build a senior center for the Hill N' Park neighborhood and to purchase a wheelchair accessible van for the community. Commissioner Saine moved to approve said application and authorize the Chair to sign and the Department of Human Services to submit electronically. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER CONTRACT ID #5442 GRANT AWARD LETTER AND SUMMARY OF GRANT AWARD TERMS AND CONDITIONS FOR BODY WORN CAMERAS FOR LAW ENFORCEMENT OFFICERS GRANT PROGRAM: Sonja Kohlgraf, Sheriff's Office, stated the award letter and summary of grant award terms and conditions is for the 2021-2022 body worn cameras grant that has been awarded for the amount of \$25,695.00 to fund a portion of the 281 additional body worn cameras needed for Corrections and Court Divisions deputies. Commissioner Buck moved to approve said award letter and summary of grant award terms and conditions. The motion, which was seconded by Commissioner Freeman, carried unanimously.

8) CONSIDER CONTRACT ID #5449 AND #5450 TWO (2) CONTRACTS FOR 2022 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR LAW ENFORCEMENT VICTIM SERVICES, AND AGREEMENT WITH SUBRECIPIENT OF FEDERAL RECOVERY FUNDS, AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Kohlgraf stated the contracts are for the awardal of the 2022 VALE Grant for the Victims Assistance Unit in the amounts of \$29,850.00 through the local VALE Board and \$41,788.00 through the American Rescue Plan Act (ARPA) as Federal funding, which includes a required supplemental subrecipient agreement. Commissioner James moved to approve said contracts and agreement and authorize the Chair to sign electronically. Commissioner Buck seconded the motion and it carried unanimously.

9) CONSIDER CONTRACT ID #5443 APPLICATION FOR 2022 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AND LOCAL EMERGENCY MANAGER SUPPORT (LEMS) PROGRAM FUNDING AND AUTHORIZE CHAIR TO SIGN: Roy Rudisill, Director of the Office of Emergency Management, stated the grant is to support training and yearly exercises for the Office of Emergency Management for the amount of \$76,500.00. Commissioner James thanked Mr. Rudisill and his team for the efforts they put forth for the County. The motion to approve said application and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Saine, and it carried unanimously.

10) CONSIDER 2022 STATE NOXIOUS WEED PROGRAM GRANT APPLICATION FOR ERADICATION OF LIST B SPECIES IN NORTHERN WELD COUNTY AND AUTHORIZE CHAIR TO SIGN AND DEPARTMENT OF PUBLIC WORKS TO SUBMIT ELECTRONICALLY: Tina Booton, Department of Public Works, stated the grant, if awarded, will provide cost share funds for landowners to address and eradicate noxious weed species at 80% of the \$700.00 per landowner. Ms. Booton listed the noxious weeds that are considered invasive, stated the department is applying for \$25,000.00, with Weld County's budgeted in-kind match being \$30,552.00. She further stated the Pawnee National Grassland's in-kind match is \$39,752.00 for treatments carried out on their property, and there is an

estimated \$10,000.00 in-kind match from landowners, for a combined total of \$80,304.00. Commissioner Freeman moved to approve said application and authorize the Department of Public Works to submit electronically. The motion was seconded by Commissioner James and it carried unanimously.

11) CONSIDER RESCINDING RESOLUTION #2021-3115, DATED NOVEMBER 8, 2021, AND WITHDRAW REQUEST CONCERNING CERTIFICATION OF WEED ENFORCEMENT LIEN – MALONE SNYDER (FORMER OWNERS – THOMAS AND SHERYL SEVCIK): Bruce Barker, County Attorney, stated Resolution #2021-3115 certified a lien to the property for a total amount of \$264.00, which has since been paid by the new property owner. He clarified the action of the Board would rescind the lien on the property and withdraw the certification request, and recommended a revision to the Resolution to include the word 'withdraw'. Commissioner James moved to rescind Resolution #2021-3115 and withdraw the request concerning certification of a weed enforcement lien, and amend the Resoution as stated above. The motion was seconded by Commissioner Freeman and it carried unanimously.

12) CONSIDER DELEGATION OF ADMINISTRATIVE DUTY TO CERTIFY MILL LEVIES OF SCHOOLS AND LOCAL GOVERNMENTS IN WELD COUNTY TO WELD COUNTY ASSESSOR: Don Warden, Director of Finance and Administration, stated House Bill 21-1267 was passed in the last legislative session, which allows the Board to delegate the authority and administrative duty to the County Assessor to certify the mill levies. Commissioner Buck moved to approve said Resolution. The motion was seconded by Commissioner James and it carried unanimously.

13) CONSIDER AGREEMENT PURSUANT TO C.R.S. §30-11-123 AND AUTHORIZE CHAIR TO SIGN – LINEAGE LOGISTICS, LLC, AND LINEAGE LOGISTICS SERVICES, LLC: Mr. Warden stated Weld County has a program which offers tax incentives for expansion or attraction of new companies, which is 50% of personal property taxes over the span of a ten-year period, and is permissible under State Statute. He expanded Lineage Logistics, LLC, wishes to build a 200,000-square-foot facility located in the Great Western Industrial Park in Windsor, Colorado, which would be a \$99 million dollar investment, of which \$25 million will be equipment that is considered personal property and eligible for the 50% reimbursement incentive. Mr. Warden stated the company meets the County's requirements and plans to pay an average of \$24.47 per hour, or \$50,894.00 annually, and is committed to hiring residents of Weld County as at least 50% of their workforce. He explained over the ten-year period, the County incentive amounts to \$300,910.00 based on the projection of taxes to be collected. In response to Commissioner James, Mr. Warden confirmed the verification process to ensure the company is following the stipulations required, and once they request the reimbursement, they are to submit a declaration of taxes paid and certification of their employees. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

14) CONSIDER ACCEPTANCE OF DONATION OF TREX BENCH TO WELD COUNTY FROM CARBON VALLEY CHAPTER OF NATIONAL SOCIETY OF DAUGHTERS OF THE AMERICAN REVOLUTION FOR PLACEMENT ON WELD COUNTY LEGACY TRAIL: Mr. Barker stated this is a donation, which is required to be accepted and approved by Resolution. Commissioner Buck moved to approve said acceptance of donation. The motion was seconded by Commissioner James and it carried unanimously.

15) CONSIDER AMENDMENT TO PURCHASE OF PROFESSIONAL SERVICES AGREEMENT FOR OIL AND GAS AUDITS AND EVALUATION SERVICES AND AUTHORIZE CHAIR TO SIGN – MARTINDALE CONSULTANTS, INC.: Mr. Warden stated the agreement with Martindale Consultants, Inc., has been in effect since 2012, and explained they are a specialized firm that audits oil and gas declarations that are sent to the Assessor to ensure compliance and alert companies as to the potential

of an audit. He stated the amendment increases the agreement amount by \$150,000.00 and extends the terms of service to December 31, 2022. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

16) CONSIDER 2022 AMOUNT TO BE PAID FOR INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF GREELEY AND WELD COUNTY FOR ISLAND GROVE PARK MANAGEMENT SERVICES: Mr. Warden presented the request for the 2022 amount to be paid, pursuant to the 1984 Intergovernmental Agreement with the City of Greeley, for the maintenance and management of Island Grove Park in conjunction with the Island Grove Park Authority Board, for the total amount of \$518,755.00 paid through the Conservation Trust. Commissioner Freeman moved to approve said amount to be paid. The motion was seconded by Commissioner James and it carried unanimously.

17) CONSIDER MEMORANDUM OF UNDERSTANDING FOR ADULT TREATMENT COURT AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the next nine (9) items of New Business on the Agenda are funds to be paid to outside agencies and this memorandum of understanding is for the total amount of \$100,000.00 to assist with treatment for court clients who have alcohol or substance abuse charges. Chair Moreno spoke concerning the return on investment that this program offers and how minimal the cost is compared to what the outcome could be. Commissioner Buck moved to approve said memorandum of understanding and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

18) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND ENVISION AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$38,225.00 for the developmentally delayed or disabled within the County. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

19) CONSIDER MEMORANDUM OF AGREEMENT FOR MENTAL HEALTH SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$171,000.00, comprised of two components: \$121,000.00 is the base amount that historically has been given in the past, and an additional \$50,000.00 for the satellite office in Frederick, Colorado, which the Board began awarding two years ago. Commissioner Buck commented on the beautiful new North Range facility in South Weld County. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

20) CONSIDER MEMORANDUM OF AGREEMENT FOR SUICIDE EDUCATION AND PREVENTION SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$20,000.00 for suicide prevention and educational programs and services. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

21) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND READING GREAT BY EIGHT AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$10,000.00 and the recipient, formerly known as Promises for Children, recently changed their name. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

22) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND WELD COUNTY SENIOR CITIZEN COORDINATORS AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$40,000.00 to support the twenty (20) senior centers located throughout the County, each of which is to receive \$2,000.00. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

23) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND EAST COLORADO SMALL BUSINESS DEVELOPMENT CENTER (SBDC) AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$65,000.00 and quarterly reports are received by the small businesses and entrepreneurs that use this program. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

24) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY OF WELD COUNTY (WELD'S WAY HOME) AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$5,000.00 for the Weld's Way Home Program. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Saine and it carried unanimously.

25) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UPSTATE COLORADO ECONOMIC DEVELOPMENT AS RECIPIENT OF WELD COUNTY ECONOMIC DEVELOPMENT TRUST AND AUTHORIZE CHAIR TO SIGN: Mr. Warden stated the agreement is for the total amount of \$150,000.00 and supports Upstate Colorado Economic Development through a base amount of \$100,000.00 and an additional \$50,000.00 during their transition and succession planning. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

26) EMERGENCY ORDINANCE #257-B, IN THE MATTER OF A SUPPLEMENTAL APPROPRIATION FOR THE YEAR 2021: Mr. Warden stated each year the County considers two supplemental appropriation ordinances for unanticipated and unforeseen items not originally awarded through the budget, and a public notice was published in the Greeley Tribune on November 26, 2021, in relation to this item. Mr. Warden gave a brief overview of the revenue adjustments and reallocations that are to be made. No public testimony was offered concerning this matter. Commissioner James moved to approve said Emergency Ordinance #257-B. The motion was seconded by Commissioner Freeman and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Emergency Ordinances #257B and #258 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 9:55 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

Perry L. Buck

Mike Freeman

Lori Saine