

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, DECEMBER 29, 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 29, 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 December 15, 2021, as printed. Commissioner James seconded the motion, and it carried unanimously.

CERTIFICATION OF HEARINGS CONDUCTED ON DECEMBER 15, 2021:

- 1) Commissioner Freeman moved to approve the Certification of the Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2022 Budget Hearing. Seconded by Commissioner Saine, the motion carried unanimously.
- 2) Commissioner James moved to approve the Certification of the Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2022 Budget Hearing, which was seconded by Commissioner Buck, and the motion carried unanimously.
- 3) Commissioner James moved to approve the Certification of the Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2022 Budget Hearing, which was seconded by Commissioner Freeman, and it carried unanimously
- 4) Commissioner Buck moved to approve the Certification of the Weld County 2022 Final Budget Hearing. Commissioner James 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 Freeman moved to approve the Consent Agenda, as printed. Commissioner James seconded the motion, and it carried unanimously.

WARRANTS:

GENERAL WARRANTS – DECEMBER 28, 2021: Commissioner Buck moved to approve the General Warrants, as printed. In response to Commissioner James, Mark Lawley, Director of the Department of Public Health and Environment, confirmed the Talent Company appears on the warrant register, even though their contract was terminated prior to December; however, it only includes payment for services provided prior to that point in time. Commissioner James seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – DECEMBER 28, 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 #B2100152, LEGAL NEWSPAPER SERVICE FOR 2022 – CLERK TO THE BOARD'S OFFICE: Rob Turf, Purchasing Department, stated there was only one bid response, despite reaching out to six (6) newspapers. Mr. Turf referenced C.R.S. §24-70-107, pertaining to publications for the record and further stated that more information from the Greeley Tribune is needed to understand the 24% increase. In response to Chair Moreno, Bruce Barker, County Attorney, confirmed that continuing the bid to next week is possible and will allow ongoing publications while staff researches the matter. Commissioner James spoke on being in the advertisement industry for many years and that the percentage increase seems to be abnormally large. Commissioner Freeman stated the Greeley Tribune is holding a monopoly and seems to be the only publisher that will consistently meet the deadlines needed for publications. In response to Chair Moreno, Esther Geisick, Clerk to the Board, confirmed a continuance until January 5, 2022, will be sufficient and further commented that in the past the Greeley Tribune has honored publication pricing based on the existing contract during the interim period. Commissioner James moved to continue said bid until Wednesday, January 5, 2022, at 9:00 a.m. The motion was seconded by Commissioner Saine and it carried unanimously.

OLD BUSINESS:

1) CONSIDER CONTRACT ID #5472 CHANGE ORDER TO AGREEMENT FOR BRIDGE 54/13A REPLACEMENT PROJECT (BID #B1900113) AND AUTHORIZE CHAIR TO SIGN – J-U-B ENGINEERS, INC. (*CONT'D FROM 12/22/2021*): Micheal Bedell and Don Dunker, Department of Public Works, stated this change order is requesting an increased amount of \$65,384.00 for the Bridge 54/13A replacement project. Mr. Bedell confirmed the County's Attorney's Office has discussed the provisions and timeline to address Commissioner Saine's questions. Mr. Bedell further referenced the cost sheet breakdown. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. The motion was seconded by Commissioner Saine and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #5479 APPLICATION FOR BEAT AUTO THEFT THROUGH LAW ENFORCEMENT (BATTLE) SUB GRANTEE FUNDING AND AUTHORIZE SHERIFF'S OFFICE TO SUBMIT ELECTRONICALLY: Sonja Kholgraf, Sheriff's Office, presented the application to apply for \$50,711.13 in Colorado Automobile Theft Prevention Authority (CATPA) funding, which will be used to purchase an additional automatic license plate recognition system and the supporting cellular service. Commissioner James moved to approve said application and authorize the Sheriff's Office staff to submit electronically. Seconded by Commissioner Saine, the motion carried unanimously.

2) CONSIDER TEMPORARY ROAD CLOSURE OF CR 44 BETWEEN CRS 53 AND 55: Amy Mutchie, Department of Public Works, stated this closure is slated to begin January 10, 2022, through January 14, 2022, to replace a drainage culvert. Ms. Mutchie stated the detour route is gravel and magnesium chloride

will be used for dust control. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Buck and it carried unanimously.

3) CONSIDER CONTRACT ID #5366 AGREEMENT FOR SUBSTANCE ABUSE TREATMENT SERVICES AND AUTHORIZE CHAIR AND DIRECTOR OF DEPARTMENT OF HUMAN SERVICES TO SIGN – SIGNAL BEHAVIORAL HEALTH NETWORK: Tami Grant, Deputy Director of the Department of Human Services, stated this agreement allows for substance abuse treatments and evaluation services. In response to Chair Moreno, Ms. Grant confirmed the amount of \$300,000.00 is the County's match through Core funding, and Signal Behavioral Health Network will pay a maximum of \$150,000.00 through AFS funding. Commissioner Buck moved to approve said agreement and authorize the Chair and Director of the Department of Human Services to sign. The motion was seconded by Commissioner James and it carried unanimously.

4) CONSIDER CONTRACT ID #5375 AGREEMENT FOR PROFESSIONAL SERVICES FOR SIGN LANGUAGE INTERPRETATION SERVICES AND AUTHORIZE CHAIR TO SIGN – 24 HOUR SIGN LANGUAGE SERVICES, INC.: Ms. Grant stated under this agreement the vendor will provide sign language interpretation services for hearing impaired clients. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

5) CONSIDER CONTRACT ID #5384 CARE COORDINATION AND COMMUNICATION AGREEMENT AND AUTHORIZE CHAIR TO SIGN – NORTH RANGE BEHAVIORAL HEALTH: Ms. Grant stated this allows for effective communication between agencies for the coordination and care of mutual clients. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

6) CONSIDER CONTRACT ID #5391 MEMORANDUM OF UNDERSTANDING FOR SPECIAL YOUTH OPPORTUNITIES AND EMERGENCY FUNDING AND AUTHORIZE CHAIR TO SIGN – REALITIES FOR CHILDREN CHARITIES: Ms. Grant stated this MOU allows the Department of Human Services to access emergency funds, as well as access to local special youth opportunities for children in foster care. 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 #5394 MEMORANDUM OF AGREEMENT FOR COORDINATED INVESTIGATIONS INTO CHILD ABUSE AND NEGLECT AND AUTHORIZE CHAIR TO SIGN – LIFE STORIES CHILD AND FAMILY ADVOCACY: Ms. Grant stated under this agreement the Department of Human Services, Sheriff's Office and District Attorney's Office will use the vendor facility to conduct coordinated investigations of alleged child abuse and neglect cases. Commissioner James moved to approve said memorandum of agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

8) CONSIDER CONTRACT ID #5396 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JOSEFINA BARRAZA: Ms. Grant stated this is a provisional certification of a kinship foster care home in Evans, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

9) CONSIDER CONTRACT ID #5401 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JEFFREY AND JAMIE COOK: Ms. Grant stated this is a full certification of a new foster care home in

Greeley, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously.

10) CONSIDER CONTRACT ID # 5406 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ALBERTO AND ASHLYN RODRIGUEZ-CARO: Ms. Grant stated this is a full certification of a new foster care home in Severance, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously

11) CONSIDER CONTRACT ID #5425 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JOEL VARGAS AND MARIA PENA: Ms. Grant stated this is a provisional certification of a new kinship foster care home in Greeley, Colorado. Commissioner Saine moved to approve said contract and authorize the Chair to sign. Commissioner Buck seconded the motion, and it carried unanimously.

12) CONSIDER CONTRACT ID #5437 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – CRAIG AND ANGELA HEFTI: Ms. Grant stated this is a full certification of a new kinship foster care home in Windsor, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. Commissioner Buck seconded the motion, and it carried unanimously.

13) CONSIDER CONTRACT ID #5439 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ROGER AND ALLISON SEDLACEK: Ms. Grant stated this is a full certification of a new foster care home in Greeley, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously.

14) CONSIDER CONTRACT ID #5451 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ELIJAH ARCHULETA AND AMPARO ANDRADE: Ms. Grant stated this is a provisional certification of a new foster care home in Greeley, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. Commissioner Buck seconded the motion, and it carried unanimously.

15) CONSIDER CONTRACT ID #5452 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – SANDRA MATA: Ms. Grant stated this is a provisional certification of a new foster care home in Greeley, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

16) CONSIDER CONTRACT ID #5467 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JACQUES PLANTE, JR., AND KAELA PLANTE: Ms. Grant stated this is a full certification of a new kinship foster care home in Greeley, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

17) CONSIDER CONTRACT ID #5432 AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – GREELEY TRANSITIONAL HOUSE, DBA GREELEY FAMILY HOUSE: Ms. Grant stated under this agreement the Greeley Family House will be reimbursed to provide community shelter services during the calendar year 2022. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Saine, and it carried unanimously.

18) CONSIDER CONTRACT ID #5461 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) FOR ADULT (AD), DISLOCATED WORKER (DW), AND ENHANCED DISLOCATED WORKER (EDW) FUNDS AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Grant explained this authorizes expenditure of Workforce Innovation and Opportunity Act (WIOA) funds for the various programs. Commissioner Buck moved to approve said expenditure authorization work plan and authorize the Chair to sign electronically, which was seconded by Commissioner James, and it carried unanimously.

19) CONSIDER PETITION FOR VACATION OF ROAD RIGHT-OF-WAY – GLORIA SNELL AND DARLENE G. BLANEY TRUST, C/O ED SNELL: Tiffane Johnson, Department of Public Works, stated this is a historical right-of-way from a 1907 road petition, which included multiple right-of-way segments; however, this vacation is only for a portion of the road right-of-way. Ms. Johnson provided a brief historical summary and the general location, and stated the County has never maintained said right-of-way and this 30-foot portion runs on a section line between two parcels that are owned by the same family and have been passed down in the family for several generations and have always been used for agricultural purposes. Ms. Johnson further stated Weld County has not maintained the right-of-way for at least the past twenty years, there are no other municipal or jurisdictional interests, and the vacation does not leave anyone without access. Ms. Johnson confirmed staff sent inquiries to 14 referral agencies who responded with no conflict. Ms. Johnson explained the Nunn Telephone Company is willing to work with the landowner to gain private easement access. Ed Snell, applicant representative, confirmed the Nunn Telephone Company surveyed the land for the placement of the easement access for the existing telephone line. There was no public comment concerning this matter. Commissioner James moved to approve said vacation. The motion was seconded by Commissioner Saine and it carried unanimously.

20) CONSIDER PETITION FOR VACATION OF ROAD RIGHT-OF-WAY – RONALD AND TRINA ERBES: Ms. Johnson stated she has been working with the applicant's representative on a historical right-of-way from 1902, and explained changes in alignment happened in the 1940's, and as a result, County Road (CR) 90 is situated north of the actual right-of-way, but also has a secured Deed. Ms. Johnson explained CR 90 is maintained, 30 feet north and south of the section line, and the Colorado Department of Transportation had no concerns with said vacation. She further stated this vacation will effectively eliminate unintended setback encumbrances, and mentioned the triangular segment on said property is not a separate parcel. Ronald Erbes, petitioner, stated he purchased the property and was unaware that there was a non-maintained road right-of-way as part of the Recorded Exemption. Mr. Erbes confirmed staff and referral agencies have no concerns and there are no utilities located in the historical right-of-way. Jared Chriser, U.S. Engineering and Land Surveying, was present on behalf of the the landowners to answer any questions. No public comment was offered concerning this matter. Commissioner Saine moved to approve said vacation. 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. 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 9:49 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