

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, JANUARY 17, 2022

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, January 17, 2022, 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 Scott K. James, Chair  
Commissioner Mike Freeman, Pro-Tem - EXCUSED  
Commissioner Perry L. Buck  
Commissioner Steve Moreno - EXCUSED  
Commissioner Lori Saine

Also present:

County Attorney, Bruce Barker  
Acting Clerk to the Board, Houston Aragon  
Chief Financial Officer, Cheryl Pattelli

**MINUTES:** Commissioner Saine moved to continue the Minutes of the Board of County Commissioners meeting of January 3, 2022, to January 19, 2022. 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 Saine moved to approve the Consent Agenda, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

**COMMISSIONER COORDINATOR REPORTS:** Commissioner Buck stated she is still waiting to brief with her respective departments. Commissioner Saine reported the Department of Human Services is gearing up for the legislative session with the State of Colorado.

#### **WARRANTS:**

1) GENERAL WARRANTS – JANUARY 14, 2022: Commissioner Saine moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – JANUARY 14, 2022: Commissioner Saine moved to continue the Greeley-Weld County Airport Authority Warrants, to January 19, 2022, at 9:00 a.m. Commissioner Buck seconded the motion, and it carried unanimously.

#### **BIDS:**

1) APPROVE BID #B2100153, COOLING TOWER COLD WATER BASIN REPAIR FOR CENTENNIAL

CENTER – FACILITIES DEPARTMENT: Rob Turf, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Frontier Mechanical, Inc., for a total amount of \$44,990.00. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Saine and it carried unanimously.

2) APPROVE BID #B2100154, ADDITIONAL EQUIPMENT FOR WASH BAY – FACILITIES DEPARTMENT: Mr. Turf reviewed staff's recommendation to select the low bidder meeting specifications, Kubat Equipment and Service Company, for a total amount of \$55,133.63. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Saine and it carried unanimously.

3) PRESENT BID #B2100145 (RFP), 35TH AVE AND O ST ROUNDABOUT PROJECT – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated five (5) supplier qualifications were received and stated the Department of Public Works staff will review and make a recommendation pending a work session.

4) PRESENT BID #B2100156, ENTRY DOOR REPLACEMENT (1400 NORTH 17TH AVE) – FACILITIES DEPARTMENT: Mr. Turf presented that 21 suppliers downloaded the specifications, one (1) bid was received and Facilities Department staff will make a recommendation on January 31, 2022.

5) PRESENT BID #B2200002, AWD OR 4X4 SUV'S PURSUIT RATED K9 (QTY 8) – SHERIFF'S OFFICE: Mr. Turf presented the three (3) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

6) PRESENT BID #B2200003, MID-SIZED PASSENGER VANS (QTY 3) – SHERIFF'S OFFICE: Mr. Turf stated 13 suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

7) PRESENT BID #B2200004, MID-SIZED 4X4 EXTENDED/DOUBLE/SUPER CAB PICKUP WITH 6-FOOT BED, MAX WIDTH 78-INCH (QTY 1) – FACILITIES DEPARTMENT: Mr. Turf presented the four (4) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

8) PRESENT BID #B2200005, MID-SIZED SUV'S 4-DOOR 4X4 OR AWD (QTY 3) – FACILITIES AND PLANNING SERVICES DEPARTMENTS: Mr. Turf presented the four (4) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

9) PRESENT BID #B2200006, MID-SIZED CARGO VAN (QTY 1) – PRINT SHOP: Mr. Turf stated fifteen (15) suppliers downloaded the specifications, two (2) bids were received and Fleet Services staff will make a recommendation on January 31, 2022. In response to Chair James, Mr. Turf and David Springer, Director of Fleet Services, confirmed the supply chain difficulties to obtain vehicles, and the actuality of these vehicles having a delivery date closer to end of this year, if not closer to 2023 or 2024. *(Clerk's Note: In anticipation of the next listed agenda item, Commissioner Saine inquired as to why the Department of Planning Services would need a 3/4-ton pickup truck, in response Mr. Springer stated, due to the department having a truck that is at the end of its life, and due to some of the properties they evaluate being rural, the 1/2-ton pickup trucks were constantly breaking suspension and steering components on the vehicle and not sustainable.)*

10) PRESENT BID #B2200007, 3/4-TON 4X4 EXTENDED/DOUBLE/SUPER CAB PICKUP WITH 6.5-FOOT BED, MINIMUM 10,000 GROSS VEHICLE WEIGHT RATING (GVWR) (QTY 2) – DEPARTMENT OF PLANNING SERVICES: *(Clerk's Note: Agenda Item 10 was inadvertently missed being called during the meeting, please see the previous Clerk's Note above.)*

11) PRESENT BID #B2200008, 1/2-TON 4X4 EXTENDED/DOUBLE/SUPER CAB PICKUP WITH 6.5-FOOT BED (QTY 2) – DEPARTMENTS OF PUBLIC WORKS AND PUBLIC HEALTH AND ENVIRONMENT: Mr. Turf presented the four (4) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022. Mr. Turf mentioned skipping agenda number 7; however, it was later determined that item had, in fact, been presented.

12) PRESENT BID #B2200009, ELECTRIC WALK BEHIND LIFT TRUCK (QTY 1) – DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Mr. Turf presented the five (5) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

13) PRESENT BID #B2200015, BELLY DUMP TRAILERS (QTY 10) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the five (5) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

14) PRESENT BID #B2200017, 1-TON 4X4 FULL SIZE EXTENDED CAB PICKUP WITH UTILITY BOX (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated fifteen (15) suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

15) PRESENT BID #B2200018, 60-TON DETACHABLE LOW BOY TRAILER (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the three (3) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

16) PRESENT BID #B2200019, 1-TON 4X4 PICKUP 8-FOOT BED EXTENDED/DOUBLE/SUPER CAB (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated ten (10) suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

17) PRESENT BID #B2200021, 20-TON SINGLE DRUM VIBRATORY ROLLER (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the four (4) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

18) PRESENT BID #B2200022, MOTORGRADERS (QTY 3) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 11 suppliers downloaded the specifications, with one (1) bid received, and Fleet Services staff will make a recommendation on January 31, 2022.

19) PRESENT BID #B2200023, 1/2-TON 4X4 PICKUP 6.5-FOOT BED CREW CAB (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the three (3) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

20) PRESENT BID #B2200024, BACKHOE WITH 4-WHEEL DRIVE AND EXTENDABLE BOOM (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the three (3) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

21) PRESENT BID #B2200025, SKID STEER LOADER (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the five (5) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

22) PRESENT BID #B2200026, 2-TON 4X4 CREW CAB WITH DUAL WHEELS AND 8-FOOT UTILITY BED (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated seven (7) suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

23) PRESENT BID #B2200027, 2-TON 4X4 CREW CAB WITH DUAL WHEELS AND 11-FOOT UTILITY BED (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated eleven (11) suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

24) PRESENT BID #B2200028, 25-TON SPLIT DECK TILT TRAILER (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the six (6) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

25) PRESENT BID #B2200029, 4X4 SUPER CAB AND CHASSIS (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 11 suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

26) PRESENT BID #B2200030, 1-TON 4X4 FULL-SIZED CREW CAB PICKUP WITH UTILITY BOX (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 12 suppliers downloaded the specifications, with one (1) bid received, and Fleet Services staff will make a recommendation on January 31, 2022.

27) PRESENT BID #B2200031, ARTICULATING WHEEL LOADER (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the four (4) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

28) PRESENT BID #B2200032, SKID STEER (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the five (5) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

29) PRESENT BID #B2200033, 2-TON 4X4 CREW CAB WITH DUAL WHEELS AND FLAT BED (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 11 suppliers downloaded specifications, with one (1) bid received, and Fleet Services staff will make a recommendation on January 31, 2022.

30) PRESENT BID #B2200034, SKID STEER WITH 24-INCH PLANER ATTACHMENT (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf presented the six (6) bids received and stated Fleet Services staff will make a recommendation on January 31, 2022.

31) PRESENT BID #B2200035, 2-TON 4X4 CREW CAB WITH DUAL WHEELS AND 8-FOOT UTILITY BOX (QTY 1) – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 14 suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

32) PRESENT BID #B2200036, TANDEM AXEL TRUCK WITH DISTRIBUTOR TANK (QTY 1) - DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated 17 suppliers downloaded the specifications, with two (2) bids received, and Fleet Services staff will make a recommendation on January 31, 2022.

33) PRESENT BID #B2200038, HOUSEHOLD HAZARDOUS WASTE PICKUP AND DISPOSAL SERVICES – DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Mr. Turf presented the four (4) bids received and stated the Department of Public Health and Environment staff will make a recommendation on January 31, 2022. In response to Chair James, Mr. Springer confirmed that a minimal amount of what has been presented is due to increase of inventory for the Sheriff's Office and Facilities; however, a majority of the bids are to replace vehicles that are at end of life.

**NEW BUSINESS:**

1) CONSIDER EQUITABLE SHARING AGREEMENT AND CERTIFICATION AND AUTHORIZE ELECTRONIC SUBMITTAL: Rob Miller, Assistant District Attorney, explained this is an annual agreement with the Federal Government to take part in federal funding to update courtrooms. He noted that no funds were requested this year. Commissioner Buck moved to approve said agreement and certification and authorize Terasina White to electronically submit on behalf of the Chair. Seconded by Commissioner Saine, the motion carried unanimously.

2) CONSIDER MAP OF ELECTION PRECINCT BOUNDARIES IN WELD COUNTY: Carly Koppes and Adam Gonzales, Clerk and Recorder and Election Manager, reviewed all the district lines approved by the Colorado Supreme Court, which resulted in new precinct lines that increased from 156 to 203. Ms. Koppes stated the Clerk and Recorder's Office will continue to follow up with the Secretary of State for any minor adjustments with new congressional districts, which are also to be reviewed by the Colorado Supreme Court. There was no public comment concerning this matter. In response to Commissioner Saine, Ms. Koppes explained the changes keep subdivisions together (communities of interest), and adhere to already known fully developed areas. In response to Chair James, Ms. Koppes confirmed the timeline with the State being very tight, with 250,000 registered voters in the County database which must have precise and accurate information needing to be presented and approved by the State of Colorado by January 31, 2022. Commissioner Saine requested a second work session and further moved to continue this item January 19, 2022, at 9:00 a.m. Commissioner Buck seconded the motion, and it carried unanimously.

3) CONSIDER REVISIONS TO BYLAWS OF WELD COUNTY FEDERAL MINERAL LEASE BOARD OF DIRECTORS: Don Warden, Director of the Department of Finance and Administration, reviewed changes to remove an alternate position, as well as remove term limits consistent with Colorado Revised Statutes, and delineate powers and duties of the Board. Bruce Barker, County Attorney, recommended approval. Commissioner Buck moved to approve said revised bylaws. Seconded by Commissioner Saine, the motion carried unanimously.

4) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR PAYMENT OF FEDERAL MINERAL LEASE FUNDS FOR ROAD IMPROVEMENTS PROJECT FUNDING AND AUTHORIZE CHAIR TO SIGN – FEDERAL MINERAL LEASE ACT DISTRICT: Mr. Warden stated the Federal Mineral Lease Board approved two (2) projects for 2022. He explained this agreement provides a total amount of \$850,000.00 for the Department of Public Works, as a part of the \$4.6 Million for haul route improvements to help mitigate the damages caused by oil and gas activities. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

5) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR PAYMENT OF FEDERAL MINERAL LEASE FUNDS FOR WATER TESTING PROGRAM FUNDING AND AUTHORIZE CHAIR TO SIGN – FEDERAL MINERAL LEASE ACT DISTRICT: Mr. Warden stated this agreement is for water treatment and testing, and allows for any resident that lives near an oil and gas well to get their water tested at no cost to them. This program was first approved and conducted in 2011, and is fully funded by the Federal Mineral Lease Act District for the total amount of \$52,050.00, on behalf of the Department of Public Health and Environment. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

6) CONSIDER AGREEMENT PURSUANT TO C.R.S §30-11-123 AND AUTHORIZE CHAIR TO SIGN – GG COLORADO II, LLC: Mr. Warden stated this agreement provides a personal property tax incentive payment for the total amount of \$62,563.00, over a ten (10) year period. Mr. Warden further explained this company's investment in the total amount of \$15 Million located in the Great Western Industrial Park with a 30,000-square-foot greenhouse. He stated the initial stage of hiring 55 employees, with the intention of growing up to 95 individuals within the next five (5) years. Chair James thanked Upstate Colorado for attracting such business to the area and explained the reason why Weld County has these funds to offer businesses. In response to Commissioner Buck, Mr. Warden confirmed reimbursement happens on an annual basis, and the business must submit certification to receive the incentive. Commissioner Buck moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Saine, and it carried unanimously.

7) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND GREAT WESTERN TRAIL AUTHORITY AS A RECIPIENT OF WELD COUNTY GENERAL FUND MONIES AND AUTHORIZE CHAIR TO SIGN: Mr. Warden recommended an award, for the total amount of \$10,000.00, to the Great Western Trail for maintenance, in conjunction with the Towns of Eaton, Severance, and Windsor, along with their in-kind fund matching of \$10,000.00. The motion to approve said memorandum of agreement and authorize the Chair to sign was made by Commissioner Buck, seconded by Commissioner Saine, and it carried unanimously.

8) CONSIDER AGREEMENT FOR PARTIALLY SELF- FUNDED PROGRAM AND AUTHORIZE CHAIR TO SIGN – COUNTY TECHNICAL SERVICES, INC. (CTSI): Mr. Warden reviewed the terms and provisions to participate in the Casualty and Property Pool (CAPP), along with 54 other counties. He stated Weld County participates as self-insured, with a retention/deductible for the total amount of \$125,000.00. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

9) CONSIDER ADDENDUM #28 TO AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – COUNTY TECHNICAL SERVICES, INC. (CTSI): Mr. Warden stated this agreement is for Workers' Compensation coverage changed as of January 1, 2022, through Pinnacol Assurance. He explained there are 41 runoff claims, 28 indemnity/lost time claims, and 13 medical claims. He further stated that per the agreement with CTSI, they would charge the County 90% of the previous year's fee, with the intention to only do that this year and Pinnacol Assurance will assume any claims that are not resolved for an administrative fee of \$23,910.00. Commissioner Saine moved to approve said addendum and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

10) CONSIDER CONTRACT ID #5498 AGREEMENT FOR SURFACE IMPROVEMENT TO RAILROAD CROSSING AT CR 15 AND AUTHORIZE CHAIR TO SIGN – GREAT WESTERN RAILWAY OF COLORADO, LLC: Michael Bedell, Department of Public Works, stated this agreement is associated with the reconstruction of a railway crossing on County Road (CR) 15, between CRs 54 and 56. He explained the County will pay for the materials, for a total amount of \$30,391.00, and Great Western Railway will pay for labor and equipment. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

11) CONSIDER DECLARATION OF CERTAIN EQUIPMENT AS SURPLUS PROPERTY, APPROVE SALE OF SAME AT AUCTION WITH ROLLER AND ASSOCIATES, AND DELEGATE AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Cheryl Pattelli, Chief Financial Officer (CFO), stated items of equipment were sent to auction on January 13, 2022, and further stated the required replacements have been received and placed into service. Commissioner Saine moved to approve declaring said equipment as surplus, approving the sale at auction, and authorizing the Controller to sign as the agent for Weld County. Commissioner Buck seconded the motion, and it carried unanimously.

12) CONSIDER APPOINTMENT OF PERRY L. BUCK TO WORKFORCE DEVELOPMENT BOARD: Commissioner Saine moved to approve said appointment of Commissioner Buck to the Workforce Development Board. Commissioner Buck seconded the motion, and it carried unanimously.

13) CONSIDER APPOINTMENTS TO WORKFORCE DEVELOPMENT BOARD: Commissioner Saine moved to approve said appointments. Commissioner Buck seconded the motion, and it carried unanimously.

14) CONSIDER APPOINTMENT TO WELD FAITH PARTNERSHIP COUNCIL: Commissioner Saine moved to approve said appointment. Commissioner Buck seconded the motion, and it carried unanimously.

**PLANNING:**

1) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RE-4139, FOR REMOVAL OF LOT D – T AND H LASALLE GROUP, LLC: Maxwell Nader, Department of Planning Services, provided a brief overview of the location of the site and case history. Mr. Nader stated the application and supporting documents have been reviewed and recommended for approval by staff, conditional upon the recording of a new 60-foot access and utility easement to be created by separate document and signed by all landowners who will benefit from the access, to be submitted to the Department of Planning Services. He stated the partial vacation will result in a 146-acre unplatted parcel, and Lots A, B, and C are not a part of this request. Paul Whalen, Landmark Engineering on behalf of Bannister Homes, was present for questions. No public testimony was offered concerning this matter. Bruce Barker, County Attorney, clarified the Conditions of Approval for the record, and in response, Mr. Whalen confirmed he will make sure the applicants understand the easement is to be created and a

new document, signed by all benefitting property owners, will need to be recorded separately. Commissioner Saine moved to approve said partial vacation, with the Conditions of Approval. Commissioner Buck seconded the motion, and it carried unanimously.

2) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX17-0152, FOR REMOVAL OF LOT D – ST NOCO ACQUISITIONS, LLC: Mr. Nader provided a brief overview of the location of the site and case history. He stated the application and supporting documents have been reviewed and recommended for approval by staff, conditional upon the recording of two (2) new 60-foot access and utility easements to be created by separate document and signed by all landowners who will benefit from the accesses, to be submitted to the Department of Planning Services. Mr. Nader stated the partial vacation will result in a 128-acre unplatted parcel and that Lots A, B, and C are not a part of this request. Mr. Whalen was present for questions. No public testimony offered concerning this matter. Commissioner Saine moved to approve said partial vacation, with the Conditions of Approval. Commissioner Buck seconded the motion, 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 9:48 a.m.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

\_\_\_\_\_  
Scott K. James, Chair

EXCUSED  
\_\_\_\_\_  
Mike Freeman, Pro-Tem

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

\_\_\_\_\_  
Perry L. Buck

EXCUSED  
\_\_\_\_\_  
Steve Moreno

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