

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, FEBRUARY 23, 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, February 23, 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
Commissioner Perry L. Buck
Commissioner Steve Moreno
Commissioner Lori Saine

Also present:

Assistant County Attorney, Karin McDougal
Acting Clerk to the Board, Houston Aragon
Chief Financial Officer, Cheryl Pattelli

MINUTES:

1) Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of February 7, 2022, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

2) Commissioner Freeman moved to approve the Minutes of the Board of County Commissioners meeting of February 9, 2022, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Moreno moved to approve the Certification of Hearings conducted on February 7 and 9, 2022, as follows: 1) PCSC22-0002 – Estates at Hill Lake HOA, c/o Stacy Kissam, 2) PCSC21-0039 – Bennie Rodriguez, 3) 1MJUSR21-76-298 – North Weld Gravel, RLLP, c/o C and H Aggregate, LLC, and 4) RLDF21-0002 – Richard and Patricia Stahl. 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 Freeman moved to approve the Consent Agenda, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

COMMISSIONER COORDINATOR REPORTS: Commissioner Buck stated there are a lot of land use cases reflecting growth and opportunities, and shared she is planning to attend the Garfield County Oil and Gas Symposium. Chair Moreno expressed there are delays on Facilities projects due to continued supply chain constraints, but they are still moving forward. He further mentioned his trip to Washington, D.C., for the National Association of Counties (NACO) Conference where workforce shortages and employee retention were the main topics of discussion. He further mentioned Bill Meyer, from United Power, is the new Chair for Upstate Colorado Economic Development, and Greeley is also adding John Gates, Mayor for City of Greeley, to replace Councilman Hall. Commissioner Moreno stated that he is now the Chair for the Greeley-Weld County Airport Authority. He further mentioned he attended the Greeley Downtown Development Authority (DDA), which was held at the University of Northern Colorado (UNC), where Deidre Peltz, Superintendent of Greeley, facilitated strategic planning for the future to further connect the student body to the restaurant establishments and other businesses in the downtown Greeley area. Commissioner Saine stated there was an article published in the Colorado Sun about the great leadership exhibited by Jaime Ulrich, Director of the Department of Human Services, during the recent State Legislative session held in Denver at the Capitol building, and offered congratulations to her. Chair James stated he and Ryan Rose, Director of Administration, are continuing to have discussions about the workforce and having qualified candidates for the position of Human Resources Director.

PRESENTATIONS:

1) RECOGNITIONS OF SERVICE, EXTENSION ADVISORY COUNCIL – RON MARSHALL, DARYL WIEST, AND OLGA GONZALEZ: Chair James read the certificate for the record and Ron Marshall was present to receive his certificate.

2) RECOGNITIONS OF SERVICE, WORKFORCE DEVELOPMENT BOARD – PEGGY DECKER, AND CARRIE HAAS-VUKOSOVICH: Chair James read the certificate for the record, and presented the certificates to Tami Grant, Deputy Director of Human Services, who thanked both members for their knowledge and commitment while healthcare has been stretched in many directions in the past couple years.

WARRANTS:

1) GENERAL WARRANTS – FEBRUARY 22, 2022: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – FEBRUARY 22, 2022: Commissioner Freeman moved to approve the Greeley-Weld County Airport Authority Warrants, as printed. Commissioner Moreno 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 #B2200010, BOBCAT UW56 TOOLCAT (QTY 1) – FACILITIES DEPARTMENT: RobTurf, Purchasing Department, stated staff's recommendation for approval is the lowest bidder, Bobcat of the Rockies, who met all specifications for the total amount of \$57,589.10. Mr. Turf stated this is specialized equipment that only Bobcat builds. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck and it carried unanimously.

2) APPROVE BID #B2200039, ENGINEERING ON-CALL SERVICES – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated staff's recommendation for approval is to award to all the firms that met qualifications for non-project specific on-call services, including Atkins North America, Inc., Drexel, Barrel and Company, and Horrocks Engineers, LLC. He explained once the award is complete, each firm will negotiate the costs associated with each unique task. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner Buck and it carried unanimously.

3) PRESENT BID #B2200053, STRATEGIC PLAN – DEPARTMENT OF FINANCE AND ADMINISTRATION: Mr. Turf stated four (4) proposal responses were received and staff will review and return for recommendation of approval at a later date not yet determined.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #5548 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – RICHARD AND SHEILA KELLY: Jaime Ulrich, Director of the Department of Human Services, stated this is a new foster care home located in Galeton, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER CONTRACT ID #5549 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – EDWARD AND RONNETTE SALAZAR: Ms. Ulrich stated this is a new kinship foster care home located in Longmont, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Moreno and it carried unanimously.

3) CONSIDER CONTRACT ID #5575 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – SHAUN PURVIS AND TARA HAMACHER: Ms. Ulrich stated this is a new foster care home located in Frederick, Colorado. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

4) CONSIDER CONTRACT ID #5577 INTERGOVERNMENTAL DATA-ACCESS CONTRACT AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated this non-financial Intergovernmental contract allows for data access pertaining to the Unemployment Benefits System and Colorado Tax System to verify client eligibility. Commissioner Buck moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

5) CONSIDER CONTRACT ID #5611 AMENDMENT TO PARKING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Toby Taylor, Director of the Facilities Department, stated on April 18, 2016, Weld County and the City of Greeley entered into an agreement for parking lots adjacent to 822 7th Street in Greeley, Colorado. This amendment to the agreement will allow for the City of Greeley to patrol these parking lots for verification of compliance with the requirements of the parking lots and cite violators, as needed, and the City of Greeley will retain all fines associated with enforcement. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

6) CONSIDER CONTRACT ID #5547 AMENDMENT TO PURCHASE AND SERVICE LEVEL AGREEMENT FOR LAW ENFORCEMENT BODY WORN CAMERA SYSTEM (BID #B1900061) AND AUTHORIZE CHAIR TO SIGN – UTILITY ASSOCIATES, INC.: Sonja Kohlgraf, Sheriff's Office, and Alan Caldwell, Sheriff's Office Captian, stated this amendment to the Purchase and Service Level Agreement is to add an additional 281 body-worn cameras for Court and Detention Deputies, for the total amount of \$864,485.00, spread out in 39 payment installments from March 2022, to May 31, 2025, and includes equipment, data storage and maintenance plan. Ms. Kohlgraf reviewed the various payment amounts, subject to annual budget approvals by the Board of Commissioners through 2024. Commissioner Freeman commented on his appreciation in the value of the body worn cameras; however, he does not appreciate the mandate being unfunded by the State, and with that he moved to approve said amendment and authorize the Chair to sign. Commissioner Moreno seconded the motion, and it carried unanimously.

7) CONSIDER TEMPORARY ROAD CLOSURE OF CR 53 BETWEEN CRS 70 AND 74: Amy Mutchie, Department of Public Works, stated this closure is to begin on March 7, 2022, and go through March 11, 2022, for the replacement of an irrigation culvert. She stated the detour route is gravel, and magnesium chloride will be used for dust mitigation. Commissioner Buck moved to approve said temporary road closure. The motion was seconded by Commissioner Saine and it carried unanimously.

8) CONSIDER APPOINTMENTS TO AREA AGENCY ON AGING ADVISORY BOARD: Commissioner Moreno moved to approve said appointments. The motion was seconded by Commissioner Buck and it carried unanimously.

9) CONSIDER REAPPOINTMENTS TO CHILD PROTECTION CITIZEN REVIEW PANEL: Commissioner Freeman moved to approve said reappointments. The motion was seconded by Commissioner Buck and it carried unanimously.

10) CONSIDER APPOINTMENTS AND REAPPOINTMENTS TO EXTENSION ADVISORY COUNCIL: Commissioner Buck moved to approve said appointments. The motion was seconded by Commissioner Freeman and it carried unanimously.

11) CONSIDER APPOINTMENTS TO WORKFORCE DEVELOPMENT BOARD: Commissioner Moreno moved to approve said appointments. The motion was seconded by Commissioner Saine and it carried unanimously.

PLANNING:

1) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JESUS VEGA, SR. (*CONT'D FROM 2/14/2022*): Caitlin Perry, Assistant County Attorney, reviewed violations and former cerifications, continued from February 14, 2022. Hannah Dutrow, Zoning Compliance Officer, was present for questions. Ms. Perry stated the recommendation is to dismiss the daily occurring penalties and court assessed fees to not be due or owing. Yaricxa Vega-Ortiz, daughter of Jesus Vega, translated on behalf of her father, and thanked the Board for their patience and willingness to work with them, allowing extensions for them to bring everything into compliance. Commissioner Freeman moved to dismiss said certification of violation penalties. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RE-4524, FOR REMOVAL OF LOT D – KELLY BERNDT: Angela Snyder, Department of Planning Services, stated this request is for removal of Lot D from RE-4524, which is the third RE on this property and has five (5) smaller lots associated with the parent parcel, and she confirmed notifications of the hearing were sent to the property owners. Ms. Snyder further stated no easements were created by Lot D on the plat; therefore, no interests will be affected by the partial vacation, and the resulting plat is larger than 35 acres. The property owner was not present for questions. Matt House, Carr resident, inquired as to the meaning of this vacation and how it would affect his property; however, Ms. Snyder confirmed his property is related to this next item of business, and she addressed his question at that time. Commissioner Saine moved to approve said partial vacation. The motion was seconded by Commissioner Buck and it carried unanimously.

3) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX16-0144, FOR REMOVAL OF LOT D – KELLY BERNDT AND ANNA BERNDT: Ms. Snyder explained this partial vacation process allows the landowner the ability to subdivide the parcel of land into 35-acre lots. She further stated this request is for removal of Lot D from the RECX16-0144, which has five (5) smaller lots associated with the parent parcel, and she confirmed notifications were sent to the property owners. Ms. Snyder further stated no easements were created by Lot D on the plat; therefore, no interests will be affected by the partial vacation. The property owner was not present. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation. The motion was seconded by Commissioner Buck and it carried unanimously.

4) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX16-0145, FOR REMOVAL OF LOT D – KELLY BERNDT AND ANNA BERNDT: Ms. Snyder stated this request is for removal of Lot D from RECX16-0145, which is the second RE on this property and has five (5) smaller lots associated with the parent parcel, and she confirmed notifications were sent to the property owners. Ms. Snyder further stated no easements were created by Lot D on the plat; therefore, no interests will be affected by the partial vacation. The property owner was not present. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation. The motion was seconded by Commissioner Buck and it carried unanimously.

5) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX16-0146, FOR REMOVAL OF LOT D – PATRICIA DEPLAZES: Ms. Snyder stated this request is for the removal of Lot D from RECX16-0146, which was the first RE on this property, and has three (3) smaller lots associated with the parent parcel, and notifications were sent to the property owners. Ms. Snyder further stated no easements were created by Lot D on the plat; therefore, no interests will be affected by the partial vacation. The property owner was not present. Emily and Erick Rodriguez requested more information about what this process does and how it affects their property, as they live on one of the remaining three lots. Commissioner Freeman explained this process will not affect their property, and it allows Lot D to be divided into smaller 35-acre parcels. No further public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation. The motion was seconded by Commissioner Moreno and it carried unanimously.

6) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX16-0147, FOR REMOVAL OF LOT D – PATRICIA DEPLAZES: Ms. Snyder stated this request is for removal of Lot D from RECX16-0147, which was the first on this property and has three (3) smaller lots associated with the parent parcel, and she confirmed notifications were sent to the property owners. Ms. Snyder further stated no easements were created by Lot D on the plat; therefore, no interests will be affected by the partial vacation. The property owner was not present. No public testimony was offered concerning this matter. Commissioner Freeman offered supportive comments about the changes made in the

County Code concerning this process. Commissioner Saine moved to approve said partial 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 9:35 a.m.

These Minutes were approved on the 9th day of March, 2022.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Scott K. James, Chair

BY: _____
Deputy Clerk to the Board

Mike Freeman, Pro-Tem

EXCUSED DATE OF APPROVAL
Perry L. Buck

Steve Moreno

Lori Saine