

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, MARCH 9, 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, March 9, 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 - EXCUSED  
Commissioner Steve Moreno  
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 approve the Minutes of the Board of County Commissioners meeting of February 23, 2022, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Freeman moved to approve the Certification of Hearings conducted on February 23, 2022, as follows: 1) COZ21-0008 – George Zadel, 2) 2MJUSR21-93-997 – David and Mandy Wolfe , and 3) COZ21-0009 – Nate and Melissa Hunt, c/o CKG Incorporated. Commissioner Saine 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 Moreno seconded the motion, and it carried unanimously.

**PRESENTATIONS:**

1) RECOGNITION OF SERVICES, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT – VICKY KRIZAN: Chair James read the certificate for the record. Mark Lawley, Director of the Department of Public Health and Environment, introduced Vicky Krizan, and expressed his thanks for her dedication to the Health Department during her career. Pete Graham, supervisor, shared his appreciation for her many years of service, her dedication, and her patience with customers, and wished her joy in retirement. The Commissioners, in turn, commended Ms. Krizan for her many years of service to the citizens of Weld County, thanked her for staying through the pandemic, and congratulated her on her retirement. *(Clerk’s Note: The group gathered for a photo opportunity.)*

**WARRANTS:**

1) GENERAL WARRANTS – MARCH 8, 2022: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B2200053, STRATEGIC PLAN – DEPARTMENT OF FINANCE AND ADMINISTRATION: Rob Turf, Purchasing Department, stated staff’s recommendation for approval is Berry, Dunn, McNeil, and Parker, LLC, who is the lowest bidder meeting all specifications, for the total amount of \$72,000.00, including travel expenses. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner Saine, and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR THE SHARING OF VOTER REGISTRATION SERVICES AND AUTHORIZE CHAIR TO SIGN – TOWN OF FIRESTONE: Bruce Barker, County Attorney, on behalf of Carly Koppes, Clerk and Recorder, stated this is a standard agreement for support from Weld County during the election, for the Town of Firestone, in providing specialized election judges. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

2) CONSIDER STANDARD FORMS OF AGREEMENT FOR RECREATIONAL/EDUCATIONAL SERVICES FOR COLORADO WORKS SUMMER ACTIVITIES PROGRAM, AND RELEASE OF LIABILITY AND AGREEMENT TO HOLD HARMLESS AND INDEMNIFY, AND AUTHORIZE CHAIR TO SIGN AGREEMENTS CONSISTENT WITH SAID FORMS: Jamie Ulrich, Director of the Department of Human Services, explained this standard form allows for providers of summer activities, funded by Temporary Assistance for Needy Families (TANF) Block Grants, to provide vouchers to participate in opportunities for youth under 18 years of age. Commissioner Freeman moved to approve said standard forms of agreement, listed providers, and release of liability and authorize the Chair to sign agreements consistent with said form. Commissioner Saine seconded the motion, and it carried unanimously.

3) CONSIDER CONTRACT ID #5554 ACCEPTANCE OF PURCHASE ORDER FUNDS FOR FAMILY FIRST TRANSITION ACT TO IMPLEMENT A THERAPEUTIC FOSTER CARE PROGRAM AND AUTHORIZE DIVISION OF CHILD WELFARE TO DISBURSE FUNDS: Ms. Ulrich stated the County has received funds in the form of a Purchase Order in the amount of \$103,446.00. She further stated this will allow Child Welfare to implement a new therapeutic foster care program. Commissioner Moreno moved to approve said purchase order funds and authorize the Division of Child Welfare to disburse funds. Seconded by Commissioner Saine, the motion carried unanimously.

4) CONSIDER CONTRACT ID #5610 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) PROGRAM EVALUATION FUNDS AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich stated this expenditure authorization is for the WIOA Program Evaluation funds. Commissioner Saine moved to approve said expenditure authorization and authorize the Chair to sign electronically. The motion, which was seconded by Commissioner Freeman, carried unanimously.

5) CONSIDER CONTRACT ID #5613 ADVERTISEMENT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Ms. Ulrich presented the non-financial agreement for recruitment advertising for Weld County Youth Conservation Corps with the City of Greeley. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Commissioner Moreno seconded the motion, and it carried unanimously.

6) CONSIDER CONTRACT ID #5619 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – STEPHANIE MEIER: 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 Saine, and it carried unanimously.

7) CONSIDER CONTRACT ID #5621 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – DERRICK BETTING AND NATALIE HANSEN: Ms. Ulrich stated this is a new foster care home located in Milliken, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

8) CONSIDER CONTRACT ID #5633 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – SHAWN AND WHITNEY COWLING: Ms. Ulrich stated this is a new foster care home located in Greeley, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

9) CONSIDER CONTRACT ID #5622 AGENCY AGREEMENT AND AUTHORIZE CHAIR TO SIGN – CAKE4KIDS: Ms. Ulrich stated this is a non-financial agreement to provide and deliver free birthday cakes or other baked goods to foster care children and at-risk youth. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

10) CONSIDER CONTRACT ID #5627 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – KELLY DONAHUE: Ms. Ulrich stated this is an agreement for a new respite care provider. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

11) CONSIDER CONTRACT ID #5628 AGREEMENT TO PURCHASE OUT-OF-HOME PLACEMENT SERVICES AND AUTHORIZE CHAIR TO SIGN – PORT OF CROW WING COUNTY, INC.: Ms. Ulrich stated this is a child-specific agreement to purchase residential care facility services in Minnesota. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously.

12) CONSIDER CONTRACT ID #5605 CHANGE ORDER #1 TO AGREEMENT FOR STORM WATER INLET BOXES, ADDITIONAL EROSION CONTROL, AND REBAR FOR CMU WALL FOR SHOOTING RANGE CONSTRUCTION PROJECT (BID #B2100116) AND AUTHORIZE CHAIR TO SIGN – ROCHE CONSTRUCTORS, INC.: Toby Taylor, Director of the Facilities Department, stated after construction began at the shooting range for the Sheriff's Office, it was discovered that stormwater inlet boxes, additional erosion control items, and structural reinforcement to connect the Concrete Masonry Unit (CMU) wall to the foundation was not a part of the original construction plans. This Change Order is to request an additional \$79,195.63 to complete this project. Commissioner Moreno moved to approve said change order and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously.

13) CONSIDER CONTRACT ID #5609 CHANGE ORDER #1 TO AGREEMENT FOR ALTERNATIVE LIGHTING PACKAGE FOR PUBLIC WORKS STORAGE BUILDING PROJECT (BID #B2100105) AND AUTHORIZE CHAIR TO SIGN – LANDMARK BUILDERS, INC.: Mr. Taylor stated during the project submittal phase, it was determined the lighting package specifications could be achieved using an alternative package that resulted in the deduction of the cost amount of \$10,332.00. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

14) CONSIDER TEMPORARY CLOSURE OF CR 44 BETWEEN CRS 53 AND 55: Amy Mutchie, Department of Public Works, stated this closure will begin March 14, 2022, and go through March 25, 2022, for the replacement of two (2) drainage culverts and prep work for repaving. She further stated the detour route will be treated with magnesium chloride for dust mitigation. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Moreno, and it carried unanimously.

15) CONSIDER TEMPORARY CLOSURE OF CR 15 BETWEEN CRS 40 AND 42: Ms. Mutchie stated this closure will begin March 9, 2022, and go through April 22, 2022, for the replacement of a 16-inch water main for the Town of Johnstown, and will include boring under a major ditch and the railroad. She further stated the detour route has message boards and magnesium chloride will be used for dust mitigation. Commissioner Moreno moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

16) CONSIDER TEMPORARY CLOSURE OF CRS 35 AND 74 INTERSECTION: Ms. Mutchie stated this closure will begin March 9, 2022, and go through July 29, 2022, for the construction of a roundabout in the intersection of County Roads 35 and 74, for the Town of Eaton. She further stated there are message boards and the detour route will be treated with magnesium chloride for dust mitigation. Commissioner Moreno moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

**PLANNING:**

1) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX11-0058, FOR REMOVAL OF LOT D – FORT LUPTON HIGHLANDS – 160 GENERAL PARTNERSHIP, LLP, C/O REALTY FUNDING SOURCE, LLC: Chris Gathman, Department of Planning Services, stated staff received a letter dated February 3, 2022, for the removal of Lot D from RECX11-0058. Mr. Gathman gave a brief overview and location of the property, and stated this will result in a 146-acre unplatted parcel. He further stated Lots A, B, and C are not a part of this consideration as they are under separate ownership and those landowners have been notified. Mr. Gathman further stated there are no easements affected by this partial vacation. Mr. Gathman displayed a vicinity map and aerial images for reference and stated staff recommends approval subject to the following Condition of Approval: "A recorded Deed shall be submitted by the applicant for recording that delineates that the parcel created by a Quit Claim Deed

recorded on December 29, 2011, under reception #3814944, has been incorporated into the boundaries of Lot D of RECX11-0058, or the applicant shall submit a Deed for recording along with the Vacation of Lot D, Recx11 0058, plat. The Deed shall delineate that the parcel created by a Quit Claim Deed recorded under reception #3814944 has been incorporated into the boundaries of the vacated parcel.” William Johanningmeier, applicant’s representative, was present for questions. No public testimony was offered concerning this matter. Commissioner Moreno moved to approve said partial vacation, with the Condition of Approval. The motion was seconded by Commissioner Saine, and it carried unanimously.

2) CONSIDER PARTIAL VACATION OF TWO-LOT AMENDED CORRECTED RECORDED EXEMPTION, AMRE- 2312, FOR REMOVAL OF LOT B – DARRELL BRASIER: Diana Aungst, Department of Planning Services, stated staff received a letter, dated February 1, 2022, requesting the removal of Lot B, being the largest lot, from AMRE-2312. Ms. Aungst gave a brief description of the location of the property, and stated there were no easements affected by this request, Lot A is not a part of this consideration, and the resulting parcel will be larger than 35 acres. Ms. Aungst displayed a vicinity map and aerial images for reference, and described the remaining access easements for the remaining lot and resulting parcel. Ms. Aungst stated if the vacation is approved, the Condition of Approval requires the applicant to submit a revised plat for approval, sign it, and send it for recording. Loren Shanks, applicant’s representative, was present for questions and clarified Ms. Carolyn Brasier is deceased. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve said partial vacation, with the Condition of Approval. The motion was seconded by Commissioner Saine, 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 9:32 a.m.

These Minutes were approved on the 23rd day of March, 2022.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

EXCUSED DATE OF APPROVAL  
Scott K. James, Chair

Weld County Clerk to the Board

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

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

EXCUSED  
Perry L. Buck

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

EXCUSED DATE OF APPROVAL  
Lori Saine