

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, APRIL 4, 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, April 4, 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:

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

**MINUTES:** Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of March 21, 2022, as printed. Commissioner Moreno seconded the motion, and it carried unanimously.

**PUBLIC INPUT:** Vince Holton, Eaton resident, stated he received a violation notice concerning a mobile home/camper on his property that he has tried to resolve through court proceedings with no luck. Chair James referred Mr. Holton to speak with Tom Parko, Director of the Department of Planning Services, in an effort to resolve the issue.

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

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

**COMMISSIONER COORDINATOR REPORTS:** Commissioner Buck reported the Department of Planning Services continues to face challenges with population expansion, the Department of Oil and Gas Energy is navigating recent legislative changes, and Extension is working diligently to prepare for the annual County Fair. Commissioner Moreno reported the Department of Public Works hosted a successful open house with feedback from residents regarding the closure of 35th Avenue and O Street for the roundabout construction project. Commissioner Saine reported grant funding for the Area Agency on Aging (AAA) has been secured, and those funds will support the construction of a new Senior Center in the Hill-N-Park neighborhood, in partnership with Habitat for Humanity. Chair James reported there are interviews scheduled Wednesday, April 6, 2022, for the Human Resources Director position, and further commended Jaime Ulrich, Director of the Department of Human Services, for testifying on behalf

of the County and Colorado Counties, Inc. (CCI) concerning House Bill 1295 for Colorado Early Childhood amendments. Ms. Ulrich stated the second reading is to be held on April 11, 2022.

**PROCLAMATIONS:**

1) CHILD ABUSE PREVENTION MONTH – APRIL 2022: Chair James read the proclamation for the record. Ms. Ulrich stated annually since 1983, this is designated nationally to highlight the need for communities to come together to support child abuse prevention, with this year’s theme “Growing a Better Tomorrow for All Children Together.” Ms. Ulrich gave her appreciation to the Board for their support, and stated she is thankful for the strong and enduring collaboration efforts with Life Stories, and Child and Family Advocacy. Gwen Schooley, Life Stories representative, stated she was thankful for the partnership with Weld County for the past 25 years, in an effort to serve the children of Weld County. Family Prevention and Child Welfare Division employees introduced themselves for the record, and Ms. Ulrich expressed her immense gratitude for her staff who work so diligently as child advocates. In turn, each Commissioner gave their sentiments and expressed their gratitude for the calling that each and every one has in this platform to advocate for the children of Weld County. *(Clerk’s Note: The group gathered for a photo opportunity.)*

2) FAIR HOUSING MONTH – APRIL 2022: Chair James read the proclamation for the record. Don Sandoval, Community Development Block Grant (CDBG) Manager, commented Housing and Urban Development (HUD) has been working for many years to inform people of their rights to obtain fair housing, and thanked the Board for the opportunity to be recognized. Chair James thanked Mr. Sandoval for everything he continues to do to help the citizens of Weld County.

3) NATIONAL PUBLIC HEALTH WEEK – APRIL 4-10, 2022: Chair James read the proclamation for the record. Mike Lawley, Director of the Department of Public Health and Environment, expressed appreciation for the recognition from the Board, and further read a statement for the record regarding the commitment to stay the course for the citizens of Weld County during the worst pandemic in a century. In turn, each Commissioner expressed their gratitude for the staff who continued to do their jobs during huge challenges, and commended their strong leadership team, for the value added to the lives of the citizens of Weld County. *(Clerk’s Note: The group gathered for a photo opportunity.)*

**WARRANTS:**

1) GENERAL WARRANTS – APRIL 1, 2022: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion, and upon a roll call vote, the motion passed, with Commissioner Saine abstained.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – APRIL 1, 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.

3) COMMISSIONER WARRANTS – APRIL 1, 2022: Commissioner Moreno moved to approve the Warrant, as printed. Commissioner Freeman seconded the motion, and upon a roll call vote, the motion passed four (4) to zero (0), with Commissioner Buck recused.

**BIDS:**

1) APPROVE BID #B2200056, DEPARTMENT OF PLANNING SERVICES REMODEL – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated Facilities Department staff recommends selecting the lowest bidder who met specifications, Swift Builders, LLC, for a total amount of \$1,568,735.00. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) APPROVE BID #B2200058, ARCHITECTURAL/ENGINEERING SERVICES FOR SOUTHEAST ANNEX BUILDING – FACILITIES DEPARTMENT: Ms. Peters stated Facilities Department staff requests to continue this bid to April 13, 2022. Commissioner Freeman moved to continue said bid to April 13, 2022, at 9:00 a.m. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) APPROVE BID #B2200059, SURVEILLANCE CAMERA UPGRADE FOR COMMUNITY CORRECTIONS – FACILITIES DEPARTMENT: Ms. Peters stated staff recommends selecting the lowest bidder who met specifications, Sturgeon Electric Company, for a total amount of \$46,516.37. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) APPROVE BID #B2200051, MATERIAL CRUSHING – DEPARTMENT OF PUBLIC WORKS: Rose Everett, Purchasing Department, stated three (3) bids were received, and the Department of Public Works staff recommends selecting the lowest bidder who met specifications, Overlook Mine, LLC, for a total amount of \$905,407.78. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Saine, and it carried unanimously.

5) APPROVE BID #B2200072, STEEL BID (REQUEST FOR PROPOSAL [RFP]) – DEPARTMENT OF PUBLIC WORKS: Ms. Everett stated staff recommends selecting the bidders who met specifications, Big R Holdings, DBE Manufacturing, and Contech Engineered Solution, for various products as specified in the memorandum from the Department of Public Works. In response to Chair James, Ms. Everett confirmed that Contech Engineered Solution, being the sole bidder for sheet piling and steel bridge deck, did meet specifications. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Freeman, and it carried unanimously.

6) APPROVE BID #B2200073, CONCRETE, WASHED ROCK, AND SQUEEGEE – DEPARTMENT OF PUBLIC WORKS: Ms. Everett stated staff recommends selecting the lowest bidder who met specifications, J-2 Contracting Co., and Varra Companies, Inc., for various products and locations, for a total amount of \$271,100.00. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Saine, and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #5707 2021 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT APPLICATION AND AUTHORIZE SHERIFF'S OFFICE TO SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff's Office, explained the 2021 SCAAP application for grant funding will help offset the medical costs incurred by housing illegal aliens in jails and prisons, with a specific funding amount unknown at this time. Commissioner Buck moved to approve said application and authorize the Sheriff's Office to submit electronically. The motion, which was seconded by Commissioner Freeman, carried unanimously.

2) CONSIDER TEMPORARY CLOSURE OF CR 35 BETWEEN CRS 44 AND 46: Amy Mutchie, Department of Public Works, stated this closure will be from March 31, 2022, through April 8, 2022, for an emergency replacement of a box culvert. Commissioner Buck moved to approve said emergency temporary closure. The motion was seconded by Commissioner Moreno, and it carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 19 BETWEEN CRS 70 AND 72: Ms. Mutchie stated this closure will be from April 18, 2022, through April 29, 2022, to replace a drainage culvert. Ms. Mutchie stated message boards will be placed in advance of the closure, due to the volume of traffic, the closure has been coordinated with the Towns of Windsor and Severance, and the detour route is paved. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) CONSIDER TEMPORARY CLOSURE OF CR 44 BETWEEN SH 60 AND CR 29: Ms. Mutchie stated this closure will be from April 11, 2022, through April 15, 2022, to replace an irrigation culvert, and the detour route is paved. Commissioner Moreno moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 54 BETWEEN CR 17 AND SH 257: Ms. Mutchie stated this closure will be from April 11, 2022, through April 15, 2022, to replace an irrigation culvert, and the detour route is paved. Commissioner Moreno moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

6) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES AND AUTHORIZE CHAIR TO SIGN – PEEK GOLDSTONE, LLC: Bruce Barker, County Attorney, stated this is an agreement for legal services on behalf of the Department of Human Services for child support enforcement. Mr. Barker stated they have been doing this work for the past ten (10) years, the former contract expired, and this agreement allows for the extension of services through December 31, 2022, with an automatic renewal provision, or termination with 60-days' notice. Mr. Barker further stated 80% of the costs are paid with federal funding through the Department of Human Services. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

**PLANNING:**

1) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX19-0069, FOR REMOVAL OF LOT D – COBRA VENTURES, LLC, C/O MICHAEL MCCRERY: Maxwell Nader, Department of Planning Services, stated staff received a letter requesting the removal of Lot D, from RECX19-0069, which is an approximate 144-acre parcel. Mr. Nader gave a brief history of the property, location, noted there is a shared access easement for Lots C and D, and clarified Lots A, B, and C are not a part of this partial vacation. Mr. Nader stated staff recommends approval subject to the following Conditions: 1) the applicant shall submit an exemption vacation plat and deed for review, and upon acceptance it should be sent for recording; 2) the applicant is to create a 30-foot access and utility easement for Lot C, which is to be signed by all property owners who benefit from the easement and be recorded; and 3) the applicant shall provide proof that any interests have been satisfied. Michael McCrery, applicant, was present for questions, and inquired about the length of the easement, which was deferred to staff. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve said partial vacation, with stated Conditions of Approval. The motion was seconded by Commissioner Moreno, and it carried unanimously.

2) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX19-0071, FOR REMOVAL OF LOT D – COBRA VENTURES, LLC, C/O MICHAEL MCCRERY: Mr. Nader stated staff received a letter requesting the removal of Lot D, from RECX19-0071, an approximate 120-acre parcel. Mr. Nader gave a brief history of the property, noted there is a shared access easement for Lots C and D, and stated Lots A, B, and C are not considered a part of this partial vacation. Mr. Nader stated staff recommends approval subject to the following Conditions of Approval: 1) the applicant shall submit an exemption vacation plat and deed for review, and upon acceptance, it should be sent for recording; and 2) the applicant shall provide proof that any interests have been satisfied. Mr. McCrery, applicant, was present for questions. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation, with stated Conditions of Approval. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX19-0112, FOR REMOVAL OF LOT D – COBRA VENTURES, LLC, C/O MICHAEL MCCRERY: Mr. Nader stated staff received a letter requesting the removal of Lot D, from RECX19-0112, an approximate 120-acre parcel. Mr. Nader gave a brief history of the property, noted there is a shared access easement for Lots C and D, and stated Lots A, B, and C are not a part of this partial vacation. Mr. Nader stated staff recommends approval subject to the following Conditions of Approval: 1) the applicant shall submit an exemption vacation plat and deed for review, and upon acceptance, it should be sent for recording; 2) the applicant is to create a new 30-foot access and utility easement for Lots A and B to have adequate access, and a separate signed document should be signed by all who benefit; and 3) the applicant is to create a new 50-foot access and utility easement for Lot C, and the applicant shall provide proof that any interests have been satisfied. Mr. McCrery, applicant, was present for questions. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation, with stated Conditions of Approval. 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 9:51 a.m.

These Minutes were approved on the 18th day of April, 2022.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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Scott K. James, Chair

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Mike Freeman, Pro-Tem

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Perry L. Buck

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Steve Moreno

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Lori Saine