

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, MARCH 28, 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 28, 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 14, 2022, as printed. Commissioner Saine 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 Moreno moved to approve the Consent Agenda, as printed. Commissioner Freeman seconded the motion, and it carried unanimously.

COMMISSIONER COORDINATOR REPORTS: Commissioner Buck reported that she, along with Commissioner Moreno and Chair James, attended an Energy Symposium in Sterling late last week, and further stated she had great meetings with the department heads that she coordinates. Commissioner Moreno stated his departments are going well, and also stated that he attended the Kiwanis Club 100 Year Anniversary celebration dinner, as well as a dinner event for the Boy Scouts, where they raised \$165,000.00. Commissioner Saine reported the Department of Human Services is still working on legislation at the State Capitol. Chair James stated he testified at the State Capitol building against House Bill 1295 with Speaker Garnet, and Representative Serota, and will be going back tomorrow to propose amendments.

WARRANTS:

1) GENERAL WARRANTS – MARCH 23, AND 25, 2022: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

2) GREELEY-WELD COUNTY AIRPORT AUTHORITY WARRANTS – MARCH 25, 2022: Commissioner Freeman moved to approve the Greeley-Weld County Airport Authority Warrants, as printed. Commissioner Moreno seconded, and upon on a roll call vote, the motion passed four (4) to one (1), with Commissioner Saine opposed.

BIDS:

1) APPROVE BID #B2200067, CUSTODIAL SUPPLIES – FACILITIES DEPARTMENT: Rob Turf, Purchasing Department, stated staff’s recommendation of approval goes to the lowest bidder meeting specifications, for each line-item category. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner Moreno, and it carried unanimously.

2) APPROVE BID #B2200066, CATTLE GUARDS – DEPARTMENT OF PUBLIC WORKS: Mr. Turf stated the Department of Public Works staff recommends approval for two (2) vendors, both being the lowest bidder meeting specifications. Mr. Turf stated the recommendation for the 16-foot and 24-foot cattle guards, goes to Brighton Auto Tint and Detail. Mr. Turf further stated the recommendation for grates, consisting of panels and end pieces, and cattle guard repair parts, consisting of crossbars and pipe sleeves, goes to DBE Manufacturing and Supply, for the total amount of \$41,000.00. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Freeman, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER DELEGATION OF ADMINISTRATIVE AND FIDUCIARY DUTIES AND RESPONSIBILITIES OF WELD COUNTY 401K AND 457 RETIREMENT PLANS TO 401K SAVINGS PLAN AND 457 DEFERRED COMPENSATION PLAN FIDUCIARY COMMITTEE AND APPROVE BY-LAWS: Don Warden, Director of the Department of Finance and Administration, stated on March 14, 2022, Alera contracts were approved to provide consultation services in relationship to fiduciary responsibilities of the County for these plans. Mr. Warden reviewed the responsibilities of this Fiduciary Committee, named the members by title for the record, and further explained the formalization and structure of this Fiduciary Committee, with the formality of By-Laws. Commissioner Freeman moved to delegate administrative and fiduciary duties and responsibilities to the Fiduciary Committee and approve said By-Laws. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER APPLICATION FOR HOTEL AND RESTAURANT (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – REA’S DINER AT DILLARDS, LLC, DBA REA’S DINER AT DILLARDS: Chair James requested the applicants, Jesus Corral and Nektaria Mauridou, to come forward and introduce themselves for the record. Bruce Barker, County Attorney, stated the application for the County Liquor License needs to have a sublease with their Limited Liability Company (LLC), with terms spanning the duration of the license. In response to Commissioner Saine, Mr. Barker confirmed the Board can approve this application, with the condition of the submittal of the sublease from the applicants prior to being sent to the State. There was no public testimony offered concerning the matter. Commissioner Freeman reported he conducted his inspection, reviewed the site drawing, and stated they have a full kitchen with a menu, and he is in full support of the application approval. Commissioner Saine moved to approve said liquor license application with the Condition of Approval, and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 35 (N. 35TH AVE) BETWEEN CRS 64 (O ST) AND 66 (AA ST): Amy Mutchie, Department of Public Works, stated this closure will begin April 4, 2022, and go through September 1, 2022, for the 35th Avenue and O Street Roundabout Project. Ms. Mutchie stated the detour route is paved with message boards in place. In response to Commissioner Moreno, Ms. Mutchie elaborated on what has been done to help communicate to residents who will be impacted. Commissioner Moreno further suggested hosting a public open house for people to voice their concerns, if any. Cameron Parrott, Department of Public Works, confirmed there were flyers sent out to the public within a one (1) mile radius, and if the public has signed up to be notified, there are emails and push notification text messages received with updates about the closure throughout construction. Chair James recommended working with the Public Information Officer (PIO) to set up social media updates and text alerts as an additional method of communication. 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 55 BETWEEN CRS 44 AND 46: Ms. Mutchie stated this closure will begin April 5, 2022, and go through April 8, 2022, for the replacement of an irrigation culvert. Ms. Mutchie stated the detour route is paved, with the exception of CR 46, which is gravel and 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.

5) CONSIDER TEMPORARY CLOSURE OF CR 61 BETWEEN CRS 48 AND 50: Ms. Mutchie stated this closure will begin April 5, 2022, and go through April 8, 2022, for the replacement of an irrigation culvert. Ms. Mutchie stated the detour route will have a one (1) mile stretch that is gravel and will be treated with water for dust mitigation. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

PLANNING:

1) CONSIDER ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY AND AUTHORIZE CHAIR TO SIGN – WASTE MANAGEMENT DISPOSAL SERVICES OF COLORADO, INC.: Dawn Anderson, Department of Planning Services, explained this Deed of Dedication was a Condition of Approval of the Improvements Agreement (IA) required for Use By Special Review Permit, USR18-0065, for a Solid Waste Disposal Site and Facilities. Ms. Anderson further stated staff accepted the final design plans, and when additional right-of-way is needed, it is dedicated as a part of the construction project, which in this case is approximately 3.626 acres. Commissioner Moreno moved to approve and accept said Deed of Dedication and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

2) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX20-0093, FOR REMOVAL OF LOT D – 4B HOLDINGS, LTD., C/O WILLIAM BUCHHOLZ: Angela Snyder, Department of Planning Services, stated staff received a letter requesting the removal of Lot D from Recorded Exemption, RECX20-0093, and she confirmed notifications of the hearing were sent to each of the property owners, although the three (3) smaller lots are not a part of this consideration. Ms. Snyder gave a brief history of the property and overview of it's location, and noted there was an access easement created by Lot D on the plat. Ms. Snyder stated staff recommends approval with the following Condition of Approval, that the applicant create a new access and utility easement agreement to provide access to Lot A. The property owner was not present. Melissa Jennings, landowner of the adjacent property, inquired what is happening to the property and questioned what impact this may have on her property. Ms. Snyder explained this removes the requirements of a Recorded Exemption for Lot D, and the property owner is likely to divide the unplatted parcel of land into multiple lots of at least 35 acres in size. Commissioner Buck moved to approve said partial vacation, with the Condition of Approval. The motion was seconded by Commissioner Saine, and it carried unanimously.

3) CONSIDER PARTIAL VACATION OF TWO-LOT RECORDED EXEMPTION, RECX17-0004, FOR REMOVAL OF LOT B – PEARL JOHNSON: Ms. Snyder stated Recorded Exemption, RECX17-0004, for the removal of Lot B, is the fifth Recorded Exemption on the property and there are seven (7) smaller lots that are related to the original parent parcel. Ms. Snyder confirmed notifications of the hearing were sent to each of the property owners from all the previous Recorded Exemptions, and on one of those previous properties, there is a shared easement created on Lot B to access Lot A. Ms. Snyder stated staff recommends approval of the partial vacation with the following Condition of Approval, that prior to recording of the plat, that a new access and utility easement agreement is to be recorded, to provide access to Lot A. The property owner was not present. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation, with the Conditions of Approval. The motion was seconded by Commissioner Moreno, 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 9:30 a.m.

These Minutes were approved on the 11th day of April, 2022.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Scott K. James, Chair

Mike Freeman, Pro-Tem

Perry L. Buck

Steve Moreno

Lori Saine