

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, APRIL 27, 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 27, 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 April 13, 2022, as printed. Commissioner Freeman seconded the motion and upon a roll call vote, the motion passed four (4) to zero (0), with Commissioner Saine abstained.

PUBLIC INPUT: Steve Teets, Greeley resident, expressed his concerns with the Expression of Opposition on House Bill 22-1279. In response to Mr. Teets, Commissioner Moreno restated for the record that three Commissioners abstained from voting on the Resolution and that is different than being opposed, further stating that they are still Pro-Life, but this is not the role of local government. In rebuttal to Commissioner Moreno, Commissioner Saine commented that an abstained vote is a no vote and that is why the Resolution failed. She further clarified what Mr. Teets stated was correct and that she will be bringing a Pro-Life Sanctuary Resolution before the Board in the next few weeks.

AMENDMENTS TO AGENDA: Chair James requested to have the Commissioner Warrants stricken from the agenda to be considered at a later date. Commissioner Moreno moved to strike the Commissioner Warrants for Commissioner Buck from the agenda. Commissioner Freeman seconded the motion and it passed unanimously.

WARRANTS:

1) GENERAL WARRANTS – APRIL 26, 2022: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion and upon a roll call vote, the motion passed four (4) zero (0), with Commissioner Saine abstained.

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

BIDS:

1) PRESENT BID #B2200069, CISCO MAINTENANCE AND SUPPORT – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated four (4) bids were received and staff will make a recommendation on May 11, 2022.

2) PRESENT BID #B2200075, CISCO COMPUTE – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose stated four (4) bids were received and staff will make a recommendation on May 11, 2022.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #5577 RESCINDING RESOLUTION #2022-0638, DATED FEBRUARY 23, 2022, AND REVISED INTERGOVERNMENTAL DATA-ACCESS CONTRACT AND AUTHORIZE CHAIR, AND DIRECTOR OF WORKFORCE DEVELOPMENT TO SIGN ELECTRONICALLY: Tami Grant, Deputy Director of the Department of Human Services, stated the contract allows Employment Services to access both software systems the Division of Unemployment Insurance uses for verification of client eligibility. Commissioner Buck moved to rescind Resolution #2022-0638, approve said revised contract, and authorize the Chair and Director of Workforce Development to sign electronically. The motion was seconded by Commissioner Moreno, and it carried unanimously.

2) CONSIDER CONTRACT ID #5740 MEMORANDUM OF UNDERSTANDING FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) AND AUTHORIZE CHAIR TO SIGN – JOB CORPS: Ms. Grant stated this Memorandum of Understanding allows for Workforce Development to maintain the current ongoing contract. Commissioner Freeman moved to approve said Memorandum of Understanding and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

3) CONSIDER CONTRACT ID #5751 MEMORANDUM OF UNDERSTANDING FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) AND AUTHORIZE CHAIR TO SIGN - SERVICE EMPLOYMENT REDEVELOPMENT, JOBS FOR PROGRESS NATIONAL, INC.: Ms. Grant stated this Memorandum of Understanding allows for Workforce Development to maintain the current ongoing contract. Commissioner Saine moved to approve said Memorandum of Understanding and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

4) CONSIDER CONTRACT ID #5733 CHANGE LETTER AMENDMENT #4 TO MEMORANDUM OF UNDERSTANDING FOR DISASTER RECOVERY NATIONAL DISLOCATED WORKER GRANT (CORESPONDS) AND AUTHORIZE CHAIR TO SIGN – JEFFERSON COUNTY: Ms. Grant stated this change letter is an amendment to the Memorandum of Understanding to reduce the funding amount by choice of Weld County, for another County (Jefferson) to utilize, as this funding is very restrictive. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

5) CONSIDER CONTRACT ID #5746 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MICHAEL DWYER AND TIFFINI GIEBEL-ENRIQUEZ: Ms. Grant stated this is a new kinship foster care home located in Phoenix, Arizona. Commissioner Saine moved to approve said contract and authorize the Chair to sign. Commissioner Buck seconded the motion, and it carried unanimously.

6) CONSIDER CONTRACT ID #5752 BEHAVIORAL HEALTH GRANT PROGRAM FOR HIGH-FIDELITY WRAPAROUND PROJECT AND AUTHORIZE CHAIR TO SIGN: Ms. Grant stated this is the contract resulting from the American Rescue Plan Act (ARPA) Grant to allow for the opportunity to create a high-fidelity wraparound support team that will work directly with children and families who have complex behavioral and mental health needs, further stating the total award amount is \$680,165.00. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Freeman, and it carried unanimously.

7) CONSIDER CONTRACT ID #5754 INTERGOVERNMENTAL AGREEMENT FOR GOVPRIME, SERVICE AGREEMENT, AND STATEMENT OF WORK FOR IMPLEMENTATION AGREEMENT FOR HSCONNECTS PROGRAM AND AUTHORIZE CHAIR TO SIGN – ARAPAHOE COUNTY: Ms. Grant stated these agreements will allow for leverage to access Arapahoe County's Program for indexing documents, improved workflow, and offering additional features that enhance the process for staff and clients alike. Commissioner Buck moved to approve said agreements and authorize the Chair to sign. Seconded by Commissioner Moreno, the motion carried unanimously.

8) CONSIDER CONTRACT ID #5748 AGREEMENT CONCERNING PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS FOR CR 37 RAILROAD CLOSURE PROJECT, AND ACCEPTANCE OF GRANT OF TEMPORARY CONSTRUCTION EASEMENT AND AUTHORIZE CHAIR TO SIGN – WINTER FAMILY FARMS, LLC: Tiffane Johnson, Department of Public Works, stated this is an agreement and grant of temporary construction easement for the County Road (CR) 37 Railroad Project for improvements as a part of an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT). She further stated the County is purchasing from Winter Family Farms, LLC, .75 acres of public road right-of-way, and an additional 1.4 acres of temporary construction easement, for the total cost of \$8,250.00. Ms. Johnson stated a voluntary land settlement with the owner has also resulted in the County awarding \$5,000.00, explaining this is comparable to the cost to conduct an appraisal. Ms. Johnson further explained an additional \$9,275.00 was paid as a cost to procure, for changes in the operation of their farming, also allowing the County to immediately start the relocation of an easement belonging to DCP Operating Company, LP, as well as the relocation of a powerline with Xcel Energy. Ms. Johnson stated the County also agreed to award the landowners \$2,475.00 as a signing incentive for the execution of the agreement within two (2) weeks. Ms. Johnson continued to state that several existing agricultural access points located on CR 37 will now be dead-ends, and a few others will be shifted to still allow access. Commissioner Moreno commended Ms. Johnson and staff for their diligent work and for having the difficult conversations with landowners, and further moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

9) CONSIDER SPECIAL EVENTS PERMIT AND AUTHORIZE CHAIR TO SIGN – THE MORISON THEATER COMPANY, DBA MINERS ALLEY PLAYHOUSE: Bruce Barker, County Attorney, stated this is for an event to occur on May 14, 2022, on CR 1, near Erie, Colorado, and further stated he reviewed the application and everything is in order, with no concerns from referral agencies. Janna Marmon, applicant, was present for questions, and stated this is the first annual event and is free to the public. Ms. Marmon stated this is an artisan market with homemade goods, small businesses, food trucks, and a bluegrass band. *(Clerk's Note: There was no public present to testify concerning this matter.)* Commissioner Saine moved to approve said special events permit and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

10) CONSIDER RENEWAL APPLICATION FOR FERMENTED MALT BEVERAGE ON-PREMISES (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – ANA M. LUCERO, DBA POLLO FELIZ: Mr. Barker reviewed the application and stated everything is in order, with no concerns from referral agencies. Commissioner Freeman moved to approve said renewal application and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX17-0139, FOR REMOVAL OF LOT D – BRIGGSDALE ENERGY, LLC, C/O ST NOCO ACQUISITIONS, LLC, C/O TERRY YOUNGLOVE: Chris Gathman, Department of Planning Services, stated staff received a letter from the applicant requesting the removal of Lot D from Recorded Exemption, RECX17-0139, and further gave a brief overview of the property location with displays of vicinity and aerial maps. Mr. Gathman explained the resulting unplatted parcel will be approximately 128 acres, and Lots A, B, and C are not a part of this action. Mr. Gathman stated there is an existing access and utility easement that crosses both Lots A and D, with the existing physical access crossing only a portion of the delineated easement. Mr. Gathman stated staff recommends approval, subject to the following Condition of Approval, 1) the applicant is to submit written permission from the owners of Lot A of RECX17-0139, and Lot A of RECX17-140, for continued use of the access and utility easement; or 2) identify a new proposed access point on CR 80. Paul Waylon, applicant representative with Landmark Engineering, was present for questions, and stated he agrees with the condition to address shared access and other easements which were established prior to the Recorded Exemption. No public testimony was offered concerning this matter. Commissioner Buck moved to approve said partial vacation, with the stated Conditions of Approval. The motion, which was seconded by Commissioner Freeman, carried unanimously.

2) CONSIDER PARTIAL VACATION OF FOUR-LOT RECORDED EXEMPTION, RECX17-0140, FOR REMOVAL OF LOT D – BRIGGSDALE ENERGY, LLC, C/O ST NOCO ACQUISITIONS, LLC, C/O TERRY YOUNGLOVE: Mr. Gathman stated staff received a letter from the applicant requesting the removal of Lot D from Recorded Exemption, RECX17-0140, and further gave a brief overview of the property location with displays of vicinity and aerial maps. Mr. Gathman explained the resulting unplatted parcel from Lot D is approximately 128 acres, and Lots A, B, and C are not a part of this partial vacation. He stated there is an existing 30-foot shared access and utility easement between Lots D and B, a 30-foot shared access and utility easement between Lots C and D, and a 30-foot access and utility easement between Lot A of RECX17-0139, and Lot A of RECX17-140. Mr. Gathman stated staff recommends approval, subject to the following Conditions of Approval: 1) the applicant is to create a new 30-foot access and utility easement by separate document, to be signed by all owners who would benefit, and 2) the applicant is to create a new 30-foot access and utility easement for Lots D and B, which would also be signed by all owners who would benefit. Mr. Gathman presented a memorandum with revised language for the Board to review. Mr. Waylon was present for questions, and stated he agreed to the proposed amendments; however, he inquired about the partial vacation and easements to be established. Mr. Barker responded that when a part of the plat is vacated it gives the impression that all accesses relative to Lot D are vacated, including the easements that cross into Lot D. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said partial vacation, with the Conditions of Approval, as amended. The motion, which was seconded by Commissioner Buck, carried unanimously.

3) CONSIDER APPLICATION FOR SMALL BUSINESS INCENTIVE PROGRAM AND AUTHORIZE RELEASE OF ECONOMIC DEVELOPMENT TRUST FUNDS (TIER I) - LAME DOG RANCH, LLC, C/O KRISTI PLUTT: Tom Parko, Director of the Department of Planning Services, stated this application for the Small Business Incentive Program has met all the criteria for Tier I funds, for the total amount of \$18,144.73. Mr. Parko further stated this Use by Special Review Permit allows for horse boarding and training operations. Commissioner Buck moved to approve said application and authorize the release of funds, in the amount of \$18,144.73. Commissioner Moreno 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 9:36 a.m.

These Minutes were approved on the 11th day of May, 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