

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, JUNE 20, 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, June 20, 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 June 6, 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 June 6, 2022, as follows: 1) Community Development Block Grant (CDBG) 2021 Consolidated Annual Performance and Evaluation Report. 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 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 CSU Extension Office of Weld County is gearing up for the 2022 Weld County Fair and poultry judging will be online only this year due to the Avian Flu. Commissioner Freeman stated the Commissioners toured the arena and further discussed the upgrades to the stage for the Greeley Stampede at Island Grove Park. Commissioner Moreno reported the Poudre Trail Corridor Board, where he serves as a member, hired Liz Smalsky as the new Chief Executive Officer (CEO) and there was a Master Plan meeting to introduce her to other serving members. Chair James reported he attended the Colorado Department of Transportation (CDOT) meeting and met with Director Lew about Segment 5 transportation needs in

Weld County, and they will continue to meet on a quarterly basis. He also stated he attended a work session with the City of Greeley Council pertaining to increasing concerns regarding the growth in homelessness, which will present a unique opportunity for the Department of Human Services to interface with the City of Greeley to discuss possible solutions.

WARRANTS:

1) GENERAL WARRANTS – JUNE 17, 2022: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion and it carried unanimously.

2) COMMISSIONER WARRANTS (LORI SAINE) – JUNE 17, 2022: Commissioner Freeman moved to approve the Warrant, as printed. Commissioner Moreno seconded the motion and upon a roll call vote, the motion passed four (4) to zero (0), with Commissioner Saine recused.

3) COMMISSIONER WARRANTS (PERRY L. BUCK) – JUNE 17, 2022: Commissioner Freeman moved to approve the Warrant, as printed. Commissioner Moreno 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 #B2200071, CRS 72 AND 76 PAVING PROJECT – DEPARTMENT OF PUBLIC WORKS: Christie Peters, Purchasing Department, stated five (5) bids were received and staff's recommendation for approval goes to the lowest bidder meeting all specifications, Coulson Excavating, Inc., for the total amount of \$1,618,076.80, and although the total amount exceeds the engineer's estimated total budgeted amount, the Finance Department has authorized the additional \$234,412.00 in funding for this project. In response to Chair James, Ms. Peters confirmed the increase in pricing is due to inflation. Michael Bedell, Department of Public Works, confirmed the breakdown of the bid items and stated rejecting the bid and rebidding in the future would likely result in a higher cost. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Freeman, and it carried unanimously.

2) APPROVE BID #B2200085, CARBIDE CUTTING BITS (PICKS) – DEPARTMENT OF PUBLIC WORKS: Ms. Peters stated three (3) bids were received and staff's recommendation for approval goes to the lowest bidder meeting all specifications, 4 Rivers Equipment, for the total amount of \$100,600.00, which is within the 2022 estimated budget. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) APPROVE BID #B2200089, RECYCLED ASPHALT CRUSHING – DEPARTMENT OF PUBLIC WORKS: Ms. Peters stated staff's recommendation for approval goes to the lowest bidder meeting all specifications, J-2 Contracting Company, Inc., for the total amount of \$144,750.00. She further stated staff does not anticipate expending more than the 2022 budgeted amount of \$125,000.00 and the vendor is aware and understands the County will only expend up to the budgeted amount. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Freeman, and it carried unanimously.

4) RESCIND BID #B2100111, TANDEM AXLE TANK TRAILER WITH DUST PALLIATIVE SPRAY SYSTEM (QTY 2) – DEPARTMENT OF PUBLIC WORKS: Ms. Peters stated in August 2021, Bid #B2100111, was awarded to Tremcar, Inc.; however, the vendor stated they will not be able to fulfill this order due to reduced manpower, and they have closed the division that would have built these trailers. Therefore, she stated, staff's recommendation is to rescind the bid and re-bid the project. David Springer, Director of the Department of Fleet Services, stated this is the second time the project has been re-bid and it was already considerably overpriced. Commissioner Moreno moved to rescind said bid. The motion was seconded by Commissioner Buck and it carried unanimously.

NEW BUSINESS:

1) CONSIDER FIVE (5) FORMS OF MEMORANDUM OF INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COORDINATED ELECTIONS AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS: Carly Koppes, Weld County Clerk and Recorder, stated a law passed in 2021, requiring the Elections Division to provide an in-person Spanish ballot, along with a Spanish sample ballot. She further stated the intergovernmental agreement form has been updated to reflect the new requirement for the entities that coordinate the elections with the County. In response to Commissioner Moreno, Ms. Koppes explained the costs associated with reprinting these ballots and the need to choose the most common dialect for Weld County's Hispanic population. Commissioner Moreno moved to approve said forms and authorize the Chair to sign any necessary documents. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER CONTRACT ID #6002 AMENDMENT #4 FOR NURSE HOME VISITOR PROGRAM (NHVP) AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Mark Lawley, Director of the Department of Public Health and Environment, stated the amendment is at no cost to the client and allows for a specially-trained registered nurse to provide home visits to vulnerable low-income, first-time mothers residing in Weld County, beginning in pregnancy and continuing until her child reaches the age of two (2) years. He expanded, with the approval of this continuation contract, funding of \$1,074,436.00 will be received. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously

3) CONSIDER CONTRACT ID #5924 AGREEMENT FOR SALE AND PURCHASE OF CBT UNIT IN COLORADO BIG THOMPSON PROJECT FOR CONVEYANCE TO TOWN OF AULT AND AUTHORIZE CHAIR TO SIGN – J. RANDEL AND SANDRA BRIGHT: Toby Taylor, Director of the Facilities Department, stated this is a condition of the Intergovernmental Agreement (IGA) with the Town of Ault, in which Weld County is to acquire and dedicate one water share (1) unit of Northern Colorado Water Conservancy District to the town. He further stated this agreement is for the purchase for one (1) share of CBT water, for the total amount of \$65,000.00, and to convey the share to Platte Valley Irrigation Company so it may be used by the Town of Ault. In response to Commissioner Saine, Mr. Taylor explained the cash-in-lieu allows the purchase of water, versus a share, and re-confirmed the IGA conveys the actual share purchase to the town, at which point the County will pay the water bill to cover the costs. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Moreno, carried unanimously.

4) CONSIDER CONTRACT ID #5931 CHANGE ORDER TO AGREEMENT FOR CONSTRUCTION SERVICES FOR DEPARTMENT OF PUBLIC WORKS STORAGE BUILDING PROJECT (BID #B2100105) AND AUTHORIZE CHAIR TO SIGN – LANDMARK BUILDERS, INC.: Mr. Taylor stated during the construction permitting process, it was determined a new water line for a fire suppression system is required to meet building codes. He further stated staff recommends approval of the Change Order with Landmark Builders, Inc., for the total amount of \$183,982.00. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. Commissioner Moreno seconded the motion and it carried unanimously.

5) CONSIDER CONTRACT ID #5967 LEASE AGREEMENT FOR FARM PROPERTY AND AUTHORIZE CHAIR TO SIGN – HUNGENBERG PRODUCE, INC.: Mr. Taylor stated Weld County purchased parcels of land north of O Street (aka County Road 64) that were being used for farming at the time of purchase; therefore, the continued annual lease agreement with Hungenberg Produce, Inc., for farming of the land, amounts to \$20,400.00. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

6) CONSIDER TEMPORARY ROAD CLOSURE OF CR 18 BETWEEN CRS 63 AND 65: Amy Mutchie, Department of Public Works, stated the closure will begin June 21, 2022, and go through June 24, 2022, for the replacement of an irrigation culvert. She further stated the detour route is a gravel road and water will be used for dust control. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner Freeman and it carried unanimously.

7) CONSIDER TEMPORARY ROAD CLOSURE OF CR 55 BETWEEN CR 10 AND SH 52: Ms. Mutchie stated the closure will begin June 27, 2022, and go through June 30, 2022, for the replacement of an irrigation culvert. She further stated the detour route is a gravel road and magnesium chloride will be used for dust control. Commissioner Moreno moved to approve said temporary closure. The motion was seconded by Commissioner Buck and it carried unanimously

8) CONSIDER PURCHASE ORDER FOR USED VEHICLE FOR USE BY DEPARTMENT OF HUMAN SERVICES AND AUTHORIZE CHAIR AND CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS – MOUNTAIN STATES TOYOTA: Ms. Peters stated the Department of Human Services has Temporary Assistance for Needy Families (TANF) Grant Funds that need to be used prior to June 30, 2022. Mr. Springer has inspected a used 2018 Ford Transit Van that will fit the needs for Youth Corps, for the total amount of \$43,999.00. Ms. Peters noted Section 5-4-50.C of the Weld County Code allows for purchases of used vehicles. Commissioner Buck moved to approve said purchase order and authorize the Chair and Controller to sign any necessary documents. Seconded by Commissioner Freeman, the motion carried unanimously.

9) CONSIDER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM 2021 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT: Cynthia Martin, CDBG Analyst, stated this is the first full year-end report, with three (3) different grant projects in progress that likely will be concluded in the next several months. Commissioner Freeman moved to approve said report. The motion was seconded by Commissioner Buck and it carried unanimously.

10) CONSIDER INCREASE OF CHANGE FUNDS FOR CLERK AND RECORDER'S OFFICE, MOTOR VEHICLE DIVISIONS OF GREELEY, SOUTHEAST WELD (FORT LUPTON), AND SOUTHWEST WELD (DEL CAMINO): Chris D'Ovidio, Weld County Controller, requested to increase the change funds of the Clerk and Recorder's Office, Motor Vehicle Divisions, for Greeley by \$1,000.00, and for Southeast Weld (Fort Lupton) and Southwest Weld (Del Camino) by \$500.00 each. He stated there is an increased shortage of coinage for change due to supply and constraints placed by banking institutions, and this would allow purchase of change from the Treasurer's Office. Commissioner Buck moved to approve said increase of change funds. The motion was seconded by Commissioner Saine and it carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF TWO-LOT RECORDED EXEMPTION, RE-3457, FOR REMOVAL OF LOT B – MICHAEL AND JANINE FREEMAN: Commissioner Freeman recused himself from hearing this matter. Kim Ogle, Department of Planning Services, stated staff received a letter from the applicant requesting the removal of Lot B from Recorded Exemption, RE-3457, with the resulting parcel consisting of approximately 62.5 unplatted acres. Mr. Ogle gave a brief overview of the property history and location, and stated the building envelope will also be vacated. He expanded that Lot A is not a part of this partial vacation request and further stated staff recommends approval, subject to the following Condition of Approval: the applicant shall submit a revised plat and deed to the Department of Planning Services for review, and upon acceptance, the plat shall be signed by the property owners and shall be submitted for recording. Mike Freeman, applicant, was present for questions. No public testimony was offered concerning this matter. Commissioner Buck moved to approve said partial vacation. The motion was seconded by Commissioner Moreno and it passed, with Commissioner Freeman recused.

2) CONSIDER VACATION OF USE BY SPECIAL REVIEW PERMIT, USR-951 – GEORGE ZADEL: Mr. Ogle stated staff received a letter from the applicant requesting the complete vacation of Use by Special Review (USR) Permit, USR-951, for Commercial Use (excavating contractor shop) in the A (Agricultural) Zone District. Mr. Ogle gave a brief overview of the property history and location, and stated the USR was recorded in 1992, and on February 23, 2022, a Change of Zone was recorded which required the USR to be vacated as a Condition of Approval. The applicant was not present. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve said vacation. The motion was seconded by Commissioner Buck and passed 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 9:37 a.m.

These Minutes were approved on the 6th day of July, 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

Perry L. Buck

Steve Moreno

Lori Saine