

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, JUNE 22, 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 22, 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 Moreno moved to approve the Minutes of the Board of County Commissioners meeting of June 8, 2022, as printed. Commissioner Buck seconded the motion, and upon a roll call vote, it passed four (4) to one (1), with Commissioner Saine opposed.

CERTIFICATION OF HEARINGS: Commissioner Buck moved to approve the Certification of Hearings conducted on June 8, 2022, as follows: 1) USR22-0004 – Edward Audet. Commissioner Freeman seconded the motion, which carried unanimously.

PUBLIC INPUT: Steve Teets, Greeley resident, attended an event in Fort Collins, Colorado, and spoke on his experience with heavy traffic on County Road (CR) 74, aka Harmony Road, and State Highway 392, travelling east from Windsor and Fort Collins, and suggested the North Front Range Metropolitan Planning Organization (NFRMPO) consider upgrading infrastructure to alleviate the congestion of traffic. In addition, Mr. Teets addressed the shortage of affordable and low-income housing. Edwin Grant, Greeley resident, recited the federal government departments that oversee State and local governments, expressed his disappointment in local governments being overbudget, the continuance of Mill Levy overrides, his dissatisfaction with increased programs offering free aid, and his concerns for education in the country.

AMENDMENTS TO AGENDA: Commissioner Moreno moved to correct New Business item #9 to reflect there are five (5) forms and not four (4). Seconded by Commissioner Saine, the motion carried unanimously.

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

WARRANTS:

1) GENERAL WARRANTS – JUNE 21, 2022: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2200092, CISCO UCCX MAINTENANCE – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated one (1) bid was received and the bidder, Zivaro, Inc., met specifications, for the total amount of \$35,968.21. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) PRESENT BID #B2200094, TANK TRAILER LIQUID APPLICATIONS MILLING (QTY 2) – DEPARTMENT OF PUBLIC WORKS: Christie Peters, Purchasing Department, stated two (2) bids were received and staff will make a recommendation on July 6, 2022.

NEW BUSINESS:

1) CONSIDER REAPPOINTMENT OF TOBY TAYLOR AS VETERANS SERVICE OFFICER: Toby Taylor, Veterans Service Officer, stated according to Colorado Revised Statute (CRS) 28-5-802(2), a Veteran Service Officer must be appointed every two (2) years. He further stated his appointment began originally in 2012, with his latest appointment to expire June 30, 2022, and if approved, his next term will expire June 30, 2024. Commissioner Freeman moved to approve said reappointment. The motion was seconded by Commissioner Moreno, and it carried unanimously.

2) CONSIDER CONTRACT ID #5855 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ELIJAH ARCHULETA AND AMPARO ANDRADE: Jamie Ulrich, Director of the Department of Human Services, presented the contract for full certification of a new kinship foster care home located in Greeley, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Saine and it carried unanimously.

3) CONSIDER CONTRACT ID #5963 AGREEMENT FOR PROFESSIONAL SERVICES FOR CHILD CARE PROVIDER RECRUITMENT PROJECT AND AUTHORIZE CHAIR TO SIGN – UNITED WAY OF WELD COUNTY: Ms. Ulrich stated the agreement will allow for recruitment of additional childcare providers to support the development and quality of providers with a focus on home providers, which include both licensed and non-licensed homes. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

4) CONSIDER CONTRACT ID #5981 AGREEMENT FOR RESPITE SERVICES (SFY 2021-2022) AND AUTHORIZE CHAIR TO SIGN – JASON AND EMILY NORRIS: Ms. Ulrich presented the agreement for a new respite service provider located in Windsor, Colorado, for a term through State Fiscal Year 2021-2022. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

5) CONSIDER CONTRACT ID #5992 AGREEMENT FOR RESPITE SERVICES (SFY 2022-2023) AND AUTHORIZE CHAIR TO SIGN – JASON AND EMILY NORRIS: Ms. Ulrich stated the agreement is for the same providers as above, but for a term through State Fiscal Year 2022-2023. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Saine, carried unanimously.

6) CONSIDER CONTRACT ID #5989 AMENDMENT #1 FOR COLORADO COMMUNITY RESPONSE PROJECT AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Ms. Ulrich stated the amendment extends the term of the contract, which provides voluntary case management services to a minimum of 40 families in Weld County. Commissioner Buck moved to approve said amendment and authorize the Chair to sign and submit electronically. Commissioner Freeman seconded the motion and it carried unanimously.

7) CONSIDER CONTRACT ID #5993 CHILD PROTECTION AGREEMENT FOR SERVICES AND AUTHORIZE CHAIR TO SIGN – COMMUNITY SAFETY 1ST: Ms. Ulrich presented the agreement for sexual abuse treatment services for clients. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

8) CONSIDER CONTRACT ID #5994 MEMORANDUM OF UNDERSTANDING FOR COLLABORATIVE MANAGEMENT PROGRAM WITH VARIOUS AGENCIES AND AUTHORIZE CHAIR AND DIRECTORS OF DEPARTMENT OF HUMAN SERVICE AND DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO SIGN ELECTRONICALLY: Ms. Ulrich stated the memorandum of understanding is for collaboration with mandated and non-mandated partner agencies who provide services to children and families while consolidating resources. Commissioner Buck thanked staff and collaborative partners for taking advantage of available funds and moved to approve said memorandum of understanding and authorize the Chair and the Directors of the Departments of Human Services and Public Health and Environment to sign electronically. Seconded by Commissioner Moreno, the motion carried unanimously.

9) CONSIDER FIVE (5) STANDARD FORMS OF AGREEMENT FOR VARIOUS OUT-OF-HOME PLACEMENT SERVICES BETWEEN WELD COUNTY DEPARTMENT OF HUMAN SERVICES AND VARIOUS PROVIDERS ON ATTACHED LISTS AND AUTHORIZE CHAIR TO SIGN AGREEMENTS CONSISTENT WITH SAID FORMS: Ms. Ulrich requested approval of the agreement templates, provider lists, and rates for various out-of-home placement services. The motion to approve said standard forms of agreement and authorize the Chair to sign agreements consistent with said forms, was made by Commissioner Buck, seconded by Commissioner Saine, and it carried unanimously.

10) CONSIDER CONTRACT ID #6024 2022 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANT ACCEPTANCE AND APPLICATION CHANGES, AND AUTHORIZE SHERIFF'S OFFICE TO SIGN AND SUBMIT ELECTRONICALLY: Daren Ford, Director of the Northern Colorado Regional Forensic Laboratory, stated the Crime Lab has been awarded \$24,300.00 and the Sheriff's Office is seeking approval to accept said grant fund award. Commissioner Freeman moved to approve said grant acceptance and application changes, and authorize the Sheriff's Office to sign and submit electronically. The motion was seconded by Commissioner Moreno and it carried unanimously.

11) CONSIDER CONTRACT ID #5982 AGREEMENT FOR RELOCATION DESIGN OF POTABLE WATER PIPELINE FOR BRIDGE 54/13A REPLACEMENT PROJECT AND AUTHORIZE CHAIR TO SIGN – LITTLE THOMPSON WATER DISTRICT: Michael Bedell, Department of Public Works, stated the Bridge 54/13A Replacement Project requires the relocation of an existing 12-inch potable water pipeline located in Little Thompson Water District easements adjacent to the County's right-of-way on the north side of County Road (CR) 54. He further stated the pipeline needs to be moved approximately 40-feet further from CR 54 to provide adequate space for the upcoming improvements. Mr. Bedell stated the cost of the design for the relocation is \$51,150.00. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

12) CONSIDER CONTRACT ID #5990 INTERGOVERNMENTAL AGREEMENT FOR AMERICAN RESCUE PLAN ACT (ARPA) GRANT FUNDS FOR CR 41 AND SH 52 INTERSECTION IMPROVEMENTS AND AUTHORIZE CHAIR TO SIGN: Don Dunker, Department of Public Works, stated the agreement is to receive federal American Rescue Plan Act (ARPA) funding from the Colorado Department of Transportation (CDOT) in the amount of \$953,445.00, with a County match of \$198,198.00. The funds will be used for the installation of turn lanes on County Road (CR) 41 and to improve the turning radius to accommodate commercial trucks. Mr. Dunker reported staff conducted a study in 2018 and found the Average Daily Traffic (ADT) count from State Highway (SH) 52 to CR 41 is 2,307, with 37% truck traffic, and the ADT from SH 52 to CR 12 is 1,309, with 42% truck traffic. He stated CDOT is installing traffic signal lights at the intersection and this project is scheduled to be completed by December 2026. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Freeman, the motion carried unanimously.

13) CONSIDER CONTRACT ID #6023 SUBREGIONAL SHARE AIR QUALITY/MULTIMODAL APPLICATION FOR SOUTHWEST WELD TRAIL STUDY AND AUTHORIZE DEPARTMENT OF PUBLIC WORKS TO SUBMIT ELECTRONICALLY – DENVER REGIONAL COUNCIL OF GOVERNMENTS (DRCOG): Evan Pinkham, Department of Public Works, stated the County has been working with the City of Longmont and Towns of Firestone and Mead on a joint application, with confirmation by Longmont they will annex a portion of CR 26, and the Town of Mead will annex CR 7 near or adjacent to the High School, with the intention of preserving corridors for nature trails in Southwest Weld. He further described linkage areas and stated the total cost is estimated at \$1 million, with Weld County and each community match resulting in \$25,000.00 each. Commissioner Buck commended Mr. Pinkham and staff for their efforts in making so much progress in such little time and further moved to approve said application and authorize the Department of Public Works to submit electronically. The motion was seconded by Commissioner Freeman and it carried unanimously.

14) CONSIDER TEMPORARY CLOSURE OF CR 15 BETWEEN CRS 40 AND 42: Amy Mutchie, Department of Public Works, stated the closure is being requested on behalf of SMH West and the Town of Johnstown, from June 27, 2022, through July 29, 2022, for the installation of a 16-inch water main pipeline under the Great Western Railroad. She further stated the detour route is gravel, which will be treated with Magnesium Chloride for dust control. Ms. Mutchie stated staff is working with local farmers who will be affected during the closure. Commissioner Saine moved to approve said temporary closure. The motion was seconded by Commissioner Buck and it carried unanimously.

15) CONSIDER INVOICE AND CONTRACT FOR TENT RENTALS FOR PIG AND CATTLE SHOW RINGS FOR 2022 WELD COUNTY FAIR, AND AUTHORIZE CHAIR TO SIGN – BOULDER TENT AND EVENT RENTALS: Jenette Masarie, CSU Extension Services of Weld County, stated the invoice and contract is for pig and cattle show rings at the 2022 Weld County Fair, for the budgeted cost of \$33,178.46. Commissioner Freeman moved to approve said invoice and contract, and authorize the Chair to sign. The motion was seconded by Commissioner Moreno, and it carried unanimously.

16) CONSIDER APPOINTMENT AND REAPPOINTMENT TO NORTHERN COLORADO RETAC (NORTHEAST COLORADO REGIONAL EMERGENCY MEDICAL AND TRAUMA SERVICES ADVISORY COUNCIL): Commissioner Freeman moved to approve said appointment and reappointment. The motion was seconded by Commissioner Moreno and it carried unanimously.

PLANNING:

1) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – SUSAN BEASLEY: Caitlin Perry, Assistant County Attorney, explained staff periodically requests the Board certify civil penalties as special assessments to be collected along with taxes based on Weld County Court Orders that have imposed continuing daily

penalties until the property is brought into compliance, which is the County's primary mechanism to enforce compliance with the Building and Zoning Chapters of the Weld County Code. She expanded each property owner listed in the staff memorandum has been provided with notice of the hearing.

Ms. Petty stated, in regard to Susan Beasley, the court ordered a daily penalty of \$50.00 per day beginning on February 7, 2022, and violations include an occupied, unscreened camper/trailer, and multiple derelict vehicles. Ms. Perry requested the certification of daily penalties from February 7, 2022, through May 22, 2022 (a period of 105 days), for a total special assessment of \$5,300.00. Bethany Pascoe, Department of Planning Services, stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. In response to Commissioner Moreno, Ms. Pascoe explained the process of sending monthly reminders and meeting with property owners on-site. The property owner was not present to offer testimony concerning this matter. Commissioner Freeman moved to approve said certification. The motion was seconded by Commissioner Saine and it carried unanimously.

2) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – ANDRES HERNANDEZ, JR.: Ms. Perry stated Andres Hernandez, Jr., has a court-ordered daily penalty of \$40.00 per day, beginning on March 7, 2022, and the violation includes a visible non-commercial junkyard within the floodplain. Ms. Perry requested the certification of daily penalties from March 7, 2022, through May 22, 2022 (a period of 77 days), which results in a total special assessment of \$3,130.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owner was not present to offer testimony concerning this matter. Commissioner Saine moved to approve said certification. The motion was seconded by Commissioner Freeman and it carried unanimously.

3) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – VINCE HOLTON: Ms. Perry stated Vince Holton has a court-ordered daily penalty of \$10.00 per day, beginning on March 7, 2022, and the violation includes storage of a mobile home without a permit. She requested the certification of daily penalties from March 7, 2022, through May 22, 2022 (a period of 77 days), which results in a total special assessment of \$795.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owner was not present to offer testimony concerning this matter. In response to Commissioner Saine, Ms. Pascoe confirmed the mobile home is not permitted, the Department of Planning Services has been reviewing this violation since 2020, and the costs depend on the intended use. Commissioner Freeman moved to approve said certification. The motion was seconded by Commissioner Moreno and it carried unanimously.

4) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JOHN KRENZELOK: Ms. Perry stated John Krenzelok has a court-ordered daily penalty of \$50.00 per day, beginning on March 21, 2022, and violations include a unpermitted manufactured structure, occupied camper/trailer, nonconforming non-commercial junkyard without principle use, and accessory structures without a principal use. Ms. Perry requested the certification of daily penalties from March 21, 2022, through May 22, 2022 (a period of 63 days), which results in a total special assessment of \$3,200.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owner was not present to offer testimony concerning this matter. Commissioner Moreno moved to approve said certification. The motion was seconded by Commissioner Freeman and it carried unanimously.

5) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – BRUCE BROTEMARKLE: Ms. Perry stated Bruce Brotemarkle has a property that was last certified on February 14, 2022, which continues to be in violation, has a court-ordered daily penalty of \$50.00 per day, beginning on December 10, 2020, and violations include a non-commercial junkyard and occupied camper/trailer. Ms. Perry requested the certification of daily penalties from February 14, 2022, through May 22, 2022 (a period of 97 days), which results in a total special assessment of \$4,850.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owner was not present to offer testimony concerning this matter. Commissioner Moreno moved to approve said certification of zoning violation penalties as special assessment. The motion was seconded by Commissioner Buck and it carried unanimously.

6) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF BUILDING AND ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – ROLANDO AND ELOISA CASTILLO: Ms. Perry stated Rolando and Eloisa Castillo have a property that was last certified on November 15, 2021, which continues to be in violation, has a court-ordered daily penalty of \$25.00 per day, beginning on October 12, 2021, and violations include a noncommercial junkyard, too many animals on-site, and electrical work completed without an electrical permit. Ms. Perry requested the certification of daily penalties from November 16, 2021, through May 22, 2022 (a period of 188 days), which results in a total special assessment of \$4,700.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owners were not present to offer testimony concerning this matter. Commissioner Freeman moved to approve said certification. The motion was seconded by Commissioner Buck and it carried unanimously.

7) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JERRY DILL AND LYNNE KELLY: Ms. Perry stated Jerry Dill and Lynne Kelly have a property that was last certified on November 15, 2021, which continues to be in violation, has a court-ordered daily penalty of \$10.00 per day beginning on August 20, 2021, and violations include unpermitted mobile home, unpermitted commercial storage business, unpermitted commercial vehicles, a noncommercial junkyard, and derelict vehicles. Ms. Perry requested the certification of daily penalties from November 16, 2021, through May 22, 2022 (a period of 188 days), which results in a total special assessment of \$1,880.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owners were not present to offer testimony concerning this matter. Commissioner Buck moved to approve said certification. The motion was seconded by Commissioner Moreno, and it carried unanimously.

8) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – DONALD HARRIS AND CHRISTINA ELAM: Ms. Perry stated Donald Harris and Christina Elam have a property that was last certified on November 15, 2021, which continues to be in violation, has a court-ordered daily penalty of \$20.00 per day beginning on August 27, 2017, and violations include a noncommercial junkyard and persons living in a Camper/RV. Ms. Perry requested the certification of daily penalties from November 16, 2021, through May 22, 2022 (a period of 188 days), which results in a total special assessment of \$3,760.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owners were not present to offer testimony concerning this matter. Commissioner Saine moved to approve said certification. The motion was seconded by Commissioner Buck and it carried unanimously.

9) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – CONSUELO HERNANDEZ: Ms. Perry stated Consuelo Hernandez has a property that was last certified on November 15, 2021, which continues to

be in violation, has a court-ordered daily penalty of \$20.00 per day beginning on July 12, 2021, and violations include a noncommercial junkyard and installation of multiple cargo containers without building permits. Ms. Perry requested the certification of daily penalties from November 16, 2021, through May 22, 2022 (a period of 188 days), which results in a total special assessment of \$3,760.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. Ramon Hernandez, property owner representative, was present and explained the circumstances surrounding the violation, and requested further time to bring the property into compliance. Commissioner Moreno thanked Mr. Hernandez for attending the hearing and inquired as to how long it would take to bring the site into compliance. Mr. Hernandez requested a couple more months to do so. Commissioner Saine moved to continue said matter to September 21, 2022, at 9:00 a.m. The motion was seconded by Commissioner Buck and it carried unanimously.

10) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – ARYAN KIANI AND MATTHEW IRVIN: Ms. Perry stated Aryan Kiani and Matthew Irvin have a property that was last certified on November 15, 2021, which continues to be in violation, has a court-ordered daily penalty of \$25.00 per day, beginning on November 16, 2020, and violations include a non-commercial junkyard and derelict vehicles. Ms. Perry requested the certification of daily penalties from October 22, 2021, through May 22, 2022 (a period of 188 days), which results in a total special assessment of \$4,700.00. Ms. Pascoe stated she conducted her inspection on June 14, 2022, and displayed aerial and vicinity maps, in addition to photos of the site. The property owners were not present to offer testimony concerning this matter. Commissioner Moreno moved to approve said certification. The motion was seconded by Commissioner Buck 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 9:55 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