

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, JUNE 29, 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 29, 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, Chloe A. White
Chief Financial Officer, Cheryl Pattelli

MINUTES: Commissioner Moreno moved to approve the Minutes of the Board of County Commissioners meeting of June 15, 2022, as printed. Commissioner Buck seconded the motion and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Buck moved to approve the Certification of Hearings conducted on June 15, 2022, as follows: 1) USR22-0007 – Willard and Linda Owens, c/o USS Picadilly Solar, LLC. Commissioner Saine seconded the motion, which carried unanimously.

PUBLIC INPUT: Steve Teets, Greeley resident, requested statistics related to COVID-19. Chair James responded he will have the information provided by the Director of the Department of Public Health and Environment. Mr. Teets further stated he would like to see Regional Transportation District (RTD) services provided in this area, as well as Medicaid transportation. Lastly, he commented upon a Greeley Tribune newspaper article that listed Weld County as the third most expensive place to live in the State of Colorado and inquired as to other rankings in the top three.

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

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

PRESENTATIONS:

1) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – JEFF HARBERT: Chair James read the certificate for the record. Jamie Ulrich, Director of the Department of Human Services, explained Jeff Harbert started his career in the Weld County Sheriff's Office, in the 1990s,

before being hired by the Department of Human Services, and listed his many accolades and accomplishments in both departments. Each of the Commissioners, in turn, expressed their gratitude towards Mr. Harbert for the services provided and wished him well in his retirement. *(Clerk's Note: The group gathered for a photo opportunity).*

WARRANTS:

1) GENERAL WARRANTS – JUNE 28, 2022: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2200063, 1402 FACILITY CABLING – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated two (2) bids were received and reviewed staff's recommendation to select Sturgeon Electric Company, Inc., the low bidder meeting specifications, for a total amount of \$23,511.97. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck and it carried unanimously.

2) APPROVE BID #B2200064, RANGE FACILITY CABLING – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose stated two (2) bids were received, he introduced Sturgeon Electric Company, Inc., as the low bidder selected by staff, and confirmed they met all specifications, with said bid amounting to \$18,790.70. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Saine and it carried unanimously.

3) APPROVE BID #B2200076, 1250 FACILITY CABLING – DEPARTMENT OF INFORMATION TECHNOLOGY: Mr. Rose stated two (2) bids were received and staff recommends selecting the lowest bidder who met specifications, Sturgeon Electric Company, Inc., for a total amount of \$22,321.86. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Saine and it carried unanimously.

4) PRESENT BID #B2200093, ELECTRONICS WASTE RECYCLING EVENTS – DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Christie Peters, Purchasing Department, stated two (2) bids were received and staff will make a recommendation on July 13, 2022.

NEW BUSINESS:

1) CONSIDER APPLICATION FOR 2023 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE CHAIR TO SIGN: Michael Rourke, Weld County District Attorney, introduced Joanne Holden and Carol Patch, 19th Judicial District Attorney's Office, and requested approval to apply for the 2023 VALE Grant for the Victim Witness Assistance Unit. Commissioner Buck moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Saine and it carried unanimously.

2) CONSIDER CONTRACT ID #6005 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – MCLAIN AND MELISSA DESIGNORI: Ms. Ulrich stated the contract is for a new kinship foster care home in Oakdale, California. Commissioner Saine moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

3) CONSIDER CONTRACT ID #6013 MEMORANDUM OF UNDERSTANDING FOR FAMILY MEDICAID ENROLLMENT SERVICES AND AUTHORIZE CHAIR AND DIRECTOR OF DEPARTMENT OF HUMAN SERVICES TO SIGN – WELD COUNTY SCHOOL DISTRICT 6: Ms. Ulrich stated the memorandum of understanding provides eligibility determination functions for public assistance programs at the Weld County School District 6 Family Center. Commissioner Moreno moved to approve said memorandum of understanding and authorize the Chair and Director of the Department of Human Services to sign. The motion, which was seconded by Commissioner Saine, carried unanimously.

4) CONSIDER CONTRACT ID #6019 MASTER SERVICES AGREEMENT FOR PRE-PAID EXPENSE CARDS FOR GAS VOUCHER PROGRAM AND AUTHORIZE CHAIR TO SIGN – PREPAID EXPENSE CARD SOLUTIONS, INC., DBA PEX: Ms. Ulrich stated the agreement provides Visa expense cards for the Employment Services Division’s Gas Voucher Program. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Commissioner Saine seconded the motion and it carried unanimously.

5) CONSIDER PURCHASE ORDER FOR USED VEHICLE FOR USE BY DEPARTMENT OF HUMAN SERVICES AND AUTHORIZE CHAIR AND CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS – LOVELAND FORD-LINCOLN, INC.: Ms. Peters requested approval of the Purchase Order for the Department of Human Services to purchase a used vehicle, described as a 2020 Ford Transit T-350 Passenger Van. She explained there is available Temporary Assistance for Needy Families (TANF) funding and stated the Director of the Department of Fleet Services inspected the vehicle and found it to be in good condition. Ms. Peters expanded the Director of the Department of Human Services concurs the vehicle will meet the needs of the department. In response to Commissioner Buck, Ms. Peters confirmed used vehicles have been purchased previously, per Section 5-4-50.C of the Weld County Code. The motion to approve said purchase order and authorize the Chair and Controller to sign any necessary documents was made by Commissioner Freeman and seconded by Commissioner Buck. In response to Commissioner Moreno, David Springer, Director of the Department of Fleet Services, stated there is approximately 54,000 miles on the vehicle. There being no further discussion, the motion carried unanimously.

6) CONSIDER CONTRACT ID #6026 APPLICATION FOR 2023 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR LAW ENFORCEMENT VICTIM SERVICES UNIT AND AUTHORIZE CHAIR TO SIGN: Sonja Kohlgraf, Sheriff’s Office, requested approval to apply for the 2023 VALE Grant, amounting to \$33,670.00, which is a reduced amount from the previous year. Commissioner Buck moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Moreno and it carried unanimously.

7) CONSIDER CONTRACT ID #6046 ORDER FORM AND SERVICE SUBSCRIPTION AGREEMENT, AND AUTHORIZE CHAIR TO SIGN – SMARTFORCE TECHNOLOGIES, INC.: Ms. Kohlgraf stated the Order Form and Agreement are for a software solution that covers inventory tracking, training, and internal affairs, for a bridge contract period costing \$11,250.00, with the intent to purchase the full contract term at a later time. Commissioner Freeman moved to approve said order form and agreement, and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

8) CONSIDER CONTRACT ID #6047 2020 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) AWARD AND AUTHORIZE ELECTRONIC SUBMITTAL: Ms. Kohlgraf requested approval to accept SCAAP Award funding, in the amount of \$215,422.00, to offset jail medical service expenses. Commissioner Freeman moved to approve said award and authorize electronic submittal. The motion, which was seconded by Commissioner Moreno, carried unanimously.

9) CONSIDER AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT AGREEMENT FOR REHABILITATE RUNWAY 10/28 DESIGN PROJECT AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY – FEDERAL AVIATION ADMINISTRATION (FAA): Cooper Anderson, Greeley-Weld County Airport Manager, requested approval of the grant agreement, amounting to \$459,000.00, for the Rehabilitate Runway 10/28 Design Project. He stated the Greeley-Weld County Airport Authority has likewise reviewed and approved the agreement. In response to Commissioner Moreno, Bruce Barker, County Attorney, stated he does not need to recuse himself for serving on the Greeley-Weld County Airport Authority because he has no personal interest in said agreement. Commissioner Buck moved to approve said agreement and authorize the Chair to sign and submit electronically. Commissioner Moreno seconded the motion and it carried unanimously.

10) CONSIDER APPLICATION FOR FEDERAL ASSISTANCE (FORM SF-424) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2022 ANNUAL ACTION PLAN, AND CERTIFICATION OF COMPLIANCE WITH REGULATIONS FORM, AND AUTHORIZE CHAIR TO SIGN: Cynthia Martin, CDBG Analyst, stated the U.S. Department of Housing and Urban Development (HUD) has allocated \$1,036,772.00 in CDBG Grant Funds for the 2022 fiscal year, and Weld County must apply for said funds by submitting form SF-424, Certification of Compliance, and the 2022 Annual Action Plan. The motion to approve said application and certification of compliance, and authorize the Chair to sign, was made by Commissioner Freeman, seconded by Commissioner Buck, and it carried unanimously.

11) CONSIDER AUTHORIZATION FOR BOARD OF COUNTY COMMISSIONERS TO CONVENE AS A BOARD OF EQUALIZATION FOR CALENDAR YEAR 2022: Karin McDougal, Assistant County Attorney, presented the Resolution for the Board to convene as the County Board of Equalization, effective July 1, 2022, and stated notice of said convenement was published in the Greeley Tribune. Commissioner Saine moved to approve said Resolution. The motion was seconded by Commissioner Buck and it carried unanimously.

PLANNING:

1) CONSIDER REQUEST TO MODIFY FINDING #2.A AND DEVELOPMENT STANDARDS #29, #30, #40, #42, #43, #56, #57, #58, #69, #71, #73, #77.B, #77.E, #77.H, #77.I, AND #77.J, OF THIRD MINOR AMENDED USE BY SPECIAL REVIEW PERMIT, 3MUSR21-95-1075 – R.M. HINER CONSTRUCTION COMPANY, INC., C/O MICHAEL BARE: Diana Aungst, Department of Planning Services, presented the request of the applicant and reviewed each Finding and Development Standard (DS) that is proposed for modification. Michael Bare represented the applicant and explained his request for the proposed modifications. Upon reviewing the language proposed by staff and Mr. Bare, the Board agreed to the addition of language in Finding 2.A and staff's proposed language in DS #29. The Board agreed to delete DS #30, #40 and #43, and at staff's request, added "and occupied" to DS #42. No changes were made to DS #56, #57 or #58. The Board modified DS #69 and #77.b, according to staff's proposed language, deleted DS #71 and #73, and did not make changes to DS #77.e, #77.h, #77.i, or #77.j. In response to Chair James, Mr. Bare agreed to all of the changes made to the Development Standards.

No public testimony was offered concerning this matter.

Commissioner Buck moved to approve said request and modified Resolution. The motion was seconded by Commissioner Saine and it carried unanimously.

(Clerk's Note: the meeting was recessed for five (5) minutes and reconvened at 10:16 a.m.)

2) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF BUILDING AND ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – LUIS LOPEZ: 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.

In regards to the certification for Luis Lopez, Ms. Perry reviewed the property location and the history of the violations, while Bethany Pascoe, Department of Planning Services, 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 Saine and it carried unanimously.

3) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – FRANK AND YRENE MARTINEZ: Ms. Perry reviewed the property location and violation history, while Bethany Pascoe, Department of Planning Services, displayed aerial and vicinity maps, in addition to photos of the site. Frank Martinez, property owner, explained he doesn't believe his property is a non-commercial junkyard; however, there are a few things he is in the process of cleaning-up. In response to Chair James, Mr. Martinez stated he has a title to the farm truck on the property. Ms. Pascoe stated as of May of 2021, there was one (1) lived-in camper/trailer on the property and there are now three (3), there is no main dwelling (house) on the property, no permitted septic system or water source, and the violation is growing, rather than improving. Mr. Barker explained the Commissioners' responsibility is not to determine if a violation exists because the Court has already determined that; rather, the Board's role is to certify penalties for the time period as presented by staff. Commissioners Freeman and Moreno explained to Mr. Martinez that the property is in violation and he cannot live in his camper, which Mr. Martinez confirmed when he introduced himself for the record. Mr. Martinez described physical disabilities that he believes are halting his progress in cleaning up the property. In response to Commissioner Freeman, Ms. Pascoe stated there are multiple camper/trailers on site. Mr. Martinez explained his brother previously lived in one (1) of the campers on the property. Chair James reiterated the responsibilities of the Board and Mr. Martinez responded the Board should not certify the daily penalties to the Weld County Treasurer because he does not have a home to live in, so he has to live in his camper. Commissioner Freeman acknowledged Mr. Martinez may not have known he could not live in his camper/trailer when he first moved onto the property; however, he has since been notified several times that it is not permitted. Commissioner Freeman moved to approve said certification. The motion was seconded by Commissioner Moreno, who stated the Board desires for Mr. Martinez to bring the property into compliance, and Commissioner Saine concurred. There being no further discussion, the motion carried unanimously.

4) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – MICHAEL AND MARIA QUINLAN: Ms. Perry requested staff deny the certification and waive/dismiss the accrued daily penalties. Michael Quinlan, property owner, was present and briefly reviewed the violation history. Commissioner Freeman moved to deny said certification and declare the accrued daily penalties no longer due or owing. The motion was seconded by Commissioner Buck and it carried unanimously.

5) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – GABRIEL ROCHA: Ms. Perry reviewed the property location and violation history, while Bethany Pascoe, Department of Planning Services, 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 Freeman moved to approve said certification. The motion was seconded by Commissioner Saine and it carried unanimously.

6) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF BUILDING AND ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – GRACIELA QUINONEZ AND VERONICA GUTIERREZ: Ms. Perry stated the next five (5) cases, including this item, are for properties the Board of County Commissioners has previously certified, and then reviewed the property location and violation history, while Bethany Pascoe, Department of Planning Services, 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 Saine and it carried unanimously.

7) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – MAHIC SABAHUDIN AND MELINA SABONOVIC: Ms. Perry reviewed the property location and violation history, while Bethany Pascoe, Department of Planning Services, 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 Saine and it carried unanimously.

8) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JESUS SALAS AND TIFFANY BROWN: Ms. Perry reviewed the property location and violation history, while Bethany Pascoe, Department of Planning Services, 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.

9) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – DAVE SANGER, SR.: Ms. Perry reviewed the property location and violation history, while Bethany Pascoe, Department of Planning Services, 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 Saine and it carried unanimously.

10) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JUSTIN WALDEN: Ms. Perry reviewed the property location and violation history, while Ms. Pascoe 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 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 10:41 a.m.

These Minutes were approved on the 13th day of July, 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