

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, AUGUST 10, 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, August 10, 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 July 27, 2022, as printed. Commissioner Moreno 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 Saine seconded the motion and it carried unanimously.

PROCLAMATIONS:

1) MED EVAC EMERGENCY MEDICAL AIR TRANSPORT 40TH ANNIVERSARY – AUGUST 13, 2022: Chair James read the proclamation for the record and invited the medical evacuation team to introduce themselves for the record. Jennifer Losh, Chief Flight Nurse, thanked the Board for the recognition for what they do, and stated she is happy to be a part of team with such high success. Bryana Kirchner, Boulder-Based Manager and Flight Paramedic, stated she is equally grateful for the support and opportunity to be recognized. Autumn Kenney, Flight Paramedic, and Thomas Lang, Greeley-Based Manager and Nurse, expressed their appreciation for the opportunity Weld County affords the Medical Evacuation Flight Team. In turn, each Commissioner expressed their personal gratitude and appreciation for their lifesaving services, and recognizing the expanse of the County, stated their services benefit all citizens of Weld County, and allow rural Colorado residents to be taken care of more quickly than by ground-based transportation. *(Clerk's Note: The group gathered for a photo opportunity).*

WARRANTS:

1) GENERAL WARRANTS – AUGUST 8, AND 9, 2022: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Saine seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2200098, BOILER REPLACEMENT FOR LAW ADMINISTRATION BUILDING – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated staff recommends selecting the sole bidder who met specifications, FRPHI Hydronics, LLC, for a total amount of \$55,248.96. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Saine, and it carried unanimously.

2) APPROVE BID #B2200101, CHASE BUILDING FIFTH FLOOR RENOVATION – FACILITIES DEPARTMENT: Ms. Peters stated staff recommends selecting the lowest bidder who met specifications, TCC Corporation, for a total amount of \$333,850.00. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) PRESENT BID #B2200109, DATA PROTECTION CAPACITY – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated two (2) bids were received and staff will make a recommendation on August 24, 2022.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #6138 AGREEMENT FOR PROFESSIONAL SERVICES FOR TRANSLATION AND INTERPRETATION, AND AUTHORIZE CHAIR TO SIGN – CYRACOM INTERNATIONAL, INC., DBA VOIANCE LANGUAGE SERVICES, LLC: Jamie Ulrich, Director of the Department of Human Services, stated this agreement allows for phone, video, written, and in-person translation and interpretation services. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER CONTRACT ID #6175 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JACOB AND COURTNEY GUILDNER: Ms. Ulrich stated this is a new provisional kinship foster care home located in Arvada, Colorado. Commissioner Freeman moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

3) CONSIDER RESCINDING RESOLUTION #2022-1369, DATED MAY 16, 2022, AND APPROVE REVISED CONTRACT FOR NOXIOUS WEED MANAGEMENT/SPRAYING ALONG CERTAIN STATE AND U.S. HIGHWAY SYSTEMS, AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Tina Booton, Department of Public Works, stated the Colorado Department of Transportation (CDOT) decided to change the previously approved contract from an annual contract to one contract for five (5) years, and explained the financing changes made. Commissioner Buck thanked Ms. Booton for her efforts in weed management for Weld County. Commissioner Moreno moved to Rescind Resolution #2022-1369, approve said revised contract, and authorize the Chair to electronically sign and submit. The motion, which was seconded by Commissioner Buck, carried unanimously.

4) CONSIDER SUBMITTING PROPOSED AMENDMENT TO THE WELD COUNTY HOME RULE CHARTER TO THE QUALIFIED ELECTORS AT THE GENERAL ELECTION ON NOVEMBER 8, 2022: Bruce Barker, County Attorney, stated a public hearing notice was published in the Greeley Tribune on July 29, 2022. He explained the amendment would be a new section to the Home Rule Charter, added under 4-2(B)(2)(i), dealing with Collective Bargaining. Mr. Barker gave background information explaining under the Colorado Constitution, Article XIV, Section 16, it provides for County Home Rule structure and organization, including how to deal with employees, and cited a case from 1984, Anders v. Board.

He further stated the General Assembly passed Senate Bill (SB) 22-230, pertaining to County employees; however, there is a section in SB 22-230, which allows Home Rule Charters to be amended to determine if there will, or will not, be collective bargaining. Commissioner Saine moved to amend the Resolution on page 1, and the 5th "Whereas" paragraph, striking "thus in accordance with this subsection." Mr. Barker clarified the system of employment in Weld County does not include collective bargaining, and that relationship is set forth in the Charter and County Code, thus it does not need to be restructured with a Collective Bargaining Agreement. He further stressed this amendment makes it very clear there is no obligation on behalf of the Board of County Commissioners to do collective bargaining with employees. Mr. Barker referenced Exhibit A, prepared by Don Warden, Director of the Department of Finance and Administration, that explains the cost of collective bargaining, and Exhibit B, reflects the language proposed to be submitted to the voters on the 2022 General Election Ballot. Commissioner Moreno seconded the motion, and it carried unanimously. No public testimony was offered concerning this matter. Commissioner Saine moved to approve said amended Resolution. Commissioner Freeman seconded the motion. Chair James expressed both the Board of County Commissioners and Colorado Counties Incorporated (CCI) spoke loudly against SB 22-230, and despite 75% opposition from the counties, legislators chose to still move forward. He shared statistics that were detailed in a summary by Mr. Warden, and stated it is important to afford voters the right to vote and retain ability of the Commissioners to continue a good working relationship with County employees, as well as the ability to provide services to the citizens of Weld County at an affordable cost. Commissioner Saine followed up by stating the citizens would suffer in the long term by lessening the number of services provided to adjust for the financial burden the collective bargaining would create. Commissioner Moreno stated the collective bargaining would do more harm than good for the County. Commissioner Buck commented the employees do an exceptional job servicing the citizens of Weld County, and she would like to continue that partnership. Commissioner Freeman concurred. There being no further discussion, the motion 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 9:26 a.m.

These Minutes were approved on the 24th day of August, 2022.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

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

EXCUSED DATE OF APPROVAL

Lori Saine