

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, AUGUST 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, August 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 - EXCUSED
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 August 15, 2022, as printed. Commissioner Freeman seconded the motion and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on August 15, 2022, as follows: 1) Decision to Decline Participation in the Colorado Paid Family and Medical Leave Insurance Program ("FAMLI"). 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 Freeman moved to approve the Consent Agenda, as printed. Commissioner Buck seconded the motion and it carried unanimously.

COMMISSIONER COORDINATOR REPORTS: Commissioner Buck invited the public to stop and visit during the Commissioner's monthly office hours at the Southeast (Fort Lupton) Weld County services building. Chair James reported he has been appointed to, and attended, the first Works Allocation Committee Meeting, and it went well.

WARRANTS:

1) GENERAL WARRANTS – AUGUST 26, 2022: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Freeman seconded the motion, and upon a roll call vote, the motion passed three (3) to one (1), with Commissioner Saine opposed.

BIDS:

1) APPROVE BID #B2200111, LAW ADMINISTRATION BUILDING ROOF TOP UNIT REPLACEMENT – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated the lowest bidder, MTech Mechanical, failed to provide the manufacturer’s specifications of proposed replacement equipment, and due to this omission, their bid was incomplete and did not meet specifications. She stated staff recommends selecting the second lowest bidder who met specifications, Northern Colorado Energy Solutions, LLC, for a total amount of \$200,706.00. Chair James stated there is a \$35,000.00 difference in price, and inquired as to clarification of the bid procurement process. In response, Ms. Peters clarified the burden is on the vendor to properly meet all specifications and it is made clear that a failure to do so will disqualify their bid submission. Commissioner Saine concurred with Chair James and stated if a simple phone call could solve this incomplete bid and save the County that significant amount of money, perhaps it is something to look at revising the Code. She further stated she would like to discuss this matter in a work session. Commissioner Freeman stated revising the Code would be setting a precedence which, in his opinion is not a good idea, and if the vendors cannot properly fulfill the requirements stated in the specifications, then they don’t qualify. He further moved to approve said bid, per staff’s recommendation. The motion was seconded by Chair James, and upon a roll call vote, the motion passed three (3) to one (1) with Commissioner Saine opposed.

2) APPROVE BID #B2200114, JAIL 1 WEST ROOF TOP UNIT REPLACEMENT – FACILITIES DEPARTMENT: Ms. Peters stated the sole bidder failed to provide the manufacturer’s specifications of proposed replacement equipment; thus, due to this omission, their bid was incomplete and did not meet specifications. She further explained for that reason staff recommends rejecting the bid from MTech Mechanical, for the amount of \$296,844.00. Commissioner Buck moved to reject said bid, per staff’s recommendation. The motion was seconded by Commissioner Freeman, and it carried unanimously.

3) PRESENT BID #B2200119, REPLACEMENT GENERATORS FOR NEW RAYMER AND NUNN TOWERS – FACILITIES DEPARTMENT: Ms. Peters stated 20 vendors downloaded the specifications, one (1) vendor attended the mandatory pre-bid meeting, one (1) bid was received, and staff will make a recommendation on September 12, 2022.

4) PRESENT BID #B2200123, EXTENSION OFFICE ROOF REPLACEMENT – FACILITIES DEPARTMENT: Ms. Peters stated six (6) bids were received and staff will make a recommendation on September 12, 2022.

5) PRESENT BID #B2200126, AULT GRADER SHED FUEL TANK – FACILITIES DEPARTMENT: Ms. Peters stated five (5) bids were received and staff will make a recommendation on September 12, 2022.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #6256 AGREEMENT FOR RELOCATION OF COMMUNICATION LINES FOR CRS 33 AND 74 INTERSECTION ROUNDABOUT PROJECT AND AUTHORIZE CHAIR TO SIGN – QWEST CORPORATION, DBA CENTURYLINK, QC: Michael Bedell, Department of Public Works, stated this agreement is for the relocation of existing communication lines owned by CenturyLink, QC, located within existing private easements, for the amount of \$92,440.65, with the project scheduled to be completed by the end of 2022. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER EXTENSION OF TEMPORARY CLOSURE OF CR 44 BETWEEN CRS 53 AND 57: Amy Mutchie, Department of Public Works, stated the Department of Public Works is requesting a two (2) week extension for the road construction on County Road (CR) 44 between CRs 53 and 57, to go through September 16, 2022, due to paving supply chain issues and weather delays. Commissioner Freeman moved to approve said extension of temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 23 BETWEEN SH 52 AND CR 14.5: Ms. Mutchie stated this closure will begin September 12, 2022, and go through October 7, 2022, for the re-deck of Bridge 23/14A. She further stated the detour route is paved and message boards will be placed in advance of the closure, to get ahead of other work slated by the Colorado Department of Transportation (CDOT), and avoid conflicting detour routes. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

4) CONSIDER TEMPORARY CLOSURE OF CR 18 BETWEEN CRS 67 AND 69: Ms. Mutchie stated this closure will begin on September 13, 2022, and go through September 16, 2022, to replace an irrigation culvert. She further stated water will be used for dust control on the gravel portions of the detour route. Commissioner Freeman moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 78 BETWEEN CRS 19 AND 21: Ms. Mutchie stated this closure will begin on September 13, 2022, and go through September 21, 2022, to replace two (2) irrigation culverts. She further stated water will be used for dust control on the gravel portions of the detour route. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

6) CONSIDER TEMPORARY CLOSURE OF CR 23 BETWEEN CR 6 AND SH 52: Ms. Mutchie stated this closure will begin on September 19, 2022, and go through September 30, 2022, for overlay paving operations, since the contractor placing the fabric has required certain dates. She further stated the detour route is paved and message boards will be placed in advance of the closure for public notice. Commissioner Saine moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF TWO-LOT RECORDED EXEMPTION, RECX12-0121, FOR REMOVAL OF LOT B – KENNETH MILLER: Michael Hall, Department of Planning Services, stated staff received a letter from the applicant for the removal of Lot B from Recorded Exemption, RECX12-0121, which will result in an approximate 37.75-acre unplatted parcel. He gave a brief overview of the property, history, and location, and stated that Lot A is not a part of this request. Mr. Hall stated all Code criteria has been met and no easement will be affected by this partial vacation; therefore, staff recommends approval with one Condition of Approval, that the applicant shall submit an updated plat for approval. Linda Crain, applicant's sister, was present for questions due to a recent injury of the applicant. No public testimony was offered concerning this matter. Commissioner Buck moved to approve said partial vacation, with the Condition of Approval. The motion was seconded by Commissioner Freeman, and it carried unanimously.

2) CONSIDER PARTIAL VACATION OF TWO-LOT RECORDED EXEMPTION, RECX19-0096, FOR REMOVAL OF LOT B – DEVIN CULLUM: Chris Gathman, Department of Planning Services, stated staff received a letter from the applicant for the removal of Lot B from Recorded Exemption, RECX19-0096, which will result in an approximate 103-acre unplatted parcel. He stated there are two (2) existing

residential access points onto County Road (CR) 32, and there are no shared access easements that were found on Lot B of RECX19-0096. Mr. Gathman stated staff recommends approval subject to the Condition that the applicant show the recorded easements, rights-of-way, and existing access points on the plat. Kristen Turner, applicant's representative, was present for questions. No public testimony was offered concerning this matter. Commissioner Freeman moved to approve said partial vacation, with the Condition of Approval. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER APPLICATION FOR SMALL BUSINESS INCENTIVE PROGRAM AND AUTHORIZE RELEASE OF ECONOMIC DEVELOPMENT TRUST FUNDS (TIER I) – INNOTECH MACHINING, INC.: Tom Parko, Director of the Department of Planning Services, stated this application has met all the criteria for the Small Business Incentive Program Tier I funds, for the amount of \$20,000.00. Mr. Parko further stated Innotech Machining, Inc., has previously come before the Board to obtain a Use by Special Review Permit, USR21-0011, to operate a machine and printing business. Commissioner Saine moved to approve said application and authorize the release of funds, in the amount of \$20,000.00. 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 9:24 a.m.

These Minutes were approved on the 12th day of September, 2022.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Scott K. James, Chair

Mike Freeman, Pro-Tem

BY: _____
Deputy Clerk to the Board

Perry L. Buck

EXCUSED
Steve Moreno

Lori Saine