

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, NOVEMBER 9, 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, November 9, 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:

1) Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of October 24, 2022, as printed. Commissioner Moreno seconded the motion and it carried unanimously.

2) Commissioner Freeman moved to approve the Minutes of the Board of County Commissioners meeting of October 26, 2022, as printed. Commissioner Buck seconded the motion and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Saine moved to approve the Certification of Hearings conducted on October 26, 2022, as follows: 1) PCSC22-0003 – Santos Vega and Luz Yadira Vega, 2) RLDF22-0002 – CMH Homes, Inc., 3) COZ22-0009 – Fusaro, LLC, and 4) USR22-0022 – Arthur Griffiths, c/o CBEP Solar 5, LLC. Commissioner Buck seconded the motion, which carried unanimously.

PUBLIC INPUT: Steve Teets, Greeley resident, thanked the Board for the invitation to join in a tour of the Homeless Shelter in Colorado Springs, Colorado, and shared the differences that he noticed from what that shelter does compared to what is done here and many other places. In response to Mr. Teets, Chair James gave a brief overview of the most recent Northern Front Range Metropolitan Planning Organization (NFRMPO) meeting. He further shared his appreciation for the citizen representation and his takeaway was the entire collaboration of various 501(c)3 organizations who meet people where they are. Commissioner Buck stated she was impressed with the value of mutual transactional relationships that are individualized since “one size fits all” programs do not work. Commissioner Moreno agreed with the comments made and further stated Weld County already has a lot of these building blocks and services, but, currently they are not centralized in one location, and the citizens of Weld County, along with businesses, need to work alongside government to accomplish what is happening in the Colorado

Springs Mission. Commissioner Saine stated various legislators are working to restore dignity and equipping people to be self-reliant as productive members of society, by spiritually and psychologically supporting people where they are, and she too appreciated all the information provided.

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

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

PROCLAMATIONS:

1) VETERANS DAY – NOVEMBER 11, 2022: Chair James read the proclamation for the record. Commissioner Moreno asked the veterans in the room to stand to be recognized. Each Commissioner, in turn, expressed their appreciation for the service and sacrifice of the men and women who have selflessly given to our country to preserve our freedoms and defend our Constitution and the foundations that this country has been built upon.

WARRANTS:

1) GENERAL WARRANTS – NOVEMBER 8, 2022: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner Moreno seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2200144, WASH BAY VENTILATION UPGRADE – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Northern Colorado Energy Solutions, for a total amount of \$66,906.00. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) APPROVE BID #B2200147, CUSTODIAL SERVICES FOR GREELEY PLAZA (CHASE BUILDING) – FACILITIES DEPARTMENT: Ms. Peters stated staff recommends selecting the lowest bidder who met specifications, CCS Facilities Services, for a total amount of \$84,972.00 annually. She further stated this contract will allow annual renewal for up to three (3) additional annual terms, and as a part of that renewal the company has identified a four percent (4%) escalation rate. Commissioner Moreno moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #6408 COOPERATIVE AGREEMENT FOR ADULT PROTECTIVE SERVICES AND AUTHORIZE CHAIR TO SIGN – TOWN OF KEENESBURG POLICE DEPARTMENT: Jamie Ulrich, Director of the Department of Human Services, stated this cooperative agreement is to clarify the coordinated duties and responsibilities to investigate mistreatment of at-risk adults. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

2) CONSIDER CONTRACT ID #6413 EXPENDITURE AUTHORIZATION AND MODIFIED WORK PLAN FOR NOTICE OF FUNDING ALLOCATION (NFA) FOR THE COLORADO WORKFORCE DEVELOPMENT COUNCIL (CWDC) RESKILLING, UPSKILLING, AND NEXT- SKILLING (RUN) WORKERS PROGRAM, AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich stated the Colorado Department of Human Services has issued a Notice of Funding Allocation (NFA) that will allow for the modification of the workplan to transfer administrative funding to the Reskilling, Upskilling, and Next-Skilling (RUN) Workers Program to better support participant costs. Commissioner Saine moved to approve said expenditure authorization and modified work plan, and authorize the Chair to sign electronically. The motion was seconded by Commissioner Moreno, and it carried unanimously.

3) CONSIDER CONTRACT ID #6414 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR FOREIGN LABOR CERTIFICATION (FLC) GRANT, AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich explained this expenditure authorization allows the Migrant and Seasonal Farmworker program staff to complete inspections of employer-provided or secured housing to ensure they meet all applicable safety standards. Commissioner Saine moved to approve said expenditure authorization and work plan, and authorize the Chair to sign electronically. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) CONSIDER APPOINTMENTS AND REAPPOINTMENT OF MEMBERS TO THE BOARD OF DIRECTORS OF THE WELD COUNTY FINANCE CORPORATION: Don Warden, Director of the Department of Finance and Administration, stated this Board was created in 1987, for the purpose of purchasing, leasing, financing, and constructing public improvements for the benefit of the citizens. He recommended appointing Ryan Rose, Director of Administrative Services, to replace himself; and Cheryl Pattelli, Chief Financial Officer, to replace Bruce Barker, County Attorney, so there is no conflict of interest; and to reappoint Toby Taylor, Director of the Facilities Department. Commissioner Moreno moved to approve said appointments and reappointment. The motion was seconded by Commissioner Saine, and it carried unanimously.

PLANNING:

1) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JESUS VEGA: Matthew Conroy, Assistant County Attorney, explained in regards to Jesus Vega, the court ordered a penalty of \$50.00 per day, beginning on September 2, 2022, through October 9, 2022, and violations include commercial trucking and storage operation without an approved Site Review Plan and derelict passenger vehicles, which results in a total special assessment of \$1,850.00 to be certified. The property owner was not present to offer testimony concerning this matter. Commissioner Freeman moved to approve said certification of building and zoning violation penalties as a special assessment. Commissioner Saine seconded the motion, which carried unanimously.

2) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JOSE MENDOZA: Mr. Conroy stated Jose Mendoza has a court-ordered penalty of \$25.00 per day, beginning on September 19, 2022, and violations include a non-commercial junkyard consisting of derelict vehicles and other debris, which results in a total of \$525.00 to be certified as a special assessment. Bethany Pascoe, Zoning Compliance Officer, displayed photographs of the property in question and stated it is in the floodplain and no storage is allowed. Jose Mendoza, property owner, was present for questions and shared his financial and medical issues which have prevented him from addressing the condition of his property. He further stated activities of the neighbors have added debris to his property, and he is in the process of removing trash that has piled up and needs more time to complete his efforts. In response to Commissioner Moreno, Mrs. Pascoe confirmed this property has been in violation since 2021. In response to Commissioner Saine, Ms. Pascoe was not able to confirm if there has been any progress made since originally noticed. In response to Chair James, Mr. Mendoza stated he has two months before surgery in January to correct the issues. Commissioner Saine moved to continue said certification of zoning violation penalties as a special assessment to December 7, 2022, at 9:00 a.m. Commissioner Buck seconded the motion, and it carried unanimously.

3) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – BAUDEL TORTOLEDO HERNANDEZ: Mr. Conroy stated Baudel Tortoledo Hernandez has a court-ordered penalty of \$25.00 per day, beginning on June 6, 2022, and violations include accessory structures built without permits and exceeding the maximum allowed lot coverage, which results in a total of \$3,450.00 to be certified as a special assessment. Ms. Pascoe displayed photographs and stated the structures were built without permits and are within the 20-foot

setback. She further stated she did meet with the property owner on July 14, 2022, but no completed application has been received, and there is concern with lot coverage. The property owner was not present to offer testimony concerning this matter. Commissioner Buck moved to approve said certification of zoning violation penalties as a special assessment. Commissioner Moreno seconded the motion, and it carried unanimously.

4) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – CHARLES SIMANSKY: Mr. Conroy stated Charles Simansky has a court-ordered penalty of \$10.00 per day, beginning on July 11, 2022, and violations include storage of a mobile home, which results in a total of \$910.00 to be certified as a special assessment. Tonya Johnson, Building Compliance Officer, displayed photographs of the non-compliant structure, and in response to Commissioner Buck, she explained the intent is to demolish the mobile home, but it is full of storage items that need to be cleared out. She further stated monthly reminder letters have been sent, but no payments have been made. The property owner was not present to offer testimony concerning this matter. Commissioner Buck moved to approve said certification of zoning violation penalties as a special assessment. Commissioner Moreno seconded the motion, and it carried unanimously.

5) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF BUILDING AND ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – ROLANDO AND ELOISA CASTILLO: Mr. Conroy stated in the case for Rolando and Eloisa Castillo, their property was last certified on June 22, 2022, and continues to be in violation. He stated this case has a court-ordered penalty of \$25.00 per day, beginning on October 12, 2021, and violations include a non-commercial junkyard, too many animals onsite, and electrical work completed without a permit, which results in a total of \$3,500.00 to be certified as a special assessment. Ms. Johnson displayed photographs of the property that were taken November 2, 2022, demonstrating non-compliance, and noted complaints from neighbors are an ongoing concern. The property owner was not present to offer testimony concerning this matter. Commissioner Freeman moved to approve said certification of zoning violation penalties as a special assessment. Commissioner Saine seconded the motion, 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: Mr. Conroy stated in the case for Graciela Quinonez and Veronica Gutierrez, their property was last certified on June 22, 2022, and continues to be in violation. He stated this case has a court-ordered penalty of \$10.00 per day, beginning on May 5, 2017, for violations which include unpermitted structures not meeting setback requirements; and a court-ordered penalty of \$10.00 per day, beginning on September 16, 2019, for violations which include a non-commercial junkyard and derelict vehicles, which results in a total penalty of \$20.00 per day for a total of \$3,500.00 to be certified as a special assessment. Ms. Johnson displayed photographs taken November 2, 2022, and stated monthly letters are sent, but no response has been received. In response to Commissioner Buck, she explained they no longer receive complaints, since it is apparent they are receiving penalties, but there has been no attempt to remedy the situation. The property owner was not present to offer testimony concerning this matter. Commissioner Moreno moved to approve said certification of zoning violation penalties as a special assessment. Commissioner Buck seconded the motion, and it carried unanimously.

7) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF BUILDING AND ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – LUIS LOPEZ: Mr. Conroy stated Luis Lopez was previously certified on June 22, 2022, and continues to be in violation. He stated Mr. Lopez made a payment to the Weld County Treasurer in the amount of \$1,645.00, on August 8, 2022, for that previously certified amount. Mr. Conroy further stated this case has a court-ordered penalty of \$10.00 per day, beginning on December 13, 2021, and violations include multiple unpermitted detached agricultural structures that do not meet setbacks, offsets, or lot coverage requirements, in addition to multiple on-site

commercial vehicles and equipment, which results in a total of \$3,450.00 to be certified as a special assessment. Ms. Johnson displayed photographs taken November 2, 2022, and stated the property owners either need to go through the Use by Special Review Permit process or remove the structures. She further stated they do not receive complaints, but also they have not been able to contact Mr. Lopez. The property owner was not present to offer testimony concerning this matter. Commissioner Freeman moved to approve said certification of zoning violation penalties as a special assessment. Commissioner Buck seconded the motion, and it carried unanimously.

8) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – BRUCE BROTEMARKLE: Mr. Conroy stated Bruce Brotemarkle was previously certified on June 22, 2022, and continues to be in violation. He stated this case has a court-ordered penalty of \$50.00 per day, beginning on December 10, 2020, and violations include a non-commercial junkyard and an occupied RV/Camper, which results in a total of \$7,000.00 to be certified as a special assessment. Ms. Pascoe displayed photographs taken November 1, 2022, which reflected the non-commercial junkyard with derelict trailers, in addition to an occupied trailer with people present who chased her away from the property. She further noted this property is a frequent law enforcement issue as well. The property owner was not present to offer testimony concerning this matter. Commissioner Moreno moved to approve said certification of zoning violation penalties as a special assessment. Commissioner Buck seconded the motion, 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 9:50 a.m.

These Minutes were approved on the 23rd day of November, 2022.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Scott K. James, Chair

BY: _____
Deputy Clerk to the Board

Mike Freeman, Pro-Tem

Perry L. Buck

Steve Moreno

EXCUSED DATE OF APPROVAL
Lori Saine