

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, OCTOBER 31, 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, October 31, 2022, at the hour of 9:00 a.m.

MOMENT OF SILENCE: Chair James called for a Moment of Silence in remembrance of Hugh McKean, Colorado House Republican Leader, friend, and devoted public servant.

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
Clerk to the Board, Esther E. Gesick
Chief Financial Officer, Cheryl Pattelli

MINUTES: Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of October 17, as printed. Commissioner Freeman seconded the motion and it carried unanimously.

PUBLIC INPUT: Clark Sloan, surrounding property owner (SPO), expressed concern regarding the Light the Night event which took place on October 15, 2022, on a neighboring property. He asserted it was a reckless, irresponsible, and potentially illegal event due to the fire hazard threat to the surrounding community. He referenced the company brochure which portrayed inaccurate information concerning the lantern materials and distances traveled, and questioned why this type of event was allowed, contrary to local fire code.

Sharry Sloan, SPO, stated she spoke with Hudson Fire Chief, Ken Gabrielson, who indicated they enforce the 2018 Fire Code, and that they were hired and required to be on-site during the festival. She cited the Fire Code, which prohibits the release of sky lanterns; however, she reported the launch proceeded at 8:05 p.m., with wind gusts measuring 13-15 miles per hour. She noted that most neighbors were unaware of the event, despite approximately 5,000 people and vehicles converging on the neighborhood. Lastly, she referenced testimony from Trent Cook, SPO, whose written testimony expressed opposition to the event, which should have been stopped to protect the rural, agricultural area from fire dangers.

Jim Sarchet, SPO east of Hudson, expressed concern with the lack of transparency and referenced a text message from the neighbor/coordinator who indicated this was authorized by a County-issued

permit. Additionally, he stated the lanterns traveled a distance of almost one mile away from the launch site and into his corn field, and many were still on fire and smoldering when he picked them up, in addition to event personnel entering his corn fields without permission to pick up lanterns. He urged the Board to ban this sort of event going forward.

Melissa Walter, SPO, agreed with the previous comments and added they became aware of the event one (1) day before the launch, and she shared her observations of the event as lanterns floated towards an adjacent corn field shortly after 8:00 p.m. She also commented that approximately 75% of Weld County is devoted to farming and raising livestock, thus, allowing a massive fire hazard with the added potential of startling livestock, needs to be banned before future events result in loss of property, or injury to livestock and spectators.

Joel Ritchey, SPO and 3rd generation rancher/farmer, stated although he is a strong advocate for private property rights, they should not be allowed to condone events that create the potential for harm at the expense of neighbors. He referenced videos showing the lanterns floating in a southwesterly direction, and expressed his concern with the potential fire hazard to neighboring crops and property. He further stated property insurance is not a sufficient excuse to allow this sort of event, and he also discussed the potential for lanterns impeding the Platte Valley Air Park air traffic patterns. He referenced the Airman's app which is used to monitor weather conditions, and commented that if the Federal Aviation Administration (FAA) had been notified, they likely would not have allowed the event, due to the forecasted wind conditions.

Chair James commented that Weld County tries to be business friendly; however, he agreed this sort of event does warrant a review of the Code, and he referred the speaking members of the public to contact Tom Parko, Director of Planning Services, to offer additional thoughts and comments as to how this may be addressed.

Steve Teets, Greeley resident, expressed his condolences concerning the loss of Hugh McKean. He also commented on the undue problems certain individuals experience when they are unable to afford housing or transportation. He further stated the United States and Weld County are very prosperous, so there needs to be more full-time jobs through legislative changes to ease the tax burden and human capital costs borne by small businesses.

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.

COMMISSIONER COORDINATOR REPORTS: Commissioner Buck reported she attended an enjoyable evening at the Farm Bureau Dinner, which was well attended, and she also participated in the Northern Colorado Prayer Breakfast. Commissioner Moreno mentioned his appreciation for the safety upgrades made to the Administration Assembly Room. He also reported on the annual Town and County Dinner and thanked the Board for their recognition. Commissioner Saine agreed it was a good turnout by local jurisdictions, which helps to foster healthy working relationships with communities. Chair James explained the Home Rule Charter dictates the County meet annually with the 32 incorporated municipalities.

WARRANTS:

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

BIDS:

1) APPROVE BID #B2200115, CRS 66 AND 41 INTERSECTION PROJECT – DEPARTMENT OF PUBLIC WORKS: Christie Peters, Purchasing Department, stated staff received three (3) qualifications, which were short-listed down to two (2) vendors who submitted formal proposals, and each met all the requirements. She stated staff recommends selecting IHC Scott, Inc., based on the Best Value Scoring tables from Chapter 5 of the Weld County Code, and being the bidder whose combined proposal and interview scores represent the best value, for a total amount of \$12,821,742.91. Ms. Peters stated IHC will provide all of the concrete from their own batch plant, which is located less than one (1) mile from the site and reduces the risk of schedule delays, although it does reflect a slight increase in cost above the lowest bid, and construction is scheduled to commence November, 2022, and go through January 21, 2023. Clay Kimmi, Department of Public Works, was present to answer questions. Commissioner Moreno moved to approve said bid, as recommended by staff. Commissioner Saine seconded the motion, and it carried unanimously.

2) PRESENT BID #B2200159, GRADER BLADES – DEPARTMENT OF PUBLIC WORKS: Ms. Peters stated six (6) bids were received and staff will make a recommendation on November 14, 2022.

3) PRESENT BID #B2200140, DESIGN AND ENGINEERING SERVICES FOR CENTENNIAL CENTER HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) – FACILITIES DEPARTMENT: Ms. Peters stated two (2) bids were received and staff will make a recommendation on November 14, 2022.

4) PRESENT BID #B2200157, COURTS HOLDING CABLING – 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 November 14, 2022.

NEW BUSINESS:

1) CONSIDER RATIFICATION OF APPOINTMENTS TO BOARD OF TRUSTEES OF HIGH PLAINS LIBRARY DISTRICT: Matt Horton, Director of the High Plains Library District (HPLD), recommended ratification of Gerri Holton to be appointed as the Region 2 representative, and Nick Nakamura be appointed as the Region 4 representative, each with a term to expire December 31, 2026. Commissioner Freeman commented the selection committee received great applications and conducted quality interviews, which made it a difficult decision; however, he is hopeful the remaining candidates will allow their names to remain on file in the event of any future trustee vacancies for future consideration. With those comments, Commissioner Freeman moved to approve said ratification of reappointment and appointment. The motion was seconded by Commissioner Moreno, and it carried unanimously.

2) CONSIDER 2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPLICATION (ROUND THREE [3]) FOR WELD COUNTY OPERATIONAL TRANSPORTATION SERVICES – DEPARTMENT OF PUBLIC WORKS AND SENIOR RESOURCE SERVICES, DBA 60+ RIDE: Elizabeth Relford, Department of Public Works, explained this is a request to submit an application for Round 3 of the CDBG process, for the amount of \$112,000.00. She stated there is no local match requirement, and the money would be used to fund one (1) full-time staff member to operate the new wheelchair accessible van. She further stated the request meets the program criteria, and the service area map includes all of Weld County, excluding the Cities of Greeley, Longmont, and Brighton since they are already entitlement areas. Commissioner Saine moved to approve said application. The motion was seconded by Commissioner Moreno, and it carried unanimously.

3) CONSIDER DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY, APPROVING SALE OF SAME AT AUCTION WITH ROLLER AND ASSOCIATES, AND DELEGATING AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Cheryl Pattelli, Chief Financial Officer, stated the listed equipment is planned to go to auction on November 9, 2022. Commissioner Buck moved

to approve said Resolution. The motion was seconded by Commissioner Freeman, and it carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF TWO-LOT RECORDED EXEMPTION, RECX16-0112, FOR REMOVAL OF LOT B – CALVARY FARMS, LLC, C/O RICHARD MONTERA: Maxwell Nader, Department of Planning Services, stated the applicant is requesting to vacate Lot B, which will result in a 156-acre unplatted parcel. He gave a brief description of the location of the property, stated staff has reviewed to ensure the Code criteria has been met, confirmed Lot A is not a part of the request, and no easements will be affected. Tyler Hammond, applicant, was present to answer questions. No public testimony was offered concerning this matter. Commissioner Buck moved to approve said partial vacation. The motion was seconded by Commissioner Freeman, and it carried unanimously.

Commissioner Buck thanked Steve Teets for helping with Project Connect last week.

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 9:39 a.m.

These Minutes were approved on the 14th 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

Lori Saine