

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 5, 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, December 5, 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 - EXCUSED  
Commissioner Perry L. Buck  
Commissioner Steve Moreno  
Commissioner Lori Saine

Also present:

Assistant County Attorney, Karin McDougal  
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 November 21, 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 Buck seconded the motion, and it carried unanimously.

**COMMISSIONER COORDINATOR REPORTS:** Commissioner Buck stated she attended an event to celebrate Rick Jenkins, who received the United Way of Weld County's Humanitarian of the Year Award, which was well attended and a beautiful event. She also stated she attended the retirement party for Commissioner Moreno, that also had a huge turnout and was a great celebration. Commissioner Saine stated she attended the American City Exchange Council as a representative of Weld County, and reported Weld County was talked about almost the entire conference due to the Energy Environment Symposium, where others are wanting to replicate what Weld County does. Chair James congratulated the Roosevelt Roughriders for their Class 3A football championship; and Eaton Reds for their Class 2A football championship; and expressed his pride in Weld County high school sports.

#### **WARRANTS:**

1) **GENERAL WARRANTS – DECEMBER 2, 2022:** Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B2200161, CENTENNIAL CENTER AND COURTHOUSE BURGLAR ALARM INTRUSION PROJECT – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated staff recommends rejecting the two (2) bids received, due to the cost of each bid far exceeding the anticipated budgeted amount. Commissioner Saine moved to reject said bid, per staff's recommendation. The motion was seconded by Commissioner Buck, and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER CONTRACT TO BUY AND SELL REAL ESTATE (23973 CARR RURAL), AND AUTHORIZE CHAIR TO SIGN ALL NECESSARY DOCUMENTS – LAZY TWO RANCH, LLC: Toby Taylor, Director of the Facilities Department, stated this contract is for the purchase of nearly 160 acres directly adjacent to the future Weld County Rail Spur site. Commissioner Moreno moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Buck. Commissioner Moreno thanked Mr. Taylor and staff for offering opportunities for the future of the County, and with no further discussion, the motion carried unanimously.

2) CONSIDER TAX INCENTIVE AGREEMENT PURSUANT TO C.R.S. §30- 11-123, AND AUTHORIZE CHAIR TO SIGN – SPHERE RENEWABLES: Don Warden, Director of the Department of Finance and Administration, stated this agreement provides a 50% personal property tax incentive payment, in the amount of \$11,688.00, over a ten (10) year period. Mr. Warden explained the company is located in Fort Lupton, Colorado, the intends to relocate 15 employees, and hire 75 additional people who reside in Weld County over the next year. He further stated Sphere Renewables is making an \$8 Million investment, and meets all criteria for this incentive. In response to Commissioner Saine, Mr. Warden explained this company produces materials needed for wind turbine blades built by Vestas Blades America, Inc. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

3) CONSIDER CONTRACT ID #6514 APPLICATION FOR BEAT AUTO THEFT THROUGH LAW ENFORCEMENT (BATTLE) SUB GRANTEE FUNDING AND AUTHORIZE SHERIFF'S OFFICE TO SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff's Office, presented the application to apply for \$45,864.95, in Colorado Automobile Theft Prevention Authority (CATPA) funding, which will be used to purchase an additional Automatic License Plate Recognition (ALPR) System and the supporting cellular service. In response to Commissioner Saine, Captain Sam Kaneta III, explained this license plate reader is intended to be strategically placed in a 'hot spot', such as Del Camino, Colorado, due to high traffic volume and associated crime in the area. He further stated the ALPR system is shared by many other agencies in the State, and any time a ping has been made it will send the notification throughout the whole system for an effective response. Commissioner Saine moved to approve said grant application and authorize the Sheriff's Office to electronically submit. The motion, which was seconded by Commissioner Buck, carried unanimously.

4) CONSIDER CONTRACT ID #6525 PROJECT PROPOSAL APPLICATION FOR 2023 NORTHEAST COLORADO ALL HAZARD STEERING COMMITTEE (NEAHR) HOMELAND SECURITY GRANT, AND AUTHORIZE CHAIR TO SIGN, AND SHERIFF'S OFFICE TO SUBMIT ELECTRONICALLY: Ms. Kohlgraf explained the Sheriff's Office is requesting to apply for the NEAHR Homeland Security Grant, in which the City of Greeley will be the fiscal agent. She stated the funds, in the amount of \$30,182.00, will be used to purchase breaching equipment for the Weld County Regional SWAT Team, which will allow them to safely solve critical incidents while observing a suspect and giving commands without forcing an unnecessary confrontation, in accordance with the State's updated guidelines. Commissioner Moreno moved to approve said grant application and authorize the Chair to sign, and the Sheriff's Office to submit electronically. Commissioner Saine seconded the motion, and it carried unanimously.

5) CONSIDER CONTRACT ID #6531 AGREEMENT FOR RELOCATION OF FIBER OPTIC LINES FOR STONEHAM DRAINAGE AND ROADWAY PROJECT AND AUTHORIZE CHAIR TO SIGN – STONEHAM COOPERATIVE TELEPHONE CORPORATION: Erich Green, Department of Public Works, stated this agreement defines the rights and responsibilities of the County and Stoneham Cooperative Telephone Corporation regarding the proposed drainage improvements project. He mentioned existing roadways are already maintained by the County, and the County will contribute funding, in the amount of \$13,112.50, to offset expenses for the relocation of the fiber optic lines. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Commissioner Moreno seconded the motion, and it carried unanimously.

6) CONSIDER CANCELLATION OF 2022 OUTSTANDING ACCOUNTS RECEIVABLE FOR DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Chris D'Ovidio, Controller, stated the cancellation of the accounts receivable for the Department of Public Health and Environment Clinic, in the total amount of \$13,973.83, are the sum of accounts that have not had any activity since April 1, 2022. Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Buck, and it carried unanimously.

7) CONSIDER DECLARING CERTAIN EQUIPMENT AS SURPLUS PROPERTY, APPROVE SALE OF SAME AT AUCTION WITH ROLLER AND ASSOCIATES, AND DELEGATE AUTHORITY TO CONTROLLER TO SIGN ANY NECESSARY DOCUMENTS: Cheryl Pattelli, Chief Financial Officer, stated the listed equipment is set to go to auction on December 7, 2022. Commissioner Saine moved to approve said declaration as surplus property, approve sale at auction, and authorize Controller to sign any necessary documents. The motion was seconded by Commissioner Moreno, and it carried unanimously.

**PLANNING:**

1) CONSIDER DECOMMISSIONING PLAN AND ACCEPT COLLATERAL FOR A SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW PERMIT, USR22-0022, FOR A SOLAR ENERGY FACILITY (SEF) OUTSIDE OF SUBDIVISIONS AND HISTORIC TOWNSITES IN THE A (AGRICULTURAL) ZONE DISTRICT – ARTHUR GRIFFITHS, C/O CBEP SOLAR 5, LLC: Diana Aungst, Department of Planning Services, stated the Use by Special Review (USR) Permit was approved on October 26, 2022, and Condition of Approval #5.A requires collateral, in the amount of \$274,597.11, for decommissioning per Weld County Code. She stated a Surety Bond was submitted and deemed acceptable by staff. Zach Brammer, representative, was present for questions. Commissioner Saine moved to approve said decommissioning plan, and accept collateral. 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 9:17 a.m.

These Minutes were approved on the 19th day of December, 2022.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

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Scott K. James, Chair

EXCUSED  
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Mike Freeman, Pro-Tem

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Perry L. Buck

\_\_\_\_\_  
Steve Moreno

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Lori Saine