

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, JANUARY 4, 2023

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, January 4, 2023, 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 Perry L. Buck
Commissioner Mike Freeman
Commissioner Scott K. James
Commissioner Kevin D. Ross
Commissioner Lori Saine

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Houston Aragon
Chief Financial Officer, Cheryl Pattelli

ELECTION OF CHAIR: Commissioner Ross moved to nominate Commissioner Freeman to serve as Chair of the Board of County Commissioners for 2023. The motion was seconded by Commissioner Buck, and it carried unanimously. Commissioner Ross moved to approve the Resolution to appoint Commissioner Freeman as Chair. The motion was seconded by Commissioner Buck, and it carried unanimously. Chair Freeman thanked the Board for the nomination and stated he looks forward to another great year in Weld County. He further thanked Commissioner James for his excellent leadership as the Chair for 2022.

ELECTION OF CHAIR PRO-TEM: Commissioner James moved to nominate Commissioner Buck as Chair Pro-Tem of the Board of County Commissioners for 2023. The motion was seconded by Commissioner Ross, and it carried unanimously.

COMMISSIONER COORDINATOR ASSIGNMENTS: Commissioner James moved to approve said Commissioner Coordinator Assignment as read for the record by Chair Freeman. The motion was seconded by Commissioner Ross, and it carried unanimously.

MINUTES:

1) Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of December 19, 2022, as printed. Commissioner James seconded the motion, and it carried unanimously.

2) Commissioner James moved to approve the Minutes of the Board of County Commissioners meeting of December 21, 2022, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance #2023-02 by audio. The motion was seconded by Commissioner Ross, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Buck moved to approve the Certification of Hearings conducted on December 21, 2022, as follows: 1) USR22-0025 - Arthur Griffiths, c/o CBEP Solar 7, LLC, and 2) COZ22-0011 - R&N Properties, LLC. Commissioner Saine seconded the motion, and it carried unanimously. Commissioner Buck moved to continue the Certification of Hearing regarding COZ22-0010 - Kennard and Vicki Knudson, to January 11, 2023, at 9:00 a.m. Commissioner Saine 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 James moved to approve the Consent Agenda, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

WARRANTS:

1) GENERAL WARRANTS – JANUARY 3, 2023: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.

2) COMMISSIONER WARRANTS (PERRY L. BUCK) – JANUARY 3, 2023: Commissioner Saine moved to approve the Warrant as printed. Commissioner Ross seconded the motion, and upon a roll call vote of four (4) to zero (0), the motion carried, with Commissioner Buck recused.

3) COMMISSIONER WARRANTS (STEVE MORENO) – JANUARY 3, 2023: Commissioner Buck moved to approve the Warrant as printed. Commissioner James seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2200170, INTRUSION SYSTEM UPGRADE – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated this bid is for upgrading the existing intrusion systems at 33 Weld County properties, and staff recommends selecting the lowest bidder who met specifications, Security Alarm Systems, Inc., dba DictoGuard Security, for a total amount of \$159,510.00. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) APPROVE BID #B2200173, FIRE ALARM UPGRADE – FACILITIES DEPARTMENT: Ms. Peters stated this bid is for upgrading the existing fire alarm systems at six (6) Weld County properties. The lowest bidder was Ottem Electronics, Inc.; however, they rescinded their bid on December 29, 2022, and the second lowest bidder was significantly higher in cost than the anticipated budget. She stated staff's recommendation is to reject all bids and readvertise at a later date. 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 RESOLUTION RE: SCHEDULING OF REGULAR MEETINGS OF THE BOARD FOR 2023: Commissioner James moved to approve said Resolution. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER RESOLUTION RE: AUTHORIZE PUBLICATION OF PROCEEDINGS FOR 2023: Commissioner Ross moved to approve said Resolution. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER RESOLUTION RE: DESIGNATION OF PARTICULAR PUBLIC PLACE FOR POSTING OF PUBLIC NOTICES: Commissioner James moved to approve said Resolution. The motion was seconded by Commissioner Ross, and it carried unanimously.

4) CONSIDER RESOLUTION RE: DESIGNATION OF PARTICULAR PUBLIC PLACE FOR POSTING OF NOTICES OF TAX LIEN SALES AND NOTICES OF PROPERTIES GOING TO DEED: Commissioner Buck moved to approve said Resolution. The motion was seconded by Commissioner Saine, and it carried unanimously.

5) CONSIDER APPOINTMENT OF COMMISSIONER PERRY L. BUCK TO CERTAIN ADVISORY BOARDS: Commissioner Saine moved to approve said appointment. The motion was seconded by Commissioner James, and it carried unanimously.

6) CONSIDER APPOINTMENT OF COMMISSIONER MIKE FREEMAN TO CERTAIN ADVISORY BOARDS: Commissioner Saine moved to approve said appointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

7) CONSIDER APPOINTMENT OF COMMISSIONER SCOTT K. JAMES TO CERTAIN ADVISORY BOARDS: Commissioner Ross moved to approve said appointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

8) CONSIDER APPOINTMENT OF COMMISSIONER KEVIN D. ROSS TO CERTAIN ADVISORY BOARDS: Commissioner James moved to approve said appointment. The motion was seconded by Commissioner Saine, and it carried unanimously.

9) CONSIDER APPOINTMENT OF COMMISSIONER LORI SAINÉ TO CERTAIN ADVISORY BOARDS: Commissioner Ross moved to approve said appointment. The motion was seconded by Commissioner James, and it carried unanimously.

10) CONSIDER APPOINTMENT OF RYAN ROSE AS DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES / CHIEF INFORMATION OFFICER: Commissioner Buck moved to approve said appointment. The motion was seconded by Commissioner Ross. Ryan Rose, Director of the Department of Information Technology and Administrative Services, thanked the Board for this honor to be considered for this position, and stated he looks forward to working with many people through implementing the Enterprise Resource Planning (ERP) software, employee engagement, and continuing a legacy established by Don Warden. Each Commissioner, in turn, expressed their appreciation for Mr. Rose stepping into big shoes, and stated he is extremely capable and they are confident in his abilities to inspire innovation as Weld County continues to grow. Mr. Rose also introduced and publicly thanked his wife, Connie, for her support. There being no further discussion, the motion carried unanimously.

11) CONSIDER CONTRACT ID #6560 AMERICORPS EDUCATION AWARD SERVICE LOCATION AGREEMENT AND AUTHORIZE DEPARTMENT OF HUMAN SERVICES TO SIGN – COLORADO YOUTH CORPS ASSOCIATION: Jamie Ulrich, Director of the Department of Human Services, stated this an annual agreement to ensure compliance with regulations, terms, and conditions. Commissioner Buck moved to approve said agreement and authorize the Department of Human Services to sign. The motion was seconded by Commissioner James, and it carried unanimously.

12) CONSIDER CONTRACT ID #6569 MEMORANDUM OF UNDERSTANDING FOR COOPERATION ON CHILD WELFARE NOTIFICATION AND INVESTIGATION REQUIREMENTS, AND AUTHORIZE CHAIR TO SIGN – KEENESBURG POLICE DEPARTMENT: Ms. Ulrich stated this memorandum of understanding will allow for cooperation and notifications between agencies regarding reports of child abuse and neglect, and child mal-treatment deaths. Commissioner James moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

13) CONSIDER CONTRACT ID #6570 MEMORANDUM OF UNDERSTANDING FOR CREATIVE SUPPORT FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES AND AUTHORIZE CHAIR TO SIGN – ENVISION: Ms. Ulrich stated this memorandum of understanding will establish protocol for the coordination of case management between the two entities specific to criteria for determination of a developmental delay or disability. Commissioner Ross moved to approve said memorandum of understanding and authorize the Chair to sign. Seconded by Commissioner Saine, the motion carried unanimously.

14) CONSIDER STANDARD FORM FOR PROFESSIONAL SERVICE AGREEMENT FOR CHILD WELFARE SERVICES BETWEEN DEPARTMENT OF HUMAN SERVICES AND VARIOUS PROVIDERS AND AUTHORIZE CHAIR TO SIGN AGREEMENTS CONSISTENT WITH SAID FORM: Ms. Ulrich stated this form is a contract template for child-specific welfare services for the 2023-2024 calendar years. Commissioner Ross moved to approve said standard form and authorize the Chair to sign agreements consistent with said form. The motion, which was seconded by Commissioner Buck, carried unanimously.

15) CONSIDER CONTRACT ID #6586 CHANGE ORDER TO AGREEMENT FOR CONSTRUCTION SERVICES FOR DEPARTMENT OF PLANNING SERVICES REMODEL (BID #B2200056) AND AUTHORIZE CHAIR TO SIGN – SWIFT BUILDERS, LLC: Toby Taylor, Director of the Facilities Department, stated during the Department of Planning Services building remodel, the parking lot had unknown soil conditions that were discovered, which needed to be corrected prior to being paved. He further stated due to weather conditions, the decision was made to overlay with concrete instead of asphalt, for the amount of \$187,841.38. Commissioner Ross moved to approve said change order and authorize the Chair to sign. The motion was seconded by Commissioner Saine, and it carried unanimously.

16) FIRST READING OF CODE ORDINANCE #2023-02, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 12 LICENSES AND PERMITS OF THE WELD COUNTY CODE (*SECURE TRANSPORTATION SERVICES*): Bruce Barker, County Attorney, explained this is pursuant to legislation changes made in 2021, that required a licensing program be in place for secure transportation for persons who are experiencing a mental health crisis. He further explained they have sourced the content from templates from other counties and it is loosely similar to ambulance permitting and inspection procedures. He recited the Colorado Revised Statutes and Colorado Code of Regulations (C.R.S. 25-3.5-309, and 310; and 6 C.C.R. 1011-4), and stated the secured transportation must be based in Weld County, and applicants must obtain a license and have their vehicle inspected. He stated, as of right now, North Range Behavioral Health (NRBH) is the first applicant and is working with the Department of Public Health and Environment to process their license in accordance with this proposed Ordinance, and staff recommends approval. Commissioner Saine questioned the in-depth list of requirements and wanted to verify that NRBH meets them all with their current fleet of vehicles. In response, Gabri Vergara, Department of Public Health and Environment, stated she spoke with Dr. Crookston, with NRBH, and there is no concern regarding them meeting the criteria of the C.R.S. or the C.C.R., and they are currently in the application phase to pass the inspection of their vehicle in order to obtain their license. After further discussion, Ms. Vergara confirmed there will be an inspection

performed on the vehicles prior to the granting of the license. Commissioner James clarified this Ordinance outlines the process of the licensure, but does not grant any licensure itself. Commissioner Saine inquired if the County is required to have at least one entity that is licensed to provide the secure transportation, and in response Ms. Vergara stated the County is required to have the ability to license and have that process in place, but there is nothing requiring that the services be provided by the County.

Steve Grant, Evans resident, stated vendor conformity and State regulations, in his opinion, are two (2) separate and unique operations, and he requested clarification as to why vendors are mixed with the conformity of this regulation. In response, Mr. Barker clarified the County must meet C.R.S. by January 1, 2023, so the County is already a little behind, but will be working with interested vendors. He further stated today's action does not permit or license any vendors, but that NRBH is the first applicant to apply to go through this process. In response to Chair Freeman, Mr. Barker stated, should a service be provided without the proper license, that company would be in violation of State law, but it is unclear as to who is enforcing the regulations, or what the repercussions are of being in violation. Commissioner James moved to approve Code Ordinance #2023-02 on First Reading. The motion was seconded by Commissioner Buck, and it carried unanimously.

PLANNING:

1) SECOND READING OF CODE ORDINANCE #2023-01, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 24 SUBDIVISIONS OF THE WELD COUNTY CODE (*FAMILY FARM DIVISION*): Commissioner James moved to read Code Ordinance #2023-01 by title only. The motion was seconded by Commissioner Ross, and it carried unanimously. Mr. Barker read the title for the record. Jim Flesher, Department of Planning Services, stated there have been no changes since First Reading. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2023-01 on Second Reading. The motion was seconded by Commissioner Saine, and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2023-01 was approved on Second Reading, and Code Ordinance #2023-02 was approved on First Reading.

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 9:32 a.m.

These Minutes were approved on the 18th day of January, 2023.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Mike Freeman, Chair

Perry L. Buck, Pro-Tem

Scott K. James

Kevin D. Ross

EXCUSED DATE OF APPROVAL

Lori Saine