

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, DECEMBER 28, 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 28, 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 - EXCUSED
Commissioner Steve Moreno
Commissioner Lori Saine – PRESENT REMOTELY VIA TELEPHONE CONFERENCE

Also present:

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

MINUTES: Commissioner Moreno moved to approve the Minutes of the Board of County Commissioners meeting of December 12, 2022, as printed. Commissioner Saine seconded the motion and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Saine moved to approve the Certification of Hearings conducted on December 12, 2022, as follows: 1) Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2023 Budget Hearing, 2) Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2023 Budget Hearing, 3) Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2023 Budget Hearing, and 4) 2023 Final Budget Hearing. Commissioner Moreno seconded the motion, which carried unanimously.

PUBLIC INPUT: Steve Teets, Greeley resident, spoke on his concern regarding illegal immigration and how that affects the growing population who experience homelessness, by competing for other resources used to care for people who are here legally. He referenced an article on poor air quality listing cities in Northern Colorado, and stated there is a need for a regional transit system to help cut down on pollutants as the population continues to grow.

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

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

PRESENTATIONS:

1) RECOGNITION OF SERVICES, BOARD OF PUBLIC HEALTH – SANDRA OWENS: Chair James read the certificate recognizing the volunteer efforts executed by Sandra Owens for the Board of Public Health.

2) RECOGNITION OF SERVICES, WELD COUNTY BUILDING CODE BOARD OF APPEALS – JERRY LEMONS AND SCOTT PETERSEN: Chair James read the certificates recognizing the volunteer efforts executed by Jerry Lemons and Scott Petersen for the Weld County Building Code Board of Appeals.

WARRANTS:

1) GENERAL WARRANTS – DECEMBER 27, 2022: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Saine seconded the motion, and it carried unanimously.

BIDS:

1) PRESENT BID #B2200176, GREELEY PLAZA (822 7TH STREET) FLOORING MAINTENANCE – FACILITIES DEPARTMENT: Christie Peters, Purchasing Department, stated two (2) bids were received and staff will make a recommendation on January 11, 2023.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #6592 AMENDMENT #6 FOR PREVENTION OF INFERTILITY AND MANAGEMENT OF SEXUALLY TRANSMITTED INFECTIONS (STI) AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Gene O'Hara, Interim Director of the Department of Public Health and Environment, stated this amendment is for prevention of infertility and Sexually Transmitted Infections (STI) through the use of screening, treatment, and partner management of those individuals exposed to or who test positive with infectious diseases, as well as to update the language pertaining to the scope of work. Mr. O'Hara noted the Colorado Department of Public Health and Environment (CDPHE) will reimburse the Weld County Department of Public Health and Environment lab in funds not to exceed \$71,760.00, for the 2023 calendar year. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner Saine, which carried unanimously.

2) CONSIDER CONTRACT ID #6593 TASK ORDER CONTRACT FOR WOMAN'S WELLNESS CONNECTION CANCER PREVENTION AND EARLY DETECTION PROGRAM, AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Mr. O'Hara stated this task order contract provides low-income, uninsured and underserved women with access to timely, high-quality screening and diagnostic services to detect breast and cervical cancers at the earliest stages. Mr. O'Hara stated this contract is effective from January 1, 2023, through June 29, 2023, with funding not to exceed \$42,873.00. Commissioner Moreno moved to approve said task order contract and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner Saine, and it carried unanimously.

3) CONSIDER CONTRACT ID #6589 INTERGOVERNMENTAL AGREEMENT GRANT AWARD LETTER AND SUMMARY OF GRANT AWARD TERMS AND CONDITIONS FOR LAW ENFORCEMENT WORKFORCE RECRUITMENT, RETENTION, AND TUITION GRANT PROGRAM, AND AUTHORIZE SHERIFF'S OFFICE TO ACCEPT ELECTRONICALLY: Sonja Kohlgraf, Sheriff's Office, stated the County has been awarded \$192,000.00, in grant funding to assist law enforcement agencies in addressing workforce shortages. She explained the Sheriff's Office is working with the Department of Human Resources, County Attorney's Office, and Purchasing Department to find a company that can help develop, implement, and execute a recruitment plan with the goal to generate an increase of applicants for deputy positions. Commissioner Saine moved to approve said agreement grant award and authorize the Sheriff's Office to accept electronically. The motion was seconded by

Commissioner Moreno, and he thanked Ms. Kohlgraf for all her efforts in finding grant funds to best serve the citizens of Weld County. There being no further discussion, the motion carried unanimously.

4) CONSIDER CONTRACT ID #6591 AMENDMENT #1 TO CONTRACT FOR JAIL BASED BEHAVIORAL HEALTH SERVICES AND AUTHORIZE CHAIR TO SIGN: Ms. Kohlgraf stated this amendment is for an additional \$70,000.00, for services funded by the State from previous funds in the amount of \$284,979.00, from July 1, 2022, through June 30, 2023, which will be used to reimburse the County for substance abuse treatment costs. Commissioner Moreno moved to approve said amendment and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously.

5) CONSIDER CANCELLATION OF CERTAIN OUTSTANDING ACCOUNTS RECEIVABLE FOR THE WELD COUNTY TREASURER – PERSONAL PROPERTY AND MANUFACTURED HOME ACCOUNTS: Renee Fielder, Assistant Treasurer, requested the Board cancel several personal property accounts, and one manufactured home, due to businesses closing, an erroneous assessed item, or a duplicate account. She stated the cancellation requested is for the total amount of \$108,651.32. Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

6) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02089) FOR PARCEL #104730212007: Ms. Fielder introduced Katie Schmunk, Treasurer's Office, as the new tax lien and tax sale representative for the County, and stated the next 20 business items (Nos. 6-25) are cancellations due to no actions taken by investors who have acquired a tax lien in a 15-year period, per Colorado Revised Statute §39-11-148. Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

7) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02090) FOR PARCEL #104730213008: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

8) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02099) FOR PARCEL #104730208003: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

9) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02100) FOR PARCEL #104730210003: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

10) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02101) FOR PARCEL #104730213003: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

11) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02102) FOR PARCEL #104730215006: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

12) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02103) FOR PARCEL #104730215008: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

13) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02104) FOR PARCEL #104730207009: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

14) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02105) FOR PARCEL #104730207011: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

15) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02106) FOR PARCEL #104730207012: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

16) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02115) FOR PARCEL #104730212008: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

17) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02116) FOR PARCEL #104730212010: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

18) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02117) FOR PARCEL #104730214004: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

19) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02118) FOR PARCEL #104730214005: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

20) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02119) FOR PARCEL #104730215009: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

21) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02120) FOR PARCEL #104730215011: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

22) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02121) FOR PARCEL #104730208007: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

23) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02122) FOR PARCEL #104730208009: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

24) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02123) FOR PARCEL #104730208010: Commissioner Moreno moved to approve said cancellation. The motion was seconded by Commissioner Saine, and it carried unanimously.

25) CONSIDER CANCELLATION OF TAX LIEN SALE CERTIFICATE (TS CERT 2008-02124) FOR PARCEL #104730213010: Commissioner Saine moved to approve said cancellation. The motion was seconded by Commissioner Moreno, and it carried unanimously.

26) CONSIDER TEMPORARY CLOSURE OF CR 33 BETWEEN CRS 70 AND 72: Amy Mutchie, Department of Public Works, presented this closure on behalf of Connell Resources and stated this closure will begin on January 3, 2023, and go through January 15, 2023, for the installation of a 48-inch

casing pipe for the new North Weld County Water District 30-inch water main. She stated the detour route is paved, and stated message boards will be used due to high volume of traffic in the area. Commissioner Moreno moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

27) CONSIDER TAX INCENTIVE AGREEMENT PURSUANT TO C.R.S. §30-11-123, AND AUTHORIZE CHAIR TO SIGN – AGILENT TECHNOLOGIES: Cheryl Pattelli, Chief Financial Officer, stated this agreement provides a 50% personal property tax incentive payment for Agilent Technologies located in Frederick, Colorado. She provided an overview of their intension to expand their company in 2023, to 275 full-time employees with an average annual wage of \$124,380.00. Ms. Pattelli stated Aglient Technologies' total investment, including equipment and building is \$783,000,000.00, of which \$534,000,000.00 is equipment. She stated the total tax incentive is in the amount of \$6,245,818.00 over a ten (10)-year period. Rich Werner, Upstate Colorado Economic Development, was present and stated his appreciation for the extreme economic value this company adds to the region. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign, which was seconded by Commissioner Saine. Commissioner Moreno and Chair James expressed their gratitude for the incredible behind-the-scenes work in accomplishing this project, which will help strengthen and diversify the economy in Weld County. There being no further discussion, the motion carried unanimously.

28) CONSIDER APPOINTMENTS TO WELD COUNTY EMERGENCY MEDICAL/TRAUMA SERVICES COUNCIL: Commissioner Moreno moved to approve said appointments. The motion was seconded by Commissioner Saine, and it carried unanimously.

29) CONSIDER APPOINTMENT AND REAPPOINTMENTS TO WORKFORCE DEVELOPMENT BOARD: Commissioner Moreno moved to approve said appointment and reappointments. The motion was seconded by Commissioner Saine, and it carried unanimously.

30) CONSIDER APPOINTMENT AND REAPPOINTMENTS TO REGIONAL COMMUNICATIONS ADVISORY BOARD: Commissioner Moreno moved to approve said appointment and reappointments. The motion was seconded by Commissioner Saine, and it carried unanimously.

31) CONSIDER REAPPOINTMENTS TO 911 EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD: Commissioner Moreno moved to approve said reappointments. The motion was seconded by Commissioner Saine, and it carried unanimously.

32) CONSIDER APPOINTMENT TO BOARD OF PUBLIC HEALTH: Commissioner Moreno moved to approve said appointment. The motion was seconded by Commissioner Saine, and it carried unanimously.

PLANNING:

1) CONSIDER RELEASE OF PROJECT COLLATERAL AND ACCEPT WARRANTY COLLATERAL FOR ACCESS PERMIT, AP21-00535 – CEDAR CREEK II, LLC / BP WIND ENERGY NORTH AMERICA, INC. / CEDAR CREEK II WIND ENERGY, LLC: Jazmyn Trujillo-Martinez, Department of Planning Services, requested the reduction of project collateral from the amount of \$3,000,000.00, and acceptance of warranty collateral, in the amount of \$450,000.00, in the form of a Bond Rider to be attached to the existing Performance Bond No. 285067599, issued by Mutual Insurance Company to be held for the duration of the warranty period. She further requested Performance Bond No. 285065197 issued by Mutual Insurance Company be released fully, and stated the applicants have completed all requirements, and inspectors from the Departments of Public Works and Planning Services have deemed the improvements acceptable. Commissioner Moreno moved to approve said release of project collateral, and acceptance of warranty collateral. The motion was seconded by Commissioner Saine, and it carried unanimously.

(Clerks Note: Commissioner Moreno expressed his heart-felt sentiments as today was his very last Board meeting before heading into retirement. Chair James thanked him for his service to the citizens of Weld County.)

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 9:38 a.m.

These Minutes were approved on the 11th day of January, 2023.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Scott K. James, Chair

EXCUSED

Mike Freeman, Pro-Tem

EXCUSED

Perry L. Buck

Steve Moreno

Lori Saine