

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, FEBRUARY 27, 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, February 27, 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 Mike Freeman, Chair  
Commissioner Perry L. Buck, Pro-Tem  
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

#### **MINUTES:**

1) Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of February 6, 2023, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

2) Commissioner Ross moved to approve the Minutes of the Board of County Commissioners meeting of February 8, 2023, as printed. Commissioner James seconded the motion, and it carried unanimously.

3) Commissioner Ross moved to approve the Minutes of the Board of County Commissioners meeting of February 13, 2023, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

**READ ORDINANCE BY AUDIO:** Commissioner James moved to read Code Ordinance #2023-04 by audio. The motion was seconded by Commissioner Buck, and it carried unanimously.

**CERTIFICATION OF HEARINGS:** Commissioner Ross moved to approve the Certification of Hearings conducted on February 8, 2023, as follows: 1) ZPSF22-0004 – Janssen Farms, LLC, c/o SunShare, LLC, dba Grizzly Solar, LLC. Commissioner Buck seconded the motion, which carried unanimously.

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

**CONSENT AGENDA:** Chair Freeman invited public comment concerning Partial Vacation of Two-Lot Recorded Exemption, RE-444, for Removal of Lot B – The Alexander Rusch and Benita Rusch Revocable Trust, c/o Michael Rusch, Trustee. Commissioner Ross moved to approve the Consent Agenda, as printed. Commissioner James seconded the motion, and it carried unanimously.

**COMMISSIONER COORDINATOR REPORTS:** Commissioner Buck reported she attended the Greeley Chamber dinner, where there were more than 1,300 people present. She also attended the Southeast Chamber Event at the Wildlife Sanctuary. Commissioner Ross met with Toby Taylor, Veteran Services Officer, to discuss processing requests from veterans in neighboring counties, whose needs are not being met. He reported the Facilities Department is still working on a master plan for the Weld County buildings and grounds addressing future growth and expansion of the County. Commissioner Ross further expressed his appreciation to the snow removal crews in the Department of Public Works. Commissioner Saine echoed the comments made by Commissioner Buck with her attendance of both Chamber Events, and stated it was the perfect opportunity for the thriving small business owners in the south end of the County to network. She reported that she is championing local controls against the attempt by the State to take over Planning and Zoning regulations from local government agencies. She stated Weld County continues to lead in auxiliary units, additional dwelling units (ADU), and triplex units.

**PRESENTATIONS:**

1) LIFE SAVING AWARDS, SHERIFF'S OFFICE – DAVID CLARKE, SPENCER ROUGIER, NATHAN BURKE: Staff requested this matter be continued to March 6, 2023, at 9:00 a.m., due to scheduling conflicts. In response to Chair Freeman, Bruce Barker, County Attorney, indicated a motion for continuance is not needed in this instance and suggested to simply use Chair's Prerogative to reschedule this item to the requested date.

**WARRANTS:**

1) GENERAL WARRANTS – FEBRUARY 21, AND 24, 2023: Commissioner Saine moved to split the Warrant dates and make two (2) separate votes, with a roll call for February 21, 2023. Chair Freeman used Chair's Prerogative to call the dates separately. Commissioner Ross moved to approve the General Warrants, as printed for February 21, 2023. Commissioner James seconded the motion, and upon a roll call vote of four (4) to one (1), the motion carried with Commissioner Saine opposed. Commissioner James moved to approve the General Warrants, for February 24, 2023, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

2) COMMISSIONER WARRANTS (KEVIN D. ROSS) – FEBRUARY 24, 2023: Commissioner Saine moved to approve the Warrant, as printed. Commissioner Buck seconded the motion, and upon a roll call vote of four (4) to zero (0), the motion carried with Commissioner Ross recused.

**BIDS:**

*(Clerk's Note: Chair Freeman used Chair's Prerogative to move Bid Item #12 up to #1, and re-number subsequent items.)*

1) CONDUCT ORAL AUCTION FOR OIL AND GAS LEASE AND AUTHORIZE CHAIR TO SIGN (S1/2 SE1/4, S21, T9N, R60W): Chris D'Ovidio, Weld County Controller, stated three (3) responses were received, and the highest bid was from, Apex Minerals, LLC, for the amount of \$2,751.00, per mineral acre, for a total of \$220,059.00. He stated the second highest bidder, Bison for Properties Colorado, LCC, offered the amount of \$1,550.00, per mineral acre, for a total of \$124,000.00. Mr. D'Ovidio stated the lowest bidder, Verdad Resources, LLC, offered the amount of \$1,150.00, per mineral acre, for a total of \$92,000.00. He explained County Code allows for oral auctions for the top two (2) bidders, and any other bidder within ten percent (10%), thus, the low bidder is out of the running for this oil and gas lease. The representative from Bison for Properties Colorado, LCC, asked to amend their bid to a max of \$1,850.00, per mineral acre, for a total of \$184,000.00, which Mr. D'Ovidio indicated was not enough to contend with the highest bidder. Staff recommended the award for the oil and gas lease go to Apex Minerals, LLC. Commissioner Ross moved to approve said high bid of \$2,751.00, per mineral acre, for a total of \$220,059.00, and authorize Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

2) APPROVE EMERGENCY BID #B2300048, 2023 BRIDGE REHABILITATION – DEPARTMENT OF PUBLIC WORKS (*RESCHEDULED FROM 2/22/2023*): Christie Peters, Purchasing Department, stated staff's request for emergency approval is due to long lead times for construction materials. She stated three (3) bids were received, and all three (3) needed minor corrections, however, staff recommends the lowest bidder meeting specifications, TLM Constructors, Inc., in the amount of \$667,515.54, which exceeds the 2023 budgeted amount of \$586,235.23, with the additional funds being approved by Ryan Rose, Director of Finance Administration. Commissioner Ross moved to approve said bid on an emergency basis. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) PRESENT AND APPROVE EMERGENCY BID #B2300075, MATERIAL HAULING CONTRACT – DEPARTMENT OF PUBLIC WORKS (*RESCHEDULED FROM 2/22/2023*): Ms. Peters stated this bid was originally advertised as Bid #B2300050, with four (4) responses received; however, all of the submissions were incomplete and rejected by the Board on February 13, 2023. She stated this was then rebid with staff's request for emergency approval to maintain their scheduled construction activities. Ms. Peters stated three (3) bids were received, and staff recommends the lowest bidder, SoLow Transport, Inc., not to exceed the budgeted amount of \$1,450,000.00. Commissioner Ross moved to approve said bid on an emergency basis. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) APPROVE BID #B2300061, 2023 SIGN MATERIAL – DEPARTMENT OF PUBLIC WORKS: Ms. Peters stated there were 71 items listed on this bid and staff recommends selecting the lowest bidder who met specifications in each category, Osburn Associates, for the amount of \$12,260.78; Interwest Safety Supply, for the amount of \$2,287.77; Safety and Construction Supply, in the amount of \$301.00; and Vulcan Signs, in the amount of \$960.27. Commissioner James moved to approve said bid for the various vendors as recommended by staff. The motion was seconded by Commissioner Ross, and it carried unanimously.

5) APPROVE BID #B2300049, ROOF SAFETY ANCHORS, ACCESS HATCH GUARDRAILS, AND GATES – FACILITIES DEPARTMENT: Ms. Peters stated staff recommends selecting the lowest bidder who met specifications, Skyline Fall Protection, Inc., for a total amount of \$270,753.80. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

6) PRESENT BID #B2300041, SENIOR NUTRITION PROGRAM MEAL DELIVERY – DEPARTMENT OF HUMAN SERVICES (*RESCHEDULED FROM 2/22/2023*): Ms. Peters stated one (1) bid was received and staff will make a recommendation on March 15, 2023.

7) PRESENT BID #B2300042, OLDER AMERICANS ACT (OAA) PROVIDER GRANT APPLICATION FUNDS – DEPARTMENT OF HUMAN SERVICES (*RESCHEDULED FROM 2/22/2023*): Ms. Peters stated five (5) bids were received and staff will make a recommendation on March 15, 2023.

8) PRESENT BID #B2300054, NORTHERN COLORADO REGIONAL FORENSIC LABORATORY HEATING, VENTILATION, AND COOLING (HVAC) EXHAUST SYSTEM UPGRADE – FACILITIES DEPARTMENT: Ms. Peters stated one (1) bid was received and staff will make a recommendation on March 13, 2023.

9) PRESENT BID #B2300055, FACILITIES EXPANSION DESIGN AND ENGINEERING SERVICES – FACILITIES DEPARTMENT (*RESCHEDULED FROM 2/22/2023*): Ms. Peters stated nine (9) bids were received and staff will make a recommendation on March 13, 2023.

10) PRESENT BID #B2300063, CUSTODIAL SERVICES (BUSINESS PARK) – FACILITIES DEPARTMENT (*RESCHEDULED FROM 2/22/2023*): Ms. Peters stated seven (7) bids were received and staff will make a recommendation on March 13, 2023.

11) PRESENT BID #B2300067, BRIGGSDALE GRADER SHED, AND SAND SHED DESIGN AND ENGINEERING SERVICES – FACILITIES DEPARTMENT: Ms. Peters stated five (5) bids were received and staff will make a recommendation on March 13, 2023.

12) PRESENT BID #B2300056, HOT AND WARM MIX ASPHALT SUPPLY – DEPARTMENT OF PUBLIC WORKS: Ms. Peters stated three (3) bids were received and staff will make a recommendation on March 13, 2023.

**NEW BUSINESS:**

1) CONSIDER REQUEST FOR PROPOSAL (RFP) FOR THE CASE MANAGEMENT AGENCY (CMA) ACTIVITIES AND STATE GENERAL FUND PROGRAM SERVICES, AND AUTHORIZE CHAIR TO SIGN: Jamie Ulrich, Director of the Department of Human Services, stated this is a request to submit a proposal to the Colorado Department of Health Care Policy and Finance, in response to their Case Management Agency services RFP solicitation. Commissioner Ross moved to approve said Request for Proposal and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER GRANT APPLICATION FOR CASE MANAGEMENT RECRUITMENT AND RETENTION, AND STATEMENT OF ASSURANCE FORM, AND AUTHORIZE DEPARTMENT OF HUMAN SERVICES TO SUBMIT ELECTRONICALLY: Ms. Ulrich stated this grant application will help with the retention of employees. Commissioner James moved to approve said grant application and authorize the Department of Human Services to submit electronically. The motion was seconded by Commissioner Saine, and it carried unanimously.

3) CONSIDER STANDARD FORM OF AGREEMENT FOR RECREATIONAL / EDUCATIONAL SERVICES FOR COLORADO WORKS SUMMER ACTIVITIES PROGRAM AND RELEASE OF LIABILITY AND AGREEMENT TO HOLD HARMLESS AND INDEMNIFY BETWEEN DEPARTMENT OF HUMAN SERVICES AND VARIOUS PROVIDERS, AND AUTHORIZE CHAIR TO SIGN AGREEMENTS CONSISTENT WITH SAID FORM: Ms. Ulrich stated this form is to approve the list of anticipated providers, agreement template and release of liability form. Commissioner Ross moved to approve said list, Standard Form of Agreement, and authorize the Chair to sign agreements consistent with said form. Seconded by Commissioner Buck, the motion carried unanimously.

*(Clerk's Note: Chair Freeman inadvertently skipped Item #4, and came back to it following Item #7.)*

5) CONSIDER CONTRACT ID #6471 SCOPE OF SERVICES AGREEMENT FOR GALLUP ACCESS (WORKPLACE SURVEY SUBSCRIPTION BASIC) AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY – GALLUP, INC.: Jason Cheesher, Director of the Department of Public Health and Environment, alongside Tanya Geiser, Department of Public Health and Environment (WCDPHE), stated this is for the renewal of a one-year subscription for survey services for improving employee engagement, for a fee of \$3,000.00. Commissioner Ross moved to approve said agreement and authorize the Chair to electronically sign and submit. Commissioner Buck seconded the motion, and it carried unanimously.

6) CONSIDER CONTRACT ID #6684 STUDENT CLINICAL AGREEMENT FOR REGISTERED NURSING TO BACHELOR OF SCIENCE IN NURSING PROGRAM AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY – FRONT RANGE COMMUNITY COLLEGE: Mr. Chessher stated this agreement allows nursing school students from Front Range Community College to conduct clinical rotations at WCDPHE for training and educational experiences. Commissioner Ross moved to approve said agreement and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner James, and it carried unanimously.

7) CONSIDER CONTRACT ID #6685 AMENDMENT #5 FOR NURSE HOME VISITOR PROGRAM (NHVP) AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Mr. Chessher stated this amendment will allow for WCDPHE to receive additional funding, in the amount of \$51,436.00, to bring the total contract amount to \$1,125,872.00, which will cover increased salaries for the 2022-2023 fiscal year. Commissioner Ross moved to approve said amendment and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner James, and it carried unanimously.

4) CONSIDER CONTRACT ID #6690 STATEMENT OF WORK AGREEMENT FOR EXTERNAL HUMAN RESOURCES HUMAN CAPITAL MANAGEMENT (HCM) FUNCTIONAL LEAD CONSULTANT FOR ENTERPRISE RESOURCE PLANNING (ERP) PROJECT AND AUTHORIZE CHAIR TO SIGN – CDW GOVERNMENT, LLC: Jill Scott, Director of the Department of Human Resources, stated this statement of work is for an external consultant to implement the Enterprise Resource Planning (ERP), and staff recommends approval. Commissioner James moved to approve said statement of work agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

8) CONSIDER CONTRACT ID #6686 AMENDMENT TO DATA USE AGREEMENT FOR COLORADO ALL PAYER CLAIMS DATA AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY – CENTER FOR IMPROVING VALUE IN HEALTH CARE: Mr. Chessher stated this amendment allows for the purchase of an updated data set for 2020-2021, for the cost of \$3,800.00. Commissioner James moved to approve said amendment and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner Ross, and it carried unanimously.

9) CONSIDER REASSIGNMENT AND APPOINTMENT TO WELD COUNTY BUILDING CODE BOARD OF APPEALS: Commissioner Ross moved to approve said reassignment and appointment. The motion was seconded by Commissioner Saine, and it carried unanimously.

10) CONSIDER APPOINTMENTS TO AREA AGENCY ON AGING ADVISORY BOARD: Commissioner James moved to approve said appointments. The motion was seconded by Commissioner Ross, and it carried unanimously.

11) CONSIDER DECLARATION OF 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 staff requested the equipment listed on the referenced 'Exhibit A' to be sent for auction on April 5, 2023. Commissioner Ross moved to approve said declaration, approve sale at auction, and delegate authority to Chris D'Ovidio, Weld County Controller, to sign any necessary documents. The motion was seconded by Commissioner Buck, and it carried unanimously.

12) CONSIDER RENEWAL APPLICATION FOR A TAVERN (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – RM, INC., DBA ROOM 119: Bruce Barker, County Attorney, stated the location for the record, and reported their application has been reviewed with no concerns from referral agencies. Commissioner James moved to approve said renewal application and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

13) FIRST READING OF CODE ORDINANCE #2023-04, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 2 ADMINISTRATION AND CHAPTER 5 REVENUE AND FINANCE OF THE WELD COUNTY CODE (*MISCELLANEOUS PURCHASING POLICY – RESCHEDULED FROM 2/22/2023*): Christie Peters, Purchasing Department, stated staff proposes to increase the purchasing threshold from \$25,000.00 to \$50,000.00 to be more cost effective allow for the procurement of small dollar items in an expedited timeline. She stated changes also to update language from “Controller” to “Chief Financial Officer or Designee” throughout Chapter 5, and add firearms and less lethal items to be listed under exempt purchases for the Sheriff’s Office, due to the lowest bid not always being the most reliable. She explained, in Chapter 2, the guidelines for air travel and tipping are revised. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2023-04 on First Reading. The motion was seconded by Commissioner Ross, and it carried unanimously.

**PLANNING:**

1) CONSIDER TERMINATION OF IMPROVEMENTS AGREEMENT FOR USE BY SPECIAL REVIEW PERMIT, USR-1670 – NORTHERN COLORADO DISPOSAL: Jazmyn Trujillo-Martinez, Department of Planning Services, stated staff is requesting the termination of the road maintenance agreement as a result of an approved vacation of USR16-0070, on February 1, 2023. Commissioner James moved to approve said termination. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) CONSIDER REQUEST TO MODIFY CONDITION OF APPROVAL #1.A.4 OF SITE SPECIFIC DEVELOPMENT PLAN AND MAJOR AMENDED USE BY SPECIAL REVIEW PERMIT, 1MJUSR21-76-298, FOR OPEN MINING (SAND, GRAVEL AND STONE) AND PROCESSING OF MINERALS, IMPORTATION OF AGGREGATE (SAND, GRAVEL AND STONE) FROM OFF SITE, MINE OFFICE WITH SCALE HOUSE AND SCALE, A FUELING/LUBRICATING STATION, PORTABLE GENERATORS, MOBILE MINING EQUIPMENT PARKING AND STORAGE, EMPLOYEE AND VENDOR PARKING, AND MORE THAN TWO (2) CONEX CONTAINERS FOR STORAGE OF PRODUCTS AND EQUIPMENT ASSOCIATED WITH OPERATIONS OUTSIDE OF SUBDIVISIONS AND HISTORIC TOWNSITES, IN THE A (AGRICULTURAL) ZONE DISTRICT – NORTH WELD GRAVEL, RLLP, C/O C AND H AGGREGATE, LLC: Stacey Shea, representative of C and H Aggregate, expressed their concern regarding the widening of the bridge located at County Roads (CRs) 39, and 90, located just east of U.S. Highway 85, and the disproportional burden this places on C and H Aggregate for their operation of the North Weld Gravel Pit. Cliff Simpson, owner, expressed extensive off-site improvements are economically infeasible and will result in a probable financial hardship. He referenced a Traffic Impact Study, which was based on existing traffic and added as a Condition of Approval (COA), during the hearing, and did not allow time to review the financial implications. Mr. Simpson agreed some improvements are warranted, due to the existing traffic; however, COA #1.A.4 has resulted in a very heavy economic burden created by other projects in the area. Ms. Shea stated the pit expansion is a contributor, but not the sole source of the increased traffic. She also pointed out the County has agreed to reimburse its proportional share for the materials alone, but does not account for design, engineering, relocation of utilities, and procurement of easements for rights-of-way, which puts the North Weld Gravel Pit in financial jeopardy, so they are requesting COA #1.A.4 to be removed from the Resolution.

Karin McDougal, Assistant County Attorney, stated staff is not in support of this request and deems the approval process was transparent, and the requirements of the Improvements Agreement are appropriate for similar operations. She further stated both the applicant and his engineer were present and agreed to the COA, including the bridge project, and acknowledged traffic in the area, but the Traffic Impact Study of this amendment is what triggered the safety requirements for the bridge to be widened. Ms. McDougal stated the County will have a large proportional share of 60% of all the construction, materials, and labor costs for CRs 39, and 90. She stated staff’s recommendation is to deny the request to amend the

Resolution to remove COA #1.A.4 of the Use By Special Review Permit held by C and H Aggregate for the North Weld Gravel Pit.

In response to Commissioner Ross, Kim Ogle, Department of Planning Services, displayed an aerial map to help clarify the area being referenced. In response to Commissioner Saine, Dawn Anderson, Department of Planning Services - Development Review, explained the Improvements Agreement processes, and indicated that Capital Improvement Projects are the County's responsibility, but policy is that the development cost is paid by the applicant. In response to Commissioner Buck, Ms. Anderson commented proportional share is based on traffic volume, the worksheet does include the background traffic, and they are also subject to their Improvement Agreement obligations, but the County pays the difference. In response to Commissioner Ross, Ms. Anderson reiterated the applicant does pay for design, utility relocation, and rights-of-way acquisition, but the County will cover 60% of the cost of the construction of the bridge. She also stated that the Colorado Department of Transportation (CDOT) is also involved to include acceleration and deceleration lanes on U.S. Highway 85, as well as access permits and turn lane improvements. After extensive discussion, Mr. Simpson explained the misunderstanding of the COA, and reminded the Board that this request is a small portion that he feels is outside the scope of the Road Maintenance Agreement.

*(Clerk's Note: Chair Freeman requested a five (5) minute recess.)*

Chair Freeman reconvened the meeting and after discussion, Mr. Barker simplified the request is to remove the bridge requirement from the Improvements Agreement. Ms. Anderson clarified the Improvements Agreement is still under review and has to come before the Board for approval, and explained Mr. Simpson objects to bearing the burden of the front-end work, which is a fair issue of negotiation. In response to Commissioner Saine, Mr. Simpson countered with 25%, rather than 40%, based on traffic for peak hours at this intersection and the safety improvements of the bridge. After discussion, Commissioner Buck moved to deny said modification to 1MJUSR21-76-298, with the instruction to staff to meet with the applicant and representatives to reach a more equitable proportional share of its impacts to access U.S. Highway 85. The motion was seconded by Commissioner Ross, which carried unanimously.

3) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – JOSE MENDOZA (*CONT'D FROM 12/7/2022 – RESCHEDULED FROM 2/22/2023*): Mr. Barker stated a Staff Memorandum that was provided by Matthew Conroy, Assistant County Attorney, explaining the recommendation that the current outstanding penalty of \$3,150.00 be certified to the Treasurer's Office as a Special Assessment. Commissioner Buck moved to approve said certification as a special assessment. The motion was seconded by Commissioner James, and it carried unanimously.

4) CONSIDER CERTIFICATION TO WELD COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESSMENT – LUCINA FLORES (*CONT'D FROM 2/13/2023 – RESCHEDULED FROM 2/22/2023*): Mr. Barker stated a Staff Memorandum that was provided by Mr. Conroy explaining the recommendation that the current outstanding penalty not be certified to the Treasurer's Office, as a Special Assessment. Bethany Pascoe, Zoning Compliance for the Department of Planning Services, confirmed a majority of the issues have been addressed and they are working with Modesto Flores to resolve permitting for the remaining buildings on the property. Commissioner James moved to not certify said penalties of the certification as a special assessment. The motion was seconded by Commissioner Saine, and it carried unanimously.

**PUBLIC COMMENT:**

1) Nicole Marris, Windsor resident, Representative of Citizen's Climate Lobby, Collaborator with the American Conservation Coalition, offered her comments to the Board, marked Exhibit A.

**RESOLUTIONS AND ORDINANCES:** The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2023-04 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 10:56 a.m.

These Minutes were approved on the 13th day of March, 2023.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

\_\_\_\_\_  
Mike Freeman, Chair

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Perry L. Buck, Pro-Tem

\_\_\_\_\_  
Scott K. James

\_\_\_\_\_  
Kevin D. Ross

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Lori Saine