

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, APRIL 10, 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, April 10, 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 - EXCUSED  
Commissioner Lori Saine

Also present:

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

**MINUTES:** Commissioner Saine moved to approve the Minutes of the Board of County Commissioners meeting of March 27, 2023, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

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

#### **CONSENT AGENDA:**

1) Chair Freeman called for public input concerning Vacation, VAC23-0005, of Two-Lot Family Farm Division, FFD22-0009, and recombine the lots into One (1) Parcel – Greenleaf Acres, LLC, c/o Barry Fehr; and Vacation, VAC23-0006, of Two-Lot Family Farm Division, FFD22-0010, and recombine the lots into One (1) Parcel – Greenleaf Acres, LLC, c/o Barry Fehr; however, there was none. Commissioner Saine moved to approve the Consent Agenda, as printed. Commissioner James seconded the motion, and it carried unanimously.

**COMMISSIONER COORDINATOR REPORTS:** Commissioner Saine stated she testified against Senate Bill SB23-213, and reported that many governmental entities are opposed to making the land use code of the Colorado Department of Local Affairs (DOLA) the default regulation, as it is an unfunded mandate, since water is a scarcity in Colorado. She stated local government knows best on how to utilize its resources, and she is proud to represent Weld County and vigorously oppose the bill. Commissioner James stated the State Transportation Advisory Committee (STAC) and North Front Range Metropolitan Planning Organization (NFRMPO), met last week and reported there is ongoing consternation about why the Colorado Department of Transportation (CDOT) minimizes the voices of rural communities with plans to re-draw transportation planning regions, and Amendment 1101 has been sent back to a second conference committee in hopes that Senators Kirkmeyer and Winter can make a deal, or have it removed altogether. He further reported there are conversations about implementing a plan for projects and

activities, which will involve multiple public meetings in the coming weeks, and he will advocate for capacity and increased roadways, rather than funding transit, as that is not in the best interest of the citizens of Weld County.

**PRESENTATIONS:**

1) RECOGNITION OF SERVICES, BUILDING TRADES ADVISORY COMMITTEE – ERIC WERNSMEN AND MATT WAGY: Chair Freeman read the certificates for the record, and the Board thanked them for their volunteer efforts and contributions. *(Clerk's Note: The certificates will be sent to these volunteers.)*

2) RECOGNITION OF SERVICES, CHILD PROTECTION CITIZEN REVIEW PANEL – TONIJO NICCOLI, HELEN BERNTSEN, AND ALINE COCHRON: Chair Freeman read the certificates for the record, and the Board thanked them for their volunteer efforts and contributions. *(Clerk's Note: The certificates will be sent to these volunteers.)*

**PROCLAMATIONS:**

1) NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK – APRIL 9-15, 2023: Chair Freeman read the proclamation for the record. Tina Powell, Director of the Department of Public Safety Communications, thanked the board for their recognition and further acknowledged emergency dispatchers are always the first to respond in every crisis. She shared stories of heroic work of four (4) dispatchers: Ashley White, Emily Shoneman, Sammy Munson, and Marissa Dasher, who have collectively answered 11,937, 9-1-1 calls in 2022. Ms. Powell acknowledged the support team behind the scenes in the training division, radio team, public safety information technology partners, and executive team. Each Commissioner, in turn, expressed their humble gratitude for the remarkable work performed and stated only the elite are able to perform this job daily, and thanked staff for answering the calls during the darkest hours of citizens of Weld County. Upon request, each staff member introduced themselves for the record. *(Clerk's Note: The group gathered for a photo opportunity.)*

**WARRANTS:**

1) GENERAL WARRANTS – April 7, 2023: Commissioner Saine moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B2300090, ROAD BASE SUPPLY (CLASS 6) – DEPARTMENT OF PUBLIC WORKS: Rose Everett, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications for north Weld County, Varra Buildings, for a price of \$8.00 per ton for a total anticipated cost of \$192,000.00, for 24,000 tons of material. She further stated staff recommends selecting the lowest bidder who met specifications for central Weld County, J-2 Contracting Company, for a price of \$11.40 per ton for a total anticipated cost of \$228,000.00, for 20,000 tons of material. Ms. Everett stated the low bidder has three (3) pits but it is not cost-effective to haul from their locations. The 2023 budgeted amount for Class 6 material is \$506,000.00. Curtis Hall, Director of the Department of Public Works, clarified the cost per mile for the low bid, which is why staff chose J-2 Contracting Company. Commissioner James moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) APPROVE BID #B2300082, CUSTODIAL SERVICES FOR DOWNTOWN GREELEY BUILDINGS – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, ZTL Janitorial Services, LLC, in the amount of \$14,632.50, per month. She stated this bid may be renewed annually for up to three (3) additional years, with a four percent (4%) escalation rate, per year. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

3) PRESENT BID #B2300089, WELD COUNTY JAIL BOOKING AREA RENOVATION DESIGN AND ENGINEERING SERVICES – FACILITIES DEPARTMENT: Ms. Geisert stated three (3) bids were received and staff will make a recommendation on April 24, 2023.

4) PRESENT BID #B2300092, ISLAND GROVE BUILDING CONCEPTUAL DESIGN AND BUDGETING SERVICES – FACILITIES DEPARTMENT: Ms. Geisert stated two (2) bids were received and staff will make a recommendation on April 24, 2023. In response to Commissioner Saine, Toby Taylor, Director of the Facilities Department, explained there is an advertisement for two (2) weeks, followed by a mandatory pre-bid meeting, and then staff allows two (2) weeks for responses.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #6805 MEMORANDUM OF UNDERSTANDING FOR INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS) ACROSS COUNTY BORDERS DURING CRITICAL EVENTS AND AUTHORIZE CHAIR, OFFICE OF EMERGENCY MANAGEMENT, AND DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS TO SIGN – LARIMER EMERGENCY TELEPHONE AUTHORITY (LETA): Roy Rudisill, Director of the Office of Emergency Management, stated this Memorandum of Understanding (MOU) will allow for Weld County Regional Communications Center and Larimer Emergency Telephone Authority (LETA), to launch wireless emergency alerts to the other County. He explained this MOU is the outcome of an After-Action Review, and approval from the Federal Emergency Management Agency (FEMA), and explained calls may cross jurisdictional lines and this MOU will offer better coordination of local communities. Commissioner James moved to approve said Memorandum of Understanding, and authorize the Chair, Office of Emergency Management, and the Department of Public Safety Communications to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER CONTRACT ID #6670 INTERGOVERNMENTAL AGREEMENT AND SUMMARY OF GRANT AWARD TERMS AND CONDITIONS FOR 2023-2024 PEACE OFFICERS BEHAVIORAL HEALTH SUPPORT AND COMMUNITY PARTNERSHIPS PROGRAM: Sonja Kohlgraf, Sheriff's Office, stated the County has been awarded \$52,000.00, which will be used for Sheriff's Office Peer Support Team for employees involved in critical incidents, training and external services, and wellness application. She stated the agreement term dates are from January of 2023, through June of 2024. Commissioner Buck moved to approve said agreement and accept the grant award. The motion was seconded by Commissioner James, and it carried unanimously.

3) CONSIDER CONTRACT ID #6808 INTERGOVERNMENTAL AGREEMENT FOR COST REIMBURSEMENT FOR MUNICIPAL JAIL SERVICES AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY POLICE DEPARTMENT: Ms. Kohlgraf stated this agreement allows for reimbursement of jail inmate services provided, for the duration of the five (5) year term from 2023-2028. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously. *(Clerk's Note: Chair Freeman inadvertently called this item #4.)*

4) CONSIDER EXTENSION OF TEMPORARY CLOSURE OF CR 94 BETWEEN CRS 39 AND 41: Amy Mutchie, Department of Public Works, stated due to inclement weather the project has been delayed, therefore, staff is requesting an extension of the temporary road closure for County Road (CR) 94 between CRs 39 and 41, through April 11, 2023. Commissioner Buck moved to approve said extension of temporary closure. The motion was seconded by Commissioner James, and it carried unanimously.

5) CONSIDER EMERGENCY TEMPORARY CLOSURE OF CR 53 BETWEEN CRS 36 AND 38: Ms. Mutchie stated the Department of Public Works made an emergency road closure from April 3, 2023, through April 6, 2023, due to excessive tumble weeds that blocked the roadway. In response to Commissioner James, Ms. Mutchie explained staff was unable to get a burn permit in time, so staff simply moved the tumbleweeds to the side of the roadway. Commissioner Buck moved to approve said emergency temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

6) CONSIDER TEMPORARY CLOSURE OF CR 8 BETWEEN CRS 41 AND 45: Ms. Mutchie stated this closure will begin on April 24, 2023, and go through May 19, 2023, for the re-deck of Bridge 8/43A. She further stated a portion of the detour route is paved, and the gravel section will be treated with magnesium chloride for dust mitigation, and message boards will be placed in advance of the closure. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Saine, and it carried unanimously.

7) CONSIDER TEMPORARY CLOSURE OF CR 7 BETWEEN CRS 46 AND 48: Ms. Mutchie stated this closure will begin on April 17, 2023, and go through April 21, 2023, for an abandoned concrete box removal, as well as bridge deck and guardrail repairs in advance of road repairs. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner James, and it carried unanimously.

8) CONSIDER RESOLUTION RE: EXPRESSION OF OPPOSITION TO SENATE BILL, SB23-213, LAND USE: Bruce Barker, County Attorney, stated this bill is aimed at municipalities but the Colorado Municipal League (CML) analysis clearly explains and strongly opposes SB23-213. Mr. Barker stated the resolution conveys how SB23-213 applies to Counties, and would authorize the Colorado Department of Local Affairs (DOLA) to have the power to veto local Comprehensive Plans, which goes well beyond 1939 Legislation, which is a power grab. Commissioner Buck moved to approve said Resolution. The motion was seconded by Commissioner Saine. Commissioner James stated this bill is an unadulterated power grab and local government should have authority to grow in a manner desired by the citizens. He explained nowhere in the 106-page document does it mention affordable housing, but rather, it relates to climate change and State control. Commissioner Buck stated this should be turned into a ballot initiative for people to have the ability to voice their opinions, but she is not aware of any jurisdiction in support of SB23-213. Commissioner Saine testified urban and rural development should be represented, but under this bill citizens would not have a right to private property and home ownerships would be in jeopardy. Chair Freeman stated he attended an emergency Steering Committee meeting that voted 76-24 in opposition to the bill, and explained there were several that felt this bill should be amended; however, he expressed his opinion that this bill is not worth amending, as there is nothing good about this bill. There being no further discussion the motion carried unanimously.

9) CONSIDER REAPPOINTMENT TO ISLAND GROVE PARK ADVISORY BOARD: Commissioner James moved to approve said reappointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

10) CONSIDER APPOINTMENT TO EXTENSION ADVISORY COUNCIL: Commissioner Buck moved to approve said appointment. The motion was seconded by Commissioner James, and it carried unanimously.

11) CONSIDER APPOINTMENT AND REAPPOINTMENT TO BUILDING TRADES ADVISORY COMMITTEE: Commissioner Buck moved to approve said appointment and reappointment. The motion was seconded by Commissioner James, and it carried unanimously.

12) CONSIDER APPOINTMENT TO WORKFORCE DEVELOPMENT BOARD: Commissioner James moved to approve said appointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

13) CONSIDER APPOINTMENT TO WELD/LARIMER REVOLVING LOAN FUND COMMITTEE: Commissioner Buck moved to approve said appointment. The motion was seconded by Commissioner James, and it carried unanimously.

**PUBLIC COMMENT:** There was no public comment.

**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 9:41 a.m.

These Minutes were approved on the 24th day of April, 2023.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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

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Perry L. Buck, Pro-Tem

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Scott K. James

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

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Lori Saine