

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, MAY 15, 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, May 15, 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 – Present at 9:05 a.m.

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Houston Aragon
Controller, Chris D'Ovidio

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

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

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

COMMISSIONER COORDINATOR REPORTS: Commissioner Ross commended the Department of Public Works staff concerning road closures to repair damaged culverts and washed out roads due to the record rainfall experienced in the past week to maintain safety for citizens of Weld County. He further reported that he and Commissioner James are working together on a few transportation projects. Commissioner Buck reported she attended the Kids Count Weld County event that addressed concerns of homelessness, poverty, and demographics of children. She also stated she attended the grand opening for the new Link Library, and encouraged everyone to visit. Commissioner James echoed the sentiments of Commissioner Ross regarding the Department of Public Works, and Commissioner Buck's excitement regarding the Link Library and the Kids Count event.

PROCLAMATIONS:

1) NATIONAL WELD COUNTY POLICE OFFICERS WEEK, NATIONAL PEACE OFFICERS MEMORIAL DAY, AND WELD COUNTY FALLEN OFFICER MEMORIAL TRIBUTE CEREMONY – SHERIFF'S OFFICE: Chair Freeman read the proclamation for the record. (*Clerk's Note: Commissioner Saine was present at 9:05 a.m.*) Sheriff Reams, Weld County Sheriff, expressed his appreciation for the recognition, and introduced Captain Matt Turner and Sergeant Michael Recor, who have coordinated the community memorial tribute ceremony for several years. Captain Turner, Honor Guard representative, announced

the opportunity to honor and recognize those fallen in the line of duty at a ceremony at 6:00 p.m., on May 18, 2023, at Bittersweet Park, located in Greeley, Colorado. In turn, each Commissioner expressed their respect for, and honor to support, the Weld County Sheriff's Office personnel who enforce the laws of this land in such a self-less job and commit themselves to dangerous situations every single day. The Board further thanked their families for their sacrifice for the risks their loved ones take to protect the citizens of Weld County and Northern Colorado. *(Clerk's Note: The group gathered for a photo opportunity.)*

WARRANTS:

1) GENERAL WARRANTS – May 12, 2023: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #6937 LEASE AGREEMENT FOR GROVER COMMUNICATIONS TOWER AND SITE, AND AUTHORIZE CHAIR TO SIGN – T-MOBILE WEST, LLC: Tina Powell, Director of the Department of Public Safety Communications, stated this is a new five (5) year lease to authorize T-Mobile to install their equipment on the communications tower in Grover, Colorado, in the amount of \$21,600.00 annually. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) CONSIDER CONTRACT ID #6952 APPLICATION FOR 2023 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT AND AUTHORIZE SHERIFF'S OFFICE TO SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff's Office, explained the 2023 SCAAP application for grant funding, which will help offset the medical costs incurred by housing illegal aliens in the Weld County Jail, with a specific funding amount unknown at this time. Commissioner Ross moved to approve said application and authorize the Sheriff's Office to submit electronically. The motion, which was seconded by Commissioner Buck, carried unanimously.

3) CONSIDER CONTRACT ID #6953 AMENDMENT #2 TO CONTRACT FOR JAIL BASED BEHAVIORAL HEALTH SERVICES AND AUTHORIZE CHAIR TO SIGN: Ms. Kohlgraf, alongside Brandon Williams, Director of Inmate Services, stated this amendment from July 1, 2023, through June 30, 2024, in the amount of \$380,000.00, is to support the assessment and treatment of inmates with substance use disorders at the Weld County Jail. She further stated the plan includes continued support services and resources once an individual is released into the community. Commissioner James moved to approve said amendment and authorize the Chair to sign. Seconded by Commissioner Ross, the motion carried unanimously.

4) CONSIDER AMENDMENT TO DETOUR ROUTE FOR TEMPORARY CLOSURE OF TWO RIVERS PARKWAY BETWEEN CR 54 AND SH 60: Amy Mutchie, Department of Public Works, stated this amendment is to keep the current detour route, but have placed additional signage "for local use only" on County Road (CR) 25. In response to Commissioner James, Ms. Mutchie confirmed the route that people have been using was not intended or designed to have the high volume of vehicles traveling on it and has degraded the gravel road, thus, is it no longer safe to use in this capacity. Commissioner James moved to approve said amendment. The motion was seconded by Commissioner Ross, and it carried unanimously.

5) CONSIDER CONTRACT ID #6968 APPLICATION FOR SUPPLEMENTAL REIMBURSEMENT FOR PETROLEUM STORAGE TANK REMEDIATION AT FUELING FACILITY PERFORMED BY PALMETTO ENVIRONMENTAL GROUP, AND AUTHORIZE CHAIR TO SIGN: Chris D'Ovidio, Weld County Controller, stated this reimbursement application is for recent cleanup efforts performed by Palmetto Environmental Group due to contamination found at the fueling facility. Commissioner Ross moved to approve said application and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

6) CONSIDER CONTRACT ID #6969 SECTION 179D ENERGY EFFICIENT COMMERCIAL BUILDINGS TAX DEDUCTION ALLOCATION FORM FOR DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND NORTH JAIL COMPLEX, AND AUTHORIZE CHAIR TO SIGN – G2 CONSULTING ENGINEERS, INC.: Mr. D'Ovidio stated this allocation is to assign the Section 179D Tax Deduction credit for the qualified design work performed by G2 Consulting Engineers, Inc., for the Department of Public Health and Environment and the North Jail Complex. Commissioner Ross moved to approve said tax deduction allocation form and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

PLANNING:

1) CONSIDER DECOMMISSIONING/RECLAMATION PLAN AND ACCEPT COLLATERAL FOR ZONING PERMIT FOR SOLAR ENERGY FACILITY, ZPSF22-0004, LESS THAN FIVE (5) ACRES (5 ACRE SEF) – JANSSEN FARMS, LLC, C/O SUNSHARE, LLC, DBA GRIZZLY SOLAR, LLC: Maxwell Nader, Department of Planning Services, stated this Decommissioning and Reclamation Plan and security bond associated with ZPSF22-0004 will satisfy Condition of Approval #1.D, and he found this acceptable and recommended approval. Commissioner James moved to approve said plan and accept collateral. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) CONSIDER REQUEST TO TEMPORARILY EXTEND THE HOURS OF OPERATION FOR AMENDED USE BY SPECIAL REVIEW PERMIT, AMUSR-1102, FOR MINERAL RESOURCE DEVELOPMENT INCLUDING OPEN PIT MINING AND MATERIALS PROCESSING (SAND, GRAVEL AND STONE), INCLUDING CONCRETE AND ASPHALT RECYCLING AND A CONCRETE AND ASPHALT BATCH PLANT FACILITY IN THE A (AGRICULTURAL) ZONE DISTRICT – L.G. EVERIST, INC.: Tom Parko, Director of the Department of Planning Services, stated this is associated with the Firestone Gravel Resource Mine, and L.G. Everist has requested extended hours for two (2) early pours this week, with more requests to come later this month. He stated there have been no complaints and recommended approval. Commissioner Ross moved to approve said temporary extension of hours. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) SECOND READING OF CODE ORDINANCE #2023-05, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 19 COORDINATED PLANNING AGREEMENTS, OF THE WELD COUNTY CODE (*TOWN OF GILCREST*): Commissioner James moved to read Code Ordinance #2023-05 by title only. The motion was seconded by Commissioner Ross, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Mr. Parko reviewed the proposed changes to the Coordinated Planning Agreement for the Town of Gilcrest, and stated there have been no changes since the First Reading. No public testimony was offered concerning this matter. Commissioner Ross commended staff and moved to approve Code Ordinance #2023-05 on Second Reading. The motion was seconded by Commissioner Buck, and it carried unanimously.

PUBLIC COMMENT: No public comments were offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2023-05 was approved on Second 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 9:27 a.m.

These Minutes were approved on the 5th day of June, 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

Lori Saine