

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, MAY 24, 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 24, 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:** Commissioner Ross moved to approve the Minutes of the Board of County Commissioners meeting of May 10, 2023, as printed. Commissioner James seconded the motion, and it carried unanimously.

**READ ORDINANCE BY AUDIO:** Commissioner Ross moved to read Code Ordinance #2023-07 by audio. Commissioner Buck seconded, and the motion carried unanimously.

**AMENDMENTS TO AGENDA:** Commissioner Saine moved to amend the agenda to add a Resolution (Exhibit A) concerning Senate Bill, SB23-303, to join the Advance Colorado lawsuit to protect the Colorado Constitution; however, due to lack of a second, the motion failed.

**CONSENT AGENDA:** Chair Freeman opened up for public comment concerning: 1) Partial Vacation, VAC23-0001, of Three-Lot Recorded Exemption, RECX14-0124, for Removal of Lot C – Dillard Family, LLC, c/o James Dillard; and 2) Partial Vacation, VAC23-0025, of Two-Lot Recorded Exemption, RECX16-0117, for Removal of Lot B – Caleb Spear, Cynthia Spear, Samuel Spear, Lisa Spear, and Jonathan Spear; however, there was no public testimony regarding these matters. Commissioner Ross moved to approve the Consent Agenda, as printed. Commissioner James seconded the motion, and it carried unanimously.

**PROCLAMATIONS:**

1) MEMORIAL DAY – MAY 29, 2023: Chair Freeman read the proclamation for the record.

**WARRANTS:**

1) GENERAL WARRANTS – MAY 22, AND 23, 2023: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

**BIDS:**

1) APPROVE BID #B2300115, CISCO UCCX FLEX – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated two (2) bids were received, and staff recommends selecting the lowest bidder who met specifications, Zivaro, Inc., for the total amount of \$45,900.50, as part of the 2023 operational budget. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously. Commissioner Ross thanked staff for updates concerning a cut in fiber optic lines, and the quick repair before business hours.

2) PRESENT BID #B2300107, CHASE BUILDING RENOVATION (822 7TH STREET, GREELEY, CO) – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated four (4) bids were received and staff will make a recommendation on June 7, 2023.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #6976 AGREEMENT FOR RESPITE SERVICES AND AUTHORIZE CHAIR TO SIGN – TONY AND SIMONE CARLONI: Tami Grant, Deputy Director of the Department of Human Services, stated this agreement is for a new foster care respite service home located in Severance, Colorado, from May 17, 2023, through June 30, 2023. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER STANDARD FORM OF AGREEMENT AND PROVIDER LIST FOR THERAPEUTIC FOSTER CARE RESPITE SERVICE BETWEEN DEPARTMENT OF HUMAN SERVICES AND VARIOUS PROVIDERS, AND AUTHORIZE CHAIR TO SIGN AGREEMENTS CONSISTENT WITH SAID FORM: Ms. Grant presented the template form agreement, list of certified Therapeutic Foster Care Respite Service providers, and rates from July 1, 2023, through June 30, 2024. Commissioner Buck moved to approve said form, list, and rates and authorize the Chair to sign contracts consistent with said form. Seconded by Commissioner Ross, the motion carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 77 BETWEEN CR 100 AND STATE HIGHWAY 14: Amy Mutchie, Department of Public Works, stated this closure will begin June 12, 2023, and go through November 3, 2023, for the first phase of road construction to include: subgrade upgrades, drainage improvements, culvert replacements and repairs, widening, paving, and constructing a truck pull-off for safety. She stated the detour route is paved, message boards will be placed in advance of this closure, local access will be provided throughout, protection of gravel roads restricting unintended traffic, off of them, social media updates, and the Town of Grover's Father's Day Rodeo will be uninterrupted. In response to Chair Freeman, Ms. Mutchie shared the detour route for the record. Commissioner Ross moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) CONSIDER CONTRACT ID #6975 CHANGE ORDER #4 TO AGREEMENT FOR PROFESSIONAL SERVICES FOR BRIDGE 19/46.5A REPLACEMENT DESIGN PROJECT (BID #B1900113) AND AUTHORIZE CHAIR TO SIGN – J-U-B ENGINEERS, INC.: Michael Bedell and Don Dunker, Department of Public Works, stated this change order is associated with ongoing design work and replacement of Bridge 19/46.5A, for additional floodplain and hydraulic modeling for the cost of \$191,816.00. Commissioner Ross moved to approve said Change Order and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

5) FIRST READING OF CODE ORDINANCE #2023-07, IN THE MATTER OF REPEALING AND REENACTING WITH AMENDMENTS, CHAPTER 17 PUBLIC PLACES, OF THE WELD COUNTY CODE (*CAMPING ON PUBLIC PROPERTIES*): Bruce Barker, County Attorney, stated the proposed changes to Chapter 17 of the Weld County Code are made on behalf of the Sheriff's Office for the purpose of enforcement of prohibiting camping on public property to include rights-of-way and other various public spaces that are owned by Weld County. He further explained this includes properties within municipalities only to the extent of allowing law enforcement authorities the jurisdiction to be able to enforce, pursuant to Colorado Revised Statute (C.R.S.) Section 18-9-117. Mr. Barker explained the Court House is one example which gives the Greeley Police Department (GPD) the ability to enforce, and he stated staff recommends approval. Chair Freeman stated there was a work session held May 23, 2023, with Sheriff Reams to discuss the concerns of the matter, and agreed to the enforcement. In response to Steve Teets, Greeley resident, Mr. Barker clarified this ordinance will include enforcement to prohibit persons camping, sleeping or preparing to sleep, occupying a shelter outdoors including sleeping bags, shacks, and tents along the Poudre River Trail, rights-of-way, and public property owned by Weld County within municipalities, such as the Court House and the Missile Site Park located in Greeley, Colorado. He noted this does exclude those in a vehicle temporarily disabled due to an emergency. Commissioner James moved to approve Code Ordinance #2023-07 on First Reading. The motion was seconded by Commissioner Ross, and it carried unanimously.

**PUBLIC COMMENT:**

- 1) Steve Teets, Greeley resident, offered his comments to the Board.
- 2) Edwin Grant, Greeley resident, offered his comments to the Board.

**RESOLUTIONS AND ORDINANCES:** The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance ##2023-07 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 9:25 a.m.

These Minutes were approved on the 12th day of June, 2023.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

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

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Mike Freeman, Chair

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Perry L. Buck, Pro-Tem

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Scott K. James

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Kevin D. Ross

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Lori Saine