

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, JULY 26, 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, July 26, 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 – EXCUSED

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 July 12, 2023, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner Ross moved to read Code Ordinance #2023-13 by audio. The motion was seconded by Commissioner Buck, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Buck moved to approve the Certification of Hearings conducted on July 12, 2023, as follows: 1) PCSC22-0021 – Donn Foster and Mary Lee Hardy, c/o Foster Trucking, Inc., and 2) USR23-0004 – Shannon Kemp. Commissioner Ross seconded the motion, which carried unanimously.

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

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

PRESENTATIONS:

1) **RECOGNITION OF SERVICES, PLANNING COMMISSION – SAM GLUCK:** Chair Freeman read the certificate for the record. The Board thanked him for his volunteer efforts for the citizens of Weld County.

2) **RECOGNITION OF SERVICES, BOARD OF ADJUSTMENT – LONNIE FORD AND KATHRYN WITTMAN:** Chair Freeman read the certificate for the record. The Board thanked them for their volunteer efforts for the citizens of Weld County.

3) RECOGNITION OF SERVICES, JUVENILE COMMUNITY REVIEW BOARD – LEXI DUHRING: Chair Freeman read the certificate for the record. The Board thanked her for her volunteer efforts for the citizens of Weld County.

WARRANTS:

1) GENERAL WARRANTS – JULY 25, 2023: Commissioner Buck moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2300139, COMMAND UNIT (QTY 1) – FLEET SERVICES AND SHERIFF'S OFFICE: Rose Everett, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Transwest Truck Trailer and RV, for a total amount of \$497,852.00. She explained Transwest will supply the chassis to TriVan Truck Builders of Ferndale, Washington, to complete the build for a 2024 Freightliner M2 Chassis upfitted with a TriVan Command Truck Body. Ms. Everett noted the low bid from McCandless Truck Center did not meet the chassis specifications. Commissioner James moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) APPROVE BID #B2300138, SECURITY CAMERA INSTALLATION – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Walcom Integration, for a total amount of \$38,285.00. Commissioner Buck moved to approve said bid. The motion was seconded by Commissioner Ross, and it carried unanimously.

3) PRESENT BID #B2300140, CENTENNIAL CENTER HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) AND ELECTRICAL UPGRADES – FACILITIES DEPARTMENT: Ms. Geisert stated one (1) bid was received and staff will make a recommendation on August 9, 2023.

4) PRESENT BID #B2300146, 1555 NORTH 17TH AVENUE, GREELEY, SHERIFF'S OFFICE RECORDS UNIT CABLING – DEPARTMENT OF INFORMATION TECHNOLOGY: Ryan Rose, Director of the Department of Information Technology, stated three (3) bids were received and staff will make a recommendation on August 9, 2023. He stated this cabling is for the network and voice project.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #7242 AWARD LETTER AND INTERGOVERNMENTAL AGREEMENT FOR 2023 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANT FOR NORTHERN COLORADO REGIONAL FORENSIC LABORATORY, AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff's Office, on behalf of Daren Ford, Director of the Northern Colorado Regional Forensic Laboratory, stated this award letter and agreement is in the amount of \$28,876.00, and will be used for identified costs for training for crime analysts. Commissioner Ross moved to approve said award letter and agreement and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER CONTRACT ID #7247 MEMORANDUM OF UNDERSTANDING FOR THE 2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Ms. Kohlgraf stated this Memorandum of Understanding (MOU) allows the County to receive justice assistance funds in the amount of \$59,192.00, and is split with the City of Greeley, who is the fiscal agent. She explained the County's portion of funds will be \$15,207.00 to assist in law enforcement efforts to prevent crime with the use of thescopes. Commissioner Ross moved to approve said MOU and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

3) CONSIDER CONTRACT ID #7223 ACCEPTANCE OF PURCHASE ORDER FUNDS FOR COLORADO WORKS SUBSIDIZED TRAINING AND EMPLOYMENT PROGRAM (CW STEP), AND AUTHORIZE DEPARTMENT OF HUMAN SERVICES TO DISBURSE FUNDS: Jamie Ulrich, Director of the Department of Human Services, explained this state funding assists Colorado Works recipients in attaining living-wage, permanent jobs through employment opportunities with subsidized wages, including apprenticeships, on-the-job training, transitional jobs, and paid internships. Commissioner James moved to approve said purchase order and authorize the Department of Human Services to disburse said funds. Commissioner Ross seconded the motion, and it carried unanimously.

4) CONSIDER CONTRACT ID #7224 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ROLAND AND LATRICE GRAHAM: Ms. Ulrich stated this contract is for a new provisional foster care home located in Aurora, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

5) CONSIDER CONTRACT ID #7232 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – ANDREW WILSON AND BIANCA ROMERO: Ms. Ulrich stated this contract is for a new provisional kinship foster care home located in Fort Collins, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. Seconded by Commissioner Ross, the motion carried unanimously.

6) CONSIDER CONTRACT ID #7233 AGREEMENT FOR PROFESSIONAL SERVICES FOR COURT DOCUMENT TRANSLATION AND AUTHORIZE CHAIR TO SIGN – OLIVA BILINGUAL SERVICES: Ms. Ulrich stated this is an agreement to assist with court document translation for the Department of Human Services. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

7) CONSIDER CONTRACT ID #7235 MEMORANDUM OF UNDERSTANDING FOR SERVICE DELIVERY AGREEMENTS PURSUANT TO WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA), AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated the purpose of this MOU among the Department of Human Services, Employment Services of Weld County, Workforce Development Board, and Aims Community College is to establish the roles and responsibilities pursuant to the implementation of provision of Section 121(c) of the Workforce Innovation and Opportunity Act (WIOA), of 2014. Commissioner James moved to approve said MOU and authorize the Chair to sign. The motion, which was seconded by Commissioner Ross, carried unanimously.

8) CONSIDER CONTRACT ID #7236 MEMORANDUM OF UNDERSTANDING FOR ONE-STOP OPERATOR MONITORING PURSUANT TO WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA), AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated the purpose of this MOU is to establish the roles and responsibilities to implement the Colorado Policy Guidance Letter to conduct monitoring of one-stop operators. Commissioner Ross moved to approve said MOU and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

9) CONSIDER CONTRACT ID #7237 AMENDMENT #1 TO INTERGOVERNMENTAL DATA-ACCESS CONTRACT AND AUTHORIZE CHAIR AND DEPARTMENT OF HUMAN SERVICES TO SIGN AND SUBMIT ELECTRONICALLY: Ms. Ulrich stated this amendment for data-access will allow for the addition of input access to the MyUI+ system for individuals who monitor the Reemployment Services and Eligibility Assessment (RESEA) program. Commissioner James moved to approve said amendment and authorize the Chair and Department of Human Services to sign and submit electronically. Seconded by Commissioner Buck, the motion carried unanimously.

10) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR USE OF WELD COUNTY OIL AND GAS ENERGY DEPARTMENT STAFF TO ASSIST WITH 1041 OIL AND GAS LOCATION ASSESSMENT ENFORCEMENT AND AUTHORIZE CHAIR TO SIGN – TOWN OF KEENESBURG: Jason Maxey, Director of the Department of Oil and Gas Energy, stated this agreement with the Town of Keenesburg will allow for County employees to assist with evaluating and addressing questions or concerns from citizens concerning 1041 Weld County Oil and Gas Location Assessment (WOGLA) enforcement. Commissioner Buck expressed she wishes the County could have agreements of this nature in place with all the municipalities and thanked staff for their efforts, and she further moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James. Chair Freeman agreed with the sentiments expressed by Commissioner Buck, and further stated, often times, smaller communities just don't have the staffing capabilities to address the needs of the Weld County citizens and the fact that the County can come alongside the communities to help is a great thing. There being no further discussion, the motion carried unanimously.

11) CONSIDER CONTRACT ID #7246 AGREEMENT FOR RELOCATION OF POTABLE WATER PIPELINE FOR BRIDGE 54/13A REPLACEMENT PROJECT AND AUTHORIZE CHAIR TO SIGN – LITTLE THOMPSON WATER DISTRICT: Michael Bedell, Department of Public Works, stated this agreement is for the relocation of a 12-inch diameter potable water main pipeline to be located in the recently purchased right-of-way easement as part of the construction of Bridge 54/13A replacement. He stated the cost associated with this agreement is \$999,300.00, and they will coordinate with the Little Thompson Water District to have this completed between September and December 2023, prior to the upcoming bridge construction. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

12) CONSIDER CONTRACT ID #7255 PROFESSIONAL SERVICES AGREEMENT FOR THE 2023 LOCAL MULTIMODAL TRANSPORTATION AND MITIGATION OPTIONS FUNDS (MMOF) FOR ON-DEMAND TRANSIT SERVICES FOR UPPER FRONT RANGE TRANSPORTATION PLANNING REGION (UFRTPR), AND AUTHORIZE CHAIR TO SIGN – VIA MOBILITY: Evan Pinkham, Department of Public Works, stated this agreement allows for on-demand transit services for various communities in unincorporated Weld County with Via Mobility. He stated additional 5311 funding has allowed this service to be utilized by anyone, when initially it was assumed, it could only serve those who are 60+ or have disabilities. Commissioner Ross commended staff for their efforts on a job well done, and further moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

13) CONSIDER CONTRACT ID #7256 PROFESSIONAL SERVICES AGREEMENT FOR THE 2023 LOCAL MULTIMODAL TRANSPORTATION AND MITIGATION OPTIONS FUNDS (MMOF) FOR ON-DEMAND TRANSIT SERVICES FOR NORTH FRONT RANGE METROPOLITAN PLANNING ORGANIZATION (NFRMPO), AND AUTHORIZE CHAIR TO SIGN – VIA MOBILITY: Mr. Pinkham stated this is related to the item of business previously listed, but clarified this project is specific to the Town of Johnstown which does not have the additional 5311 funding; therefore, this is restricted to senior adults and those who have disabilities. Commissioner James moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Ross, the motion carried unanimously.

14) CONSIDER REVISED PROFESSIONAL SERVICE AGREEMENT FOR HORSE AND CARRIAGE SERVICES FOR 2023 WELD COUNTY FAIR, AUTHORIZE CHAIR TO SIGN, AND RESCIND RESOLUTION #2023-1209, DATED MAY 1, 2023 – MOUNTAIN SHADOW CARRIAGES, C/O DARIN HENRY: Matthew Conroy, Assistant County Attorney, on behalf of Hannah Swanbom, Director of CSU Extension Office of Weld County, stated the revised contract corrects the amounts for services. Commissioner Ross moved to approve said revised agreement, authorize the Chair to sign, and rescind Resolution #2023-1209, dated May 1, 2023. The motion, which was seconded by Commissioner Buck, carried unanimously.

15) CONSIDER PERMIT APPLICATION AND REPORT OF CHANGES TO CHANGE, ALTER, OR MODIFY LIQUOR LICENSED PREMISES, AND AUTHORIZE CHAIR TO SIGN – CIRCLE K STORES, INC., DBA CIRCLE K STORE 2709846: Mr. Conroy stated this application is to modify the facility located at State Highway (SH) 119 and Interstate 25 (I-25). He further stated there was an inspection conducted on July 13, 2023, where minor issues were noted, which have since been addressed by the applicant, and were noticed to the public on July 14, 2023. No public testimony was offered concerning this matter. Commissioner Ross moved to approve said application, and authorize the Chair to sign. Commissioner Buck seconded the motion, and it carried unanimously.

16) 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 the attached list (Exhibit A) are items that will be sent for auction on August 16, 2023. Commissioner James moved to approve said declaration of certain equipment as surplus property and sale of same at auction, and delegate authority to the Controller to sign any necessary documents. Seconded by Commissioner Ross, the motion carried unanimously.

17) CONSIDER APPOINTMENT TO REGIONAL COMMUNICATIONS ADVISORY BOARD: Commissioner Ross moved to approve said appointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

18) CONSIDER APPOINTMENT TO BUILDING TRADES ADVISORY COMMITTEE: Commissioner Ross moved to approve said appointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

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

20) CONSIDER APPOINTMENTS TO WELD FAITH PARTNERSHIP COUNCIL: Commissioner Ross moved to approve said appointments. The motion was seconded by Commissioner Buck, and it carried unanimously.

21) CONSIDER APPOINTMENTS TO BOARD OF ADJUSTMENT: Commissioner Ross moved to approve said appointments. The motion was seconded by Commissioner James, and it carried unanimously.

22) CONSIDER APPOINTMENT AND REAPPOINTMENTS TO PLANNING COMMISSION: Commissioner Ross moved to approve said appointment and reappointments. The motion was seconded by Commissioner Buck, and it carried unanimously.

23) CONSIDER REAPPOINTMENT TO COMMUNITY CORRECTIONS BOARD: Commissioner Ross moved to approve said reappointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

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

25) CONSIDER REASSIGNMENT AND APPOINTMENT TO JUVENILE COMMUNITY REVIEW BOARD: Commissioner Ross moved to approve said reassignment and appointment. The motion was seconded by Commissioner Buck, and it carried unanimously.

PLANNING:

1) FIRST READING OF CODE ORDINANCE #2023-13, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21 AREAS AND ACTIVITIES OF STATE INTEREST, CHAPTER 23 ZONING, AND CHAPTER 29 BUILDING REGULATIONS OF THE WELD COUNTY CODE (*OIL AND GAS EQUIPMENT/TELECOMMUNICATION TOWERS*): Tom Parko, Director of the Department of Planning Services, alongside Jason Maxey, Director of the Department of Oil and Gas Energy, stated the proposed changes are regarding elimination of duplicative processes to allow for efficient operations between the departments. Mr. Parko explained Chapter 23 exempts zoning permits for telecommunication towers on an oil and gas facility used for security purposes, as long as the height of the towers are less than 70 feet in height. He further explained Chapter 29 exempts various types of oil and gas equipment from building permits, since they are already associated to the 1041 WOGLA Permit. Lastly, Mr. Parko explained Chapter 21 better clarifies the definition of an oil and gas facility. Mr. Parko informed the Board this has been reviewed by the Planning Commission and the County Attorney, and requested to adopt the changes as Pending Ordinance Doctrine upon approval of First Reading, to proceed with implementing these changes. Mr. Maxey reiterated the importance of efficiency, and stated these proposed changes will allow for that to occur. He thanked the Board for their considerations in streamlining processes for staff and oil and gas operators alike. In response to Chair Freeman, Mr. Maxey confirmed these processes are already required as part of the WOGLA permitting. No public comment was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2023-13 on First Reading, as a Pending Ordinance Doctrine to proceed with implementing the process. The motion was seconded by Commissioner Ross, and it carried unanimously.

PUBLIC COMMENT: There was no public comment offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2023-13 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 9:33 a.m.

These Minutes were approved on the 9th day of August, 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

EXCUSED
Lori Saine