

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, JUNE 29, 2020

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, June 29, 2020, 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 Steve Moreno, Pro-Tem
Commissioner Scott K. James
Commissioner Barbara Kirkmeyer
Commissioner Kevin D. Ross

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Bri White
Controller, Barbara Connolly

MINUTES: Commissioner Moreno moved to approve the minutes of the Board of County Commissioners meeting of June 24, 2020, as printed. Commissioner Kirkmeyer seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Emergency Code Ordinance #2020-14 by audio. The motion was seconded by Commissioner Ross, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Kirkmeyer moved to approve the Certification of Hearings conducted on June 24, 2020, as follows: 1) USR20-0007 – EWS #12 DJ Basin, LLC, 2) USR20-0008 – Coulson Excavating Company, Inc., and Croissant Family Farm, LLC, and 3) USR20-0009 – Ellen Oman, c/o Keaton Crawford. Commissioner James seconded the motion, which carried unanimously.

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

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

PUBLIC INPUT: No public input was given.

PRESENTATIONS:

1) RECOGNITION OF SERVICES, DEPARTMENT OF PUBLIC WORKS – NEAL BOWERS: Chair Freeman read the certificate for the record. Jay McDonald, Director of the Department of Public Works, commended Neal Bowers’ leadership skills and dedication to improve roads and save taxpayer dollars. Mr. Bowers thanked the Board for providing staff with the necessary tools to complete work in the most efficient way, while the Board thanked Mr. Bowers for improving the County through his commitment to the community. *(Clerk’s Note: The group gathered for a photo opportunity).*

WARRANTS:

1) GENERAL WARRANTS – June 26, 2020: Commissioner James moved to approve the General Warrants, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2000133, GAS CHROMATOGRAPH/SPECTROMETER – DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Barbara Connolly, Controller, reviewed staff’s recommendation to select PerkinElmer Health Services, the low bidder meeting specifications, for an equipment cost of \$209,000.00 and for a five-year service plan amounting to \$18,496.80, for a total allocation of \$227,496.80. Commissioner Kirkmeyer moved to approve said bid, the motion was seconded by Commissioner Moreno, and it carried unanimously.

2) APPROVE BID #B2000127, CENTENNIAL COURTROOM ADDITION/REMODEL – DEPARTMENT OF BUILDINGS AND GROUNDS: Ms. Connolly stated staff recommends selecting the lowest bidder who met specifications, TCC Corporation, at a cost of \$1,560,744.00, with an additional charge of \$19,996.00 recommended for mobilization during the contract, amounting to \$1,564,077.00. Commissioner Ross moved to approve said bid, the motion was seconded by Commissioner James, and it carried unanimously.

3) PRESENT BID #B2000135, BOILER REPLACEMENT (822 7TH STREET) – DEPARTMENT OF BUILDINGS AND GROUNDS: Ms. Connolly presented the five (5) bids received and stated staff will make a recommendation on July 13, 2020.

4) PRESENT BID #B2000140, SOUTHWEST IRRIGATION SYSTEM REPLACEMENT – DEPARTMENT OF BUILDINGS AND GROUNDS: Ms. Connolly stated staff received six (6) bids and will make a recommendation on July 13, 2020.

5) PRESENT BID #B2000144, MULTI-HOUSING WASHERS AND DRYERS FOR JAIL 2 WEST – DEPARTMENT OF BUILDINGS AND GROUNDS: Ms. Connolly presented the five (5) bids received and stated staff will make a recommendation on July 13, 2020.

6) PRESENT BID #B2000102, MASTER DRAINAGE PLAN – DEPARTMENT OF PUBLIC WORKS: Ms. Connolly stated staff received four (4) bids and will make a recommendation on July 13, 2020.

NEW BUSINESS:

1) EMERGENCY CODE ORDINANCE #2020-14, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 5 REVENUE AND FINANCE, OF THE WELD COUNTY CODE (*CONCEALED CARRY WEAPON [CCW] PERMIT APPLICATION FEE*): Steve Reams, Weld County Sheriff, shared the community’s distress during the COVID-19 Pandemic Health Emergency led to staff’s recommendation to lower the Concealed Carry Weapon Permit application fee to \$52.50 to allow further opportunities for independent safety and protection. No public input was provided. The motion to approve said code ordinance on an emergency basis was made by Commissioner Kirkmeyer and seconded by Commissioner Ross. The Board consecutively thanked Sheriff Reams for bringing the

matter forward and for ensuring the safety of citizens by providing them with tools to better protect themselves and their families. In response to Commissioner Kirkmeyer, Sheriff Reams stated staff will not be able to retroactively refund those who have recently applied, but staff has witnessed a larger number of applications when the fee has been lowered in the past. The motion carried unanimously.

2) CONSIDER CONTRACT ID #3761 AMENDMENT #2 FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Mark Lawley, Deputy Director of the Department of Public Health and Environment, stated the grant will enable the department to plan and train for a variety of population-based disease outbreak emergencies including pandemics, bioterrorism, and emergency diseases, while also supporting mass dispersion of vaccines and antibodies, for a total amount of \$278,024.00. Commissioner James moved to approve said amendment and authorize the Chair to sign and submit electronically. The motion, which was seconded by Commissioner Moreno, carried unanimously.

3) CONSIDER APPLICATION FOR 2021 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE CHAIR TO SIGN: Michael Rourke, District Attorney, detailed the grant is the third largest funding source for the Victim Witness Assistance Unit and the requested funding amount of \$136,182.00 is the same allotment received in the last four (4) grant cycles, with no County match required. Mr. Rourke also introduced JoAnn Holden, Director of Victim Services, to Commissioner Ross and complimented her dedication in aiding victims. Commissioner Kirkmeyer moved to approve said application and authorize the Chair to sign. The motion was seconded by Commissioner Ross and it carried unanimously.

4) CONSIDER LEASE AGREEMENT FOR COMMUNITY CORRECTIONS FACILITY (1101 H STREET, GREELEY, CO) AND AUTHORIZE CHAIR TO SIGN – INTERVENTION, INC., DBA INTERVENTION COMMUNITY CORRECTIONS SERVICES (ICCS): Doug Eler, Director of the Department of Justice Services, presented the updated service period to use the facility. Commissioner Moreno moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

5) CONSIDER SPECIAL EVENTS PERMIT AND AUTHORIZE CHAIR TO SIGN – ALLEGIANCE RANCH AND EQUINE RESCUE, INC.: Bob Choate, Assistant County Attorney, detailed the application and stated no concerns were received through the referral process. Gloria Timmons, applicant, stated the non-profit organization rehabilitates at-risk horses and provides emotional support to veterans, first responders, and active duty military. Commissioner Kirkmeyer moved to approve said permit and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

6) CONSIDER RENEWAL APPLICATION FOR OPTIONAL PREMISES (COUNTY) LIQUOR LICENSE AND AUTHORIZE CHAIR TO SIGN – IHRF, INC.: Mr. Choate presented the application details and the recommendation from the Sheriff's Office's to deny, while informing the Board a public hearing will need to be held before they are able to deny the renewal. Responding to Commissioner Kirkmeyer, Mr. Choate identified the Board's obligation to ensure the licensee is of good, moral character and whether the reasonable requirements of the neighborhood have been met, such as whether the neighborhood still needs a liquor license establishment in the area. Lieutenant Mike Knee, Sheriff's Office, detailed various reports received from deputies during an event in 2019: a female was assaulted but chose to drop all charges and a security guard was attacked and suffered physical trauma to the head, requiring medical attention. Lieutenant Knee stated it would prove difficult for emergency personnel and first responders to assess a disturbance with approximately 500 people in attendance. In response to Commissioner Ross, Mr. Choate stated the Use by Special Review Permit (USR) is for a horse match racing facility. Ana Ornelas-Moreno, applicant, stated the 2019 event in question was one (1) of the larger events she has

organized, an ambulance was on site the entire day, she had the required amount of security guards per attendees, and she requested law enforcement perform drive-bys. In response to Chair Freeman, she determined she has held ten (10) events in the past year and the event in question was the only event law enforcement has needed to intervene. Responding to Commissioner James, Bruce Barker, County Attorney, clarified the liquor license is not reliant on being in compliance with the USR. Commissioner Kirkmeyer stated the Board is unable to discuss the USR and, responding to Commissioner Ross, Mr. Choate stated some violations, such as excessive noise, must have repeated occurrences in order to schedule a hearing, while others, such as Driving Under the Influence (DUI) cases, do not require multiple instances. Chair Freeman expressed concern with the violations reported in 2019, but believes the applicant is deserving of a second chance, as it was a first-time occurrence. Commissioners Ross and James agreed there is no evidence of a repeated pattern, although the incidents reported were incredibly alarming, and Commissioner Moreno thanked Lieutenant Knee for alerting the Board to the reports. In response to Commissioner Kirkmeyer, Mr. Choate stated there is no evidence the applicant is uncompliant with the regulations of the Colorado Beer and Liquor Codes. Commissioner Moreno moved to approve said renewal application and authorize the Chair to sign. Commissioner James seconded the motion and it carried unanimously.

7) CONSIDER CONTRACT ID #3762 TASK ORDER AMENDMENT #1 FOR NON-PROJECT SPECIFIC ON-CALL ENGINEERING SERVICES FOR CRS 80 AND 37 DESIGN PROJECT (BID #B1800156) – DREXEL, BARRELL, AND COMPANY: Clay Kimmi, Department of Public Works, stated the task order amendment finalizes design plans for the project, for an estimated total cost of \$283,244.00, which is less than the County Engineer’s budgeted estimate. The motion to approve said amendment was made by Commissioner Kirkmeyer, seconded by Commissioner James, and it carried unanimously.

8) CONSIDER TEMPORARY CLOSURE OF CR 31 BETWEEN CRS 8 AND 10: Amy Mutchie, Department of Public Works, stated the closure will occur between July 7, 2020, and July 10, 2020, for a culvert replacement and noted the detour route is paved. Commissioner Ross moved to approve said closure. The motion was seconded by Commissioner Kirkmeyer and it carried unanimously. Commissioner Kirkmeyer thanked staff for effectively maintaining the various roads and bridge, expressing the community’s satisfaction with the improvements.

9) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – TOWN OF ERIE: Chair Freeman stated the same information applies to items #9 through #14 under “New Business.” Don Sandoval, Community Development Block Grant (CDBG) Manager, shared the requirements by the Department of Housing and Urban Development (HUD) and stated the Intergovernmental Agreements (IGA) allow the listed municipalities to be participating jurisdictions. In response to Commissioner Kirkmeyer, Mr. Sandoval explained this set will complete 24 of the 25 total IGAs and the Town of New Raymer is the last to be reviewed. He explained, by the end of the summer, HUD will provide the necessary data to allow the County to submit the consolidated plan. Commissioner Kirkmeyer commended Mr. Sandoval for returning from his retirement to complete such a vital program for the County and for his phenomenal relationships with each municipality. Commissioners Ross and James acknowledged the challenging task of getting each municipality to collaborate on the improvement of the County. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner James, the motion carried unanimously.

10) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – TOWN OF FREDERICK: Commissioner James moved to approve said intergovernmental agreement and authorize the Chair to sign. The motion was seconded by Commissioner Moreno and it carried unanimously.

11) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – TOWN OF MILLIKEN: The motion to approve said intergovernmental agreement and authorize the Chair to sign was made by Commissioner Ross, seconded by Commissioner James, and it carried unanimously.

12) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – TOWN OF NUNN: Commissioner Moreno moved to approve said intergovernmental agreement and authorize the Chair to sign. Commissioner James seconded the motion and it carried unanimously.

13) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – TOWN OF SEVERANCE: Commissioner Kirkmeyer moved to approve said intergovernmental agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

14) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CHAIR TO SIGN – TOWN OF WINDSOR: Commissioner Ross moved to approve said intergovernmental agreement and authorize the Chair to sign. Seconded by Commissioner Kirkmeyer, the motion carried unanimously.

15) CONSIDER AGREEMENT FOR PROFESSIONAL SERVICES FOR AMBIENT AIR AND METEOROLOGICAL MONITORING STATION INSTALLATION SERVICES AND AUTHORIZE CHAIR TO SIGN – RAMBOLL US CORPORATION: Mr. Barker shared the agreement authorizes Ramboll US Corporation to make the purchases for the equipment installation. Commissioner Kirkmeyer moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Ross and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Emergency Code Ordinance #2020-14 was approved on an emergency basis.

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 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Mike Freeman, Chair

Steve Moreno, Pro-Tem

Scott K. James

Barbara Kirkmeyer

Kevin D. Ross