

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO AUGUST 3, 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, August 3, 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 Ross moved to approve the minutes of the Board of County Commissioners meeting of July 29, 2020, as printed. Commissioner James seconded the motion, and it 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.

PUBLIC INPUT: No public input was given.

WARRANTS:

1) GENERAL WARRANTS – JULY 31, 2020: Commissioner Moreno moved to approve the General Warrants, as printed. Commissioner Ross seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2000139, 2020 PAVEMENT DATA COLLECTION SERVICE – DEPARTMENT OF PUBLIC WORKS: Rob Turf, Purchasing Department, stated staff recommends continuing the matter to August 10, 2020, to allow staff adequate time for consideration. Commissioner James moved to continue said bid to August 10, 2020, at 9:00 a.m. Commissioner Ross seconded the motion, and it carried unanimously.

2) APPROVE BID #B2000143, PROXIMITY DOOR SYSTEM (ADDITIONAL DOORS) – DEPARTMENT OF BUILDINGS AND GROUNDS: Mr. Turf reviewed staff’s recommendation to select Long Building Technologies, Inc., the lowest bidder meeting specifications, for a total of \$132,203.00. Commissioner Ross moved to approve said bid. Commissioner Moreno seconded the motion, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #3939 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD LETTER FOR JAIL BOOKING BODY SCANNER PROJECT AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff’s Office, presented the grant award letter for \$105,000.00 to purchase a body scanner. Commissioner James moved to approve said grant award letter and authorize the Chair to sign and submit electronically. Seconded by Commissioner Ross, the motion carried unanimously.

2) FINAL READING OF CODE ORDINANCE #2020-12, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21 AREAS AND ACTIVITIES OF STATE INTEREST, OF THE WELD COUNTY CODE (*1041WOGLA CODE CHANGES*): Commissioner Kirkmeyer moved to read Code Ordinance #2020-12 by title only. The motion as seconded by Commissioner Moreno, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Jason Maxey, Director of the Department of Oil and Gas Energy, shared the changes made following a series of work sessions with Noble Energy, Inc. and he summarized the adaptations to the definition of ‘minimize adverse impacts,’ procedures regarding hearing officer decisions, the recording of 1041 WOGLA permits, and the lighting standards during the construction and production phases. Responding to Commissioner Moreno, Mr. Maxey clarified all phases of operation are subject to lighting standards, which are not restricted to the construction and production phases. He further summarized the modifications to setback requirements and mitigation measures for setback variances, as well as noise standards and site-specific risk assessments. Mr. Maxey discussed an email received from PDC Energy, Inc. and assured staff will continue to work with the industry to address comments and concerns. In response to Commissioner Kirkmeyer, Mr. Maxey stated the site-specific risk assessment will be included in the application as an added measure to ensure the health, safety, and welfare of surrounding property owners by maintaining a 500-foot setback. Mr. Barker suggested the language “shall” be modified to “may” to express the assessment is only necessary in circumstances where the applicant is requesting a waiver of the 500-foot setback requirement. Further responding to Commissioner Kirkmeyer, Mr. Maxey shared the risk assessment identifies any potential hazard, such as fire, material, chemical hazards, or air quality risks, and Mr. Barker detailed the assessment is an additional measure specific to setbacks. Elizabeth Relford, Deputy Director of the Department of Public Works, responded to Commissioner Kirkmeyer’s inquiry, stating staff is in agreement with the template waiver for the ‘acceptance of developed stormwater flows onto affected lands’ document, wherein the landowner accepts additional stormwater flows created as a result of operations. Ryan Seastrom, Colorado Oil and Gas Association, and Ryan Antonio, Noble Energy, Inc., thanked the Board and staff for addressing concerns and Mr. Antonio discussed drainage for existing sites and his anticipation for staff to update the Comprehensive Plan when appropriate. Commissioner Kirkmeyer moved to approve Code Ordinance #2020-12 on Final Reading and Commissioner Ross seconded the motion. The Board consecutively thanked staff and everybody involved in the process, ensuring the health, safety, and welfare of residents and the protection of private property rights. There being no further discussion, the motion carried unanimously.

PLANNING:

1) CONSIDER CONTRACT ID #3985 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT OFF-SITE COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR18-0065 – WASTE MANAGEMENT DISPOSAL SERVICES OF COLORADO, INC.: Dawn Anderson, Department of Public Works, stated Exhibit “B” displays the Preliminary Off-Site Construction Schedule at 60% design and staff recommends moving forward with the design. Ms. Anderson presented Exhibit “A,” the Preliminary Opinion of Probable Cost, includes an added 20% contingency and the required collateral has been provided in the form of a Performance Bond in the amount of \$623,247.39, issued by Lexon Insurance Company. Commissioner James moved to approve said agreement, authorize the Chair to sign, and accept said collateral. The motion was seconded by Commissioner Kirkmeyer, and it carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2020-12 was approved on Final 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 9:36 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