

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, AUGUST 16, 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, August 16, 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

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

CONSENT AGENDA: Chair Freeman called for public input regarding the following items listed under 'Consent Agenda-Miscellaneous'; however, no public testimony was offered concerning these matters. Commissioner James moved to approve the Consent Agenda, as printed. Commissioner Ross seconded the motion and it carried unanimously.

1) Partial Vacation, VAC23-0041, of Three-Lot Recorded Exemption, RE-2352, for Removal of Lot C – Foe Front Range Farms, LLC, c/o Roger Klingenberg.

MINUTES: There being no corrections to the Minutes of the Board of County Commissioners meeting of August 2, 2023, as printed, Commissioner James moved to approve. Commissioner Ross seconded the motion and it carried unanimously.

WARRANTS:

1) GENERAL WARRANTS – AUGUST 15, 2023: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner James seconded the motion, and it carried unanimously.

BIDS:

1) APPROVE BID #B2300151, CARDIOVASCULAR WELLNESS SCREENING – DEPARTMENT OF HUMAN RESOURCES: Rose Everett, Purchasing Department, stated two (2) bids were received, and after review staff recommends selecting the bidder who met specifications, Boone Heart Institute, for on-site health screenings, in the amount of \$330.00, per screening. In response to Chair Freeman, Nicole Alessi, Department of Human Resources, stated this is a different screening from what has been done in the past, with a slightly cheaper cost per screening, and is not aimed specifically at law enforcement. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) PRESENT BID #B2300158, 2-TON 4X4 CREW CAB WITH DUAL WHEELS AND 8-FOOT UTILITY BOX (QTY 1) – DEPARTMENTS OF FLEET SERVICES AND PUBLIC WORKS: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

3) PRESENT BID #B2300159, 3/4-TON 4X4 EXTENDED CAB PICKUP WITH 6.5-FOOT BED (QTY 2) – DEPARTMENTS OF FLEET SERVICES AND PUBLIC WORKS: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

4) PRESENT BID #B2300160, 3/4-TON 4X4 EXTENDED CAB PICKUP WITH 8-FOOT BED (QTY 5) – DEPARTMENTS OF FLEET SERVICES, PUBLIC WORKS, AND FACILITIES: Ms. Everett stated three (3) bids were received and staff will make a recommendation on August 30, 2023.

5) PRESENT BID #B2300161, PURSUIT RATED ALL WHEEL DRIVE OR 4X4 SPORT UTILITY VEHICLE (QTY 8) – DEPARTMENT OF FLEET SERVICES AND SHERIFF'S OFFICE: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

6) PRESENT BID #B2300162, PURSUIT RATED FULL SIZE 4X4 CREW CAB PICKUP (QTY 4) – DEPARTMENT OF FLEET SERVICES AND SHERIFF'S OFFICE: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

7) PRESENT BID #B2300163, 4X4 CREW CAB WITH DUAL WHEELS AND 11-FOOT UTILITY BOX (QTY 1) – DEPARTMENTS OF FLEET SERVICES AND PUBLIC WORKS: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

8) PRESENT BID #B2300164, 4X4 FULL SIZE EXTENDED CAB PICKUP WITH UTILITY BED (QTY 1) – DEPARTMENTS OF FLEET SERVICES AND FACILITIES: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

9) PRESENT BID #B2300166, SMALL 4-DOOR ALL WHEEL DRIVE OR 4X4 SPORT UTILITY VEHICLE (QTY 8) – DEPARTMENTS OF FLEET SERVICES, FACILITIES, PUBLIC WORKS, AND SHERIFF'S OFFICE: Ms. Everett stated two (2) bids were received and staff will make a recommendation on August 30, 2023.

NEW BUSINESS:

1) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR MAIL BALLOT DROP-OFF BOX AND VIDEO SURVEILLANCE RECORDING SYSTEM, AND AUTHORIZE CHAIR TO SIGN – AIMS COMMUNITY COLLEGE, FORT LUPTON CAMPUS: Adam Gonzales, Clerk and Recorder's Office, stated this, and the following item of business, will allow the County to move a ballot drop-off box under video surveillance to the Fort Lupton Campus of Aims Community College, in preparation for growing voter registration numbers, and pursuant to legislation concerning enrollment numbers of students at college campuses. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR MAIL BALLOT DROP-OFF BOX AND VIDEO SURVEILLANCE RECORDING SYSTEM AND AUTHORIZE CHAIR TO SIGN – TOWN OF SEVERANCE: Mr. Gonzales stated this is the same agreement as the previous item of business to add a new ballot drop-off box in the Town of Severance, located off of County Road (CR) 74, to alleviate traffic volume at the Windsor Recreation Center. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and the motion carried unanimously.

3) CONSIDER CONTRACT ID #7300 PROFESSIONAL DEVELOPMENT AGREEMENT FOR RESTORATIVE JUSTICE EDUCATION AND AUTHORIZE DEPARTMENT OF HUMAN SERVICES TO SIGN AND SUBMIT ELECTRONICALLY – INTERAGENCY OVERSIGHT GROUP OF WELD COUNTY: Jamie Ulrich, Director of the Department of Human Services, stated the Department of Human Services is the fiscal agent for the Interagency Oversight Group of Weld County, and this agreement allows for training modules for staff to participate in restorative justice education funded through the Collaborative Management Program (CMP). Commissioner James moved to approve said agreement and authorize the Department of Human Services to sign and submit electronically. The motion, which was seconded by Commissioner Ross, carried unanimously.

4) CONSIDER CONTRACT ID #7304 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – RONNA BRINKMAN: Ms. Ulrich stated this contract is for a new provisional kinship foster care home located in Greeley, Colorado. Commissioner Ross moved to approve said contract and authorize the Chair to sign. Commissioner Saine seconded the motion, and it carried unanimously.

5) CONSIDER CUSTOMER AGREEMENT FOR FLEET ELECTRIFICATION ADVISORY PROGRAM (FEAP) AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY – PUBLIC SERVICE COMPANY OF COLORADO, DBA XCEL ENERGY: David Springer, Director of the Department of Fleet Services, stated this agreement will allow Xcel Energy to evaluate existing facilities to obtain no-cost data to make determinations on the feasibility of electrification of facilities and fleet. The motion to approve said agreement and authorize the Chair to sign electronically was made by Commissioner Ross, seconded by Commissioner Buck, and it carried unanimously.

6) CONSIDER CONTRACT ID #7318 APPLICATION FOR 2023 MULTIMODAL PROJECT DISCRETIONARY GRANT (MPDG), MEGA PROGRAM FOR NORTH INTERSTATE 25, SEGMENT 5 IMPROVEMENTS PROJECT, AND AUTHORIZE DEPARTMENT OF PUBLIC WORKS TO SUBMIT ELECTRONICALLY ON BEHALF OF COLORADO DEPARTMENT OF TRANSPORTATION (CDOT): Elizabeth Relford, Deputy Director of the Department of Public Works, stated this competitive application is for Segment 5 improvements on north Interstate 25 (I-25) between State Highway (SH) 56 and SH 66, where the two (2) lane bottleneck occurs. She explained the mega grant program is for large projects that seek national or regional economic mobility and safety benefits, and stated this application request is in the amount of \$450 Million. Ms. Relford reported the County will commit \$5 Million as part of the \$90.5 Million for the local match funding required, as part of the Infrastructure Investing and Jobs Act (IIJA) Program. She noted that state agencies are only allowed to submit three (3) applications annually, which is the reason why the Colorado Department of Transportation (CDOT) reached out to Weld County. In response to Chair Freeman, Ms. Relford stated the likelihood of the grant being awarded to Weld County has historically not been in the State of Colorado's favor; however, because of the importance of this project, as it relates to the region, the state will find other means to fund this project even if this application is not awarded, by adjusting the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan amount. She further stated there have been more awards given to local entities who submit as the applicant. Commissioner James thanked CDOT for the recognition of this project needing to happen, and commended Ms. Relford for her efforts throughout this process. Commissioner James moved to approve said application and authorize the Department of Public Works to submit electronically on behalf of CDOT. The motion was seconded by Commissioner Buck, and it carried unanimously.

7) CONSIDER CONTRACT ID #7319 AMENDMENT #1 TO INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF IMPROVEMENTS TO "O" ST AND 59TH AVE INTERSECTION AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Ms. Relford gave a brief overview of the pending roundabout project for the intersection of "O" Street and 59th Avenue (aka County Road [CR] 31), to be completed by the City of Greeley, per the agreement between them and Weld County, who completed the roundabout project at "O" Street and 35th Avenue. She stated the City of Greeley has obtained both

North Front Range Metropolitan Planning Organization (NFRMPO) funds, and Surface Transportation Block Grant (STBG) funds for this project. In addition, Ms. Relford stated Weld County will commit to funding in the amount of \$1,169,565.00 for this project, and explained the City of Greeley requested an amendment to extend completion of the roundabout project until 2025, and to include a 50% cost share for the milling and overlay on CR 31 to SH 392. In response to Commissioner James, Ms. Relford stated the City of Greeley is currently re-designing the project with JR Engineering, and there will be a preliminary meeting next week for discussions and she will have a better understanding of the timeline, but her best guess for project completion is Summer of 2025. Commissioner Ross moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner James. In response to Chair Freeman, Ms. Relford stated it is her understanding the roundabout is an urban roundabout not a rural roundabout. Chair Freeman stated he struggles with providing County dollars to fund this project if the roundabout does not accommodate large farm equipment and commercial trucks for oil and gas operations, since that intersection is a major agricultural route. There being no further discussion, the motion carried unanimously.

PLANNING:

1) CONSIDER DECOMMISSIONING AND RECLAMATION PLAN, ACCEPT COLLATERAL, AND AUTHORIZE CHAIR TO SIGN, FOR SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW PERMIT, USR22-0007, FOR A SOLAR ENERGY FACILITY (SEF) IN THE A (AGRICULTURAL) ZONE DISTRICT – WILLARD AND LINDA OWENS, C/O USS PICADILLY SOLAR, LLC: Kim Ogle, Department of Planning Services, stated a Zoning Permit for Solar Energy Facility, ZPSF23-0001, was approved on June 15, 2022, and Condition of Approval #1.E requires a Surety Bond for decommissioning and reclamation purposes, per Weld County Code. He stated staff reviewed the Reclamation Plan and Decommissioning Bond, in the amount of \$191,320.00, and both were deemed acceptable. Commissioner Ross moved to approve said decommissioning plan and accept collateral for said permit. The motion was seconded by Commissioner James, and it carried unanimously.

2) CONSIDER DECOMMISSIONING AND RECLAMATION PLAN, AND ACCEPT COLLATERAL FOR ZONING PERMIT FOR SOLAR ENERGY FACILITY, ZPSF23-0001, LESS THAN FIVE (5) ACRES (5 ACRE SEF) – SUNSHARE, LLC, C/O BEAU SCOTT: Diana Aungst, Department of Planning Services, stated a Zoning Permit for Solar Energy Facility, ZPSF23-0001, was approved on May 5, 2023, and Condition of Approval #3.D requires a Surety Bond for decommissioning and reclamation purposes, per Weld County Code. She stated staff reviewed the Reclamation Plan and Decommissioning Bond, in the amount of \$13,800.00, and both were deemed acceptable. Commissioner Ross moved to approve said decommissioning plan and accept collateral for said permit. The motion was seconded by Commissioner Saine, and it carried unanimously.

3) CONSIDER TERMINATION OF ROAD MAINTENANCE IMPROVEMENTS AGREEMENT FOR 1041 WELD OIL AND GAS LOCATION ASSESSMENT PERMIT, 1041WOGLA19-0052 – HIGHPOINT OPERATING CORPORATION: Jazmyn Trujillo-Martinez, Department of Planning Services, requested the Board terminate the Road Maintenance Agreement (RMA) as a result of the expiration of the 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0052, on May 27, 2023. She stated Highpoint Operating Corporation was notified of said expiration on May 30, 2023, by the Department of Oil and Gas Energy. Commissioner Saine moved to approve said termination. The motion, which was seconded by Commissioner Buck, carried unanimously.

PUBLIC COMMENT: No public comment was offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. No Ordinances were approved.

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 30th 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

Lori Saine