

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, AUGUST 21, 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 21, 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:** There being no corrections to the Minutes of the Board of County Commissioners meeting of August 7, 2023, as printed, Commissioner Buck moved to approve. Commissioner James seconded the motion and it carried unanimously.

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

**CONSENT AGENDA:** In response to Chair Freeman, Commissioner Saine indicated there was a member of the public present who wished to speak concerning Consent Agenda Item #2. Commissioner Ross moved to pull the stated item off the Consent Agenda and add it as New Business Item number five (5), and approve the remainder of the Consent Agenda, as amended. Commissioner Buck seconded the motion and it carried unanimously.

**WARRANTS:**

1) GENERAL WARRANTS – AUGUST 18, 2023: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner James seconded the motion and it carried unanimously.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #7314 LEASE AGREEMENT FOR CHASE BUILDING (822 7TH STREET, SUITE 550, GREELEY) AND AUTHORIZE CHAIR TO SIGN – GREELEY-WELD COUNTY ECONOMIC DEVELOPMENT ACTION PARTNERSHIP, INC., DBA UPSTATE ECONOMIC DEVELOPMENT: Toby Taylor, Director of the Facilities Department, stated this lease agreement is for a current tenant, Upstate Economic Development, at the Chase Building, and will provide a three (3)-year term, from September 1, 2023, through August 31, 2026. In addition, he stated the tenant has requested \$18,791.00 be amortized over the first lease term for interior improvements, with a second three (3)-year option. Commissioner Ross moved to approve said lease agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

2) CONSIDER EXTENSION OF EMERGENCY TEMPORARY CLOSURE OF CR 8 BETWEEN CRS 49 AND 51: Amy Mutchie, Department of Public Works, stated staff is requesting to continue this closure through August 31, 2023, to complete repairs due to the Box Elder flooding. She further stated although the ditch company has shut off the water, the recent stormwater drainage is still flowing and a gas utility pipeline to be inspected is still under water. Commissioner James moved to approve said extended emergency temporary closure. Commissioner Ross seconded the motion, and it carried unanimously.

3) CONSIDER TEMPORARY CLOSURE OF CR 18 AND MARKET ST INTERSECTION BETWEEN CRS 57 AND 59: Ms. Mutchie presented this closure request on behalf of Asphalt Specialties, from September 5, 2023, through October 11, 2023, for roadway and intersection improvements required for the Use by Special Review Permit for Waste Management. She explained the detour route utilizes roadways in the Town of Keenesburg, confirmed wheat harvest from local agricultural operations has been completed, indicated staff is working to obtain alternate school bus access, and stated message boards are placed on County Road (CR) 49 indicating the closure of CR 59. Commissioner Ross moved to approve said temporary closure. Commissioner Buck seconded the motion, and it carried unanimously.

4) CONSIDER ITEMIZED LIST OF LEGAL HOLIDAYS DURING CALENDAR YEAR 2024: Commissioner James moved to approve said holiday schedule. The motion, which was seconded by Commissioner Buck, carried unanimously.

5) CONSIDER PARTIAL VACATION, VAC23-0043, OF TWO-LOT RECORDED EXEMPTION, RE-1733, FOR REMOVAL OF LOT B – THEODORE BUDERUS, DANIEL BUDERUS, JULIE ANN BUDERUS, AND SUSAN BUDERUS: Kim Ogle, Department of Planning Services, stated the Buderus family owns Lot B, which is approximately a 148-acre parcel. He gave a brief overview of the history and location of Recorded Exemption, RE-1733, stated no easements will be impacted by this action, and Lot A is not part of this request. Mr. Ogle noted all Code criteria has been met and staff recommends approval. Ashley Gronlie, surrounding property owner, stated she just acquired Lot A, and inquired as to how this action will affect her property. In response, Chair Freeman explained the Code changes that allow for properties larger than 35 acres to no longer be tied to another property, as it used to be when the property was originally recorded. Bruce Barker, County Attorney, concurred with Chair Freeman and elaborated two (2) concepts; one (1) being subdivisions of the land, and the other being use of the land, and in this case the partial vacation has nothing to do with the use of the land. Commissioner Ross moved to approve said partial vacation. The motion was seconded by Commissioner Saine, 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. 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 9:09 a.m.

These Minutes were approved on the 6th day of September, 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