

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, AUGUST 23, 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 23, 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 9, 2023, as printed, Commissioner Buck moved to approve. Commissioner James seconded the motion and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Saine moved to approve the Certification of Hearings conducted on August 9, 2023, as follows: 1) USR23-0015 – Steven and Katherine Bingley, 2) USR23-0014 – Lazaro Lara Adame, c/o L&M Trucking, LLC, and 3) COZ23-0002 – Robert L. Seltzer Family Trust, c/o Jack Seltzer, Trustee, c/o Brighton Outdoor Storage. Commissioner Buck seconded the motion, which carried unanimously.

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

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

WARRANTS:

1) GENERAL WARRANTS – AUGUST 22, 2023: Commissioner Saine moved to approve the General Warrants, as printed. Commissioner James seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2300074, ENGINEERING SERVICES FOR WELD COUNTY TRAIL DESIGN PROJECT (REQUEST FOR QUOTE/REQUEST FOR PROPOSAL) – DEPARTMENT OF PUBLIC WORKS: Rose Everett, Purchasing Department, stated a team comprised of staff and several municipality officials conducted a Qualification-Based Selection (QBS) process to select a consultant to perform a study and design a trail along County Roads (CRs) 7 and 26 to connect Union Reservoir, Mead High School, and the St. Vrain State Park. She stated this team reviewed and scored the three (3) consultants that were shortlisted after the Request for Proposal (RFP). Ms. Everett stated Weld County was awarded funding in the amount of \$900,000.00 through the Denver Regional Council of Governments (DRCOG) Southwest Weld Forum for the design project. She indicated Weld County, the City of Longmont, and the Towns of Mead and Frederick, are each contributing \$25,000.00 in local match funding for a total project funding amount of \$1 Million. She stated staff recommends awarding the bid to Otak, for a total amount not to exceed \$1 Million. In response to Commissioner Saine, Evan Pinkham, Department of Public Works, explained during the QBS stage, cost of the project is not a factor; however, staff will enter into cost negotiations after the Board awards the recommended vendor for this project. After further discussion, Curtis Hall, Director of the Department of Public Works, stated the intent is for the County to select a reputable and qualified company to construct this project to avoid massive deviations to the contract timeline, which has been an issue with previous projects, and in response to Commissioner Ross, he confirmed this is a federal grant. Responding to Commissioner Saine, Bruce Barker, County Attorney, stated under federal rulings, the cost cannot be a factor in the QBS phase of the project. In addition, Commissioner Ross noted this is a requirement from the Colorado Department of Transportation for those federal grants. After further discussion, Commissioner James moved to approve said bid. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) APPROVE BID #B2300147, PAVING FABRIC SUPPLY – DEPARTMENT OF PUBLIC WORKS: Ms. Everett stated one (1) bid was reviewed and staff's recommendation is to select Vance Brothers, Inc., the low bidder meeting specifications, for a total amount of \$777,856.25. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) PRESENT BID #B2300168, GENERATOR MAINTENANCE AT VARIOUS LOCATIONS – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated three (3) bids were received and staff will make a recommendation on September 6, 2023.

NEW BUSINESS:

1) CONSIDER ACCEPTANCE OF 2023 ABSTRACT OF ASSESSMENT AND AUTHORIZE CHAIR TO SIGN: Brenda Dones, Weld County Assessor, presented the official 2023 Abstract of Assessment, and explained it will be distributed to 600 taxing authorities that will allow their budget managers to set budgets and mill levies. She stated all value changes from appeals are reflective of all State assessed properties, appeals to the Assessor and Weld County Board of Equalization, and captures reductions required from Senate Bill (SB) 22-238, which include assessment rate reductions of three to four percent (3-4%) for most property types, as well as actual value reductions of \$15,000.00 for residential properties and \$30,000.00 for commercial properties. She stated the culmination of all these valuations result in the total amount of \$25,022,693,890.00, which summarizes the overall Weld County value. Ms. Dones reviewed the breakdown values of the 31 municipalities and 17 school districts within the County, along with the tax increment finance values that are diverted for urban renewal. She stated the 2022 Abstract of Assessment was \$18.76 Billion, showing a 33% increase in the 2023 Abstract of Assessments from the aggregate values in 2022, due to the reappraisal of all property types and increase in oil and gas valuation, making up 67% of the total value in Weld County. Ms. Dones explained the 2023 Abstract of Assessment will be submitted to, and reviewed by, the State Board of Equalization in conjunction with the annual audit of procedures and statistical data, and the Assessor's Office was recently notified the department passed the audit without any further recommendations of change. Commissioner Buck

thanked Ms. Dones and her team for the massive amount of work completed with the highest of excellence, and noted with Proposition HH there will be more records to retain. In response, Ms. Dones stated if Proposition HH is approved, the legislation will completely change all the values discussed in this Abstract of Assessment for 2023; however, she is unsure at this point, of the reporting and tracking measures that will be required from the County in the future. Commissioner Ross moved to approve said abstract of assessment and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER CONTRACT ID #7326 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) JOBS FOR VETERANS STATE GRANT (JVSG), AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Tami Grant, Deputy Director of the Department of Human Services, stated this expenditure authorization will be used to support veterans in their employment ventures provided by Employment Services of Weld County. She stated the funding amount is \$10,000.00, and noted Weld County is part of a select few that receive this funding. Commissioner Ross moved to approve said expenditure authorization and workplan and authorize the Chair to sign electronically. Seconded by Commissioner Buck, the motion carried unanimously.

3) CONSIDER CONTRACT ID #7330 ACCEPTANCE OF GRANT AWARD LETTER SUMMARY OF TERMS AND CONDITIONS FOR 2021 HOMELAND SECURITY GRANT PROGRAM FOR NORTHEAST ALL-HAZARDS REGION: Cheryl Pattelli, Chief Financial Officer, stated this grant is for the position of Grant Coordinator for the Northeast All-Hazards Region Homeland Security Grant Program. Commissioner James moved to approve and accept said grant award letter. The motion was seconded by Commissioner Ross, and it carried unanimously. *(Clerk's Note: See Item #5 for correction and clarification on this matter.)*

4) CONSIDER CONTRACT ID #7329 ACCEPTANCE OF GRANT AWARD LETTER SUMMARY OF TERMS AND CONDITIONS FOR 2022 HOMELAND SECURITY GRANT PROGRAM FOR NORTHEAST ALL-HAZARDS REGION: Ms. Pattelli stated this is the acceptance of grant funds for fiscal year 2022 related to the Homeland Security Grant Program. Commissioner Saine moved to approve and accept said grant award letter. The motion was seconded by Commissioner Buck, and it carried unanimously.

5) CONSIDER CONTRACT ID #7317 PROFESSIONAL SERVICES AGREEMENT FOR THE NORTHEAST ALL- HAZARDS REGION HOMELAND SECURITY GRANT COORDINATOR AND AUTHORIZE CHAIR TO SIGN – PREPAREDNESS PARTNERS, LLC: Ms. Pattelli corrected and clarified the record and stated this contract is for the position of Grant Coordinator, whereas the previous Item #3 was for the acceptance of grant funds for fiscal year 2021 for the Homeland Security Grant Program. After discussion, Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

6) FINAL READING OF CODE ORDINANCE #2023-10, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 3 HUMAN RESOURCES OF THE WELD COUNTY CODE (*CONCEALED CARRY*): Commissioner Saine moved to read Code Ordinance #2023-10 by title only. The motion was seconded by Commissioner James, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record and stated there have been no changes since Second Reading. There was no public testimony offered concerning this matter. Commissioner Saine moved to approve Code Ordinance #2023-10 on Final Reading. The motion was seconded by Commissioner Buck, and it carried unanimously.

PLANNING:

1) CONSIDER PARTIAL VACATION OF SECOND MINOR AMENDED USE BY SPECIAL REVIEW PERMIT, 2MUSR18-84-602 – SHARP TRUST, C/O DONOVAN SHARP: Diana Aungst, Department of Planning Services, stated staff received a letter dated July 7, 2023, requesting the partial vacation of 2MUSR18-84-602, encompassing a Lot Line Adjustment, LLA23-0009, which was approved for this site. She explained the property owner would like to exclude Lot B from the Use by Special Review Permit to satisfy a Condition of Approval (COA) but keep the use intact for Lot A. Commissioner Ross moved to approve said partial vacation. The motion was seconded by Commissioner James, and it carried unanimously.

2) CONSIDER VACATION OF SPECIAL USE PERMIT, SUP-299 – AFFORDABLE OWNER, LLC, C/O RANDALL CLARK: Ms. Aungst stated this Special Use Permit has been in existence since the 1970's but has not been utilized by the property owners since 1980; therefore, the applicant has requested to vacate, and staff recommends approval. Commissioner James moved to approve said vacation. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) FINAL READING OF CODE ORDINANCE #2023-09, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING OF THE WELD COUNTY CODE (*LIMITED EVENT PERMITS*): Commissioner Ross moved to read Code Ordinance #2023-09 by title only. The motion was seconded by Commissioner Saine, and it carried unanimously. Mr. Barker read the title for the record. Tom Parko, Director of Planning Services, reviewed the proposed minor changes referenced in the Final Reading. No public testimony was offered concerning this matter. Commissioner Saine moved to approve Code Ordinance #2023-09 on Final Reading, as amended. The motion was seconded by Commissioner Buck, and it carried unanimously.

PUBLIC COMMENT:

1) Raiden Stahly, Firestone resident, offered his comments to the Board.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinances #2023-09, and #2023-10 were both 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 9:24 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