

# RECORD OF PROCEEDINGS

## MINUTES

### BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, AUGUST 28, 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 28, 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 14, 2023, as printed, Commissioner Saine moved to approve. Commissioner Buck seconded the motion and it carried unanimously.

**READ ORDINANCE BY AUDIO:** Commissioner Ross moved to read Code Ordinance #2023-14 by audio. The motion was seconded by Commissioner Saine, 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.

#### **WARRANTS:**

1) GENERAL WARRANTS – AUGUST 25, 2023: Commissioner Saine moved to approve the General Warrants, as printed. Commissioner James seconded the motion and it carried unanimously.

#### **BIDS:**

1) APPROVE BID #B2300154, RECYCLED ASPHALT PRODUCT (RAP) – DEPARTMENT OF PUBLIC WORKS: Rose Everett, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Martin Marietta Materials, for a total amount of \$315,000.00, which is within the 2023 estimated budget. Duane Naibauer, Department of Public Works, clarified a correction on the Memorandum by stating this should state this is for the recycled asphalt product, not Class 6 Base Concrete. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously. *(Clerk's Note: After the meeting concluded, staff stated the memorandum was correct and it was a misunderstanding as to how the content was written and subsequently stated on the record.)*

2) PRESENT BID #B2300167, SAND OIL TANK AND GREASE TRAP PUMPING SERVICE – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated one (1) bid was received and staff will make a recommendation on September 11, 2023.

**NEW BUSINESS:**

1) CONSIDER CONTRACT ID #7299 MEMORANDUM OF UNDERSTANDING FOR WINDOW WRAPS FOR COURTHOUSE ANNEX BUILDING (934 9TH AVE, GREELEY) AND AUTHORIZE CHAIR TO SIGN – GREELEY DOWNTOWN DEVELOPMENT AUTHORITY: Toby Taylor, Director of the Facilities Department, stated this contract will allow for the installation of window wraps on the Courthouse Annex Building at no cost to the County, and indicated the work will be insured up to Weld County’s standard. Commissioner Ross moved to approve said memorandum of understanding and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER CONTRACT ID #7313 WORK ORDER AGREEMENT, INVOICE, AND PRIVATE FACILITIES LOCATE FORM FOR STREET LIGHT INSTALLATION FOR CRS 6 AND 13 INTERSECTION ROUNDABOUT PROJECT, AND AUTHORIZE CHAIR TO SIGN – UNITED POWER, INC.: Clay Kimmi, Department of Public Works, stated this the timing of this agreement provides added lead time for United Power, Inc., to order the products and get them delivered in time, due to supply chain delay, for the installation of street lights for the roundabout project at the intersection of County Roads (CRs) 6 and 13. Commissioner Ross moved to approve said agreement, invoice, and form, which was seconded by Commissioner Buck, and upon a roll call vote of four (4) to one (1), the motion carried, with Commissioner Saine opposed, due to multiple discussions at Capital Improvement Plan (CIP) meetings concerning her constituents and their objection to the inappropriate timing for this project.

3) FIRST READING OF CODE ORDINANCE #2023-14, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 3 HUMAN RESOURCES OF THE WELD COUNTY CODE (*HFWA AND POWR ACT*): Jill Scott, Director of the Department of Human Resources, stated the proposed changes to sections of Chapter 3 of the Weld County Code reflect federal and state law regulatory compliance, and are as follows: Section 3-6-20 shows updates to sick leave to include language for Family and Workplaces Health Act (FWHA); Section 3-5-50, reflects updates to sexual and other prohibited forms of harassment to include language for Protecting Opportunities and Workers’ Rights Act (POWR ACT); Section 3-6-80 shows updates to bereavement leave, specific to the definition of immediate family members; and Section 3-7-70 reflects updates to compensatory time, annual payout, and the maximum time entered. No public testimony was offered concerning this matter. Commissioner Ross moved to approve Code Ordinance #2023-14 on First Reading. The motion was seconded by Commissioner Buck, and it carried unanimously.

**PLANNING:**

1) FINAL READING OF CODE ORDINANCE #2023-13, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21 AREAS AND ACTIVITIES OF STATE INTEREST, CHAPTER 23 ZONING, AND CHAPTER 29 BUILDING REGULATIONS OF THE WELD COUNTY CODE (*OIL AND GAS EQUIPMENT/TELECOMMUNICATION TOWERS*): Commissioner James moved to read Code Ordinance #2023-13 by title only. The motion was seconded by Commissioner Ross, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Tom Parko, Director of the Department of Planning Services, alongside Jason Maxey, Director of the Department of Oil and Gas Energy, stated there have been no changes since Second Reading, and the changes deal with better inspection efficiencies for staff and the industry. No public testimony concerning this matter was offered. Commissioner James moved to approve Code Ordinance #2023-13 on Final Reading. The motion was seconded by Commissioner Ross, and it carried unanimously.

**PUBLIC COMMENT:**

1) Kathryn Beiland, Longmont resident, offered her comments to the Board.

**RESOLUTIONS AND ORDINANCES:** The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2023-13 was approved on Final Reading; and Code Ordinance #2023-14 was approved on First 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 9:16 a.m.

These Minutes were approved on the 11th day of September, 2023.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

\_\_\_\_\_  
Mike Freeman, Chair

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Perry L. Buck, Pro-Tem

BY: \_\_\_\_\_  
Deputy Clerk to the Board

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Scott K. James

\_\_\_\_\_  
Kevin D. Ross

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Lori Saine