

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, SEPTEMBER 25, 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, September 25, 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 September 11, 2023, as printed, Commissioner Buck moved to approve. Commissioner James seconded the motion and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance #2023-19 by audio. The motion was seconded by Commissioner Ross, and it 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 – SEPTEMBER 22, 2023: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.

2) COMMISSIONER WARRANTS (PERRY L. BUCK) – SEPTEMBER 22, 2023: Commissioner Ross moved to approve the Warrant, as printed. Commissioner James seconded the motion, and upon a roll call vote of four (4) to one (1), the motion carried, with Commissioner Buck recused.

BIDS:

1) APPROVE BID #B2300157, RECORDS RELOCATION AND REMODEL – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, WCC Construction, LLC, for a total amount of \$162,261.00. Commissioner Saine moved to approve said bid. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) APPROVE BID #B2300172, CHASE BUILDING (822 7TH ST, GREELEY) CHILLER REPLACEMENT DESIGN AND ENGINEERING SERVICES – FACILITIES DEPARTMENT: Ms. Geisert stated staff recommends selecting the lowest bidder who met specifications, G2 Consulting Engineers, Inc., for a total amount of \$18,800.00. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) APPROVE BID #B2300173, FLAMMABLE EXHAUST, FIRE ALARM, AND FIRE SUPPRESSION UPGRADE FOR DAONO HOUSEHOLD HAZARDOUS WASTE – FACILITIES DEPARTMENT: Ms. Geisert stated staff recommends rejecting said bid and rebidding at a later time, as specifications were not met. Commissioner Saine moved to reject said bid, per staff's recommendation. The motion was seconded by Commissioner Buck, and it carried unanimously.

4) PRESENT BID #B2300184, ELECTRONICS WASTE RECYCLING EVENTS – DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT: Rose Everett, Purchasing Department, stated three (3) bids were received and staff will make a recommendation on October 9, 2023.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #7352 LEASE AGREEMENT FOR OFFICE SPACE (822 7TH ST, SUITE 760, GREELEY) AND AUTHORIZE CHAIR TO SIGN – WITWER, OLDENBURG, BARRY AND GROOM, LLP: Toby Taylor, Director of the Facilities Department, stated this lease agreement is for a law firm who is the current tenant, and has an initial three (3)-year term from January 1, 2024, through December 31, 2026. He stated this lease agreement also offers a second three (3)-year term option, if mutually agreeable, and staff recommends approval. Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER CONTRACT ID #7395 AMENDMENT #1 TO LEASE AGREEMENT FOR IMPROVED REAL PROPERTY FOR OFFICE SPACE FOR OFFICE OF STATE PUBLIC DEFENDER (822 7TH ST, SUITE 300, GREELEY) AND AUTHORIZE CHAIR TO SIGN: Mr. Taylor stated this amendment extends the term to a lease agreement from September 18, 2023, through January 31, 2024, at the current monthly rate of \$24,845.88. He also stated this amendment includes provisions that allow Weld County access to conduct inspections and make repairs or alterations for follow-up of this suite for the Probation Office, and staff recommends approval. Commissioner Ross moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER CONTRACT ID #7410 AGREEMENT FOR PROFESSIONAL SERVICES FOR ADDITIONAL ACCESS CONTROL DOORS FOR CHASE BUILDING (822 7TH ST, GREELEY) RENOVATION PROJECT AND AUTHORIZE CHAIR TO SIGN – LONG BUILDING TECHNOLOGIES: Mr. Taylor gave a brief overview of a project awarded to Long Building Technologies in 2018 (Bid #B1700146), which allowed them to be a single source vendor in accordance with the Weld County Code. He stated this agreement allows for installation of proximity access control doors during the County's renovation of various floors in the Chase Building to ensure security. Mr. Taylor gave a breakdown of the project needs for each floor for a total cost of \$112,420.00, and stated staff recommends approval. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

4) CONSIDER CONTRACT ID #7285 AGREEMENT FOR PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS FOR CRS 76 AND 35 INTERSECTION IMPROVEMENTS PROJECT, AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS – BRIAN AND VIVIAN FOSS: Tiffane Johnson, Department of Public Works, presented the first of four (4) agreements to acquire 0.31 acres of Right-of-Way (ROW), and .041 acres of Temporary Construction Easement (TCE) located at the

northwest corner of County Roads (CRs) 76 and 35 intersection. She stated the County made an offer of \$6,390.00 for all ROW and landscaping impacts. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously. *(Clerk's Note: The Resolution title was updated post-fact for clerical accuracy.)*

5) CONSIDER CONTRACT ID #7389 AGREEMENT FOR PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS FOR CRS 6 AND 13 INTERSECTION IMPROVEMENTS PROJECT, AND AUTHORIZE CHAIR TO SIGN ANY NECESSARY DOCUMENTS – JORDAN AND E. MARIE GUTIERREZ Ms. Johnson stated this property presented is the third of four (4) agreements, and is the most impacted by the improvements project located at the CRs 6 and 13 intersection. She stated the County will be relocating a driveway, and to do so, this agreement is to acquire 1.966 acres of ROW, 0.907 acres of TCE, and a \$15,000.00 signing incentive for the total amount of \$71,818.00. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James. Upon a roll call vote of four (4) to one (1), the motion carried with Commissioner Saine opposed. *(Clerk's Note: The Resolution title was updated post-fact for clerical accuracy.)*

6) CONSIDER TEMPORARY CLOSURE OF CR 7 BETWEEN CR 48 AND SH 56: Amy Mutchie, Department of Public Works, stated this closure will begin on October 9, 2023, and go through November 9, 2023, for replacement of drainage culverts and roadwork. She stated water will be used, as needed, for dust control for the gravel portion of the detour route, and message boards will be placed in advance of the closure. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Ross, and it carried unanimously.

7) CONSIDER TEMPORARY CLOSURE OF CR 46 BETWEEN CRS 5 AND 7: Ms. Mutchie stated this closure will begin on October 2, 2023, and go through October 6, 2023, for the replacement of a drainage culvert. She stated water will be used, as needed, for dust control for the gravel portion of the detour route. Commissioner Ross moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

8) CONSIDER TEMPORARY CLOSURE OF CR 40 BETWEEN CRS 15 AND 17: Ms. Mutchie stated this closure will begin on October 2, 2023, and go through October 6, 2023, for the replacement of a drainage culvert. She stated water will be used, as needed, for dust control for the gravel portion of the detour route. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner James, and it carried unanimously.

9) CONSIDER TEMPORARY CLOSURE OF CR 44 BETWEEN CR 35 AND U.S. HWY 85: Ms. Mutchie presented this closure request on behalf of Jalisco International, Inc., which will begin on September 26, 2023, and go through October 18, 2023, for roadway and intersection improvements for the Colorado Department of Transportation (CDOT) Flyover Project. She stated the detour route is paved. Commissioner Ross moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

10) CONSIDER CONTRACT ID #7421 AMENDMENT #4 TO LOAN FUND GRANT AGREEMENT AND AUTHORIZE CHAIR TO SIGN – COLORADO ENTERPRISE FUND, INC.: Cheryl Pattelli, Chief Financial Officer, gave a brief overview of the loan program establishment and indicated this program provides small business loans to entrepreneurs who are unable to secure financing from traditional institutions. She stated this amendment was presented at a work session held on September 18, 2023, and staff recommends approval. Commissioner James moved to approve said amendment and authorize the Chair to sign. The motion, which was seconded by Commissioner Ross, carried unanimously.

11) CONSIDER REAPPOINTMENTS TO WELD COUNTY FAIR BOARD: Hannah Swanbom, Director of CSU Extension Services of Weld County and Weld County Fair, requested the extension of appointments for Courtney Smith and Tom Bledsow. Commissioner Saine moved to approve said reappointments. The motion was seconded by Commissioner Buck, and it carried unanimously. *(Clerk's Note: Chair Freeman inadvertently called this item of business number ten (10) on the record; however, content is correct.)*

12) CONSIDER REAPPOINTMENT TO GREELEY HOUSING AUTHORITY: Commissioner James moved to approve said reappointment. The motion was seconded by Commissioner Ross, and it carried unanimously.

13) FINAL 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*): Commissioner Ross moved to read Code Ordinance #2023-14 by title only. The motion was seconded by Commissioner Buck, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Jill Scott, Director of the Department of Human Resources, stated there have been no changes since Second Reading. In response to Commissioner Saine, Ms. Scott stated the section in question is not part of what is being considered in the proposed changes, but indicated she will look into the matter. There was no public testimony offered concerning this matter. Commissioner Ross moved to approve Code Ordinance #2023-14 on Final Reading. The motion was seconded by Commissioner James, and it carried unanimously.

14) FIRST READING OF CODE ORDINANCE #2023-19, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 3 HUMAN RESOURCES OF THE WELD COUNTY CODE (*HOLIDAY ADDITION*): Ms. Scott reviewed the proposed change to add Juneteenth as a floating County holiday starting in 2024, with Martin Luther King, Jr. Day, to be observed on the third Monday in January. She indicated a work session was held on September 18, 2023, and staff recommends approval. There was no public testimony offered concerning this matter. Commissioner Ross moved to approve Code Ordinance #2023-19 on First Reading. The motion was seconded by Commissioner James, and upon a roll call vote the motion carried four (4) to one (1) with Commissioner Saine opposed.

PUBLIC COMMENT: There was no public comment offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2023-14 was approved on Final Reading; and Code Ordinance #2023-19 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 9:22 a.m.

These Minutes were approved on the 9th day of October, 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