

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, OCTOBER 4, 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, October 4, 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 – EXCUSED

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 20, 2023, as printed, Commissioner Ross moved to approve. Commissioner Buck seconded the motion and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner Ross moved to read Emergency Ordinance #259-A by audio. The motion was seconded by Commissioner James, 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 – OCTOBER 3, 2023: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2300169, FACILITIES BUILDING ADDITION AND REMODEL – FACILITIES DEPARTMENT: Carolyn Geisert, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Rhinotrax Construction, for a total amount of \$2,192,963.00. Commissioner James moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NO. R6785437 – 20680 NIOBRARA BLVD, LLC: Jason Marini, Chief Deputy Assessor, stated this petition is for a warehouse and office building located in Peckham, Colorado. He further stated the tax agent has requested an administrative denial to preserve their rights at the State Board of Assessment Appeals for tax year 2022. He indicated staff's recommendation is to deny the petition for abatement, and uphold the value of \$1,011,244.00. No petitioner or agent was present. Commissioner Ross moved to deny said petition for abatement or refund of taxes. Commissioner Buck seconded the motion, and it carried unanimously.

2) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NO. R4060686 – TBK BANK SSB: Mr. Marini stated in this abatement, the petitioner, TBK Bank, is located in LaSalle, Colorado. He further stated the tax agent has requested an administrative denial to preserve their rights at the State Board of Assessment Appeals for tax year 2022. He indicated staff's recommendation is to deny the petition for abatement, and uphold the value of \$692,300.00. No petitioner or agent was present. Commissioner James moved to deny said petition for abatement or refund of taxes. Commissioner Ross seconded the motion, and it carried unanimously.

3) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NO. R1752202 – TBK BANK SSB: Mr. Marini stated in this abatement, the petitioner, TBK Bank, is located in Milliken, Colorado. He further stated the tax agent has requested an administrative denial to preserve their rights at the State Board of Assessment Appeals for tax year 2022. He indicated staff's recommendation is to deny the petition for abatement, and uphold the value of \$863,200.00. No petitioner or agent was present. Commissioner Ross moved to deny said petition for abatement or refund of taxes. Commissioner James seconded the motion, and it carried unanimously.

4) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NO. R8970291 – BRENT AND SARAH GOOCH: Mr. Marini stated this petition is for a personal property account located in Frederick, Colorado. He stated the property owners requested their property be reclassified as agricultural land for tax year 2022. Mr. Marini further stated the property owners provided sufficient evidence to support their request from 2020-2022, therefore, he indicated qualifications were met, and as a result, staff recommends approval of the abatement for tax year 2022. Mr. Marini explained the value changed from \$610,796.00, to \$6,645.00, which results in a total abatement of \$17,525.02. Commissioner James moved to approve said petition for abatement. The motion was seconded by Commissioner Ross, and it carried unanimously.

5) CONSIDER CONTRACT ID #7310 EMPLOYER PARTICIPATION AGREEMENT AND EMPLOYER ROTH AFFILIATION PARTICIPATION AGREEMENT FOR VOLUNTARY SAVING PLAN OPTIONS FOR ELIGIBLE EMPLOYEES, AND AUTHORIZE CHAIR TO SIGN – COLORADO PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION (PERA): Staci Datteri-Frey, Department of Human Resources, stated these agreements allow for participation in voluntary savings plan options with PERA for eligible employees in the Department of Public Health and Environment, and provide equal opportunities to maximize their retirement savings. Commissioner Ross moved to approve said agreements and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

6) CONSIDER CONTRACT ID #7397 MEMORANDUM OF UNDERSTANDING FOR SERVICES PURSUANT TO WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) PROGRAM THROUGH ONE-STOP OPERATOR CENTER AND AUTHORIZE CHAIR TO SIGN – WELD COUNTY WORKFORCE DEVELOPMENT BOARD: Jamie Ulrich, Director of the Department of Human Services, stated this Memorandum of Understanding (MOU) is to establish joint processes and procedures that

allow each party to integrate the current delivery services through the One-Stop Operator Center. Commissioner James moved to approve said MOU and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

7) CONSIDER CONTRACT ID #7427 MEMORANDUM OF UNDERSTANDING FOR AREA AGENCY ON AGING (AAA) SENIOR NUTRITION PROGRAM (FRIENDLY FORK), AND AUTHORIZE CHAIR TO SIGN – TOWN OF WINDSOR: Ms. Ulrich stated the purpose of this MOU is to allow the Area Agency on Aging (AAA) to provide meals for seniors through the Friendly Fork senior nutrition program. Commissioner Ross moved to approve said MOU and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

8) CONSIDER CONTRACT ID #7444 MEMORANDUM OF UNDERSTANDING FOR SERVICE DELIVERY AGREEMENTS PURSUANT TO WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) PROGRAM FOR JOBS FOR VETERAN'S STATE GRANT (JVSG) PROGRAM, AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Ms. Ulrich stated this MOU outlines the respective roles and responsibilities for staff with the Jobs For Veteran's State Grant (JVSG) Program, as well as outlining the co-location agreement with those staff members. Commissioner James moved to approve said MOU and authorize the Chair to sign. Commissioner Ross seconded the motion, and it carried unanimously.

9) CONSIDER CONTRACT ID #7449 MEMORANDUM OF UNDERSTANDING FOR SERVICE DELIVERY AGREEMENTS PURSUANT TO WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) PROGRAM FOR MIGRANT SEASONAL FARMWORKER (MSFW) PROGRAM, AND AUTHORIZE CHAIR TO SIGN: Ms. Ulrich stated this MOU is in conjunction with Larimer County, and allows migrant seasonal farmworkers to be provided resident services through the Migrant Seasonal Farmworker (MSFW) Program. Commissioner Ross moved to approve said MOU and authorize the Chair to sign. Commissioner James seconded the motion, and it carried unanimously.

10) CONSIDER CONTRACT ID #7398 AMENDMENT #1 TO LEASE AGREEMENT FOR SATELLITE OFFICE SPACE FOR STATE EMPLOYEES OF DIVISION OF VOCATIONAL REHABILITATION (DVR) AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Ms. Ulrich stated this amendment is for the co-location of the office space for state employees from the Division of Vocational Rehabilitation (DVR) to reside within the Workforce Center. The motion to approve said amendment and authorize the Chair to sign and submit electronically was made by Commissioner Buck, seconded by Commissioner James, and it carried unanimously.

11) CONSIDER CONTRACT ID #7399 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) PROGRAM VETERAN'S SERVICE TO CAREER PROGRAM (VSCP), AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich stated this authorization will allow the Department of Human Services to utilize the funding through the Veteran's Service to Career Program (VSCP). Commissioner Ross moved to approve said expenditure authorization and work plan and authorize the Chair to sign electronically. The motion, which was seconded by Commissioner Buck, carried unanimously.

12) CONSIDER CONTRACT ID #7400 EXPENDITURE AUTHORIZATION AND WORK PLAN FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) PROGRAM EVALUATION FUNDS AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Ms. Ulrich stated this expenditure authorization allows for the evaluation of various program funding streams and activities that are subject to the rules and regulations of the Workforce Innovation and Opportunity Act (WIOA) Program. Commissioner James moved to approve said expenditure authorization and workplan and authorize the Chair to sign. Commissioner Buck seconded the motion, and it carried unanimously.

13) CONSIDER CONTRACT ID #7418 PROFESSIONAL SERVICES AGREEMENT FOR VARIOUS CORE AND NON-CORE CHILD WELFARE SERVICES AND AUTHORIZE CHAIR TO SIGN – LAUREN CITO COUNSELING, LLC: Ms. Ulrich stated this agreement allows for life skills and home studies services. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

14) CONSIDER CONTRACT ID #7420 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – WIDAD BASHA: Ms. Ulrich stated this is a provisional contract for a new kinship foster care home located in Firestone, Colorado. Commissioner James moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously. *(Clerk's Note: Ms. Ulrich stated this home is located in Fort Collins, Colorado, for the record; however, the Pass-Around signed by all five (5) Commissioners, and the contract itself, indicates Firestone, Colorado.)*

15) CONSIDER CONTRACT ID #7431 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – LADONNA CRAM AND ASHLEY VELASCO: Ms. Ulrich stated this is a provisional contract for a new kinship foster care home located in Fort Collins, Colorado. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

16) CONSIDER CONTRACT ID #7432 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JASON HAGERT: Ms. Ulrich stated this is a contract for a new certified foster care home located in Platteville, Colorado. Commissioner Ross moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and the motion carried unanimously.

17) CONSIDER GRANT APPLICATION FOR CASE MANAGEMENT RETENTION AND SIGN-ON BONUS PHASE THREE (3), AND STATEMENT OF ASSURANCE FORM, AND AUTHORIZE DEPARTMENT OF HUMAN SERVICES TO SUBMIT ELECTRONICALLY: In response to the Case Management Request for Proposal (RPF), Ms. Ulrich stated this application provides funding to encourage staff to remain employed during the transition. Commissioner James moved to approve said application and authorize the Department of Human Service to submit electronically. The motion was seconded by Commissioner Buck, and it carried unanimously.

18) CONSIDER SETTLEMENT AGREEMENT FOR CRS 66 AND 41 INTERSECTION IMPROVEMENTS PROJECT AND AUTHORIZE CHAIR TO SIGN – DARYL AND DALENE SCHUMP: Bruce Barker, County Attorney, gave a brief overview regarding circumstances of a property that was owned by the Schump's two (2) years ago, and at the time, the County determined it was best to purchase the entire property to allow the construction of the County Roads (CRs) 66 and 41 Intersection Improvements to commence. Mr. Barker indicated there are aspects of the project that are still outstanding, in the amount of \$22,000.00, and he explained this agreement means the County is paying an extra \$84,000.00, including the original offer, which is 33% percent higher. Mr. Barker advised the Board this option is a cost savings for the County, since the cost of going to trial would be at least three (3) times the stated amount, and noted staff recommends approval. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

19) CONSIDER ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY FOR CRS 66 AND 41 INTERSECTION IMPROVEMENTS PROJECT AND AUTHORIZE CHAIR TO SIGN – DARYL AND DALENE SCHUMP: Mr. Barker stated the Resolution is to accept the signed and notarized deed, and explained doing this as a separate motion from the previous item, allows for more accurate records at the Assessor’s Office. Commissioner Ross moved to accept said deed and authorize Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

20) EMERGENCY ORDINANCE #259-A, IN THE MATTER OF A SUPPLEMENTAL APPROPRIATION FOR THE YEAR 2023: Jennifer Oftelie, Budget Manager, stated this is the first of two (2) supplemental appropriations to allow for unexpected adjustments to be made for the 2023 Final Budget. She referenced the exhibits that detail the transfer balance of funds, including conclusion of projects that began in 2021, but were delayed due to supply chain shortages. She also noted the School Resource Officer (SRO) program, vehicle purchases, small business tax credits, as well as, the implementation of the Enterprise Resource Planning (ERP) with the WorkDay integration. No public testimony was made concerning this matter. Commissioner James moved to approve Emergency Ordinance No. 259-A. The motion was seconded by Commissioner Ross, and it carried unanimously.

PUBLIC COMMENT: No public comment was offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Emergency Ordinance #259-A was 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 9:23 a.m.

These Minutes were approved on the 18th day of October, 2023.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Mike Freeman, Chair

BY: _____
Deputy Clerk to the Board

Perry L. Buck, Pro-Tem

Scott K. James

Kevin D. Ross

EXCUSED
Lori Saine