

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 11, 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, December 11, 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 November 27, 2023, as printed, Commissioner Buck moved to approve. Commissioner James seconded the motion and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner Ross moved to read Emergency Ordinance #260 by audio. The motion was seconded by Commissioner Buck, and it carried unanimously.

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

CONSENT AGENDA: Chair Freeman opened for public comment regarding Partial Vacation, VAC23-0049, of Four-Lot Recorded Exemption, RECX17-0118, for Removal of Lot D for David Lucas and Susan Colvin; however, there was no public testimony concerning this matter. Commissioner James moved to approve the Consent Agenda, as printed. Commissioner Ross seconded the motion and it carried unanimously.

WARRANTS:

1) GENERAL WARRANTS – DECEMBER 8, 2023: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.

2) COMMISSIONER WARRANTS (KEVIN D. ROSS) – DECEMBER 8, 2023: Commissioner Buck moved to approve the Warrant, as printed. Commissioner James seconded the motion, and upon a roll call vote, the motion carried, four (4) to one (1) with Commissioner Ross recused.

BIDS:

1) APPROVE BID #B2300207, CUSTODIAL SERVICES FOR DEPARTMENT OF HUMAN SERVICES (BUILDINGS A, B, AND C) – FACILITIES DEPARTMENT: Toby Taylor, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Obands Janitorial Company, for a total amount of \$6,500.00, per month, and this contract can be renewed annually for three (3) additional years at the County’s discretion. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

2) PRESENT BID #B2300211, LEGAL NEWSPAPER SERVICE FOR 2024 – CLERK TO THE BOARD: Mr. Taylor stated two (2) bids were received and staff will make a recommendation on December 27, 2023.

NEW BUSINESS:

1) CONSIDER CONTRACT FOR 2024 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR VICTIM WITNESS ASSISTANCE UNIT AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Michael Rourke, 19th Judicial District Attorney, alongside Karol Patch, stated this contract allows the acceptance of funding, in the amount of \$156,200.00, which is a five percent (5%) increase over last year to help with the increase in expenditures, and confirmed there is no match required by Weld County to accept the grant funds. He further stated the funding provides services by the Victim Witness Assistance Unit advocates to the citizens of Weld County, and expressed his gratitude to Ms. Patch for her efforts in securing these grant fund opportunities annually. Commissioner Buck echoed the sentiments of Mr. Rourke, thanked Ms. Patch for her dedication concerning this matter, and further moved to approve said contract and authorize the Chair to sign electronically. The motion was seconded by Commissioner Ross, and it carried unanimously.

2) CONSIDER AGREEMENT FOR AMERICAN RESCUE PLAN ACT (ARPA) SUBRECIPIENT FEDERAL RECOVERY FUNDS (EXHIBIT E), AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Mr. Rourke explained these pass-through ARPA funds offer the 19th Judicial District Attorney’s Office the ability to draw down ten percent (10%) of monies to provide administrative services for the grant, which is in the amount of \$9,901.00. Commissioner Ross moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

3) CONSIDER PETITION FOR ABATEMENT OR REFUND OF TAXES FOR ACCOUNT NO. P3734507 – K2D, INC., DBA COLORADO PREMIUM FOODS: Brenda Dones, Assessor, stated this is a business personal account that is a self-reported declaration, which is done annually, and she explained the equipment reported is only that which is owned by the company and not those that are leased. Ms. Dones indicated when K2D, Inc., dba Colorado Premium Foods, filed their Personal Property Declaration for tax year 2022, they listed all equipment they owned in addition to the equipment they lease; however, that equipment was already reported by the leasing companies which resulted in a double taxation and double assessment. She clarified this request for the tax abatement removes the leased equipment from the Declaration, effectively changing the valuation from \$7,022,047.00, to \$5,841,038.00, and reduces the taxes from \$177,571.17, to \$147,706.39, which results in a partial abatement of \$29,864.78. Commissioner Ross moved to approve, in-part, said petition. The motion, which was seconded by Commissioner Buck, carried unanimously.

4) CONSIDER CONTRACT ID #7647 AWARD LETTER FOR 2023 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT AND AUTHORIZE CONTROLLER TO SUBMIT ELECTRONICALLY: Sonja Kohlgraf, Sheriff’s Office, stated Weld County has been awarded in the amount of \$204,740.00, which will be used to offset medical service expenses in the Jail. Commissioner Ross moved to approve said award letter and authorize the Controller to submit electronically. The motion was seconded by Commissioner Saine, and it carried unanimously.

5) CONSIDER CONTRACT ID #7654 CONTRACT FOR 2024 VICTIM ASSISTANCE AND LAW ENFORCEMENT (VALE) GRANT FOR LAW ENFORCEMENT VICTIM SERVICES, AND AUTHORIZE CHAIR TO SIGN: Ms. Kohlgraf stated this contract is the result of Weld County being awarded grant funds, in the amount of \$39,930.00, which will be used to fund a portion of one (1) Full-Time Equivalent (FTE) in the Victims Assistance Unit. Commissioner James moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

6) CONSIDER CONTRACT ID #7665 AWARD LETTER AND INTERGOVERNMENTAL AGREEMENT FOR 2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR PURCHASE OF LICENSE PLATE READERS AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Ms. Kohlgraf stated this agreement allows the acceptance of grant funding, in the amount of \$49,856.00, for the purchase of three (3) stationary license plate readers. Commissioner Buck moved to approve said contract and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

7) CONSIDER CONTRACT ID #7637 LABORATORY SERVICES GROUP PURCHASING AGREEMENT AND PARTICIPATION FORM (EXHIBITS E AND F) FOR REDUCED COSTS OF CLINICAL LABORATORY SERVICES, AND AUTHORIZE CHAIR TO SIGN – COLORADO COMMUNITY HEALTH NETWORK, AND LABORATORY CORPORATION OF AMERICA: Jason Chessher, Director of the Department of Public Health and Environment, stated this is an agreement between the County and Colorado Community Health Network, who acts as a purchasing agent to provide reduced costs for laboratory testing with Laboratory Corporation of America (LabCorp). He elaborated the steep discounts provided through this agreement results in a cost savings of fifty percent (50%), that roughly equates to \$20,000.00 annually. Commissioner Ross moved to approve said agreement and form, and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

8) CONSIDER CONTRACT ID #7661 CHANGE ORDER #2 TO AGREEMENT FOR CONSTRUCTION SERVICES FOR CHASE BUILDING (822 7TH ST, GREELEY) RENOVATION PROJECT (BID #B2300107) AND AUTHORIZE CHAIR TO SIGN – TCC CORPORATION: Curtis Naibauer, Deputy Director of the Facilities Department, explained after the contract for this project was awarded, notice was provided from the Public Defender's Office of their intent to vacate their current location on floor three (3), which allowed for the Probation Unit to occupy floors two (2) and three (3), instead of floors two (2), six (6), and seven (7). He further explained, concurrently, the Child Support Services (CSS) Division of the Department of Human Services needed additional space; therefore, determinations were made to move them to floor six (6). As a result, he stated these changes required altering the original design plans to accommodate CSS, in addition to minor change in the Information Technology (IT) infrastructure and cooling, and to add floor three (3) as part of the renovation. Commissioner Ross moved to approve said change order #2 and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

9) CONSIDER CONTRACT ID #7657 INTERGOVERNMENTAL AGREEMENT FOR GRAVEL ROAD MAINTENANCE AND SNOW REMOVAL, AND AUTHORIZE CHAIR TO SIGN – TOWN OF SEVERANCE: Duane Naibauer, Interim Director of the Department of Public Works, stated the Town of Severance has annexed a portion of County Road (CR) 90 and requested the County maintain approximately one and a half (1.5) miles of CR 90 within their jurisdiction, in exchange for the Town of Severance to maintain approximately one half (.5) mile on CR 19, between CRs 88 and 90; in addition to approximately one (1) mile on CR 25, between CRs 72 to 74. Mr. Naibauer noted both entities also agree to be responsible for other maintenance needs such as gravel resurfacing, road base, culvert replacement, road sign placement and/or replacement, and staff recommends approval.

Commissioner Ross moved to approve said agreement and authorize the Chair to sign. Seconded by Commissioner Buck, the motion carried unanimously.

10) CONSIDER CONTRACT ID #7663 AMENDMENT TO PURCHASE OF PROFESSIONAL SERVICES AGREEMENT FOR OIL AND GAS AUDITS AND EVALUATION SERVICES, AND AUTHORIZE CHAIR TO SIGN – MARTINDALE CONSULTANTS, INC.: Cheryl Pattelli, Chief Financial Officer, stated this amendment allows for the extension of oil and gas auditing services to ensure various oil and gas companies are paying the proper amount of taxes. She explained any amount recovered by the vendor, less fees, is placed into an escrow account to be distributed to all taxing entities throughout Weld County, and staff recommends approval. Commissioner Saine moved to approve said amendment and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

11) CONSIDER LOBBYING AGREEMENT AND AUTHORIZE CHAIR TO SIGN – COLORADO LEGISLATIVE SERVICES, LLC, DBA COLORADO LEGISLATIVE STRATEGIES: Bruce Barker, County Attorney, stated this is an annual agreement that the County has participated in for the past ten (10) years, and indicated this reflects a three percent (3%) escalation in costs from last year, noted in paragraph three (3). Commissioner James moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

PLANNING:

1) CONSIDER FULL RELEASE OF WARRANTY COLLATERAL FOR CHANGE OF ZONE, PUDZ16-0001, AND PLANNED UNIT DEVELOPMENT FINAL PLAN, PUDF16-0003 – GANDER VALLEY FARMS, LTD.: Jazmyn Trujillo-Martinez, Department of Planning Services, requested the full release of warranty collateral, in the amount of \$50,954.05, procured in the form a Letter of Credit #90928, issued by Advantage Bank. She further stated the applicant has fulfilled all requirements of the warranty obligation period, which were inspected by staff and deemed satisfactory. Commissioner Ross moved to approve said full release of warranty collateral. The motion was seconded by Commissioner Buck, and it carried unanimously.

2) CONSIDER APPLICATION FOR SMALL BUSINESS INCENTIVE PROGRAM AND AUTHORIZE RELEASE OF ECONOMIC DEVELOPMENT TRUST FUNDS (TIER I) – WHOLESOME MEATS AND LOCKERS, LLC: Tom Parko, Director of the Department of Planning Services, stated this application is for Wholesome Meats and Lockers, LLC, which went through the zoning permit process in 2022. He stated this application is for complete and satisfies the requirements for a Tier I incentive, in the amount of \$12,451.80, and staff recommends approval. Commissioner Saine moved to approve said application and authorize release of funds. The motion was seconded by Commissioner Ross. Chair Freeman thanked Mr. Parko and commented on the incentive program. There being no further discussion, the motion 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 #260 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 9:22 a.m.

These Minutes were approved on the 27th day of December, 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

EXCUSED DATE OF APPROVAL
Scott K. James

EXCUSED DATE OF APPROVAL
Kevin D. Ross

Lori Saine