

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, DECEMBER 18, 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 18, 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 – EXCUSED
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 December 4, 2023, as printed, Commissioner Ross moved to approve. Commissioner James seconded the motion 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.

PRESENTATIONS:

1) RECOGNITION OF SERVICES, DEPARTMENT OF HUMAN SERVICES – BARBARA WOOD: Chair Pro-Tem Buck read the certificate for the record. Jamie Ulrich, Director of the Department of Human Services, stated she was privileged to have been the person to hire Barbara Wood, and commended her for her positivity, infectious laugh, and stewardship of County property, while recalling several stories of the copier machine jamming. Ms. Wood thanked everyone at the County for their support and friendship while working for the citizens of Weld County. Each Commissioner, in turn, expressed their gratitude for Ms. Wood's dedication, and further wished her the best in her retirement and future endeavors. *(Clerk's Note: The group gathered for a photo opportunity.)*

2) RECOGNITION OF SERVICES, WELD LARIMER REVOLVING LOAN FUND COMMITTEE – RAY KNAPP: Chair Pro-Tem Buck read the certificate for the record, and further thanked Mr. Knapp for his volunteer efforts for the citizens of Weld County.

3) RECOGNITION OF SERVICES, WORKFORCE DEVELOPMENT BOARD – SYLVIA ROBINSON, MARIA SILVEIRA, AND CASEY KATOFKY: Chair Pro-Tem Buck read the certificates for the record, and further thanked them for their volunteer efforts in service to the citizens of Weld County.

4) RECOGNITION OF SERVICES, BUILDING TRADES ADVISORY COMMITTEE AND WELD COUNTY BUILDING CODE BOARD OF APPEALS – TIM SWANSON: Chair Pro-Tem Buck read the certificates for the record, and further thanked Mr. Swanson for his volunteer efforts for the citizens of Weld County.

WARRANTS:

1) GENERAL WARRANTS – DECEMBER 15, 2023: Commissioner Ross moved to approve the General Warrants, as printed. Commissioner James seconded the motion and it carried unanimously.

2) COMMISSIONER WARRANTS (PERRY L. BUCK) – DECEMBER 15, 2023: Commissioner James moved to approve the Warrant, as printed. Commissioner Ross seconded the motion. Upon a roll call vote, the motion carried with three (3) affirmative votes and Commissioner Buck recused.

BIDS:

1) APPROVE BID #B2300185 REQUEST FOR QUOTE/REQUEST FOR PROPOSAL (RFQ/RFP) FOR BRIDGE 54/13A REPLACEMENT PROJECT – DEPARTMENT OF PUBLIC WORKS: Toby Taylor, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Kraemer, North America, LLC, (N.A.), for a total amount of \$11,533,491.78. He reviewed the anticipated project timeline, and in response to Commissioner Saine, Clay Kimmi, Department of Public Works, explained the term ‘out of the water’, clarified there is no cost increase for the recommended company to work through the wintertime, and this contract allows for the accelerated bridge construction schedule to be completed by July 1, 2024, to reduce impacts to the traveling public. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

2) APPROVE BID #B2300196, DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS USER FEE STUDY PROJECT – DEPARTMENT OF FINANCE AND ADMINISTRATION: Mr. Taylor stated staff recommends selecting the lowest bidder who met specifications, DELTAWRX, for a total amount of \$78,150.00. Commissioner Ross moved to approve said bid. The motion was seconded by Commissioner James, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #7693 APPLICATION FOR 2024 EMERGENCY MANAGEMENT PROGRAM GRANT (EMPG) AND LOCAL EMERGENCY MANAGER SUPPORT (LEMS) PROGRAM FUNDING, AND AUTHORIZE CHAIR PRO-TEM AND OFFICE OF EMERGENCY MANAGEMENT TO SIGN: Roy Rudisill, Director of the Office of Emergency Management, stated this is an annual application to receive federal pass-through grant funds from the state, and explained the fifty percent (50%) County match is budgeted. Commissioner Ross moved to approve said application and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and it carried unanimously.

2) CONSIDER APPLICATION FOR COLORADO ENVIRONMENTAL JUSTICE GRANT PROGRAM FOR COMMUNITY-ORIENTED SOLUTIONS TO IMPROVE ENVIRONMENTAL HEALTH AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Jason Chessher, Director of the Department of Public Health and Environment, state this application is for grant funding that would allow the Department of Public Health and Environment, the Department of Public Works, and the Public Information Office to help residents of Weld County gain a better understanding of the various roles of local government. He further stated projects that are selected will be announced in Spring 2024. Commissioner Ross moved to approve said application and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and upon a roll call vote the motion carried three (3) to one (1), with Commissioner Saine opposed.

3) CONSIDER CONTRACT ID #7676 AGREEMENT FOR PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS FOR CRS 76 AND 35 INTERSECTION IMPROVEMENTS PROJECT, AND AUTHORIZE CHAIR PRO-TEM TO SIGN ANY NECESSARY DOCUMENTS – T.K. FARMS, INC.: Tiffane Johnson, Department of Public Works, indicated this agreement and the next two (2) items of business are the last remaining properties located at the County Roads (CRs) 76 and 35 Intersection for improvements. She stated the County will compensate the owner \$5,000.00 for 0.004 acres of public road right-of-way (ROW), and 0.116 acres of Temporary Construction Easement (TCE). Ms. Johnson explained the County will relocate and reconstruct irrigation structures that are impacted by this project. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign any necessary documents. The motion, which was seconded by Commissioner James, carried unanimously.

4) CONSIDER CONTRACT ID #7677 AGREEMENT FOR PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS FOR CRS 76 AND 35 INTERSECTION IMPROVEMENTS PROJECT, AND AUTHORIZE CHAIR PRO-TEM TO SIGN ANY NECESSARY DOCUMENTS – NOFFSINGER MANUFACTURING COMPANY, INC.: Ms. Johnson stated the County will compensate the owners \$5,000.00, for 0.023 acres of public road ROW, and a 0.406-acre TCE. Commissioner Saine moved to approve said agreement and authorize the Chair Pro-Tem to sign any necessary documents. The motion, which was seconded by Commissioner Ross, carried unanimously.

5) CONSIDER CONTRACT ID # 7696 AGREEMENT FOR PURCHASE OF CERTAIN PROPERTY FOR PUBLIC ROAD IMPROVEMENTS FOR CRS 76 AND 35 INTERSECTION IMPROVEMENTS PROJECT, AND AUTHORIZE CHAIR PRO-TEM TO SIGN ANY NECESSARY DOCUMENTS – WB2, LLC: Ms. Johnson stated the County will compensate the owners \$12,000.00 for 0.035 acres of public road ROW, 0.322 acres of TCE, damages related to relocating the existing pivot stop, permanent and temporary dry up of irrigated land, and to reach a voluntary cost to cure settlement. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign any necessary documents. The motion, which was seconded by Commissioner James, carried unanimously.

6) CONSIDER CONTRACT ID#7685 RENTAL CONTRACT MANDATORY PROVISIONS FOR TWO (2) 40-TON ARTICULATING HAUL TRUCKS FOR VARIOUS GRAVEL PIT MINES AND AUTHORIZE CHAIR PRO-TEM TO SIGN – PROSOURCE MACHINERY, LLC: Nate Gibson, Department of Public Works, stated the mining division of the Department of Public Works conducted a bid for two (2) articulating haul trucks, and received four (4) responses, but the lowest bid that met specifications was ProSource Machinery, LLC. He stated this rental agreement is for the amount of \$312,000.00, which is within the 2024 budget. Commissioner Saine moved to approve said contract and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and it carried unanimously.

7) CONSIDER COUNTY DANCE HALL LICENSE NUMBER 2024-01, AND AUTHORIZE CHAIR PRO-TEM TO SIGN – EL CENTENARIO ENTERTAINMENT, LLC, DBA EL CENTENARIO NIGHTCLUB: Matthew Conroy, Assistant County Attorney, gave a brief overview of the location of this establishment, which has held their Dance Hall License since 2011, and stated there are no concerns from referral agencies. No public testimony was offered concerning this matter. Commissioner Ross moved to approve said license and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and it carried unanimously.

8) CONSIDER COUNTY DANCE HALL LICENSE NUMBER 2024-02, AND AUTHORIZE CHAIR PRO-TEM TO SIGN – RM, INC., DBA ROOM 119: Mr. Conroy gave a brief overview of the location of this establishment, which has held their Dance Hall License since 1988, and stated there are no concerns from referral agencies. No public testimony was offered concerning this matter. Commissioner James moved to approve said license and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

9) CONSIDER ACCEPTANCE OF PROPERTY TRANSFER (2139 EAST 8TH STREET, GREELEY): Bruce Barker, County Attorney, stated the Board of County Commissioners approved an acceptance of the Assignment of the stated property on August 14, 2023, which closed on August 21, 2023, and then a Special Warranty Deed was recorded on August 23, 2023. He explained due to the Assignment not having a delegation for the Chair to accept and sign all necessary documents, this Resolution will allow for that to occur. Commissioner James moved to accept said property transfer. The motion was seconded by Commissioner Ross, and it carried unanimously.

10) CONSIDER APPOINTMENT TO NOXIOUS WEED MANAGEMENT ADVISORY BOARD: Commissioner Ross moved to approve said appointment. The motion was seconded by Commissioner James, and the motion carried unanimously.

11) CONSIDER APPOINTMENTS TO WELD FAITH PARTNERSHIP COUNCIL: Commissioner Ross moved to approve said appointments. The motion was seconded by Commissioner Saine, and the motion carried unanimously.

12) CONSIDER APPOINTMENT AND REAPPOINTMENT TO WELD COUNTY BUILDING CODE BOARD OF APPEALS: Commissioner Ross moved to approve said appointment and reappointment. Seconded by Commissioner James, and it carried unanimously.

13) CONSIDER APPOINTMENT AND REAPPOINTMENTS TO HUMAN SERVICES ADVISORY COMMISSION: Commissioner Ross moved to approve said appointment and reappointments, which was seconded by Commissioner James, carried unanimously.

14) CONSIDER REAPPOINTMENTS TO WORKFORCE DEVELOPMENT BOARD: Commissioner James moved to approve said reappointments. The motion was seconded by Commissioner Ross, and it carried unanimously.

15) CONSIDER APPOINTMENT AND REAPPOINTMENTS TO REGIONAL COMMUNICATIONS ADVISORY BOARD: Commissioner Ross moved to approve said appointment and reappointments. Commissioner Saine seconded the motion, and it carried unanimously.

16) CONSIDER REAPPOINTMENTS TO 911 EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD: Commissioner Ross moved to approve said reappointments. The motion was seconded by Commissioner James, and it carried unanimously.

17) CONSIDER 2024 AMOUNT TO BE PAID FOR INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF GREELEY AND WELD COUNTY FOR ISLAND GROVE PARK MANAGEMENT SERVICES: Jennifer Oftelie, Budget Manager, stated this and subsequent items were discussed as part of the 2024 Budget, and further stated this is a long-standing agreement, in the amount of \$574,210.00, for the maintenance of the Park and noted these monies are from conservation lottery dollars. Commissioner Ross moved to approve the resolution. The motion was seconded by Commissioner James, and it carried unanimously.

18) CONSIDER MEMORANDUM OF UNDERSTANDING FOR ADULT TREATMENT COURT AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated this item and the following Memorandums of Agreement, reflect amounts included in the 2024 Budget, as discussed during budget work sessions. She stated this particular item is for the amount of \$25,000.00, for adult treatment court to assist offenders. Ms. Oftelie indicated this amount is less than the typical \$100,000.00 due to other received grant funds, and the need from the County is less. Commissioner James moved to approve said memorandum of understanding and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

19) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND A WOMAN'S PLACE AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$10,000.00 is for a Woman's Place for 2024. Commissioner Saine moved to approve said memorandum of agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

20) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND ENVISION AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated the partnership with Envision has been long-standing and they will be receiving \$38,225.00 for the developmentally disabled. Commissioner James moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

21) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND GREAT WESTERN TRAIL AUTHORITY AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$10,000.00 is for on-going maintenance of the Great Western Trail Authority, in partnership with the Towns of Windsor, Severance, and Eaton, who also contribute \$10,000.00 each, for a total amount of \$40,000.00. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and it carried unanimously.

22) CONSIDER MEMORANDUM OF AGREEMENT FOR MENTAL HEALTH SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated this is for mental health services in the amount of \$206,000.00, for 2024. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.

23) CONSIDER MEMORANDUM OF AGREEMENT FOR SUICIDE EDUCATION AND PREVENTION SERVICES BETWEEN WELD COUNTY, COLORADO, AND NORTH RANGE BEHAVIORAL HEALTH AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated this is for suicide education and prevention, for the amount of \$20,000.00. She explained the increase in funds will cover increased services in Southwest Weld County. Commissioner James moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

24) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND EAST COLORADO SMALL BUSINESS DEVELOPMENT CENTER (SBDC) AS RECIPIENT OF WELD COUNTY ECONOMIC DEVELOPMENT TRUST FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$65,000.00 of the economic trust fund is for the Small Business Development Center for small startup businesses in Weld County. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.

25) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY OF WELD COUNTY (211 INFORMATION AND REFERRAL) AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$50,000.00 is for 211 Information and Referral, which works with and compliments the Department of Human Services during emergency events. Commissioner Saine moved to approve said agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.

26) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY OF WELD COUNTY (READING GREAT BY 8) AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$10,000.00 will go to Reading Great by Eight, formerly known as Promises for Children. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner James, the motion carried unanimously.

27) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UNITED WAY OF WELD COUNTY (WELD'S WAY HOME) AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$10,000.00 is for Weld's Way Home program, which benefits people experiencing homelessness. Commissioner James moved to approve said agreement and authorize the Chair Pro-Tem to sign. Seconded by Commissioner Ross, the motion carried unanimously.

28) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND UPSTATE COLORADO ECONOMIC DEVELOPMENT AS RECIPIENT OF WELD COUNTY ECONOMIC DEVELOPMENT TRUST FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$200,000.00 of the economic trust fund will go to Upstate Colorado for a private-public partnership for economic development. Commissioner Ross moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner James, and it carried unanimously.

29) CONSIDER MEMORANDUM OF AGREEMENT BETWEEN WELD COUNTY, COLORADO, AND WELD COUNTY SENIOR CITIZEN COORDINATORS AS RECIPIENT OF WELD COUNTY GENERAL FUND MONIES, AND AUTHORIZE CHAIR PRO-TEM TO SIGN: Ms. Oftelie stated \$40,000.00 is for 20 senior centers for their operational expenses, with each center receiving \$2,000.00. Commissioner James moved to approve said agreement and authorize the Chair Pro-Tem to sign. The motion was seconded by Commissioner Ross, and it carried unanimously.

PLANNING:

1) CONSIDER CONTRACT ID #7671 RELEASE OF PROJECT COLLATERAL, AND ACCEPT WARRANTY COLLATERAL FOR SITE PLAN REVIEW, SPR-340 – LINDSAY PRECAST, LLC, FORMERLY ROLINDA COLORADO COMPANY, LTD., AND FIREBAUGH PRECAST, INC.: Jazmyn Trujillo-Martinez, Department of Planning Services, requested on behalf of the applicants, to release Project Collateral, in the amount of \$350,000.00, held as Performance Bond #5877623, issued by Ohio Farmers Insurance Group. She further requested the Board accept warranty collateral, in the amount of \$52,500.00, provided in the form of Performance Bond #US3002172, issued by Euler Hermes North America Insurance Company, to be held for the duration of the two (2)-year warranty period. Ms. Trujillo-Martinez noted staff has inspected the improvements and they were deemed satisfactory. Commissioner James moved to approve said release of project collateral, and accept warranty collateral. 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. No Ordinances were 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 9:45 a.m.

The meeting took place in 2023, with Commissioner Mike Freeman as Chair. These Minutes were approved on the 3rd day of January, 2024, which reflects the current 2024 Board nominations.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Kevin D. Ross, Chair

Perry L. Buck, Pro-Tem

EXCUSED
Mike Freeman

Scott K. James

Lori Saine