

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO WEDNESDAY, MARCH 20, 2024

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, March 20, 2024, 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 Kevin D. Ross, Chair
Commissioner Perry L. Buck, Pro-Tem
Commissioner Mike Freeman
Commissioner Scott K. James
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 March 6, 2024, as printed, Commissioner Buck moved to approve. Commissioner James seconded the motion and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on March 6, 2024, as follows: 1) Petition for Vacation of a Portion of CR 41 Between CRs 6 and 4 – BNSF Railway Company and Alan Agnew, and 2) USR23-0039 – Public Service Company of Colorado, dba Xcel Energy Company. Commissioner James seconded the motion, which carried unanimously.

AMENDMENTS TO AGENDA: Commissioner Saine moved to reinstate Public Comment, which was seconded by Commissioner Buck. Commissioner James expressed he has given considerable thought as to the correct course of action, recognizing he has made a career exercising his First Amendment Rights and standing up for the rights of others. Commissioner James referenced House Bill (HB) 24-1292, regarding the 2nd Amendment Right to bear arms, and he exercised his voice to testify that it is a severe infringement of his right as a responsible owner of a firearm. He further acknowledged that stifling the public to comment due to a minority of people who are exercising their right in an irresponsible manner is wrong; therefore, he is in support of amending this agenda, but requested a work session to further discuss Public Comment moving forward. Commissioner Freeman stated a Town Hall meeting is a more appropriate forum for the public to express their concerns, which he indicated will be held every two (2) weeks. Commissioner Freeman stated he does not support having public comment reinstated during a meeting where County business is conducted. Commissioner James clarified his position by saying he believes reinstatement of public comment does not need to be an either/or situation.

There being no further discussion, and upon a roll call vote, the motion passed four (4) to one (1), with Commissioner Freeman opposed.

Commissioner Saine moved to add a Resolution titled, "Resolution Directing the County Attorney to Pursue Legal Action to Permit the County to Fully Cooperate with Federal Immigration Enforcement." (*Clerk's Note: Marked as Exhibit A.*) She indicated this would allow Weld County to join Douglas County in a lawsuit against HB 19-1124 and HB 23-1100, which prohibits the County Sheriff's Office from cooperating with the U.S. Department of Immigration and Customs Enforcement (ICE). Chair Ross clarified statements made regarding inaction, and stated a work session was held to discuss how to pursue this matter, but no general consensus has yet to have been made. Commissioner Freeman stated he will not support something the County has no legal standing on and will likely be dismissed in the court. Commissioner Buck indicated the work session was a good starting point, but she is not ready to support this, as she feels it is still a work in progress. Due to a lack of a second, the motion failed.

CONSENT AGENDA: Commissioner James moved to approve the Consent Agenda, as printed. Commissioner Freeman seconded the motion and it carried unanimously.

WARRANTS:

1) GENERAL WARRANTS – MARCH 19, 2024: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner James seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2400052, NORTH JAIL SECURITY GRID REPLACEMENT – FACILITIES DEPARTMENT: Toby Taylor, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Drake Construction, for a total amount of \$598,375.00. Commissioner Saine moved to approve said bid. The motion was seconded by Commissioner Buck, and it carried unanimously.

NEW BUSINESS:

1) CONSIDER CONTRACT ID #7889 ADVERTISEMENT AGREEMENT FOR AMERICORPS WELD COUNTY YOUTH CONSERVATION CORPS RECRUITMENT AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Tami Grant, Deputy Director of the Department of Human Services, stated this non-financial agreement allows for the Weld County Youth Conservation Corps to advertise for recruitment at various locations with the City of Greeley, from March 1, 2024, through February 28, 2025. Commissioner Saine 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 #7901 CASE MANAGEMENT AGENCY (CMA) SERVICE AGREEMENT TERMS AND CONDITIONS, AND AUTHORIZE CHAIR TO SIGN – ROUNDUP FELLOWSHIP, INC.: Ms. Grant stated this contract is with a service provider, Roundup Fellowship, as the department became the region's case management agency effective March 1, 2024, through June 30, 2024, and this contract may be extended upon formal written agreement by both agencies. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.

3) CONSIDER CONTRACT ID #7928 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JEROME AND LOLA MARTIN: Ms. Grant stated this contract is for a new provisional kinship foster care home located in Frederick, Colorado, with terms from March 9, 2024, through September 9, 2024. Commissioner James moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner Saine, carried unanimously.

4) CONSIDER CONTRACT ID #7935 INDIVIDUAL PROVIDER CONTRACT FOR PURCHASE OF FOSTER CARE SERVICES IN A FOSTER CARE HOME AND AUTHORIZE CHAIR TO SIGN – JAROL LAGOS AND MARIA RIVERA: Ms. Grant stated this contract is for a new certified foster care home located in Greeley, Colorado, with terms from March 15, 2024, through March 14, 2025. Commissioner Saine moved to approve said contract and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

5) CONSIDER CONTRACT ID #7898 TASK ORDER CONTRACT AMENDMENT #7 FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE PROGRAM, AND AUTHORIZE CHAIR TO SIGN AND SUBMIT ELECTRONICALLY: Jason Chessher, Director of the Department of Public Health and Environment, stated this amendment extends the term to June 30, 2024, and provides additional funding, in the amount of \$12,000.00, for staff training purposes. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign and submit electronically. The motion was seconded by Commissioner Buck, and it carried unanimously.

6) CONSIDER CONTRACT ID #7907 REGULATORY ONLINE TRAINING AND TESTING AGREEMENT FOR PROCTOR AND FOOD SAFETY CERTIFICATIONS, AND AUTHORIZE CHAIR TO SIGN – STATEFOODSAFETY, A DIVISION OF ABOVE TRAINING, INC.: Mr. Chessher explained that state law requires at least one (1) individual in leadership positions in food establishments to be certified as a Food Protection Manager, and this contract allows for Weld County to be a proctor site to administer the testing for said certification. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously. *(Clerk's Note: The title of this item of business was corrected post meeting.)*

7) CONSIDER CONTRACT ID #7908 AUTHORIZATION FORM FOR CERTIFICATION OF ACCESS MANAGERS MEDICARE AND MEDICAID SERVICES (CMS) AND AUTHORIZE CHAIR TO SIGN – CENTERS FOR MEDICARE/MEDICAID: Mr. Chessher stated this authorization form allows the County to register medical providers (nurses and nurse practitioners) to bill for Medicare and Medicaid services, which offsets county funding. Commissioner Saine moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Buck, carried unanimously.

8) CONSIDER CONTRACT ID #7946 RENEWAL #2 TO PROPOSAL OF INSURANCE FOR UNMANNED AIRCRAFT SYSTEMS (DRONES) AND AUTHORIZE CHAIR TO SIGN – ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, LLC: Michelle Raimer, Deputy Director of the Department of Human Resources, requested approval for continuous drone insurance coverage to be provided. In response to Commissioner Saine, Ms. Raimer confirmed this company specializes in drone insurance. Commissioner Saine moved to approve said renewal and authorize the Chair to sign. The motion was seconded by Commissioner James, and it carried unanimously.

9) CONSIDER TEMPORARY CLOSURE OF CR 72 BETWEEN CRS 31 AND 33: Amy Mutchie, Department of Public Works, presented this closure on behalf of Connell Resources and the North Weld County Water District that will begin March 25, 2024, and go through April 1, 2024, for the installation of a 48-inch case pipe for a new 30-inch water main for the final crossing for the continuance of the water line for the Town of Eaton. She stated the detour route is paved, and water will be used, as needed, for dust control. Commissioner Saine moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.

PUBLIC COMMENT:

1) Steve Teets, City of Greeley resident, offered his comments to the Board.

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 9:27 a.m.

These Minutes were approved on the 3rd day of April, 2024.

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

Mike Freeman

Scott K. James

Lori Saine