

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, APRIL 22, 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, April 22, 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 April 8, 2024, 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 #2024-04 by audio. The motion was seconded by Commissioner Freeman, and it carried unanimously.

AMENDMENTS TO AGENDA: Commissioner Saine moved to add a Resolution titled, "Expression of Support for Fully Funding Weld County Sheriff's Office Immediately Per the Sheriff's Request", which is attached as Exhibit "A". Commissioner Buck seconded the motion and stated she supports the Sheriff's budgetary request, but believes a Resolution is the improper process to accomplish said request and an Ordinance would be more appropriate. Commissioner James agreed with Commissioner Buck's sentiments and further stated the Board is to amend and pass budgets by an Ordinance, pursuant to Section 14-2(3) of the Weld County Home Rule Charter. Commissioner Freeman and Chair Ross stated they too fully support law enforcement and are happy to further prioritize the Sheriff's Office to be an employer of choice, but indicated this action needs to be in the form of an Ordinance. Commissioner Saine indicated she was proud of highlighting the requests of the Sheriff's Office and to prompt discussion. There was no further discussion. Upon a roll call vote of three (3) to two (2), the motion failed with Commissioners James, Freeman, and Ross opposed.

CONSENT AGENDA: Commissioner Freeman moved to approve the Consent Agenda, as written. Seconded by Commissioner James, the motion carried unanimously.

PRESENTATIONS:

- 1) RECOGNITION OF SERVICES, WORKFORCE DEVELOPMENT BOARD – JILL EATON: Chair Ross read the certificate for the record.
- 2) RECOGNITION OF SERVICES, PLANNING COMMISSION AND BOARD OF ADJUSTMENT – SHANA MORGAN: Chair Ross read the certificates for the record.

WARRANTS:

- 1) GENERAL WARRANTS – APRIL 19, 2024: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.
- 2) COMMISSIONER WARRANTS (KEVIN D. ROSS) – APRIL 19, 2024: Commissioner Buck moved to approve the Warrant, as printed. Commissioner James seconded the motion, and upon a roll call vote of four (4) to zero (0), the motion carried, with Commissioner Ross recused.

BIDS:

- 1) PRESENT BID #B2400065, CHASE BUILDING (822 7TH ST, GREELEY) CHILLER REPLACEMENT – FACILITIES DEPARTMENT: Toby Taylor, Purchasing Department, stated four (4) bids were received and staff will make a recommendation on May 5, 2024. *(Clerk's Note: staff will make a recommendation on May 6, 2024.)*

NEW BUSINESS:

- 1) CONSIDER CONTRACT ID #8007 AMENDMENT #2 TO PROFESSIONAL SERVICES AGREEMENT FOR INMATE MEDICAL SERVICES (EMERGENCY BID #B2300144) AND AUTHORIZE CHAIR TO SIGN – WELLPATH, LLC: Sonja Kohlgraf, Sheriff's Office, stated the amendment includes an increase to the original agreement, in the amount of \$244,559.65, for additional Medication Assisted Treatment (MAT) services for inmates. She further stated the original agreement covers up to 50 inmates, which is currently exceeded and averages at 80 inmates, and noted the increase will cover up to 150 inmates. Ms. Kohlgraf expanded a portion of the MAT services costs will be offset with Weld County Regional Opioid Council funds. Commissioner Freeman moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Buck, and it carried unanimously.
- 2) CONSIDER TEMPORARY CLOSURE OF CR 4 BETWEEN CRS 41 AND 45: Kevin Hettinger, Department of Public Works, stated the closure will be effective April 29, 2024, through June 6, 2024, for a bridge re-deck. He further stated the detour route is paved and message boards will be placed in advance of said closure. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Buck, and it carried unanimously.
- 3) CONSIDER APPOINTMENT TO WORKFORCE DEVELOPMENT BOARD: Commissioner Freeman moved to approve said appointment. The motion was seconded by Commissioner James, and it carried unanimously.
- 4) SECOND READING OF CODE ORDINANCE #2024-01, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS OF THE WELD COUNTY CODE (*APPENDIX 8-O – FUNCTIONAL CLASSIFICATION MAP*) – (*RESCHEDULED FROM 3/13/2024*): Commissioner James moved to read Code Ordinance #2024-01 by title only. The motion was seconded by Commissioner Freeman, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Evan Pinkham, Department of Planning Services, summarized the proposed changes to Chapter 8 and displayed a PowerPoint presentation, stating the Functional Classification Map is the tool used by Weld County for planning and accounting for future growth

through 2045. He reviewed the project locations, timelines, and funding partnerships. Mr. Pinkham noted the updates typically happen every three (3) years to allow for critical safety improvements. Chair Ross thanked Mr. Pinkham for his efforts and for hosting the town hall meetings to allow further discussion with concerned residents. Commissioner Saine indicated she will not be in support of Second Reading of Code Ordinance #2024-01 due to complaints received by constituents regarding right-of-way. There was no public testimony concerning this matter. Commissioner Freeman moved to approve Code Ordinance #2024-01 on Second Reading. The motion was seconded by Commissioner James, and upon a roll call vote for four (4) to one (1), the motion carried with Commissioner Saine opposed.

PLANNING:

1) FIRST READING OF CODE ORDINANCE #2024-04, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING OF THE WELD COUNTY CODE (*ACCESSORY DWELLING UNITS AND R-1 REVISIONS*): Maxwell Nader, Department of Planning Services, displayed a PowerPoint presentation and reviewed the proposed changes to Chapter 23 of the Weld County Code concerning minor administrative updates, Accessory Dwelling Units (ADU), and R-1 (Residential) Zoning, and he detailed the items that will bring the Code into compliance with recent legislative changes. Mr. Nader elaborated that House Bill (HB) 24-1007 is regarding residential occupancy limits and HB 24-1152 is regarding ADUs on properties. He expanded the proposed changes will assist in streamlining processes and further defining what is considered an urban and rural transitional zone. He stated staff received a letter from the Town of Berthoud prior to Planning Commission with general concerns about non-commercial junkyards in the R-1 Zone District. Mr. Nader summarized the changes to the definitions and to the rest of Chapter 23 of the Weld County Code. In response to Commissioner Saine, Mr. Nader and Elizabeth Relford, Interim Director of the Department of Planning Services, reiterated the removal of definitions concerning foster homes is to bring the Weld County Code in compliance with the recent legislative changes in HB 24-1007.

Bob Walters, Greeley resident, stated his concerns regarding the Department of Planning Services not hosting a town hall meeting yet. Chair Ross referenced a work session that was held regarding specific properties and explained how an ordinance differs from a change of zone request. He encouraged Mr. Walters, along with his neighbors, to contact the Department of Planning Services to have their specific questions and concerns addressed, and further explained the Board is not capable of hosting a town hall meeting for residents that are currently in the process of zone changes due to the Board's quasi-judicial role and it creating a conflict of interest. In response to Commissioner Saine, Mr. Walters stated the Ordinance may initially help alleviate his concerns, but he is still worried about future property values. After further discussion, Ms. Relford confirmed she and staff are happy to host a town hall meeting to address additional concerns.

Mary Rose Cullen, City of Longmont resident, expressed her concerns regarding requirements for septic and water in relation to the R-1 Zone District and ADUs. Mr. Nader confirmed properties in the R-1 Zone District currently cannot have an ADU, but the proposed Code changes will allow an ADU if the property has public water and public sewer. He confirmed the public is requesting Weld County consider allowing septic systems rather than public sewer. In response to Commissioner Saine, Mr. Nader stated staff would not recommend that change because R-1 Zone Districts are residential in nature. Ms. Relford added the typical minimum lot size is 6,000 square feet and it would be difficult for the Department of Public Health and Environment to allow multiple septic systems on that size of lot. After further discussion regarding the zoning history of Ms. Cullen's property, she reiterated her request for there to be an exception for larger lots in the R-1 Zone District.

Commissioner James expressed his appreciation for those who commented and encouraged the citizens to continue to have discussions with the Department of Planning Services. Commissioner James moved to approve said Code Ordinance #2024-04 on First Reading. Commissioner Saine seconded the motion and requested a work session to address the constituent's concerns. After further discussion, and upon a roll call vote, the motion carried unanimously with five (5) affirmative votes.

PUBLIC COMMENT: Commissioner Saine moved to remove the 15-minute time limit for Public Comment. There being no second, the motion failed. There was no public comment offered.

RESOLUTIONS AND ORDINANCES: The Resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2024-01 was approved on Second Reading and Code Ordinance #2024-04 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 9:57 a.m.

These Minutes were approved on the 6th day of May, 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