

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, MAY 6, 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, May 6, 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: *(Clerk's Note: Chair Ross indicated Commissioner Freeman voted, on behalf of the Board, at Colorado Counties, Inc. (CCI), and joined the meeting afterwards.)*

Commissioner Kevin D. Ross, Chair
Commissioner Perry L. Buck, Pro-Tem
Commissioner Mike Freeman – PRESENT AT 9:05 A.M.
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 22, 2024, as printed, Commissioner Saine moved to approve. Commissioner James seconded the motion and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance #2024-08 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: Commissioner James moved to approve the Consent Agenda, as printed. Commissioner Buck seconded the motion and it carried unanimously.

PROCLAMATIONS:

1) NATIONAL NURSES WEEK – MAY 6-12, 2024: Chair Ross read the proclamation for the record. Shaun May, Department of Public Health and Environment, on behalf of Jason Chessher, Director of the Department of Public Health and Environment, thanked the Board for their support in recognizing the incredible work provided by nurses for the citizens of Weld County. He noted this year's theme is, "Nurses Make a Difference", and reported staff and community partners work together to make a difference for many people in many ways. Tammy Piccone, Chief Nursing Officer at the University of Colorado (UC) Health - Greeley Campus Hospital, thanked the Board for their invitation, support, and recognition of the nursing profession. Likewise, Julia Gentry-Reinink, Chief Nursing Officer for Banner Health in Northern Colorado, thanked the Board for their support and recognition, and stated their focus is to provide quality

care, especially to the underserved population in Greeley. Each Commissioner, in turn, extended their appreciation for the selfless dedication and sacrifices offered by nurses. *(Clerk's Note: The group gathered for a photo opportunity.)*

WARRANTS:

1) GENERAL WARRANTS – MAY 3, 2024: Commissioner James moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion and it carried unanimously.

BIDS:

1) APPROVE BID #B2400065, CHASE BUILDING (822 7TH ST, GREELEY) CHILLER REPLACEMENT – FACILITIES DEPARTMENT: Toby Taylor, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, MTECH Mechanical, for a total amount of \$751,569.00. Commissioner Freeman moved to approve said bid. The motion was seconded by Commissioner Buck and it carried unanimously.

2) PRESENT BID #B2400077, GROUNDS BUILDING DESIGN AND ENGINEERING SERVICES – FACILITIES DEPARTMENT: Mr. Taylor stated four (4) bids were received and staff will make a recommendation on May 20, 2024.

3) PRESENT BID #B2400079, DACONO GRADER SHED DESIGN AND ENGINEERING SERVICES – FACILITIES DEPARTMENT: Mr. Taylor stated three (3) bids were received and staff will make a recommendation on May 20, 2024.

NEW BUSINESS:

1) CONSIDER INTERGOVERNMENTAL AGREEMENT FOR MAIL BALLOT DROP-OFF BOX AND VIDEO SURVEILLANCE RECORDING SYSTEM, AND AUTHORIZE CHAIR TO SIGN – EATON AREA PARK AND RECREATION DISTRICT: Carly Koppes, Weld County Clerk and Recorder, stated the standard intergovernmental agreement (IGA) provides 24-hour secure drop-off boxes at the Eaton Recreation Center, which is approved through the 2024 budget. Commissioner James 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 #8078 PROFESSIONAL SERVICES AGREEMENT FOR PIPE AND DRAPE AT 2024 WELD COUNTY FAIR, AND AUTHORIZE CHAIR TO SIGN – FLEXX PRODUCTIONS, LLC: Mikayla Gabel, Weld County Fair Coordinator for CSU Extension Services of Weld County, stated the agreement provides the pipe and drape backdrops for various exhibits and 4-H projects for the Weld County Fair. Commissioner Freeman moved to approve said agreement and authorize Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

3) CONSIDER CONTRACT ID #8080 SERVICE AGREEMENT FOR TENT RENTALS FOR 2024 WELD COUNTY FAIR AND AUTHORIZE CHAIR TO SIGN – MOUNTAIN VIEW TENT COMPANY: Ms. Gabel stated the agreement will provide tents for the hog and cattle show rings at the Weld County Fair. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion was seconded by Commissioner James and it carried unanimously.

4) CONSIDER CONTRACT ID #8096 PROFESSIONAL SERVICES AGREEMENT FOR HORSE AND CARRIAGE SERVICES AT 2024 WELD COUNTY FAIR, AND AUTHORIZE CHAIR TO SIGN – MOUNTAIN SHADOW CARRIAGES, LLC, C/O DARIN HENRY: Ms. Gabel stated the agreement provides horse carriage rides as entertainment at the Weld County Fair. Commissioner Buck moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner James, carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 76 BETWEEN CRS 39 AND 41: Kevin Hettinger, Department of Public Works, stated the closure will begin May 7, 2024, and go through May 10, 2024, for the replacement of a culvert. He stated the detour route is paved and magnesium chloride has already been applied. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Buck and it carried unanimously. *(Clerk's Note: Chair Ross inadvertently stated March 7-10, 2024, while summarizing the motion.)*

6) CONSIDER TEMPORARY CLOSURE OF CR 84 BETWEEN CRS 29 AND 31: Mr. Hettinger stated the closure will begin May 7, 2024, and go through May 10, 2024, for the replacement of a culvert. He stated the detour route is a combination of paved roads and gravel roads treated with magnesium chloride. Commissioner Buck moved to approve said temporary closure. The motion was seconded by Commissioner Freeman and it carried unanimously.

7) CONSIDER CORRECTED RESOLUTION FOR APPLICATION FOR 2025/2026 MULTIMODAL PROJECT DISCRETIONARY GRANT (MPDG) PROGRAM FOR COLORADO I-76 AND CR 8 IMPROVEMENTS PROJECT AND AUTHORIZE DEPARTMENT OF PLANNING SERVICES TO SIGN AND SUBMIT ELECTRONICALLY: Elizabeth Relford, Interim Director of the Department of Planning Services, requested approval from the Board to submit the application, which is due today, for the Colorado Interstate 76 (I-76) and County Road (CR) 8 Improvements Project under the Rural Surface Transportation Grant Program, per the request of the applicant and consultants after further discussion. Commissioner James moved to approve said Corrected Resolution and authorize the Department of Planning Services to sign and submit electronically. The motion was seconded by Commissioner Saine and it carried unanimously.

8) CONSIDER APPOINTMENT TO BUILDING TRADES ADVISORY COMMITTEE: Commissioner James moved to approve said appointment. The motion was seconded by Commissioner Freeman and it carried unanimously.

9) CONSIDER APPOINTMENT TO WELD FAITH PARTNERSHIP COUNCIL: Commissioner James moved to approve said appointment. The motion was seconded by Commissioner Buck and it carried unanimously.

PLANNING:

1) CONSIDER DECOMMISSIONING PLAN, ACCEPT COLLATERAL FOR SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW PERMIT, USR22-0013, FOR A SOLAR ENERGY FACILITY IN THE A (AGRICULTURAL) ZONE DISTRICT, AND AUTHORIZE CHAIR TO SIGN – DAVID COGBURN, C/O US SOLAR: Kim Ogle, Department of Planning Services, stated the surety bond satisfies Condition of Approval (COA) #1.F of Use by Special Review Permit, USR22-0013, and the department reviewed and accepted the Decommissioning Plan. He expanded the applicant submitted a decommissioning bond, in the amount of \$95,941.00, to address the decommissioning and reclamation of the facility, and stated staff recommends approval. Commissioner James moved to approve said Decommissioning Plan, accept collateral, and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER CONTRACT ID #8009 RELEASE OF COLLATERAL AND ACCEPT REPLACEMENT COLLATERAL FOR SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW PERMIT, USR15-0059 – TALLGRASS TERMINALS, LLC: Jazmyn Trujillo-Martinez, Department of Planning Services, explained the applicant changed their bonding companies and requested the release of the currently held collateral, and the acceptance of replacement collateral, in the amount of \$2,400.00, procured in the form of a performance bond. Commissioner Freeman moved to release collateral and

accept replacement collateral. The motion was seconded by Commissioner Buck and it carried unanimously.

3) CONSIDER TERMINATION OF ROAD MAINTENANCE IMPROVEMENTS AGREEMENT FOR 1041 WELD OIL AND GAS LOCATION ASSESSMENT PERMIT, 1041WOGLA20-0066 – HIGHPOINT OPERATING CORPORATION: Ms. Trujillo-Martinez requested the Board terminate the Road Maintenance Improvements Agreement as a result of the expiration of the 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA20-0066, on February 28, 2024. She confirmed the applicant was notified of said expiration on March 21, 2024, by the Department of Oil and Gas Energy. Commissioner Buck moved to approve said termination. The motion was seconded by Commissioner James and it carried unanimously.

4) FIRST READING OF CODE ORDINANCE #2024-08, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 24 SUBDIVISIONS OF THE WELD COUNTY CODE (*RURAL LAND DIVISIONS [RLDF]*): Maxwell Nader, Department of Planning Services, presented a PowerPoint and reviewed the proposed changes to Chapter 24 of the Weld County Code, specifically regarding the requirement for lots to be accessed via a single internal publicly dedicated right-of-way, pursuant to Section 24-6-20.A.13. Mr. Nader stated staff recommends approval. Ms. Relford indicated these changes are the result of a recent RLDF case recently heard by the Board. No public testimony was offered concerning this matter. Commissioner James thanked staff for their quick response and moved to approve Code Ordinance #2024-08 on First Reading. The motion was seconded by Commissioner Saine. Commissioner Freeman and Chair Ross also thanked staff, and Chair Ross discussed the occasion of unintended consequences that can result from Code updates. Commissioner Saine asserted the importance of acting swiftly for the benefit of the public. 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. Code Ordinance #2024-08 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 9:32 a.m.

These Minutes were approved on the 20th 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