

RECORD OF PROCEEDINGS

MINUTES

BOARD OF COUNTY COMMISSIONERS WELD COUNTY, COLORADO MONDAY, FEBRUARY 8, 2021

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, February 8, 2021, 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 Steve Moreno, Chair
Commissioner Scott K. James, Pro-Tem
Commissioner Perry L. Buck
Commissioner Mike Freeman
Commissioner Lori Saine

Also present:

County Attorney, Bruce Barker
Acting Clerk to the Board, Isabella Juanicorena
Controller, Barbara Connolly

MINUTES: Commissioner Buck moved to approve the Minutes of the Board of County Commissioners meeting of February 3, 2021, as printed. Commissioner James seconded the motion, and it carried unanimously.

READ ORDINANCE BY AUDIO: Commissioner James moved to read Code Ordinance #2021-01 by audio. The motion was seconded by Commissioner Freeman, and it carried unanimously.

CERTIFICATION OF HEARINGS: Commissioner Freeman moved to approve the Certification of Hearings conducted on February 3, 2021, as follows: 1) USR20-0023 – Douglas and Deborah Duggan, c/o Amerigas Propane, LP, and 2) USR20-0024 – Ensign United States Drilling, Inc. Commissioner Buck seconded the motion, which carried unanimously.

PUBLIC INPUT: No public input was given.

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.

COMMISSIONER COORDINATOR REPORTS: Commissioner James gave an overview of the meeting from the North Front Range Metropolitan Planning Organization (NFRMPO) and noted they are reviewing the comments for the Environmental Justice Plan. Commissioner Buck concurred with the report made by Commissioner James about the efforts being made by the NFRMPO and also commended the staff of the Department of Human Services for their diligence on behalf of the County. Chair Moreno stated he

attended the virtual North Interstate 25 Coalition meeting in which the proposed Transportation Bill was discussed, including that the fees associated with said bill remain unknown. He noted due to the early stage of the Bill, more information will be coming soon. Commissioners Freeman and Saine had no comments.

WARRANTS:

1) GENERAL WARRANTS – FEBRUARY 1, AND 5, 2021: Commissioner Freeman moved to approve the General Warrants, as printed. Commissioner Buck seconded the motion, and it carried unanimously.

BIDS:

1) PRESENT BID #B2100047, AIR HANDLER UNIT FAN REPLACEMENT (822 7TH STREET, GREELEY) – FACILITIES DEPARTMENT: Rob Turf, Purchasing Department, stated staff received three (3) bids and will make a recommendation on February 22, 2021.

NEW BUSINESS:

1) CONSIDER CHANGE ORDER #3 FOR WELD COUNTY SHOOTING RANGE DESIGN SERVICES (BID #B1900100) AND AUTHORIZE CHAIR TO SIGN – CAIRN DESIGN, LLC: Toby Taylor, Director of the Facilities Department, stated Cairn Design, LLC, was previously awarded as an on-call design services vendor and has been selected to execute the design of the shooting range and law enforcement training facility located south of Carr, Colorado, for a total amount of \$84,345.00. Commissioner Freeman moved to approve said change order and authorize the Chair to sign. The motion was seconded by Commissioner Buck and it carried unanimously.

2) CONSIDER AIRPORT IMPROVEMENT PROGRAM (AIP) AGREEMENT FOR TRANSFER OF ENTITLEMENTS AND AUTHORIZE CHAIR TO SIGN ELECTRONICALLY: Commissioner Freeman, on behalf of Cooper Anderson, Greeley-Weld County Airport, explained the agreement is used to transfer money throughout the local airports in the County, in which \$150,000.00 will be utilized for projects. Commissioner Freeman moved to approve said agreement and authorize the Chair to sign electronically. Seconded by Commissioner Buck, the motion carried unanimously.

3) CONSIDER CONTRACT ID #4437 LETTER OF ACCEPTANCE AND STATEMENT OF WORK FOR 2020-2021 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT AND AUTHORIZE CHAIR TO SIGN: Roy Rudisill, Director of the Office of Emergency Management (OEM), stated the grant amounting to \$111,729.00, with a 20 percent local match amounting to \$28,125.00, will assist staff in areas of hazardous materials planning, training, and conducting exercises. Commissioner Saine moved to approve said letter of acceptance and authorize the Chair to sign. The motion, which was seconded by Commissioner Freeman, carried unanimously.

4) FIRST READING OF CODE ORDINANCE #2021-01, IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 8 PUBLIC WORKS, OF THE WELD COUNTY CODE (*APPENDIX 8-Q WELD COUNTY ENGINEERING AND CONSTRUCTION CRITERIA*): Dawn Anderson, Department of Public Works, stated a consultant, Atkins, had been utilized to update the criteria manual to match the various Code changes, which provides direction, consistency, and efficiency to applicants and developers. No public testimony was offered concerning this matter. Commissioner James moved to approve Code Ordinance #2021-01 on First Reading. The motion, which was seconded by Commissioner Freeman, carried unanimously.

5) CONSIDER TEMPORARY CLOSURE OF CR 43 BETWEEN CRS 64 AND 66: Amy Mutchie, Department of Public Works, stated the road closure will occur February 22, 2021, through February 26, 2021, for the replacement of a drainage culvert, noted the detour route is paved, and notification will be

provided online and given to the local school district. Commissioner Freeman moved to approve said temporary road closure. The motion was seconded by Commissioner James and it carried unanimously.

6) CONSIDER TEMPORARY CLOSURE OF EAST 18TH ST BETWEEN HEMLOCK AVE AND WELD COUNTY PKWY (CR 49), AND THE INTERSECTION AT HOLLY AVE AND WELD COUNTY PKWY: Ms. Mutchie stated Interstate Highway Construction, Inc., is requesting the two (2) road closures to occur simultaneously, commencing February 16, 2021, through March 16, 2021, to complete required roadway and drainage improvements, in conjunction with Use by Special Review Permit, USR19-0071, for DPG Farms, LLC. She noted message boards will be placed seven (7) days in advance of the closure, and the detour route is paved. In response to Chair Moreno, Ms. Mutchie explained the contractor for the highway construction project will provide message boards for the closure. Commissioner James moved to approve said temporary road closure. The motion was seconded by Commissioner Freeman and it carried unanimously.

7) CONSIDER CONTRACT ID #4444 ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY AND AUTHORIZE CHAIR TO SIGN – MARK BARR: Dawn Anderson, Department of Public Works, stated the following three (3) items are related to the previous temporary road closure request and is necessary for improvements associated with Use by Special Review Permit, USR19-0071. She explained USR19-0071 included Conditions of Approval (COA) that required widening of the road and noted the Board will need to accept the deed of dedication for road right-of-way, which totals 0.068 acres at no cost to Weld County. The motion to approve said acceptance of the deed of dedication and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Saine, and it carried unanimously.

8) CONSIDER CONTRACT ID #4445 ACCEPTANCE OF DEED OF DEDICATION FOR PUBLIC ROAD RIGHT-OF-WAY AND EASEMENT DEED OF DEDICATION, AND AUTHORIZE CHAIR TO SIGN – CATHERINE ROADIFER: Ms. Anderson explained this request is for the acceptance of a deed of dedication for road right-of-way and easement deed of dedication to complete and maintain the needed improvements associated with Use by Special Review Permit, USR19-0071, and noted there would be no cost to Weld County. In response to Chair Moreno, Ms. Anderson confirmed the deed is for 0.24 acres and the perpetual easement is for 0.61 acres. The motion to approve said acceptance of the deeds of dedications and authorize the Chair to sign was made by Commissioner Freeman, seconded by Commissioner James, and it carried unanimously.

9) CONSIDER CONTRACT ID #4446 NON-EXCLUSIVE LICENSE AGREEMENT FOR SLOPE IMPROVEMENTS AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY: Ms. Anderson explained the execution of the agreement for slope easements will incur no costs to Weld County and will allow the County to maintain the slope easements in the area after the improvements have been made. The motion to approve said agreement and authorize the Chair to sign was made by Commissioner James, seconded by Commissioner Buck, and it carried unanimously.

PLANNING:

1) CONSIDER CONTRACT ID #4443 IMPROVEMENTS AND ROAD MAINTENANCE AGREEMENT ACCORDING TO POLICY REGARDING COLLATERAL FOR IMPROVEMENTS, AUTHORIZE CHAIR TO SIGN, AND ACCEPT OFF-SITE COLLATERAL FOR USE BY SPECIAL REVIEW PERMIT, USR19-0071 – DPG FARMS, LLC, AND CALVIN GOZA, C/O J-2 CONTRACTING COMPANY: Jazmyn Trujillo-Martinez, Department of Public Works, requested the acceptance of project collateral amounting to \$1,590,308.68, provided in the form of Performance Bond #2312108, and stated the applicant understands the required improvements for completion. Commissioner Freeman moved to approve said agreement, authorize the Chair to sign, and accept the project collateral. The motion, which was seconded by Commissioner James, carried unanimously.

RESOLUTIONS AND ORDINANCES: The resolutions were presented and signed as listed on the Consent Agenda. Code Ordinance #2021-01 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 9:17 a.m.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Steve Moreno, Chair

Scott K. James, Pro-Tem

Perry L. Buck

Mike Freeman

Lori Saine