

Record of Proceedings

Minutes

Board of County Commissioners Weld County, Colorado Wednesday, January 22, 2025

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, January 22, 2025, 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 Perry L. Buck, Chair
Commissioner Scott K. James, Pro-Tem
Commissioner Jason S. Maxey
Commissioner Lynette Peppler
Commissioner Kevin D. Ross

Also present:

Acting Clerk to the Board, Houston Aragon
County Attorney, Bruce Barker
Chief Financial Officer, Cheryl Pattelli

Minutes:

1. There being no corrections, Commissioner Ross moved to approve Minutes from January 6, 2025, as printed. Commissioner James seconded the motion and it carried unanimously.
2. There being no corrections, Commissioner Peppler moved to approve Minutes from January 8, 2025, as printed. Commissioner Maxey seconded the motion and it carried unanimously.

Certification of Hearings: Commissioner Ross moved to approve the below listed Certification of Hearings. Commissioner James seconded the motion, which carried unanimously.

1. PCSC23-0011 – R M Hiner Construction Co., Inc.
2. USR24-0024 – Colorado State Land Board, c/o Pivot Solar 45, LLC, and Pivot Solar 55, LLC
3. USR24-0017 – Living Rock Church of Severance, Inc., dba Calvary Church Severance

2025-0217
BC0016

Amendments to Agenda: Commissioner Ross moved to amend the Agenda to remove Items the below listed item under 'New Business – General' and to renumber the remaining items accordingly. Seconded by Commissioner James, the motion carried unanimously. Commissioner James further moved to approve the agenda, as amended. The motion was seconded by Commissioner Ross and it carried unanimously.

15. Consider Intergovernmental Agreement for Payment of Federal Mineral Lease Funds for Road Improvements Project Funding and authorize Chair to sign – Federal Mineral Least Act District
16. Consider Intergovernmental Agreement for Payment of Federal Mineral Lease Funds for Water Testing Program Funding and authorize Chair to sign – Federal Mineral Least Act District

Approval of Consent Agenda: There being no request for public testimony concerning the items listed below from 'Consent Agenda – Miscellaneous', Commissioner Ross moved to approve the Consent Agenda, as printed. Commissioner James seconded the motion and it carried unanimously.

1. Vacation, VAC24-0026, of Two-Lot Recorded Exemption, RE-2680, and Recombine Lots into One(1) Parcel – Dina Baird

Warrants:

1. 2025-0219: **General Warrants – January 17, and 21, 2025:** Commissioner Ross moved to approve the General Warrants, as printed. Commissioner Peppler seconded the motion and it carried unanimously.

Bids:

1. **Approve Bid #B2400149, Design and Engineering Services for Weld County Motor Pool Complex – Facilities Department (Cont'd from 1/13/2025):** Toby Taylor, Purchasing Department, Purchasing Department, stated staff recommends selecting the lowest bidder who met specifications, Cairn Design, LLC, for a total amount of \$394,045.00. Commissioner Ross thanked Mr. Taylor and staff of the Facilities Department for explaining the large price discrepancy, and further moved to approve said bid. The motion was seconded by Commissioner James and it carried unanimously.

2. **Approve Bid #B2500003, Dust Palliative Supply – Department of Public Works:** Mr. Taylor stated staff recommends selecting the sole bidder who met specifications, Envirotech Services, for a total amount of \$1,577,702.90. Commissioner Maxey moved to approve said bid. The motion was seconded by Commissioner Pepler, and it carried unanimously.
3. **Present Bid #B2400157, Communications Cabling – Department of Information Technology:** Mr. Taylor stated one (1) bid was received and staff will make a recommendation on February 5, 2025.
4. **Present Bid #B2500002, Data Protection – Department of Information Technology:** Mr. Taylor stated four (4) bids were received, with one (1) of the vendors deemed non-responsive, and staff will make a recommendation on February 5, 2025.

New Business – General:

1. **Consider Application for Disability Benefit Assistance Grant Opportunity for Supplemental Social Security Income (SSI) and Social Security Disability Insurance (SSDI) and authorize Department of Human Services to submit electronically:** Jamie Ulrich, Director of the Department of Human Services, requested to submit the application for grant funds, for the approximate amount of \$99,000.00, to allow the department to offer supplemental Social Security Income and Social Security Disability Insurance to qualified individuals in Weld County. Commissioner James moved to approve said application and authorize the Department of Human Services to submit electronically. The motion was seconded by Commissioner Ross, and it carried unanimously.
2. **Consider Contract ID #8993 Notice of Funding Allocation (NFA) and Work Plan for Workforce Innovation and Opportunity Act (WIOA) for Wagner Peyser 10% Governor's Summer Job Hunt Program, and authorize Chair, Department of Human Services, and Workforce Development Board to sign:** Ms. Ulrich stated the notice of funding allocation (NFA) provides funding, in the amount of \$21,000.00, for staff support in the Workforce Center to serve youth ages 14-24 who are seeking job opportunities for summer and year-round employment, and staff recommends approval. Commissioner Ross moved to approve said NFA and work plan, and authorize the Chair, the Department of Human Services, and the Workforce Development Board to sign. The motion was seconded by Commissioner James and it carried unanimously.

3. **Consider Contract ID #9014 Intergovernmental Agreement for Provision of Home Water Audit Services for Eligible Residents and authorize Chair to sign – City of Evans:** Ms. Ulrich stated the agreement allows for the Weld County Youth Conservation Corps to provide home water auditing services to qualified residents in the City of Evans, which includes toilets and shower aerators that do not meet the gallons-per-minute threshold. Commissioner Maxey moved to approve said agreement and authorize the Chair to sign. The motion, which was seconded by Commissioner Peppler, carried unanimously.
4. **Consider Contract ID #9015 Consent to Assignment and Assumption of Professional Services Agreement for Various Child Welfare Services (Bid #B2300040) from Julie Kula to Mi Yungs Prayer, and authorize Chair to sign:** Ms. Ulrich stated the agreement is with an existing provider who used to perform home studies for youth in child welfare, and the business has undergone a change in name; therefore, staff recommends approval of the contract to reflect the change. Commissioner Ross moved to approve and consent to the assignment and assumption of said agreement, and authorize the Chair to sign. Commissioner Maxey seconded the motion and it carried unanimously.
5. **Consider Contract ID #9025 Laboratory Services Agreement for Genetic Parentage Testing Services and authorize Chair to sign – Laboratory Corporation of America Holdings:** Ms. Ulrich stated the agreement allows for the department to provide in-house genetic parentage testing for youth in child welfare and child support services, with a three (3) year term. Commissioner Maxey moved to approve said agreement and authorize the Chair to sign. Commissioner Peppler seconded the motion and it carried unanimously.
6. **Consider Contract ID #9032 Amendment #7 to Task Order Contract for Prevention of Infertility and Management of Sexually Transmitted Infections (STI), and authorize Chair to sign:** Jason Chessher, Director of the Department of Public Health and Environment, stated the amendment allows the department to maintain the core local health program at current levels through February 28, 2026, for the amount of \$73,572.00. Commissioner James moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Ross and it carried unanimously.
7. **Consider Temporary Closure of County Road 20 between County Roads 15 and 19:** Kevin Hettinger, Department of Public Works, presented the requested closure of behalf of the Town of Firestone, that began on January 16, 2025, and will go through May 1, 2025, for a bridge replacement. He explained the Town provided a courtesy notice to the County not realizing part of the area is within the County's jurisdiction; therefore, this is a retroactive request for consideration. Commissioner Maxey moved to approve said temporary closure, effective

January 16, 2025. The motion was seconded by Commissioner James, and it carried unanimously.

8. **Consider Temporary Closure of County Road 72 between County Roads 33 and 35:** Mr. Hettinger stated the closure will be on January 30, 2025, and go through March 27, 2025, for an irrigation structure, ditch, and utility relocations in advance of future roadway improvements. He further stated message boards will be placed, local access will be maintained through the duration of the project, and the detour route is paved. Commissioner James moved to approve said temporary closure. The motion was seconded by Commissioner Ross, and it carried unanimously.
9. **Consider Contract ID #9037 Amendment #1 to Contract for Interstate 76 and County Road 8 Interchange Review Project and authorize Chair to sign:** Elizabeth Relford, Department of Finance, stated the Board approved the original Intergovernmental Agreement on April 28, 2021, with the Colorado Department of Transportation (CDOT) for costs in the amount of \$15,000.00, to allow for the 1601 Interchange approval process to begin. She explained, now the 1601 Interchange has been approved, and the amendment for consideration allows for the project to move onto the design phase, which will increase the costs to \$235,516.00, due to CDOT having multiple units reviewing the process. Ms. Relford noted there is no cost to the County, since the next item of business addresses the reimbursement for the process. Commissioner Ross commended Ms. Relford for her efforts and highlighted the huge economic impact and benefit for the Towns involved. Commissioner James moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Maxey, and it carried unanimously.
10. **Consider Contract ID #9036 Amendment #1 to Agreement for Reimbursement of Fees and Expenses for 1601 Interchange Approval Process, and authorize Chair to sign – Burlington Northern Santa Fe (BNSF) Railway Company:** Ms. Relford stated this item is related to the previous item of business, and explained the developer of the project is Burlington Northern Santa Fe (BNSF) Railway Company; however, due to regulations, the County is the applicant for the funding of the project with CDOT. She indicated the County will invoice BNSF for costs incurred by CDOT for reimbursement. Commissioner Ross moved to approve said amendment and authorize the Chair to sign. The motion was seconded by Commissioner Maxey and it carried unanimously.

11. **Consider Contract ID #9004-1 Acceptance of Intergovernmental Grant Agreement Summary of Terms and Conditions for Energy and Mineral Impact Assistance Fund (EIAF) Paving Improvements on County Road 76 between County Roads 29 and 31, and County Road 72 between County Roads 33 and 35 Projects (August Cycle – Tier II):** Ms. Relford requested the Board to accept and memorialize the agreement and allow for the County to receive grant funds, in the amount of \$800,000.00, for the detour route in preparation for a future roundabout project. Commissioner Maxey moved to approve and accept said agreement. The motion was seconded by Commissioner James and it carried unanimously.
12. **Consider Contract ID #9004-2 Amendment #1 to Intergovernmental Grant Agreement Summary of Terms and Conditions for Energy and Mineral Impact Assistance Fund (EIAF) Paving Improvements on County Road 76 between County Roads 29 and 31, and County Road 72 between County Roads 33 and 35 Projects (August Cycle – Tier II) and authorize Chair to sign:** Ms. Relford explained after the acceptance of the application there were several discrepancies identified in the Scope of Work and this amendment corrects the location of the project and the material to be used for the paved detour route. Commissioner Maxey moved to approve said amendment and authorize Commissioner Ross, on behalf of the Chair, to sign. The motion was seconded by Commissioner Peppler and it carried unanimously.
13. **Consider Contract ID #9009 Acceptance of Grant Award Letter Summary of Terms and Conditions for 2024 Homeland Security Grant Program (HSGP) for Northeast Colorado All-Hazards Region (NEAHR) Eight (8):** Chris D'Ovidio, Interim Controller, requested the Board accept the fully executed grant award for the 2024 Homeland Security Grant Program (HSGP), in the amount of \$489,299.00. Commissioner Ross moved to approve and accept said grant award letter. The motion was seconded by Commissioner James and it carried unanimously.
14. **Consider Contract ID #9010 Estes Park Police Department's Request of Fiscal Agent for Homeland Security Grant Program Northeast Colorado All-Hazards Region (NEAHR) Eight (8) Concerning Quote for Purchase of Vehicle Barriers for Crowd Protection and Management Pursuant to Cooperative Terms and Conditions between General Services Administration (GSA) and Meridian Rapid Defense Group, LLC:** Mr. D'Ovidio stated the HSGP awarded \$74,925.39 to the Town of Estes Park Police Department from the 2022 Fiscal Year grant to allow them to purchase vehicle barriers from Meridian Rapid Defense Group, LLC, by utilizing a General Services Administration (GSA) contract. In response to Commissioner Maxey, Mr. D'Ovidio explained the County is the fiscal agent for the Northeast Colorado All-Hazard Region Eight (8), which encompasses a vast majority of Northern Colorado and

not just agencies located within Weld County. Commissioner Maxey moved to approve said quote and authorize the Chair to sign. The motion, which was seconded by Commissioner Ross, carried unanimously.

15. **Consider External Users Event Terms and Conditions for State of the County Meeting, and authorize Chair to sign – Aims Community College:** Commissioner Ross moved to approve said agreement. The motion was seconded by Commissioner James and it carried unanimously.

New Business – Ordinances:

1. **Final Reading of Code Ordinance #2024-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*State Licensed Natural Medicine Facilities*):** Commissioner Ross moved to read Code Ordinance #2024-18 by title only. The motion was seconded by Commissioner James, and it carried unanimously. Bruce Barker, County Attorney, read the title for the record. Maxwell Nader, Department of Planning Services, reviewed the proposed changes to Chapter 23 regarding the location of state licensed natural medical facilities, stated there have been no additional recommended changes since Second Reading, and indicated staff recommends approval. Commissioner Peppler proposed adding language to include setback distances from senior living facilities in addition to the state license childcare facilities, since that population of Weld County is just as vulnerable. After discussion among the Board and staff, the understanding was there is no harm in adding the proposed language, but the matter should be continued to allow staff to revise the proposed language to Section 23-4-1400.B of the Weld County Code. No public testimony was offered concerning this matter. Commissioner Ross moved to continue Final Reading of Code Ordinance #2024-18 to January 27, 2025, at 9:00 AM. The motion was seconded by Commissioner Peppler, and it carried unanimously.

Public Comment: No public comment was offered.

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 9:38 a.m.

The Board of County Commissioners of Weld County, Colorado, approved the above and foregoing Minutes, on motion duly made and seconded, by the following vote on the 5th day of February, A.D., 2025:

Perry L. Buck, Chair: Aye
Scott K. James, Pro-Tem: Aye
Jason S. Maxey: Aye
Lynette Peppler: Aye
Kevin D. Ross: Aye



Attest:

Esther E. Gesick, Clerk to the Board