



MEETING OF THE BOARD OF COUNTY COMMISSIONERS BOULDER COUNTY

October 15, 2024, 9:30 a.m.

October 15, 2024, 1:00 p.m.

Third Floor Hearing Room

County Court House

1325 Pearl Street, Boulder

Members Present: **Commissioner Claire Levy**
 Commissioner Ashley Stolzmann
 Commissioner Marta Loachamin

[Note: All documents referred to in these Minutes of Commissioners' Proceedings are on file and may be reviewed in the Office of the Boulder County Commissioners.]

1. Call to Order

The Board of County Commissioners of Boulder County met in Regular Meeting in full conformity with the law and resolution of said Board at the regular place of hybrid meetings, 1325 Pearl Street, Boulder and on Zoom Webinar, on October 15, 2024.

The meeting was called to order at approximately 9:32 a.m. am by Chair Ashley Stolzmann.

Commissioner Levy was excused from the Business Meeting and the Head Start Division

Report (Items No. 1-7) on Tuesday, October 15, 2024. Commissioner Levy was present for Item No. 8.

2. 9:30 a.m. Business Meeting

3. Items to Note for the Record

Item(s) No. 3.a & 3.b were noted for the record by Chair Ashley Stolzmann.

3.a Board of Review Resignation

Jonathan Smolens resigned his structural engineer representative position on the Board of Review.

- **Staff Contact(s):** Robin Valdez, Commissioners' Office

3.b Resource Conservation Advisory Board Resignation

Leah Haney resigned her position as the Nederland representative on this board.

- **Staff Contact(s):** Robin Valdez, Commissioners' Office

4. Commissioners' Consent Items

Moved by Commissioner Loachamin

Seconded by Commissioner Stolzmann

to approve the Commissioners' Consent Agenda Items No. 4.a through 4.b and 4.d through 4.g. Item No. 4.c was moved to a discussion item and voted upon separately.

Carried

4.a Community Services Department - Justice Coalition on Abuse in Later Life Grant Continuation Award

The Boulder County Justice Coalition on Abuse in Later Life (JCALL) supports a comprehensive approach to addressing and responding to abuse in later life in Boulder County. JCALL advances equity as an essential component of combatting domestic violence, dating violence, sexual assault, stalking, abuse, neglect, and exploitation in later life. We respond to challenges raised by law enforcement and service providers during our previous grant, expand and improve outreach and services, support criminal justice responses, and increase assistance for victims and survivors age 50 and older ("older victims"). This award continues funding for the JCALL grant for an additional 36 months.

- **Staff Contact(s):** Erica Corson, Community Services; Liz Parker, Community Services

4.b Parks & Open Space - Alexander Dawson 2024 United Power Utility Easement

On May 14, 2024 the Board of County Commissioners approved the request from United Power for a utility easement over the Alexander Dawson Open Space property located on the west side of Highway 287, north and east of the Alexander Dawson School. The Access and Utility Easement documents are needed for the closing, or to complete the transaction.

- **Staff Contact:** Don Durso, Parks & Open Space

4.c Parks & Open Space - Haystack Mountain Purchase Resolution

On September 10, 2024, the Board of County Commissioners approved the bidding at auction for the purchase of Haystack Mountain at 5655 Niwot Road, Longmont, Colorado. Boulder County was the winning bidder at the auction. This document is needed to show that Therese Glowacki has authority to sign documents at the closing.

- **Staff Contact(s):** Tina Burghardt, Parks & Open Space

Please note: Item No. 4.c was voted upon separately than the rest of the Consent Agenda. Please use the official numbering in these minutes as reference.

Moved by Commissioner Loachamin

Seconded by Commissioner Stolzmann

Carried

4.d Parks & Open Space - Ruth Roberts Park Broomfield Trail Easement Amendment

Boulder County and the City and County of Broomfield (“Broomfield”) jointly propose amending the 2005 trail easement over the southeast corner of the Ruth Roberts open space property to clearly define the area that Broomfield is managing for trail use and erosion control. The trail lies northwest of the intersection of West 136th Avenue/Kohl Street and Powderhorn Trail in Broomfield. The amended easement benefits the county's Ruth Roberts open space property.

- **Staff Contact(s):** Don Durso, Parks & Open Space

4.e Public Works - Boulder Canyon Trail Wall Repair (\$738,632)

The Public Works Engineering Division requests to amend the existing contract with Timber Wolf Excavating, which is currently responsible for the Boulder Canyon Trail Wall Repair project. This amendment seeks approval to increase the contract amount by \$19,435, bringing the total contract value to \$738,632. The

additional funds are required to cover unforeseen conditions encountered during the wall repair process, which include additional material costs and labor necessary to ensure the structural integrity of the trail wall. By approving this amendment, the County will ensure the timely and successful completion of the project, maintaining the safety and usability of the Boulder Canyon Trail for the community.

4.f Sheriff's Office - 2025 Twentieth Judicial District VALE Grant Application

Each year, the Boulder County Sheriff's Office applies for the Victims Assistance and Law Enforcement (VALE) Grant, which is offered by the Twentieth Judicial District. This grant is a critical source of funding that supports the Sheriff's Office's Victims Assistance Program. The program provides essential services to victims of crime, ensuring they receive the support and resources necessary to navigate the emotional, legal, and financial challenges they may face. The grant helps cover the costs associated with personnel, outreach efforts, and direct victim services, all of which are vital to maintaining a comprehensive and effective program. Approval to apply for the VALE Grant will enable the Boulder County Sheriff's Office to continue its commitment to supporting victims in our community.

4.g Sheriff's Office - Town of Ward IGA for Law Enforcement Coverage

The Boulder County Sheriff's Office desires to enter into an Intergovernmental Agreement with the Town of Ward to provide law enforcement services for the town.

- **BOCC Reference Number:** IGA-2024-SHR-0009
- **Staff Contact(s):** Pamela Thompson, Sheriff's Office

5. Commissioners' Discussion Items

5.a County Attorney's Office - Boulder County's Participation in Amicus Brief in Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al., United States Supreme Court Case No. 23-975

Boulder County will participate with the Northwest Colorado Council of Governments, Grand County, Pitkin County, Lake County, Chaffee County, Routt County, Vail, Red Cliff, Avon, Glenwood Springs, and Minturn, in an amicus brief in support of Eagle County in *Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al.*, No. 23-975 (U.S.), a case challenging the railroad approval and whether NEPA requires an agency to study environmental

impacts beyond the proximate effects of the action over which the agency has regulatory authority.

Presenter(s): David Hughes, County Attorney's Office

Moved by Commissioner Loachamin

Seconded by Commissioner Stolzmann

Carried

5.b Office of Financial Management - 2024 Budget Amendment Request CPP 111-RST2 Operations Increase (\$751,000)

Community Planning & Permitting is requesting a budget amendment in the Road and Bridge Fund under the Transportation Planning Sales & Use Tax Projects Appropriation. This request is to accommodate the unexpected expenditures to the CO 119 Bikeway Final Design project, due to an expanded scope of work including: final design of the CO-52 Bike Path Extension; CO 119 Underpass near 2nd Ave. in Niwot; Bike Path Connection across the BNSF railroad at Ogallala Rd; preliminary and final design of the 63rd Street Overpass and Fourmile Canyon Creek Redesign; construction manager and general contractor coordination and design modifications; and Engineering support during construction.

Presenter(s):

Emily Beam, Office of Financial Management

Dale Case, Community Planning & Permitting Department

Moved by Commissioner Loachamin

Seconded by Commissioner Stolzmann

Carried

6. Authorization for Executive Session

Authorization for the Board of County Commissioners to go into Executive Session for Legal Advice on Wednesday, October 16th, 2024 at 11:00 a.m. with Ben Pearlman, County Attorney.

Presenter(s): Natalie Springett, Commissioners' Office

The topics to be discussed during the aforementioned Executive Session are:

1.) Colorado Department of Labor and Employment's Collective Bargaining Unit Determination

Moved by Commissioner Loachamin

Seconded by Commissioner Stolzmann

Carried

7. Public Meeting on Head Start Division Report to the Commissioners

Community Services Department monthly report from the Head Start division. No public testimony will be taken.

This public meeting was called to order at 9:50 a.m. and adjourned at 10:01 a.m.

Staff Presenter(s):

Akane Ogren, Community Services Department

Stacy Fujieda, Community Services Department

8. 1:00 p.m. Public Hearing

8.a Community Planning & Permitting Docket SU-24-0004: Zeke's Quality LLC

Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court. The application is submitted by McRawhide LLC c/o Jill and Mark McIntyre (owner), Diamond Riley (applicant), and Frederick Jenkins (agent). The proposal is in the Light Industrial (LI) zoning district at 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

This public hearing was called to order at 1:03 p.m.

Staff Presenter(s):

Pete L'Orange, Community Planning & Permitting Department

Other Presenter(s):

Diamond Riley, Applicant

Mark & Jill McIntyre, Property Owners

County Attorneys Present:

Erica Rogers

Liana James

Public Speaker(s):

No one gave comment during the public hearing portion of this docket.

The commissioners' public hearing adjourned at 1:52 p.m.

Moved by Commissioner Loachamin

Seconded by Commissioner Levy

to conditionally approve Docket SU-24-0004 in accordance with staff recommendations, commitments of record by applicant, and with additional conditions as discussed and contained within the official record.

Carried Unanimously

Deputy Clerk to the Board