



Board of County Commissioners
Epimenio M. Griego, District 1
Garrison M. Ortiz, District 2
Chris Wiseman, District 3

Tuesday March 9, 2021
(Previous Meeting March 4, 2021)

AGENDA

NOTICE REGARDING COVID-19 (Novel Coronavirus): The Board of County Commissioners implemented temporary operational directives on November 14, 2020 to limit public access to county-owned facilities. Beginning on November 14, 2020, the Board of County Commissioners meetings will be held virtually. The meetings will still be streamed live on the County's Facebook Page <https://www.facebook.com/PuebloCounty/> and the public may make any public comments by email to Adam Uhernik, Public Information Officer, at uhernik@pueblounty.us.

Notice to Readers: This agenda is for informational purposes only and is subject to change. Please be advised that this meeting is streaming live over social media. Accommodations for individuals with sight or hearing impairments may be made by contacting Patsy Cresswell at 583-6500 or TDD at 583-6550.

9:00 AM CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve the minutes from March 2 and 4, 2021. *(An entire copy of the minutes has been posted and is available for public viewing in the Courthouse Rotunda.)*
- Approve Agenda of March 9, 2021

9:05 AM PUBLIC COMMENTS

1. Citizen Comments **(Comments limited to 5 minutes per speaker)**
2. Commissioners' Comments

9:15 AM SPECIAL ISSUES OF PUBLIC INTEREST

3. Proclamations – “Pueblo County Cattlemen’s Day” – March 20, 2021

9:20 AM CONSENT AGENDA ITEMS *(The Chair will remove any Consent Agenda item upon request by any Commissioner or assigned staff. Items removed upon request will be considered separately by the Board immediately following the action on the remaining Consent Agenda, be continued to another meeting date, or handled in a manner otherwise determined at the discretion of the Board.)*

4. Contracts/Resolutions

- a. APPROVING THE AGREEMENT FOR REGIONAL LAND USE PLANNING AND ADMINISTRATION BETWEEN THE PUEBLO AREA COUNCIL OF GOVERNMENTS AND PUEBLO COUNTY
- b. APPROVING CONTRACT AMENDMENT #1 TO THE GRANT CONTRACT BETWEEN THE STATE OF COLORADO, DEPARTMENT OF HUMAN SERVICES, OFFICE OF BEHAVIORAL HEALTH AND PUEBLO COUNTY, ON BEHALF OF THE PUEBLO COUNTY SHERIFF'S OFFICE, FOR JAIL-BASED BEHAVIORAL HEALTH SERVICES (JBBS) GRANT FUNDING
- c. ACCEPTING THE DEDICATION OF EASEMENT AND RIGHT-OF-WAY FOR A DRAINAGE DETENTION POND AND ASSOCIATED DRAINAGE FACILITIES BETWEEN PUEBLO COUNTY AND PUEBLO DEVELOPMENT FOUNDATION, INC. A COLORADO NON-PROFIT CORPORATION, FOR DRAINAGE IMPROVEMENTS LOCATED ON A PORTION OF LOT 39, PUEBLO MEMORIAL AIRPORT INDUSTRIAL PARK
- d. APPROVING THE STORMWATER FACILITY MAINTENANCE AGREEMENT BETWEEN PUEBLO COUNTY AND THE PUEBLO DEVELOPMENT FOUNDATION, INC., A COLORADO NON-PROFIT CORPORATION

9:30 AM REGULAR AGENDA ITEMS

5. Contracts/Resolutions

- a. APPROVING THE AID TO OTHER ENTITIES FUNDING AGREEMENT WITH THE COLORADO STATE FAIR AUTHORITY AS DEEMED NECESSARY FOR FY 2021
Presented by: Ashley Huggins, Director, Budget & Finance: **(5 minutes)**

9:35 AM ADJOURN

The next BOCC Meeting will be held on **March 11th, 2021 at 9:00 AM**

*Any items that cannot be addressed within the allotted time may be heard at the next BOCC meeting on **March 11, 2021**.

Proclamation

“Pueblo County Cattlemen’s Day”

March 20, 2021

WHEREAS: The Governor of Colorado has proclaimed a boycott of meat products, referred to as a ‘Meat Out’ in order to promote meatless diets as promoted by the Farm Animal Rights Movement (FARM), to be observed by Coloradans on March 20, 2021; and

WHEREAS: Before Pueblo was known as the Steel City, its foundation was in cattle. Cattle and other livestock production have historically been, and continues to be, a key economic driver in Pueblo County; and

WHEREAS: Pueblo County cattlemen and their ranching families are part of a \$3.4 billion state industry, with a \$40B economic impact, accounting for 10% of the state’s total export sales; and

WHEREAS: Over 300 youth participate in 4H and FFA (Future Farmers of America) to show their livestock at the Pueblo County Fair; and

WHEREAS: The 2020-2025 Dietary Guidelines issued by the U.S. Food and Drug Administration recognize that a variety of animal and plant proteins are important to a healthy diet; and

WHEREAS: The Board of County Commissioners express its concern the Governor of Colorado would call for a boycott, even of one-day duration, of an industry that is key and essential to both our local and state economy; and

WHEREAS: Pueblo County has been the home of the Colorado State Fair since 1872, where livestock management has been celebrated and rewarded.

THEREFORE, BE IT RESOLVED, WE, the Board County Commissioners of the County of Pueblo, Colorado, by the authority vested in us, do hereby proclaim March 20th, 2021 as “Pueblo County Cattlemen’s Day” in the County of Pueblo, Colorado; and call upon the citizens of Pueblo County to join in this special observance.

IN WITNESS WHEREOF, we hereunto set our hands and cause the Seal of the County of Pueblo, Colorado, to be affixed this 9th day of March 2021.

Board of Pueblo County Commissioners,

*Epimenio “Eppie” M. Griego
Commissioner*

*Garrison M. Ortiz
Chair*

*Chris Wiseman
Chair Pro Tem*

RESOLUTION NO. 21-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**APPROVING THE AGREEMENT FOR REGIONAL
LAND USE PLANNING AND ADMINISTRATION BETWEEN THE
PUEBLO AREA COUNCIL OF GOVERNMENTS AND PUEBLO COUNTY**

WHEREAS, the Pueblo Area Council of Governments ("PACOG") is an intergovernmental agency and independent legal entity whose purposes include coordinating various planning activities in the Pueblo region and undertaking various administrative activities authorized by PACOG members and the PACOG bylaws; and

WHEREAS, Pueblo County has the authority, capacity, and ability to undertake and provide, for and on behalf of PACOG, certain land use planning, administrative, and other services; and

WHEREAS, PACOG has requested a new Agreement be entered into for a term beginning January 1, 2021, and ending December 31, 2021, with compensation to be paid to Pueblo County by PACOG in an amount not to exceed \$80,513.00, and this Board agrees to PACOG's request and desires to enter into an Agreement with PACOG.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the Agreement for Regional Land Use Planning and Administration, between the Pueblo Area Council of Governments and Pueblo County, the terms and conditions of which are incorporated herein by this reference, is hereby approved, *nunc pro tunc*, January 1, 2021, and that the Chair of the Board of County Commissioners is authorized to execute said Agreement on behalf of Pueblo County.

PASSED AND ADOPTED this 9th day of March 2021, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Garrison Ortiz, Chair

ATTEST:

By: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 21-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**APPROVING CONTRACT AMENDMENT #1 TO THE GRANT CONTRACT BETWEEN THE
STATE OF COLORADO, DEPARTMENT OF HUMAN SERVICES, OFFICE OF
BEHAVIORAL HEALTH AND PUEBLO COUNTY, ON BEHALF OF THE PUEBLO COUNTY
SHERIFF'S OFFICE, FOR JAIL-BASED BEHAVIORAL HEALTH SERVICES (JBBS) GRANT
FUNDING**

WHEREAS, this Board, by Resolution No. 20-202, dated July 21, 2020, approved the Grant Contract between Pueblo County Sheriff's Office and the State of Colorado, Department of Human Services, Office of Behavioral Health for Jail-Based Behavioral Health Services (JBBS) Grant funding in the amount of \$611,383.00 to provide treatment for substance abuse and co-occurring substance abuse and mental health disorders to offenders who need such services while they are in the Pueblo County Jail and to arrange for continued treatment upon their release; and

WHEREAS, the State has now submitted Contract Amendment #1 to the Grant Contract awarding additional funding in the amount of \$24,863.00 for State Fiscal Year 2021 and outlining the Parties' respective responsibilities under this Amendment to the Grant Contract; and

WHEREAS, this Board supports efforts to decrease recidivism by providing treatment services to offenders with mental illness and substance abuse disorders and desires to approve Amendment #1 to the Grant Contract and accept the funding.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that Amendment #1 to the Grant Contract between the State of Colorado, Department of Human Services, Office of Behavioral Health, and Pueblo County, the terms and conditions of which are incorporated herein by this reference, is approved and the Pueblo County Sheriff is hereby authorized to execute said Amendment on behalf of Pueblo County.

PASSED AND ADOPTED this 9th day of March 2021, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Garrison Ortiz, Chair

ATTEST:

By: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 21-____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**ACCEPTING THE DEDICATION OF EASEMENT AND RIGHT-OF-WAY FOR A
DRAINAGE DETENTION POND AND ASSOCIATED DRAINAGE FACILITIES
BETWEEN PUEBLO COUNTY AND PUEBLO DEVELOPMENT FOUNDATION, INC.,
A COLORADO NON-PROFIT CORPORATION, FOR DRAINAGE IMPROVEMENTS
LOCATED ON A PORTION OF LOT 39, PUEBLO MEMORIAL AIRPORT
INDUSTRIAL PARK**

WHEREAS, Pueblo County has the lawful authority and jurisdiction to provide for the acceptance of real property for public right-of-way and easement purposes in Pueblo County, Colorado; and

WHEREAS, the Pueblo Development Foundation, Inc., a Colorado Non-Profit Corporation, (Grantor) has executed an easement and Right-of-Way document dedicating real property for a detention pond and associated drainage facilities to Pueblo County for a commercial facility located on a portion of Lot 39, Pueblo Memorial Airport Industrial Park; and

WHEREAS, it is the custom and practice of the Board of County Commissioners to enter a resolution formally accepting such conveyance and it is the recommendation of the Pueblo County Engineering and Public Works Department that this Board accept the conveyance of the real property conveyed by the easement document; and

WHEREAS, this Board, having determined that such property is necessary for the needs of Pueblo County, concurs with such recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that: the conveyance of a drainage easement, which is incorporated herein by this reference, is hereby, accepted by Pueblo County and that nothing in this resolution shall limit or restrict the right of Pueblo County to vacate the same according to law when such action is deemed by the Board of County Commissioners to be in the public interest.

PASSED AND ADOPTED this 9th day of March 2021, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Garrison M. Ortiz, Chair

ATTEST:

By: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 21-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**APPROVING THE STORMWATER FACILITY MAINTENANCE AGREEMENT
BETWEEN PUEBLO COUNTY AND THE PUEBLO DEVELOPMENT FOUNDATION,
INC., A COLORADO NON-PROFIT CORPORATION**

WHEREAS, C.R.S. § 30-15-401, et seq., enables counties to adopt ordinances for the control or licensing of those matters of purely local concern, and to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, C.R.S. § 30-15-401 (11)(a)(I), specifically authorizes counties that have been issued Municipal Separate Storm Sewer System Permits (MS4 permits) pursuant to Part 5 of Article 8 of Title 25, C.R.S., to adopt a stormwater ordinance to develop, implement, and enforce the stormwater management program required by the permit; and

WHEREAS, C.R.S. § 30-15-401 (11)(a)(II)(A), authorizes counties to provide for and compel the abatement of any condition that causes or contributes to a violation of a MS4 permit or requirement from any property located within the unincorporated portion of a county at such time, upon such notice, and in such manner consistent with the terms of the MS4 permit as the Board of County Commissioners prescribed by Ordinance No. 20, Chapter 8.26 of the Pueblo County Code; and

WHEREAS, pursuant to Chapter 8.26 of the Pueblo County Code, the Pueblo County Department of Public Works has approved a Stormwater Facilities Management Plan submitted by Pueblo Development Foundation, Inc, A Colorado Non-Profit Corporation, the property owner of a commercial facility located on a portion of Lot 39, Pueblo Memorial Airport Industrial Park, in Pueblo County, Colorado and has issued a Stormwater Facilities Maintenance Agreement between Pueblo Development Foundation, Inc. A Colorado Non-Profit Corporation, and Pueblo County by and through the Public Works Department.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the Stormwater Facilities Maintenance Agreement Pueblo Development Corporation, Inc., a Colorado Non-Profit Corporation, and Pueblo County by and through the Public Works Department, which is incorporated herein by this reference, is hereby approved.

PASSED AND ADOPTED this 9th day of March 2021, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

BY: _____
Garrison Ortiz, Chairman

ATTEST:

BY: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 21-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**APPROVING THE AID TO OTHER ENTITIES FUNDING AGREEMENT WITH THE
COLORADO STATE FAIR AUTHORITY AS DEEMED NECESSARY FOR FY 2021**

WHEREAS, the Board received numerous Requests for Funding Assistance from various community/human service agencies, organizations, and other entities to be considered in 2021 under the Aid to Other Entities (“ATOE”) Program and Marijuana Impact Fund allocation to promote certain activities which, in the judgment of the Board, will benefit and enhance the community; and

WHEREAS, the following request for the Colorado State Fair Authority was approved by the Board of County Commissioners in the County’s Fiscal Year 2021 Budget; and

WHEREAS, the Board has determined that it is in the best interests of the County of Pueblo to approve written agreements for funding under the Aid to Other Entities Program and Marijuana Impact Fund allocation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that:

SECTION 1.

The Pueblo County Aid to Other Entities Funding Agreements between Pueblo County and the following agencies and entities, the terms and conditions of which are incorporated herein by this reference, are hereby approved, *nunc pro tunc*, January 1, 2021:

AGENCY	AMOUNT	FUND	MONITOR DEPT
<i>AID TO OTHER ENTITIES (ATOE) GRANTS</i>			
Colorado State Fair Authority	\$175,000	ATOE-101-480310-4722.97	Budget

SECTION 2.

The Board of County Commissioners designates the Pueblo County Office of Budget and Finance as its Program and Fiscal Monitoring Department, as indicated above, for said Agreements.

SECTION 3.

The Chair of the Board of County Commissioners and the Director of the Pueblo County Office of Budget and Finance are hereby authorized to sign said Agreements, as applicable, on behalf of Pueblo County.

RESOLUTION NO. 21-_____ (CONTINUED)

PASSED AND ADOPTED this 9th day of March 2021, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Garrison Ortiz, Chairman

ATTEST:

By: _____
Gilbert Ortiz, County Clerk