

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, NOVEMBER 9, 2022
9:00 A.M.

2022-3115

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

MINUTES:

- 1) Approval of Minutes of October 24, 2022 (*Cont'd from 11/7/2022*) [2022-2951]
- 2) Approval of Minutes of October 26, 2022 [2022-2975]

CERTIFICATION OF HEARINGS: Hearings conducted on October 26, 2022:

- 1) PCSC22-0003 – Santos Vega and Luz Yadira Vega [2022-2292]
- 2) RLDF22-0002 – CMH Homes, Inc. [2022-2904]
- 3) COZ22-0009 – Fusaro, LLC [2022-3030]
- 4) USR22-0022 – Arthur Griffiths, c/o CBEP Solar 5, LLC [2022-2947]

PUBLIC INPUT:

Each individual speaker is allowed, and must strictly adhere to, a three-minute period of time in which to address the Board of County Commissioners on topics which are not on the Consent Agenda and not on the Board's regular Agenda. All comments must be directed to the Board. To accommodate the limited time available for Public Input, speakers are asked to restrict comments to topics which have not been previously addressed to the Board by the speaker. The Chair may immediately refer any comment to staff for resolution or for scheduling of a work session. Personal attacks against Board members, Administrative staff or Employees will not be recognized. The Board will not accept comments regarding matters which fall outside its jurisdiction or are likely to be considered at a future public hearing, such as a land use hearing. In that event, the speaker will be asked to give his or her testimony at that hearing, either in person or in writing. Combined public input on any topic shall be limited to 15 minutes. Persons who wish to submit written comments on any topic may do so any time by mailing such comments to the Weld County Clerk to the Board, P.O. Box 758, 1150 O Street, Greeley, CO 80632, or by email to: ctb@weldgov.com, either in person or in writing. Combined public input on any topic shall be limited to 15 minutes.

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

- 1) Veterans Day – November 11, 2022 [2022-3117]

WARRANTS:

- 1) General Warrants – November 8, 2022 [2022-3118]

BIDS:

- 1) Approve Bid #B2200144, Wash Bay Ventilation Upgrade – Facilities Department [2022-2980]
- 2) Approve Bid #B2200147, Custodial Services for Greeley Plaza (Chase Building) – Facilities Department [2022-2981]

NEW BUSINESS:

- 1) Consider Contract ID #6408 Cooperative Agreement for Adult Protective Services and authorize Chair to sign – Town of Keenesburg Police Department [2022-3119]
- 2) Consider Contract ID #6413 Expenditure Authorization and Modified Work Plan for Notice of Funding Allocation (NFA) for the Colorado Workforce Development Council (CWDC) Reskilling, Upskilling, and Next-Skilling (RUN) Workers Program, and authorize Chair to sign electronically [2022-3120]
- 3) Consider Contract ID #6414 Expenditure Authorization and Work Plan for Foreign Labor Certification (FLC) Grant, and authorize Chair to sign electronically [2022-3121]
- 4) Consider Appointments and Reappointment of Members to the Board of Directors of the Weld County Finance Corporation [2022-3122]

PLANNING:

- 1) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jesus Vega [2022-3123]
- 2) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza [2022-3124]
- 3) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Baudel Tortoledo Hernandez [2022-3125]
- 4) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Charles Simansky [2022-3126]
- 5) Consider Certification to Weld County Treasurer of Building and Zoning Violation Penalties as Special Assessment – Rolando and Eloisa Castillo [2022-3127]
- 6) Consider Certification to Weld County Treasurer of Building and Zoning Violation Penalties as Special Assessment – Graciela Quinonez and Veronica Gutierrez [2022-3128]
- 7) Consider Certification to Weld County Treasurer of Building and Zoning Violation Penalties as Special Assessment – Luis Lopez [2022-3129]
- 8) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Bruce Brotemarkle [2022-3130]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

- 10:00 AM - Docket #2022-85, PL2844 - Site Specific Development Plan and Use by Special Review Permit, USR22-0023, to exceed the maximum allowed building coverage (up to 12%) in the A (Agricultural) Zone District, Antonio Trujillo-Batalla and Ma Erika Guadarrama [located south of and adjacent to 14th Street; approximately 3,000 feet west of County Road 29] (Planner – Kim Ogle) – *(Rescheduled from 11/2/2022)* [2022-3016]
- 10:00 AM - Docket #2022-80, PL0312 - Change of Zone, COZ22-0007, from the R-1 (Low-Density Residential) Zone District to the A (Agricultural) Zone District, DPR Greeley, LLC [located east of and adjacent to Cherry Avenue; approximately 630 feet south of East 20th Street] (Planner – Chris Gathman) – *(Rescheduled from 11/2/2022)* [2022-3039]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Nov 10 -	Weld Faith Partnership Council	7:30 AM
Nov 10 -	Area Agency on Aging Advisory Board	9:00 AM
Nov 11 -	HOLIDAY	CLOSED
Nov 14 -	Juvenile Community Review Board	12:00 PM
Nov 15 -	911 Emergency Telephone Service Authority Board	12:00 PM
Nov 15 -	Northern Colorado RETAC	2:00 PM
Nov 16 -	Weld County Emergency Medical/Trauma Services Council	11:00 AM
Nov 16 -	Greeley Housing Authority	4:30 PM
Nov 17 -	Greeley-Weld County Airport Authority	3:30 PM

ITEMS SCHEDULED FOR FUTURE BOARD MEETINGS:

This is not a complete listing of items scheduled for future Board Meetings; however, it is a listing of those items which are deemed to have interest to various citizens. All Board Meetings begin at 9 AM.

- Nov 21 - First Reading of Code Ordinance #2022-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Setbacks from Oil and Gas*)
- Nov 23 - Second Reading of Code Ordinance #2022-06, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance of the Weld County Code (*Annual Fees*)
- Nov 23 - Second Reading of Code Ordinance #2022-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration and Chapter 24 Subdivisions of the Weld County Code (*Consent Exemption Vacations*)
- Dec 7 - Second Reading of Code Ordinance #2022-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Setbacks from Oil and Gas*)
- Dec 12 - Final Reading of Code Ordinance #2022-06, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance of the Weld County Code (*Annual Fees*)
- Dec 12 - Final Reading of Code Ordinance #2022-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration and Chapter 24 Subdivisions of the Weld County Code (*Consent Exemption Vacations*)
- Dec 21 - Final Reading of Code Ordinance #2022-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Setbacks from Oil and Gas*)

FUTURE PUBLIC HEARINGS:

All future Hearings are publicly noticed and will begin following the adjournment of the regular Board Meeting.

- Nov 16 - Docket #2022-71, PL1882 - Probable Cause Hearing, PCSC22-0013, to consider setting a Show Cause Hearing to determine whether or not the applicant is in compliance with certain Development Standards contained in Minor Amended Use by Special Review Permit, MUSR14-0008, for a Kennel to increase the number of dogs allowed from 16 to 30 in the A (Agricultural) Zone District, Scott and Kristen Fisher [located east of and adjacent to County Road 23; approximately one-third of a mile south of State Highway 392] (Planner – Diana Aungst) – (*Cont'd from 8/22/2022*) 9:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- Nov 30 - Docket #2022-86, PL2845 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0020, for a Lumberyard and Transloading facility outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Pierce Hardy Limited Partnership, c/o 84 Lumber Company [located south of and adjacent to County Road 64; west of and adjacent to North 59th Avenue (County Road 31)] (Planner – Maxwell Nader) 10:00 AM
- Nov 30 - Docket #2022-91, PL2849 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0026, for Oil and Gas Support and Service, including Class II Oilfield Waste Disposal Facility - Saltwater Injection Facility and related tanks and ancillary equipment outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Calvary Farms, LLC, c/o Bayswater Exploration and Production, LLC [located west of and adjacent to County Road 39; approximately 0.39 miles north of County Road 78] (Planner – Maxwell Nader) 10:00 AM
- Dec 7 - Docket #2022-88, PL2846 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0024, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Lytle Farms, LLC, c/o SunShare, LLC, dba BecLee Solar, LLC [located north of and adjacent to County Road 66; approximately 0.25 miles east of County Road 43] (Planner – Diana Aungst) 10:00 AM
- Jan 25, 2023 - Docket #2022-68, PL2539 - Show Cause Hearing, PCSC22-0003, to determine whether or not the applicant is in compliance with certain Permit Conditions for Zoning Permit for a Home Occupation Class II, ZPHB16-0015, Santos Vega and Luz Yadira Vega [located north of and adjacent to East 16th Street; west of and adjacent to Birch Avenue] (Planner – Michael Hall) – *(Cont'd from 10/26/2022)* 9:00 AM
- Feb 22, 2023 - Docket #2022-63, PL0048 - Show Cause Hearing, PCSC22-0010, to determine whether or not the applicant is in compliance with certain Development Standards contained in Use by Special Review Permit, USR-413, for Aircraft Storage and Salvage, in the A (Agricultural) Zone District, Paul Page [located east of and adjacent to County Road 1.5; north of and adjacent to Cheesman Street] (Planner – Diana Aungst) 9:00 AM

REPORTS:

- 1) Department of Planning Services, Staff Approvals for October 2022

COMMUNICATIONS:

- 1) Department of Planning Services, Addition to File RECX15-0108 – Chris and Christine Glover
- 2) Department of Planning Services, Addition to File RECX18-0076 – Chris and Christine Glover
- 3) Department of Planning Services, Addition to File RECX19-0096 – Devin Cullum
- 4) Town of Severance, Letter dated October 28, 2022, re: Public Notices for Moody Comprehensive Plan Amendment and Severance Greenway Corridor Comprehensive Plan Amendment
- 5) Colorado Department of Local Affairs, Division of Property Taxation, Final Determination, re: Templo Bethel Assembly of God

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Verdad Resources, LLC – Fiscus Fed 2627 Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 22WE0021, 22WE0022, 22WE0023, and 22WE0024 [2022-2804]

PUBLIC REVIEW (CONT'D):

- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Utah Gas Op, Ltd., dba Utah Gas Corp (UGC) – Badger Wash Gas Plant, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 21ME0753 [2022-3063]
- 3) Civil Resources, LLC, Adequacy Review Response to Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, 112 Construction Materials Operation Reclamation Permit Application, M-2022-001 – Red Tierra Equities, LLC – Section 20 Gravel Mine [2022-2370]

RESOLUTIONS (Please see document for signature and/or execution date):

- 1) Approve Contract ID #6436 Agreement for Purchase of Certain Property for Public Road Improvements where CR 2.5 Terminates at Union Pacific Railroad Right-of-Way – Sakata Land Company [2022-3070]
- 2) Approve Temporary Closure of CR 72 Between CRs 47 and 49 [2022-3071]
- 3) Action of the Board Concerning Dust Blowing Citation Pursuant to C.R.S. §35-72-103 – Jerold and Alice Hoffman [2022-3072]
- 4) Approve Partial Vacation of Two-Lot Recorded Exemption, RE-4721, for Removal of Lot B – Stanley and Mary Odenbaugh [2022-3077]
- 5) Approve Partial Vacation of Two-Lot Corrected Recorded Exemption, RE-3218, for Removal of Lot B – Gerald Johnson [2022-3078]
- 6) Approve Partial Vacation of Use by Special Review Permit, USR-1160 – Coors Energy Company [2022-3079]

MISCELLANEOUS:

- * 1) Veterans Day – November 11, 2022 [2022-3117]
- * 2) Contract ID #6427 Amendment #1 to Agreement for Substance Abuse Treatment Services – Signal Behavioral Health Network [2022-1656]
- * 3) Contract ID #6438 Extension/Renewal #2 to Agreement for Tree Disposal Services (Bid #B2000176) – Aesthetic Alternative Recycling, Inc. [2020-2882]

* **Signed this date**