

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, NOVEMBER 7, 2022
9:00 A.M.

2022-3064

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 19, 2022 | [2022-2920] |
| 2) Approval of Minutes of October 24, 2022 (<i>Cont'd to 11/09/2022</i>) | [2022-2951] |

READ ORDINANCE BY AUDIO: Read Code Ordinances #2022-06 and #2022-09 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on October 19, and 24, 2022:

- | | |
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| 1) Public Hearing Concerning the Updated 2022-2023 Annual Action Plan and its' Proposed Use of the 2022 CDBG Funds for Infrastructure Improvements, Public Facilities, Public Services, Housing Preservation, and General Grant Administration | [2022-2658] |
| 2) PUDZ22-0001 – REI, LLC, dba Investors, LLC, and Beebe Draw Farms Authority | [2022-2829] |
| 3) USR22-0019 – Gabriel and Maricela Rocha | [2022-2851] |
| 4) USR22-0021 – Kyle Schwartz and Abigail Renner | [2022-2865] |
| 5) PCSC22-0010 – Paul Page | [2022-2153] |

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:

COMMISSIONER COORDINATOR REPORTS:

WARRANTS:

- | | |
|--|-------------|
| 1) General Warrants – November 1-4, 2022 | [2022-3066] |
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BIDS:

- | | |
|---|-------------|
| 1) Approve Bid #B2200142, Print Shop Roof Replacement – Facilities Department | [2022-2924] |
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BIDS (CONT'D):

- 2) Approve Bid #B2200150, Cisco Access Points – Department of Information Technology [2022-2922]
- 3) Approve Bid #B2200151, Cisco Network Switches – Department of Information Technology [2022-2923]
- 4) Present Bid #B2200162, ECS Storage Expansion – Department of Information Technology [2022-3067]
- 5) Present Bid #B2200148, Camera Equipment and Licensing Acquisition – Facilities Department [2022-3068]
- 6) Present Bid #B2200155, Exhibition Building Sidewalk Project – Facilities Department [2022-3069]

NEW BUSINESS:

- 1) Consider 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, and authorize Chair to sign any necessary documents – Sakata Land Company [2022-3070]
- 2) Consider Temporary Closure of CR 72 Between CRs 47 and 49 [2022-3071]
- 3) Consider Dust Blowing Citation Pursuant to C.R.S. §35-72-103 – Jerold and Alice Hoffman (*Scheduled from 7/25/2022 - Cont'd to 11/21/2022*) [2022-3072]
- 4) First 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*) [2022-3073]
 - Legals.....[2022-3074]
 - Correspondence.....[2022-3075]
- 5) Final Reading of Code Ordinance #2022-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Appearance/Dress Code and Sick/Leave Time*) [2022-3076]
 - Legals.....[2022-2722]
 - Correspondence.....[2022-2723]

PLANNING:

- 1) Consider Partial Vacation of Two-Lot Recorded Exemption, RE-4721, for Removal of Lot B – Stanley and Mary Odenbaugh [2022-3077]
- 2) Consider Partial Vacation of Two-Lot Corrected Recorded Exemption, RE-3218, for Removal of Lot B – Gerald Johnson [2022-3078]
- 3) Consider Partial Vacation of Use by Special Review Permit, USR-1160 (Second Amended USR-386) – Coors Energy Company [2022-3079]
- 4) First 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*) [2022-3080]
 - Legals.....[2022-3081]
 - Correspondence.....[2022-3082]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

* No Public Hearings Scheduled for November 7, 2022 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Nov 7 -	Weld County Fair Board	6:00 PM
Nov 8 -	Workforce Development Board	11:45 AM
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 9 - 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*) 10:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- Nov 9 - 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)* 10:00 AM
- 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
- 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

COMMUNICATIONS:

- 1) Board of Public Health, Minutes from October 25, 2022
- 2) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for November 10, 2022 *(Rescheduled from 11/3/2022)*
- 3) Weld County Federal Mineral Lease District, Minutes from July 11, 2022, Agenda for January 9, 2023, and 2023 Final Budget

COMMUNICATIONS (CONT'D):

- 4) Department of Planning Services, Addition to File RECX12-0121 – Kenneth Miller
- 5) Department of Planning Services, Addition to File RECX16-0058 – Pamela Weiss
- 6) Department of Planning Services, Addition to File RE-2900 – Greenleaf Acres, LLC, c/o Barry Fehr
- 7) Department of Human Services, Email dated October 12, 2022, re: Contract ID #6366 Single Entry Point (SEP) Subrecipient Performance Questionnaire
- 8) Department of Human Services, Email dated October 20, 2022, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Justin and Aime Collins
- 9) Department of Human Services, Email dated October 20, 2022, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Scott and Shelly Wilson
- 10) Weld County Proposed Budget for 2023
- 11) East Larimer County Water District, Email dated October 19, 2022, re: Resolution Terminating Continuing Declaration of Local Disaster Emergency
- 12) Colorado Department of Local Affairs, Division of Property Taxation, Final Determination, re: First Baptist Church of Pierce

PUBLIC REVIEW:

- 1) Town of Severance, BHS Solar Annexation, Petition, Affidavit, Resolution, Notice, Maps, and Impact Report [2022-3038]

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

- 1) Approve Ratification of Appointments to Board of Trustees of High Plains Library District [2022-3007]
- 2) Approve 2023 Community Development Block Grant (CDBG) Program Application (Round Three [3]) for Weld County Operational Transportation Services – Department of Public Works and Senior Resource Services, dba 60+ Ride [2022-3008]
- 3) Approve Declaring Surplus Equipment as Surplus Property and Sale of Same at Auction with Roller and Associates [2022-3009]
- 4) Approve Partial Vacation of Two-Lot Recorded Exemption, RECX16-0112, for Removal of Lot B – Calvary Farms, LLC, c/o Richard Montera [2022-3010]

ORDINANCES:

- 1) First 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*) [2022-3073]
- * 2) Final Reading of Code Ordinance #2022-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Appearance/Dress Code and Sick/Leave Time*) [2022-3076]
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MISCELLANEOUS:

- * 1) Contract ID #6433 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Catherine Oakleaf [2022-3083]
- * 2) Contract ID #6399 Agreement for Construction Services for Chase Building Parking Lot (827 7th Street, Greeley) Resurfacing (Bid #B2200134) – Martin Marietta Materials, Inc. [2022-2747]

MISCELLANEOUS (CONT'D):

- * 3) Contract ID #6420 Agreement for Professional Services as Change Order for Materials Testing Services (Bid #B2000096) – Professional Service Industries, Inc. [2020-0958]
- * 4) Contract ID #6422 Change Order to Task Order to Agreement for Professional Services for Design Services (Greeley Fuel Site/Fuel Island – Bid #B1900100) – Robert Shreve Architects and Planners, Inc. [2020-1774]
- * 5) Contract ID #6415 Order for Public Records Request Management System (Bid #B2200118) – JustFOIA [2022-2502]
- * 6) Contract ID #6428 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Site Plan Review Permit, SPR22-0006 – 1444 Vista View Drive, LLC [2022-3084]
- * 7) Contract ID #6429 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for First Amended Site Plan Review Permit, 1AMSPR22-04-372 – Stanley LM, LLC [2022-3085]

* **Signed this date**