

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, DECEMBER 5, 2022
9:00 A.M.

2022-3344

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

MINUTES: Approval of Minutes of November 21, 2022 [2022-3231]

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 – December 2, 2022 [2022-3346]

BIDS:

1) Approve Bid #B2200161, Centennial Center and Courthouse Burglar Alarm Intrusion Project – Facilities Department [2022-3233]

NEW BUSINESS:

- 1) Consider Contract to Buy and Sell Real Estate (23973 Carr Rural), and authorize Chair to sign all necessary documents – Lazy Two Ranch, LLC [2022-3347]
- 2) Consider Tax Incentive Agreement Pursuant to C.R.S. §30-11-123, and authorize Chair to sign – Sphere Renewables [2022-3348]
- 3) Consider Contract ID #6514 Application for Beat Auto Theft Through Law Enforcement (BATTLE) Sub Grantee Funding and authorize Sheriff's Office to submit electronically [2022-3349]
- 4) Consider Contract ID #6525 Project Proposal Application for 2023 Northeast Colorado All Hazard Steering Committee (NEAHR) Homeland Security Grant, and authorize Chair to sign, and Sheriff's Office to submit electronically [2022-3350]

NEW BUSINESS (CONT'D):

- 5) Consider Contract ID #6531 Agreement for Relocation of Fiber Optic Lines for Stoneham Drainage and Roadway Project and authorize Chair to sign – Stoneham Cooperative Telephone Corporation [2022-3351]
- 6) Consider Cancellation of 2022 Outstanding Accounts Receivable for Department of Public Health and Environment [2022-3352]
- 7) Consider Declaring Certain Equipment as Surplus Property, Approve Sale of Same at Auction with Roller and Associates, and delegate authority to Controller to sign any necessary documents [2022-3353]

PLANNING:

- 1) Consider Decommissioning Plan and Accept Collateral for a Site Specific Development Plan and Use by Special Review Permit, USR22-0022, for a Solar Energy Facility (SEF) Outside of Subdivisions and Historic Townsites in the A (Agricultural) Zone District – Arthur Griffiths, c/o CBEP Solar 5, LLC [2022-3354]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

* No Public Hearings Scheduled for December 5, 2022 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 5 -	Weld County Fair Board	6:00 PM
Dec 6 -	Planning Commission	12:30 PM
Dec 7 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Dec 8 -	Area Agency on Aging Advisory Board	9:00 AM
Dec 12 -	Juvenile Community Review Board	12:00 PM
Dec 14 -	Board of County Commissioner's Meeting	CANCELLED
Dec 15 -	Extension Advisory Council	12:00 PM
Dec 15 -	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.

- 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 19 - Partial Vacation of Two-Lot Recorded Exemption, RE-4653, for Removal of Lot B – PV East, LLC, c/o Richard Johnson
- 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*)
- Dec 21 - First Reading of Code Ordinance #2023-01, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Family Farm Division*)
- Jan 4, 2023 - Second Reading of Code Ordinance #2023-01, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Family Farm Division*)
- Jan 18, 2023 - Final Reading of Code Ordinance #2023-01, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Family Farm Division*)
- Feb 13, 2023 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Vince Holton (*Cont'd from 11/14/2022*)
- Feb 13, 2023 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jerry Dill and Lynne Kelly (*Cont'd from 11/14/2022*)
- Feb 13, 2023 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Frank and Yrene Martinez (*Cont'd from 11/14/2022*)
- Feb 13, 2023 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Lucina Flores (*Cont'd from 11/14/2022*)

FUTURE PUBLIC HEARINGS:

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

- 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) – *(TO BE CONT'D TBD)* 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
- Feb 22, 2023 -Docket #2022-71, PL1882 - Show Cause Hearing, PCSC22-0013, 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) 9:00 AM

REPORTS:

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

COMMUNICATIONS:

- 1) Board of Public Health, Minutes from November 22, 2022
- 2) Planning Commission, Agenda for December 6, 2022
- 3) Board of County Commissioners, Letter to the Colorado Department of Transportation, dated November 21, 2022, re: Letter of Support for North Front Range Metropolitan Planning Organization (NFRMPO) Strategic Transportation Demand Management (TDM) Seed Funding Grant Application
- 4) North Front Range Water Quality Planning Association (NFRWQPA) and Town of Lochbuie, Public Notice dated September 26, 2022, to November 25, 2022, re: Amendment to 208 Areawide Water Quality Management Plan and Wastewater Utility Service Area Modification
- 5) North Front Range Water Quality Planning Association (NFRWQPA) and Resource Colorado Water and Sanitation Metro District, Public Notice dated September 27, 2022, to November 26, 2022, re: Amendment to 208 Areawide Water Quality Management Plan and Wastewater Utility Service Area Modification

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Klein 19 Sec Pad 1, and Josephine 19 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 17WE0552, and 18WE1018 [2022-3335]

PUBLIC REVIEW (CONT'D):

- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Loloff Farms 26 Sec Pad 1, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0292 [2022-3336]
- 3) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Regular 112 Construction Materials Operation Reclamation Permit Application, Permit #M-2015-030 – Asphalt Specialties Co., Inc. – Chavers Mining Resource [2022-3334]

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

- 1) Approve Contract ID #6467 Acceptance of Purchase Order Funds for Colorado Works Subsidized Training and Employment Program (CW STEP) [2022-3315]
- 2) Approve Contract ID #6489 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Christina Archuleta [2022-3316]
- 3) Approve Contract ID #6490 Regional/Local Plan Narrative Update, Local Area Annual Compliance Plan, and Expenditure Authorization and Work Plan for Various Workforce Innovation and Opportunity Act (WIOA) Programs, for 2020-2023 Upstate Regional Plan [2022-3317]
- 4) Approve Contract ID #6505 Intergovernmental Agreement for Disability Program Navigator [2022-3318]
- 5) Approve Contract ID #6506 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services – Tierney Baldwin [2022-3319]
- 6) Approve Contract ID #6507 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services – Esther Dennis [2022-3320]
- 7) Approve Contract ID #6484 Amendment #1 to Intergovernmental Agreement for Truck Route on CRs 76 and 33 – Town of Eaton [2022-3321]
- 8) Approve Temporary Closure of CR 7 Between CRs 46 and 48 [2022-3322]
- 9) Approve Temporary Closure of CR 16.5 Between CRs 3.25 and 5 [2022-3323]
- 10) Approve Temporary Closure of CR 72 Between CR 39 and Dead End [2022-3324]
- 11) Approve Partial Vacation of Four-Lot Recorded Exemption, RECX20-0106, for Removal of Lot D – Philip and Bree Lukens [2022-3325]
- 12) Approve Decommissioning Plan and Accept Collateral for Zoning Permit for Solar Energy Facility, ZPSF22-0001, Less than Five (5) Acres (5 Acre SEF) – Pivot Solar 22, LLC [2022-3326]
- 13) Approve Decommissioning Plan and Accept Collateral for Zoning Permit for Solar Energy Facility, ZPSF22-0002, Less than Five (5) Acres (5 Acre SEF) – Pivot Solar 23, LLC [2022-3327]
- 14) Approve Decommissioning Plan and Accept Collateral for Zoning Permit for Solar Energy Facility, ZPSF22-0003, Less than Five (5) Acres (5 Acre SEF) – Pivot Solar 28, LLC [2022-3328]
- 15) Approve USR22-0020 – Pierce Hardy Limited Partnership, c/o 84 Lumber Company [2022-3131]
- 16) Approve USR22-0026 – Calvary Farms, LLC, c/o Bayswater Exploration and Production, LLC [2022-3146]
- 17) Approve COZ22-0008 – JAMM Power Service, LLC [2022-3098]

MISCELLANEOUS:

- * 1) Recognition of Services, Department of Human Services – Nancy Hunnicut [2022-3355]
- * 2) Contract ID #6519 Amendment #4 to Agreement for Professional Services for Armed Guard Security Services (Bid #B2000175) – Universal Protection Service, LP, dba Allied Universal Security Services [2021-2547]
- * 3) Contract ID #6431 Change Order to Agreement for Construction Services for Department of Planning Services Remodel Project (Bid #B2200056) – Swift Builders, LLC [2022-0877]
- * 4) Contract ID #6500 Change Order to Professional Service Agreement for Crime Lab Exhaust Design and Engineering Services (Small Purchase) – G2 Consulting Engineers, Inc. [2022-2962]

MISCELLANEOUS (CONT'D):

- * 5) Contract ID #6508 Agreement for Construction Services for Exhibition Building Sidewalk Project (Bid #B2200155) – J and F Concrete, LLC [2022-3069]
- * 6) Contract ID #6509 Supply Agreement for Camera Equipment and Licensing Acquisition (Bid #B2200148) – Videotronix, Inc., dba VTI Security [2022-3068]
- * 7) Contract ID #6520 Agreement for Construction Services for Booster Pumps Replacement Project at Department of Public Health and Environment Building (Bid #B2200158) – Polarized Water Solutions, LLC [2022-3171]
- * 8) Invoice and Purchase Quote for Small SUV 4 Door 4x4 or All Wheel Drive (AWD) Vehicle (QTY 1 - 2022 Chevrolet Equinox LS AWD) – Johnson Auto Plaza, Inc. [2022-3356]
- * 9) Invoice and Purchase Quote for Small SUV 4 Door 4x4 or All Wheel Drive (AWD) Vehicle (QTY 1 - 2023 Chevrolet Equinox LS AWD) – Johnson Auto Plaza, Inc. [2022-3357]
- * 10) Invoice and Purchase Quote for Two (2) Ton 4X4 Crew Cab Dual Wheels Flat Bed (QTY 1 – 2022 Dodge Ram 5500) – Johnson Auto Plaza, Inc. [2022-3358]

* **Signed this date**