

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**MONDAY, DECEMBER 19, 2022**  
**9:00 A.M.**

**2022-3508**

**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 November 30, 2022 [2022-3312]
- 2) Approval of Minutes of December 5, 2022 [2022-3345]

**READ ORDINANCE BY AUDIO:** Read Emergency Ordinance #258-B by audio

**CERTIFICATION OF HEARINGS:** Hearings conducted on November 30, 2022:

- 1) USR22-0020 – Pierce Hardy Limited Partnership, c/o 84 Lumber Company [2022-3143]
- 2) USR22-0026 – Calvary Farms, LLC, c/o Bayswater Exploration and Production, LLC [2022-3159]
- 3) COZ22-0008 – JAMM Power Service, LLC [2022-3112]

**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](mailto: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:**

**PRESENTATIONS:**

- 1) Recognition of Services, Department of Finance and Administration – Donald Warden [2022-3510]
- 2) Recognition of Services, Weld County Commissioner – Steve Moreno [2022-3511]
- 3) 2022 Employee Service Awards – 10, 20, and 30-Year Employees [2022-3512]

**WARRANTS:**

- 1) General Warrants – December 13, and 16, 2022 [2022-3513]

**BIDS:**

- 1) Approve Bid #B2200166, Architectural and Electrical Design Services for New Backup Generators – Facilities Department [2022-3314]

**NEW BUSINESS:**

- 1) Consider Intergovernmental Grant Agreement Award Letter, Certification of Compliance, and Lobbying Agreement for Victims of Crime Act (VOCA) Program for Victim Witness Assistance Unit, and authorize Chair to sign and submit electronically – 19th Judicial District Attorney’s Office [2022-3514]
- 2) Consider Contract for 2023 Victim Assistance and Law Enforcement (VALE) Grant for Victim Witness Assistance Unit, and Agreement with Subrecipient of Federal Recovery Funds, and authorize Chair to sign electronically – 19th Judicial District Attorney’s Office [2022-3515]
- 3) Consider Contract ID #6513 Intergovernmental Grant Agreement Award Letter and Summary of Grant Award Terms and Conditions for Victims of Crime Act (VOCA) Program for Bilingual Advocate Unit, and authorize Chair to sign and submit electronically – Sheriff’s Office [2022-3516]
- 4) Consider Contract ID #6565 Contract for 2023 Victim Assistance and Law Enforcement (VALE) Grant for Law Enforcement Victim Services, and authorize Chair to sign electronically – Sheriff’s Office [2022-3517]
- 5) Consider Corrected Petition for Abatement or Refund of Taxes for Account Number P9105246 – Zelios Colorado, LLC, dba Gemini Extraction [2022-3234]
- 6) Consider Petition for Abatement or Refund of Taxes for Account Number R1752202 – TBK Bank SSB [2022-3518]
- 7) Consider Petition for Abatement or Refund of Taxes for Account Number R4004706 – TBK Bank SSB [2022-3519]
- 8) Consider Petition for Abatement or Refund of Taxes for Account Number R4060686 – TBK Bank SSB [2022-3520]
- 9) Consider Petition for Abatement or Refund of Taxes for Account Number R2466303 – Northstar Bank of Colorado [2022-3521]
- 10) Consider Petition for Abatement or Refund of Taxes for Account Number R3252804 – North Forest Office Space Denver, LLC [2022-3522]
- 11) Consider Petition for Abatement or Refund of Taxes for Account Number R3919505 – 2316 Investments, LLC [2022-3523]
- 12) Consider Petition for Abatement or Refund of Taxes for Account Number R6785437 – 20680 Niobrara Blvd, LLC [2022-3524]
- 13) Consider Tax Incentive Agreement Pursuant to C.R.S. §30-11-123, and authorize Chair to sign – Norfolk Iron and Metal Company [2022-3525]
- 14) Consider Emergency Ordinance No. 258-B, In the Matter of a Supplemental Budget Appropriation for the Year 2022 [2022-3526]
- Legals.....[2022-3527]

**PLANNING:**

- 1) Consider Partial Vacation of Two-Lot Recorded Exemption, RE-4653, for Removal of Lot B – PV East, LLC, c/o Richard Johnson [2022-3528]

**ADJOURN:**

**PUBLIC HEARINGS  
BOARD OF COUNTY COMMISSIONERS**

\* No Public Hearings Scheduled for December 19, 2022 \*

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 20 -	911 Emergency Telephone Service Authority Board and Regional Communications Advisory Board Joint Meeting	12:00 PM
Dec 20 -	Northern Colorado RETAC	2:00 PM
Dec 21 -	Greeley Housing Authority	4:30 PM
Dec 23 -	HOLIDAY	CLOSED
Dec 26 -	HOLIDAY	CLOSED
Jan 2, 2023 -	HOLIDAY	CLOSED

## 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 21 - Partial Vacation of Three-Lot Recorded Exemption, RE-3242, for Removal of Lot C – Donald and Sandie Hall
- 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*)
- Feb 22, 2023 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza (*Cont'd from 12/7/2022*)

## FUTURE PUBLIC HEARINGS:

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

- Dec 21 - Docket #2022-90, PL2848 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0025, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Arthur Griffiths, c/o CBEP Solar 7, LLC [located south of and adjacent to CR 48.5; approximately 0.25 miles west of SH 257] (Planner – Diana Aungst) 10:00 AM
- Dec 21 - Docket #2022-92, PL2850 - Change of Zone, COZ22-0011, from the A (Agricultural) Zone District to the I-2 (Medium Industrial) Zone District, R&N Properties, LLC [located west of and adjacent to the Interstate 25 frontage road; approximately 0.25 miles north of CR 6] (Planner – Michael Hall) 10:00 AM

**FUTURE PUBLIC HEARINGS (CONT'D):**

- Dec 21 - Docket #2022-89, PL2847 - Change of Zone, COZ22-0010, from the A (Agricultural) Zone District to the C-3 (Business Commercial) Zone District, Kennard and Vicki Knudson [located north of and adjacent to County Road 2; west of and adjacent to County Road 19] (Planner – Chris Gathman) 10:00 AM
- Jan 4, 2023 - Docket #2023-01, PL2851 - Change of Zone, COZ22-0003, from the A (Agricultural) Zone District to the C-3 (Business Commercial) Zone District, Marty Matchett [located north of and adjacent to County Road 64.5; approximately 0.55 miles east of County Road 23.75] (Planner – Diana Aungst) – (TO BE CONT'D TBD) 10:00 AM
- Jan 4, 2023 - Docket #2023-05, PL2854 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0029, to exceed the maximum allowed building coverage (up to 12%) in a subdivision in the A (Agricultural) Zone District, Julie Walker [located south of and adjacent to Del Comundo Lane; east of and adjacent to Sierra Vista Road] (Planner – Kim Ogle) 10:00 AM
- Jan 4, 2023 - Docket #2023-02, PL2852 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0027, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, CBEP Land 2, LLC, c/o CBEP Solar 2, LLC, c/o CBEP Solar 8, LLC [located south of and adjacent to County Road 64; approximately 1,320 feet east of County Road 43] (Planner – Kim Ogle) 10:00 AM
- Jan 18, 2023 - 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) – (Cont'd from 12/7/2022) 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

**COMMUNICATIONS:**

- 1) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for December 15, 2022
- 2) Department of Planning Services, Addition to File PL2843, RLDF22-0002 – CMH Homes, Inc.
- 3) Department of Planning Services, Addition to File RECX13-0037 – Windy Hills Ranch, LLC, c/o Chris Petersheim
- 4) Department of Planning Services, Addition to File RE-3218 – Gerald Johnson

Monday, December 19, 2022

Page 5

www.weldgov.com

2022-3508

BC0016

**COMMUNICATIONS (CONT'D):**

- 5) Department of Human Services, Email dated December 2, 2022, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Patricia Maronek
- 6) Department of Human Services, Email dated December 8, 2022, re: Colorado Department of Human Services, Option Letters #2 and #3, Contract for Area Agency on Aging (AAA) Services
- 7) Board of County Commissioners, Letter to CCI Board of Directors and CCI Amicus Committee, dated December 7, 2022, re: Petition for Support in Colorado Supreme Court Case No. 22-SC-242, Weld v. Ryan
- 8) Noble Energy, Inc., Notice dated December 8, 2022, re: Plugging and Abandonment of Oil and Gas Well – Kern GW21-68HN (S21, T8N, R63W)
- 9) Colorado Department of Local Affairs, Division of Property Taxation, Final Determination, re: Prairie Rose Community Church

**PUBLIC REVIEW:**

- 1) L.G. Everist, Inc., West Farm Reservoirs, Unexecuted Structure Agreement for Application to the Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety (DRMS), for Permit #M-2022-048 [2022-3272]
- 2) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Special 111 Construction Materials Operation Reclamation Permit Application – IHC Scott – CR 43 Borrow Location [2022-3503]

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

- 1) Approve Section 179D Energy Efficient Commercial Buildings Deduction Allocation Form – Setpoint Systems Corporation [2022-3402]
- 2) Approve 2023 State Noxious Weed Program Grant Application for Eradication of List A and B Species in Northern Weld County [2022-3403]
- 3) Approve Contract ID #6523 Amendment #1 to Contract for Behavioral Health Grant Program for High-Fidelity Wraparound Project [2022-3404]
- 4) Approve Contract ID #6534 Expenditure Authorization and Work Plan for the Quest Recovery Dislocated Worker Grant (DWG) [2022-3405]
- 5) Approve Contract ID #6528 Agreement for Services – A Woman’s Place, Inc. [2022-3406]
- 6) Approve Contract ID #6529 Agreement for Services – Greeley Transitional House, dba Greeley Family House [2022-3407]
- 7) Approve Contract ID #6544 Agreement for Services – Catholic Charities and Community Center Services of the Archdiocese of Denver, Inc. [2022-3408]
- 8) Approve Contract ID #6527 Agreement for Professional Services for the Low-Income Energy Assistance Program (LEAP) Outreach Incentive Program – United Way of Weld County [2022-3409]
- 9) Consider Contract ID #6537 Agreement for Professional Services – Center for Autism and Related Disorders, LLC [2022-3456]
- 10) Approve Contract ID #6545 Agreement for Professional Services – Cyntegral, LLC [2022-3410]
- 11) Approve Contract ID #6530 Memorandum of Agreement for Coordinated Investigations into Child Abuse and Neglect – Life Stories Child and Family Advocacy [2022-3411]
- 12) Approve Contract ID #6497 Memorandum of Understanding for Bags of Love Project – Carol Freimark, on behalf of Bags of Love [2022-3412]
- 13) Approve Contract ID #6550 Memorandum of Understanding for Colorado Child Care Assistance Programs (CCCAP) [2022-3413]
- 14) Approve Contract ID #6556 2023 Annual Program Plan for Child Support Services [2022-3414]
- 15) Approve 2023 Amount to be Paid for Intergovernmental Agreement Between City of Greeley and Weld County for Island Grove Park Management Services [2022-3415]
- 16) Approve Memorandum of Understanding for Adult Treatment Court [2022-3416]

**RESOLUTIONS (CONT'D):**

- 17) Approve Memorandum of Agreement Between Weld County, Colorado, and Envision as Recipient of Weld County General Fund Monies [2022-3417]
- 18) Approve Memorandum of Agreement for Mental Health Services Between Weld County, Colorado, and Great Western Trail Authority as Recipient of Weld County General Fund [2022-3418]
- 19) Approve Memorandum of Agreement for Mental Health Services Between Weld County, Colorado, and North Range Behavioral Health as Recipient of Weld County General Fund Monies [2022-3419]
- 20) Approve Memorandum of Agreement for Suicide Education and Prevention Services Between Weld County, Colorado, and North Range Behavioral Health as Recipient of Weld County General Fund Monies [2022-3420]
- 21) Approve Memorandum of Agreement Between Weld County, Colorado, and Weld County Senior Citizen Coordinators as Recipient of Weld County General Fund Monies [2022-3421]
- 22) Approve Memorandum of Agreement Between Weld County, Colorado, and East Colorado Small Business Development Center (SBDC) as Recipient of Weld County Economic Development Trust Fund Monies [2022-3422]
- 23) Approve Memorandum of Agreement Between Weld County, Colorado, and United Way of weld County (211 Information) as Recipient of Weld County General Fund Monies [2022-3423]
- 24) Approve Memorandum of Agreement Between Weld County, Colorado, and United Way of weld County (Reading Great by Eight) as Recipient of Weld County General Fund Monies [2022-3424]
- 25) Approve Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (Weld's Way Home) as Recipient of Weld County General Fund Monies [2022-3425]
- 26) Approve Memorandum of Agreement Between Weld County, Colorado, and Upstate Colorado Economic Development as Recipient of Weld County Economic Development Trust Fund Monies [2022-3426]
- 27) Approve Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2023 Budget for the Beebe Draw Law Enforcement Authority District [2022-3435]
- 28) Approve Resolution Appropriating Sums of Money to the General Fund for the Beebe Draw Law Enforcement Authority for the 2023 Budget Year [2022-3436]
- 29) Approve Resolution Levying General Property Taxes for the 2023 Budget Year to Help Defray the Costs of Government for the Beebe Draw Law Enforcement Authority [2022-3437]
- 30) Approve Law Enforcement Agreement – Beebe Draw Law Enforcement Authority [2022-3438]
- 31) Approve Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2023 Budget for the Weld County Pioneer Community Law Enforcement Authority District [2022-3440]
- 32) Approve Resolution Appropriating Sums of Money to the General Fund for the Weld County Pioneer Community Law Enforcement Authority for the 2023 Budget Year [2022-3441]
- 33) Approve Resolution Levying General Property Taxes for the 2023 Budget Year to Help Defray the Costs of Government for the Weld County Pioneer Community Law Enforcement Authority [2022-3442]
- 34) Approve Law Enforcement Agreement – Pioneer Community Law Enforcement Authority District [2022-3443]
- 35) Approve Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2023 Budget for the Southwestern Weld County Law Enforcement District Authority Board [2022-3445]

**RESOLUTIONS (CONT'D):**

- 36) Approve Resolution Appropriating Sums of Money to the General Fund for the Southwestern Weld County Law Enforcement District Authority Board for the 2023 Budget Year [2022-3446]
- 37) Approve Resolution Levying General Property Taxes for the 2023 Budget Year to Help Defray the Costs of Government for the Southwestern Weld County Law Enforcement District Authority Board [2022-3447]
- 38) Approve Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting the 2023 Budget for the County of Weld, Colorado [2022-3449]
- 39) Approve Resolution Setting the Mill Levy for the Annual Appropriation for Weld County, Colorado for Fiscal Year 2023 [2022-3452]

**ORDINANCES:**

- \*1) Emergency Ordinance No. 258-B, In the Matter of a Supplemental Budget Appropriation for the Year 2022 [2022-3526]  
Legals.....[2022-3527]

**MISCELLANEOUS:**

- \* 1) Recognition of Services, Department of Finance and Administration – Donald Warden [2022-3510]
- \* 2) Recognition of Services, Weld County Commissioner – Steve Moreno [2022-3511]
- 3) 2022 Employee Service Awards – 10, 20, and 30-Year Employees [2022-3512]
- \* 4) Contract ID #6549 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Lutheran Family Services Rocky Mountains [2022-1468]
- \* 5) Contract ID #6546 Agreement for Construction Services for 4H Building Heating, Ventilation, and Air Conditioning (HVAC), and Electrical Systems Upgrade (Bid #B2200160) – TCC Corporation [2022-3172]
- \* 6) Contract ID #6555 Agreement for Construction Services for Chase Building Cabinet Unit Heater Replacement (Bid #B2200163) – Northern Colorado Energy Solutions, LLC [2022-3284]
- \* 7) Acceptance of Deed of Dedication for Public Road Right-of-Way where CR 2.5 Terminates at Union Pacific Railroad – Sakata Land Company [2022-3070]
- \* 8) Contract ID #6558 Extension/Renewal #2 to Agreement for Professional Services for CRs 66 and 41 Intersection Design Project (Bid #B2000034) – Horrocks Engineers, Inc. [2020-0136]
- \* 9) Contract ID #6568 Extension/Renewal #2 to Agreement for Professional Services for Courthouse/West Annex Security (Bid #B2000173) – Securitas Security Services USA [2020-3143]

\* **Signed this date**