

WELD COUNTY OFFICES ARE CLOSED JANUARY 18, 2023, AND THE BOARD MEETING IS CANCELLED DUE TO INCLEMENT WEATHER

All 9:00 regular business items listed below will be considered on Monday, January 23, 2023, unless indicated otherwise.

The 10:00 Land Use Hearings will be conducted on either Wednesday, January 25, or February 22, 2023, as indicated on Page 2.

**AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, JANUARY 18, 2023
9:00 A.M.**

2023-0239

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Mike Freeman, Chair
Commissioner Perry L. Buck, Pro-Tem
Commissioner Scott K. James
Commissioner Kevin D. Ross
Commissioner Lori Saine

MINUTES: Approval of Minutes of January 4, 2023 [2023-0002]

CERTIFICATION OF HEARINGS: Hearings conducted on January 4, 2023:

- 1) COZ22-0003 – Marty Matchett [2023-0088]
- 2) USR22-0029 – Julie Walker [2023-0068]
- 3) USR22-0027 – CBEP Land 2, LLC, c/o CBEP Solar 2, LLC, c/o CBEP Solar 8, LLC [2023-0086]

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: See Item #4 Under 'Consent Agenda-Miscellaneous' – Vacation of a Recorded Exemption

PRESENTATIONS:

- 1) Recognition of Services, 19th Judicial District Attorney's Office – JoAnn Holden [2023-0241]

PROCLAMATIONS:

- 1) Roosevelt Roughriders Day, Class 4A State Championship Poms Team – January 18, 2023 (*Rescheduled to 2/8/2023*) [2023-0242]

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BC0016

WARRANTS:

- 1) General Warrants – January 17, 2023 [2023-0243]

NEW BUSINESS:

- 1) Consider Contract ID #6603 Agreement for Respite Services and authorize Chair to sign –
Ruby Major (*Rescheduled to 2/25/2023*) [2023-0244]
- 2) Consider 2022 Annual Report for Discharges from Application of Pesticides and authorize
Chair to sign [2023-0245]
- 3) Second Reading of Code Ordinance #2023-02, In the Matter of Repealing and
Reenacting, with Amendments, Chapter 12 Licenses and Permits of the Weld County
Code (*Secure Transportation Services*) [2023-0246]
 - Legals.....[2023-0024]
 - Correspondence.....[2023-0025]

PLANNING:

- 1) 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*) [2023-0247]
 - Legals.....[2022-3561]
 - Correspondence.....[2022-3562]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

- 10:00 AM - Docket #2023-04, PL2825 - Change of Zone, PUDZ22-0003, from the A (Agricultural) Zone District to the PUD (Planned Unit Development) Zone District for six (6) residential lots with E (Estate) Zone District uses and one (1) non-buildable outlot with A (Agricultural) Zone District uses, Amanda, Brandon, Lisa and Moriah Nguyen [located west of and adjacent to County Road 31; approximately 0.5 miles north of County Road 2] (Planner – Maxwell Nader) – **(Rescheduled to 1/25/2023)** [2023-0146]
- 10:00 AM - Docket #2023-03, PL1595 - A Site Specific Development Plan and Planned Unit Development Final Plan, PUDF22-0004, for four (4) residential lots for E (Estate) Zoned Uses and one (1) lot for A (Agricultural) Zoned Uses, Olson Bros, LP, and Spring Meadows Development, LLC, c/o Roger Olson [located west of and adjacent to County Road 15; south of, and east of, and adjacent to County Road 42] (Planner – Chris Gathman) – **(Rescheduled to 2/22/2023)** [2023-0171]
- 10:00 AM - 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 – **Rescheduled to 1/25/2023**) [2023-0186]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Jan 18 -	Weld County Emergency Medical/Trauma Services Council	CANCELLED
Jan 19 -	Greeley-Weld County Airport Authority	3:30 PM
Jan 20 -	Human Services Advisory Council	8:00 AM
Jan 24 -	Board of Public Health	9:00 AM
Jan 24 -	Regional Communications Advisory Board	10:30 AM
Jan 24 -	Community Corrections Board	12:00 PM
Jan 25 -	Greeley-Weld County Airport Authority	4:30 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.

Jan 23 -	Partial Vacation of Two-Lot Recorded Exemption, RE-3733, for Removal of Lot B – Western Equipment and Truck, Inc.	
Feb 1 -	Final Reading of Code Ordinance #2023-02, In the Matter of Repealing and Reenacting, with Amendments, Chapter 12 Licenses and Permits of the Weld County Code (<i>Secure Transportation Services</i>)	
Feb 13 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Vince Holton (<i>Cont'd from 11/14/2022</i>)	
Feb 13 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jerry Dill and Lynne Kelly (<i>Cont'd from 11/14/2022</i>)	
Feb 13 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Frank and Yrene Martinez (<i>Cont'd from 11/14/2022</i>)	
Feb 13 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Lucina Flores (<i>Cont'd from 11/14/2022</i>)	
Feb 22 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza (<i>Cont'd from 12/7/2022</i>)	
Mar 1 -	Change in Boundary Lines of Commissioner Districts in Weld County, Colorado	

FUTURE PUBLIC HEARINGS:

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

Jan 23 -	Docket #2023-13, CR0034 - Public Hearing to Obtain Input Regarding Changing Boundary Lines of Commissioner Districts in Weld County, Colorado	9:00 AM
Jan 25 -	Docket #2023-14, EG0081 - Public Hearing Concerning 2022 Highway User Tax Fund (HUTF) Annual Mileage and Condition Certification Report, and Adopt Map to be Submitted to the Colorado Department of Transportation (CDOT) Showing Total Mileage of Public Roads in Weld County which are Eligible for Participation in HUTF	9:00 AM
Jan 25 -	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 – Maxwell Nader) – (<i>Cont'd from 10/26/2022</i>)	9:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- Jan 25 - Docket #2023-08, PL2855 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0032, to exceed the maximum allowed building coverage (up to 12%) in a subdivision in the A (Agricultural) Zone District, Jeremy Brown [located north of and adjacent to Lakota Court; south of and adjacent to U.S. Highway 34 right-of-way; approximately 1,350 feet west of County Road 15] (Planner – Kim Ogle) 10:00 AM
- Feb 22 - 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 - 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) Planning Commission, Minutes from January 3, 2023
- 2) County Council, Agenda for January 16, 2023
- 3) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for January 19, 2023
- 4) Oaths of Office for Weld County Commissioners – Kevin D. Ross, and Scott K. James; County Council, District 2 Representative – Nancy Teksten, District 3 Representative – James Welch, and At-Large Representative – Elijah Hatch; Weld County Assessor – Brenda Dones; Weld County Sheriff – Steve Reams; and Weld County Clerk and Recorder – Carly Koppes

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

- 1) Approve Standard Terms and Conditions of Engagement Agreement – Law Office of Ed Frado, LLC [2023-0215]
- 2) Approve Temporary Closure of CRs 66 and 41 Intersection [2023-0216]
- 3) Approve Intergovernmental Agreement for Payment of Federal Mineral Lease Funds for Road Improvements Project Funding – Federal Mineral Lease Act District [2023-0217]
- 4) Approve Intergovernmental Agreement for Payment of Federal Mineral Lease Funds for Water Testing Program Funding – Federal Mineral Lease Act District [2023-0218]
- 5) Approve Declaration of Certain Equipment as Surplus Property [2023-0219]
- 6) Approve Appointment to North Front Range Water Quality Board [2023-0220]
- 7) Approve Partial Vacation of Second Minor Amended Use by Special Review Permit, 2MUSR17-01-1329 – Loveland Ready-Mix Concrete, Inc. [2023-0221]
- 8) Approve Request to Withdraw Application for Change of Zone, PZ-1094, from A (Agricultural) Zone District to PUD (Planned Unit Development) Zone District (New Cache Estates), and Rescind Resolution #2006-2775, Dated November 1, 2006 – Michael and Linda McKee [2023-0222]
- 9) Approve Two-Lot Recorded Exemption, RECX20-0078 – Barry and Joyce Bromley [2023-0223]

ORDINANCES:

- 1) Second Reading of Code Ordinance #2023-02, In the Matter of Repealing and Reenacting, with Amendments, Chapter 12 Licenses and Permits of the Weld County Code (*Secure Transportation Services*) [2023-0246]
 - * 2) 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*) [2023-0247]
- Legals.....[2022-3561]
Correspondence.....[2022-3562]

MISCELLANEOUS:

- * 1) Recognition of Services, 19th Judicial District Attorney’s Office – JoAnn Holden [2023-0241]
- * 2) Roosevelt Roughriders Day, Class 4A State Championship Poms Team – January 18, 2023 [2023-0242]
- * 3) Application for Netguard Plus Cyber Liability Security for Claims and Reported Policy – Tokio Marine, HCC / Cyber and Professional Lines Group [2023-0248]
- * 4) Vacation of Lot B of Recorded Exemption, RE-85 – HWY52 CR23, LLC, c/o Michael Dente – **(Rescheduled to 1/25/2023)** [2023-0249]

* **Signed this date**