

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, SEPTEMBER 12, 2022
9:00 A.M.

2022-2568

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: Approval of Minutes of August 29, 2022

[2022-2473]

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 – September 7, and 9, 2022 [2022-2570]

BIDS:

- 1) Approve Bid #B2200119, Replacement Generators for New Raymer and Nunn Towers –
Facilities Department [2022-2475]
- 2) Approve Bid #B2200123, Extension Office Roof Replacement – Facilities Department
[2022-2476]
- 3) Approve Bid #B2200126, Ault Grader Shed Fuel Tank – Facilities Department [2022-2477]
- 4) Present Bid #B2200128, Parking Lot Pothole Repairs – Facilities Department [2022-2571]
- 5) Present Bid #B2200125, Crack Filler Material Supply – Department of Public Works [2022-2573]
- 6) Present and Approve Emergency Bid #B2200135, 2022 Steel Bid – Department of Public
Works [2022-2574]

NEW BUSINESS:

- 1) Consider Declaring the Intent of Weld County, Colorado, to Issue Private Activity Bonds in Connection with Financing Residential Facilities for Low- and Middle-Income Families or Persons, Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act, and authorize Chair to sign all necessary documents [2022-2575]
- 2) Consider Section 179D Energy Efficient Commercial Buildings Deduction Allocation Form and authorize Chair to sign – GSG Architecture, Inc. [2022-2576]
- 3) Consider Contract ID #6307 Application for Law Enforcement Workforce Recruitment, Retention, and Tuition Grant Program, and authorize electronic submittal [2022-2577]
- 4) Consider Contract ID #6291 Agreement for Relocation of Electrical Distribution Line for CRs 66 and 41 Intersection Improvements Project and authorize Chair to sign – Public Service Company of Colorado [2022-2578]
- 5) Consider Extension of Temporary Closure of CRs 35 (N. 35th AVE) and 64 (O ST) [2022-2579]
- 6) Consider Temporary Closure of CR 25 Between SH 14 and CR 84 [2022-2580]
- 7) Consider Appointment to Workforce Development Board [2022-2581]
- 8) Consider Appointments and Reappointment to Weld County Fair Board [2022-2582]
- 9) Consider Itemized List of Legal Holidays During Calendar Year 2023 [2022-2583]

PLANNING:

- 1) Consider Partial Vacation of Two-Lot Recorded Exemption, RE-4163, for Removal of Lot B – Kenneth Haring [2022-2584]
- 2) Consider Request to Pursue an Injunction for Violation of the Weld County Code, CCV22-00002 – Gabriel and Velia Robles [2022-2585]
- 3) Second Reading of Code Ordinance #2022-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 29 Building Regulations of the Weld County Code [2022-2586]
 - Legals.....[2022-2437]
 - Correspondence.....[2022-2438]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

* No Public Hearings Scheduled for September 12, 2022 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Sep 12 -	Juvenile Community Review Board	12:00 PM
Sep 12 -	Weld County Fair Board	6:00 PM
Sep 13 -	Workforce Development Board	11:45 AM
Sep 15 -	Greeley-Weld County Airport Authority	3:30 PM
Sep 20 -	911 Emergency Telephone Service Authority Board	12:00 PM
Sep 20 -	Northern Colorado RETAC	2:00 PM
Sep 21 -	Weld County Emergency Medical/Trauma Services Council	11:00 AM

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.

- Sep 14 - Partial Vacation of Two-Lot Recorded Exemption, RECX16-0058, for Removal of Lot B – Pamela Weiss
- Sep 21 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez (*Cont'd from 6/22/2022*)
- Oct 3 - Final Reading of Code Ordinance #2022-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 29 Building Regulations of the Weld County Code
- Oct 17 - Request to Extend Time to Record the Map or Recission of Resolution #2018-3253, dated October 17, 2018, for Use by Special Review Permit, USR18-0028 – Dittmer Farm, LLC, c/o Timothy Dittmer, and Blue Pill, LLC, c/o Kendal Dittmer (*Cont'd from 4/18/2022*)
- Nov 7 - Dust Blowing Citation Pursuant to C.R.S. §35-72-103 – Jerold and Alice Hoffman (*Scheduled from 7/25/2022*)
- Nov 7 - 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*)
- 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*)
- 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*)

FUTURE PUBLIC HEARINGS:

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

- Sep 21 - Docket #2022-62, PL2834 - Change of Zone, COZ22-0005, from the R-1 (Low-Density Residential) Zone District to the C-3 (Business Commercial) Zone District, Keith Cowan [located south of and adjacent to East 20th Street; approximately 0.2 miles east of Cherry Avenue] (Planner – Diana Aungst) 10:00 AM
- Sep 21 - Docket #2022-65, PL2836 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0016, for an Event Facility outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Adam's Apple, Inc. [located west of and adjacent to County Road 43; approximately 500 feet north of County Road 86] (Planner – Maxwell Nader) 10:00 AM
- Sep 21 - Docket #2022-64, PL2835 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0009, to exceed the maximum allowed building coverage (up to 14%) in the A (Agricultural) Zone District, Enrique Retana [located south of and adjacent to Higgins Avenue; approximately 200 feet east of Harold Street] (Planner – Maxwell Nader) 10:00 AM

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FUTURE PUBLIC HEARINGS (CONT'D):

- Oct 5 - Docket #2022-76, PL2839 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0017, for Buildings Exceeding the Maximum Building Coverage in subdivisions (up to 17.5%) in the A (Agricultural) Zone District, Jeffrey Futter [located north of and adjacent to Spruce Drive; approximately 750 feet west of County Road 5] (Planner – Chris Gathman) 10:00 AM
- Oct 19 - Docket #2022-34, PL0003 - Second Amended Planned Unit Development Change of Zone, PUDZ22-0001, of Beebe Draw Farms and Equestrian Center PUD (AMZ- 412) for E (Estate), C-1 (Neighborhood Commercial), C-2 (General Commercial), C-3 (Business Commercial), I-2 (Medium Industrial), and A (Agricultural) Zone District uses, including generally defined open space, recreational uses, community services, and oil and gas production facilities, REI, LLC, dba Investors, LLC, and Beebe Draw Farms Authority [located east of and adjacent to County Road 39; north of and adjacent to County Road 32] (Planner – Michael Hall) – *(Cont'd from 4/20/2022)* 10:00 AM
- Oct 24 - Docket #2022-63, PL0048 - Probable Cause Hearing, PCSC22-0010, to consider setting a Show Cause Hearing 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) – *(Cont'd from 7/25/2022)* 9:00 AM
- Oct 26 - 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) – *(Scheduled from 8/8/2022)* 9:00 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

REPORTS:

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

COMMUNICATIONS:

- 1) Department of Planning Services, Addition to File AMRE-2556 – Michael and Jeanne Ware
- 2) Department of Planning Services, Addition to File RECX16-0063 – Lakes L-Arrow, LLLP, c/o William and Susan Lake
- 3) Department of Planning Services, Addition to File RECX18-0131 – MST Farms, LLC, c/o Michael Freeman
- 4) Department of Planning Services, Addition to File RE-3457 – Michael and Janine Freeman
- 5) Department of Planning Services, Addition to File PL2827, USR22-0005 – Juan Antonio Garcia Ramirez
- 6) Department of Human Services, Email dated August 25, 2022, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home; and Closure of Agreement for Respite Services – Daniel and Jeannie Torres

COMMUNICATIONS (CONT'D):

- 7) Department of Human Services, Email dated August 26, 2022, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Zachary and Nicole Armstrong
- 8) Department of Justice Services, Email dated August 30, 2022, re: Colorado Department of Public Safety, Division of Criminal Justice, Option Allocation Letter #4 for Master Contract for Community Corrections Services
- 9) DCP Operating Company, LP, Letter dated August 22, 2022, re: Notification of Pipeline Construction (SW1/4 S33, T5N, R66W)
- 10) Colorado Department of Local Affairs, Division of Property Taxation, Notice of Final Revocation, re: United Way of Weld County, Inc.
- 11) U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), Region VIII, Letter dated August 24, 2022, re: Letter of Map Revision (LOMR) for the Flood Insurance Study (FIS) Report and Flood Insurance Rate Map (FIRM)

PUBLIC REVIEW:

- 1) Connell Resources, Inc., c/o Blue Earth Solutions, LLC, Email dated August 11, 2022, Submission of Colorado Department of Natural Resources, Division of Reclamation, Mining, and Safety, Construction Materials Regular 112 Operation Reclamation Permit Application, Response to Second Adequacy Review Comments, Permit #M-2022-005 – Carr Pit East [2022-0520]

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

- 1) Approve Contract ID #6277 Memorandum of Understanding for Public Health Funding [2022-2533]
- 2) Approve Contract ID #6278 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Reemployment Services and Eligibility Assessment (RESEA) Program [2022-2534]
- 3) Approve Contract ID #6279 Expenditure Authorization and Work Plan for Colorado Workforce Development Council (CWDC) Reskilling, Upskilling, and Next-Skilling (RUN) Workers Program [2022-2535]
- 4) Approve Contract ID #6267 Declaration of Certain Real Estate as Surplus Property and Approve Real Estate Purchase and Sale Agreement for Mead Grader Shed (1785 County Road 32, Mead) – Town of Mead [2022-2536]
- 5) Approve Contract ID #6271 Railroad Crossing Surface Improvement Agreement for Railroad Crossing at CR 38 – Great Western Railway of Colorado, LLC [2022-2537]
- 6) Approve Contract ID #6274 Agreement for Relocation of Electric Power Lines for CRs 33 and 74 Intersection Roundabout Project – Public Service Company of Colorado [2022-2538]
- 7) Approve Temporary Closure of CR 10 Between CRs 5 and 7 [2022-2539]
- 8) Approve Airport Improvement Program (AIP) Grant Agreement for Rehabilitate Runway 10/28 Construction Project – U.S. Department of Transportation, Federal Aviation Administration (FAA) [2022-2540]
- 9) Approve Renewal Application for a Brew Pub (County) Liquor License – Collision Brewing Company, LLC, dba Collision Brewing Company [2022-2541]
- 10) Approve Authorizing Board of County Commissioners to Adjourn as Board of Equalization for Calendar Year 2022 [2022-2542]

ORDINANCES:

- 1) Second Reading of Code Ordinance #2022-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 29 Building Regulations of the Weld County Code [2022-2586]

MISCELLANEOUS:

- * 1) Contract ID #6297 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Randall and Amanda Nix [2022-1171]
- * 2) Contract ID #6298 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Nicholas and Sherry Martin [2022-0843]
- * 3) Contract ID #6299 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Brett Curley and Belinda Ochoa [2022-0972]
- * 4) Contract ID #6301 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Nathan and Mistie Scudder [2022-1113]
- * 5) Contract ID #6302 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Kelly Pribble [2022-0841]
- * 6) Contract ID #6303 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Joel Vargas and Maria Pena [2022-1658]
- * 7) Contract ID #6304 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Karen Braunagel [2022-0922]
- * 8) Contract ID #6309 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Amparo Andrade and Elijah Archuleta [2022-1788]
- * 9) Contract ID #6264 Agreement for Construction Services for Weld County Courts Divisions 7, 15, and H, Audio-Video (AV) Upgrade Project (Bid #B2200102) – Conference Technologies, Inc. [2022-2270]
- * 10) Contract ID #6269 Proposal for Executive Dashboard Module Software – TMA Systems, LLC [2022-2587]
- * 11) Contract ID #6293 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA22-0012 – Verdad Resources, LLC [2022-2588]

* **Signed this date**