

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

2022-3396

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

READ ORDINANCE BY AUDIO: Read Emergency Ordinance #259 by audio

MINUTES: Approval of Minutes of November 28, 2022 [2022-3299]

CERTIFICATION OF HEARINGS: Hearings conducted on November 28, 2022:

1) PCSC22-0013 – Scott and Kristen Fisher [2022-3195]

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: Add Contract ID #6537 as new Item #9 under New Business and renumber the remaining items accordingly

APPROVAL OF CONSENT AGENDA:

COMMISSIONER COORDINATOR REPORTS:

PROCLAMATIONS:

- 1) Platte Valley Broncos Day, Class 3A State Volleyball Championship – December 12, 2022 [2022-3398]
- 2) Roosevelt Roughriders Day, Class 3A State Football Championship – December 13, 2022 [2022-3399]

WARRANTS:

- 1) General Warrants – December 9, 2022 [2022-3400]
- 2) Commissioner Warrants (Scott K. James) – December 9, 2022 [2022-3401]

BIDS:

- 1) Approve Bid #B2200164, Design Services for Wash Bay Conversion – Facilities Department [2022-3304]

NEW BUSINESS:

- 1) Consider Two (2) Section 179D Energy Efficient Commercial Buildings Deduction Allocation Forms for Centennial Center and North Jail Complex and authorize Chair to sign – Setpoint Systems Corporation [2022-3402]
- 2) Consider 2023 State Noxious Weed Program Grant Application for Eradication of List A and B Species Throughout Weld County and authorize Department of Public Works to submit electronically [2022-3403]
- 3) Consider Contract ID #6523 Amendment #1 to Contract for Behavioral Health Grant Program for High-Fidelity Wraparound Project and authorize Chair to sign and submit electronically [2022-3404]
- 4) Consider Contract ID #6534 Expenditure Authorization and Work Plan for Quest Recovery Dislocated Worker Grant (DWG) and authorize Chair to sign electronically [2022-3405]
- 5) Consider Contract ID #6528 Agreement for Services and authorize Chair to sign – A Woman’s Place, Inc. [2022-3406]
- 6) Consider Contract ID #6529 Agreement for Services and authorize Chair to sign – Greeley Transitional House, dba Greeley Family House [2022-3407]
- 7) Consider Contract ID #6544 Agreement for Services and authorize Chair to sign – Catholic Charities and Community Services of the Archdiocese of Denver, Inc. [2022-3408]
- 8) Consider Contract ID #6527 Agreement for Professional Services for Low-Income Energy Assistance Program (LEAP) Outreach Incentive Program and authorize Chair to sign – United Way of Weld County [2022-3409]
- 9) Consider Contract ID #6537 Agreement for Professional Services and authorize Chair to sign – Center for Autism and Related Disorders, LLC [2022-3456]
- 10) Consider Contract ID #6545 Agreement for Professional Services and authorize Chair to sign – Cyntegral, LLC [2022-3410]
- 11) Consider Contract ID #6530 Memorandum of Agreement for Coordinated Investigations into Child Abuse and Neglect and authorize Chair to sign – Life Stories Child and Family Advocacy [2022-3411]
- 12) Consider Contract ID #6497 Memorandum of Understanding for Bags of Love Project and authorize Chair to sign – Carol Freimark, on behalf of Bags of Love [2022-3412]
- 13) Consider Contract ID #6550 Memorandum of Understanding for Colorado Child Care Assistance Program (CCCAP) and authorize Chair to sign [2022-3413]
- 14) Consider Contract ID #6556 2023 Annual Program Plan for Child Support Services and authorize Director and Division Manager of Department of Human Services to sign [2022-3414]
- 15) Consider 2023 Amount to be Paid for the Intergovernmental Agreement Between the City of Greeley and Weld County for Island Grove Park Management Services [2022-3415]
- 16) Consider Memorandum of Understanding for Adult Treatment Court and authorize Chair to sign [2022-3416]
- 17) Consider Memorandum of Agreement Between Weld County, Colorado, and Envision as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3417]
- 18) Consider Memorandum of Agreement Between Weld County, Colorado, and Great Western Trail Authority as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3418]
- 19) Consider Memorandum of Agreement for Mental Health Services Between Weld County, Colorado, and North Range Behavioral Health as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3419]

NEW BUSINESS (CONT'D):

- 20) Consider Memorandum of Agreement for Suicide Education and Prevention Services Between Weld County, Colorado, and North Range Behavioral Health as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3420]
- 21) Consider Memorandum of Agreement Between Weld County, Colorado, and Weld County Senior Citizen Coordinators as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3421]
- 22) Consider Memorandum of Agreement Between Weld County, Colorado, and East Colorado Small Business Development Center (SBDC) as a Recipient of Weld County Economic Development Trust Fund Monies and authorize Chair to sign [2022-3422]
- 23) Consider Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (211 Information) as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3423]
- 24) Consider Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (Reading Great by Eight) as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3424]
- 25) Consider Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (Weld's Way Home) as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2022-3425]
- 26) Consider Memorandum of Agreement Between Weld County, Colorado, and Upstate Colorado Economic Development as a Recipient of Weld County Economic Development Trust Fund Monies and authorize Chair to sign [2022-3426]
- 27) 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*) [2022-3427]
 - Legals.....[2022-3074]
 - Correspondence.....[2022-3075]

PLANNING:

- 1) 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) [2022-3428]
 - Legals.....[2022-3081]
 - Correspondence.....[2022-3082]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

- 9:00 AM - Docket #2022-93, SD0004 - Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2023 Budget Hearing
- Adopt Budget [2022-3435]
 - Appropriate Sums of Money [2022-3436]
 - Set Mill Levy [2022-3437]
 - Law Enforcement Agreement [2022-3438]
- 9:00 AM - Docket #2022-94, SD0131 - Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2023 Budget Hearing
- Adopt Budget [2022-3440]
 - Appropriate Sums of Money [2022-3441]
 - Set Mill Levy [2022-3442]
 - Law Enforcement Agreement [2022-3443]
- 9:00 AM - Docket #2022-95, SD0158 - Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2023 Budget Hearing
- Adopt Budget [2022-3445]
 - Appropriate Sums of Money [2022-3446]
 - Set Mill Levy [2022-3447]
- 9:00 AM - Docket #2022-96, FI0073 - 2023 Final Budget Hearing
- Adopt Budget [2022-3449]
 - Emergency Ordinance #259, Appropriate Sums of Money [2022-3450]
 - Emergency Ordinance #259, Legals [2022-3451]
 - Set Mill Levy [2022-3452]
 - Budget Book – Part 1 [2022-3453]
 - Budget Book – Part 2 [2022-3454]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

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|----------|--|-----------|
| Dec 12 - | Juvenile Community Review Board | CANCELLED |
| Dec 14 - | Board Meeting | CANCELLED |
| Dec 15 - | Extension Advisory Council | 12:00 PM |
| Dec 15 - | Greeley-Weld County Airport Authority | 3:30 PM |
| 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 |

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 19 - Partial Vacation of Two-Lot Recorded Exemption, RE-4653, for Removal of Lot B – PV East, LLC, c/o Richard Johnson
- 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

FUTURE PUBLIC HEARINGS (CONT'D):

- 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
- 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 CR 2; west of and adjacent to CR 19] (Planner – Chris Gathman) 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 Planning Services, Addition to File PL2520, SPR22-0002 – International Farms, LLC
- 2) Department of Fleet Services, on behalf of Department of Public Works, Pass Around Review dated August 5, 2022, re: Emergency Engine Replacement for Volvo EC480D Excavator, Unit #15850023
- 3) Department of Fleet Services, on behalf of Department of Public Works, Pass Around Review dated December 5, 2022, re: Emergency Transmission Replacement for 2017 John Deere 772G Motor Grader, Unit #15820197
- 4) BauerFinancial, Inc., Hometown Bank Ratings Report as of September 30, 2022
- 5) Colorado Department of Local Affairs, Division of Property Taxation, Notice of Forfeitures, re: Twenty Six 08 Club of Greeley; Loyal Order of Moose, Inc., of Greeley, Lodge No. 909; Rocky Mountain Planned Parenthood; and Sexual Assault Victim Advocate Center

PUBLIC REVIEW:

- 1) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Phase I Bond Release Application No. 11 (SL-11), Permit #C-1981-028 – Coors Energy Company – Keenesburg Strip Mine [2020-2319]

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

- 1) Election of Acting Chair Pro-Tem of the Board for December 7, 2022 [2022-3369]
- 2) Approve Contract ID #6502 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Andrew Searles and Loretta Bowman [2022-3374]
- 3) Approve Contract ID #6515 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Employment Support Funds (ESF) [2022-3375]
- 4) Approve Contract ID #6516 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Adult (AD), Dislocated Worker (DW), and Enhanced Dislocated Worker (EDW) Funds [2022-3376]
- 5) Approve Grant Application for 2024-2026 Tony Grampsas Youth Services Program [2022-3377]
- 6) Approve Contract ID #6536 Equipment Lease and Rental Agreements Mandatory Contract Provisions for Two (2) 40-Ton Haul Trucks – 4 Rivers Equipment [2022-3378]
- 7) Approve Directing Clerk to the Board to have Published Emergency Ordinance No. 258-B, Supplemental Budget Appropriation for 2022 [2022-3379]
- 8) Approve Decommissioning Plan and Accept Collateral for a Site Specific Development Plan and Use by Special Review Permit, USR21-0020, for a Solar Energy Facility (SEF) Outside of Subdivisions and Historic Townsites in the A (Agricultural) Zone District – Estromina Co Greeley Land, LLC, aka ECA CO Greeley, LLC, c/o Cloudbreak Energy Partners, LLC [2022-3380]
- 9) Action of the Board Concerning Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza [2022-3381]
- 10) Action of the Board Concerning USR22-0024 – Lytle Farms, LLC, c/o SunShare, LLC, dba BecLee Solar, LLC [2022-3330]

ORDINANCES:

- * 1) 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*) [2022-3427]
 - Legals.....[2022-3074]
 - Correspondence.....[2022-3075]
- * 2) 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) [2022-3428]
 - Legals.....[2022-3081]
 - Correspondence.....[2022-3082]
- * 3) Emergency Ordinance #259, In the Matter of the Annual Appropriation for the Year 2023 [2022-3450]
 - Legals.....[2022-3451]

MISCELLANEOUS:

- * 1) Platte Valley Broncos Day, Class 3A State Volleyball Championship – December 12, 2022 [2022-3398]
- * 2) Roosevelt Roughrider’s Day, Class 3A State Football Championship – December 13, 2022 [2022-3399]
- * 3) Contract ID #6479 Agreement for Service for Custodial Services Chase Building (Greeley Plaza – Bid #B2200147) – CCS Facilities Services [2022-2981]

MISCELLANEOUS (CONT'D):

- * 4) Contract ID #6526 Agreement for Professional Services for Engineering Services for Variable Air Volume (VAV) Replacement and Intermediate Distribution Frame (IDF) Cooling Design (Department of Public Health and Environment – Informal Bid #B2200137) – G2 Consulting Engineers, Inc. [2022-3429]
- 5) Easement Agreement re: Agreement for Purchase of Certain Property for Public Road Improvements for CRs 74 and 33 Intersection Roundabout Project – Qwest Corporation, dba CenturyLink QC, and Vic Leffler and Sons, Inc. [2022-2714]
- 6) Non-Exclusive Pipeline Right-of-Way Grant re: Agreement for Purchase of Certain Property for Public Road Improvements for CRs 74 and 33 Intersection Roundabout Project – DCP Midstream, LP, and Vic Leffler and Sons, Inc. [2022-2714]
- 7) Non-Exclusive Pipeline Right-of-Way Grant re: Purchase of Certain Property for Public Road Improvements for CRs 74 and 33 Intersection Roundabout Project (Lot C) – DCP Midstream, LP, and Don Anderson, Inc. [2022-2715]
- 8) Non-Exclusive Pipeline Right-of-Way Grant re: Purchase of Certain Property for Public Road Improvements for CRs 74 and 33 Intersection Roundabout Project (Lot D) – DCP Midstream, LP, and Don Anderson, Inc. [2022-2715]
- * 9) Contract ID #6512 Road Maintenance Agreement According to Requirements During the Construction Period for [Insert Permit Type], TAP22-0019, TAP22-0020, and TAP22-0021 – David and Kayleen Hunt, c/o J-2 Contracting Company [2022-3430]
- * 10) Contract ID #6538 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA22-0006 – Noble Energy, Inc. [2022-3431]
- * 11) Contract ID #6539 Road Maintenance Agreement According to Requirements During the Construction Period for Location Assessment for Pipeline Permit, LAP22-0016 – DCP Operating Company, LP [2022-3432]
- * 12) Contract ID #6540 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Site Plan Review Permit, SPR22-0012 – Stanley LM, LLC [2022-3433]
- * 13) Contract ID #6542 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Use by Special Review Permit, USR22-0015 – URSA Major Technologies, Inc. [2022-3434]

* **Signed this date**