

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 21, 2022
9:00 A.M.

2022-3532

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 December 7, 2022 [2022-3368]

READ ORDINANCE BY AUDIO: Read Code Ordinance #2023-01 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on December 7, 2022:

1) USR22-0024 – Lytle Farms, LLC, c/o SunShare, LLC, dba BecLee Solar, LLC [2022-3331]

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:

PRESENTATIONS:

1) Weld County Commissioners' Constitution Day Essay and Art Contest Winners –
Aakyriah Williams and Mika Brown [2022-3534]

WARRANTS:

1) General Warrants – December 20, 2022 [2022-3535]

BIDS:

- 1) Approve Bid #B2200139, CRs 74 and 33 Intersection Roundabout Project – Department of Public Works [2022-3371]
- 2) Approve Bid #B2200174, Precast Concrete Pipe – Department of Public Works [2022-3372]
- 3) Approve Bid #B2200169, Legal Newspaper Service for 2023 Calendar Year – Clerk to the Board's Office [2022-3373]
- 4) Present Bid #B2200170, Intrusion System Upgrade – Facilities Department [2022-3536]
- 5) Present Bid #B2200173, Fire Alarm Upgrade – Facilities Department [2022-3537]

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BC0016

NEW BUSINESS:

- 1) Consider Official Abstract of Votes Cast for November 8, 2022, General Election [2022-3538]
- 2) Consider Contract ID #6532 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Dorian Brown [2022-3539]
- 3) Consider Contract ID #6533 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Matthew and Valerie Beckstrand [2022-3540]
- 4) Consider Contract ID #6543 Child Protection Agreement for Services (Bid #B2200040) and authorize Chair to sign – Which Way?, LLP [2022-3541]
- 5) Consider Contract ID #6557 Child Protection Agreement for Services (Bid #B2200040) and authorize Chair to sign – Appa Therapy, PLLC [2022-3542]
- 6) Consider Contract ID #6547 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Performance Incentive Funds (PIF), and authorize Chair to sign electronically [2022-3543]
- 7) Consider Contract ID #6564 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Veteran’s Service to Career Program (VSCP), and authorize Chair to sign electronically [2022-3544]
- 8) Consider Contract ID #6551 Agreement for Professional Services for SafeTouch: Body Safety Program and Parent Education Services, and authorize Chair to sign – Lutheran Family Services Rocky Mountains [2022-3545]
- 9) Consider Contract ID #6561 Memorandum of Understanding for Child Welfare and Adult Protective Services Hotline, and authorize Chair to sign – Prowers County [2022-3546]
- 10) Consider Standard Form of Agreement for Personal Identifying Information (PII) Certification and authorize Director of Department of Human Services to sign [2022-3547]
- 11) Consider Revised Standard Form of Agreement, Rates, and Provider List for Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign [2022-3548]
- 12) Consider 2023-2028 Weld County Strategic Plan [2022-3549]
- 13) Consider Stop Loss Application and Schedule of Insurance, and authorize Chair to sign and submit electronically – Aetna Life Insurance Company [2022-3550]
- 14) Consider Cafeteria Plan and Flexible Spending Accounts (FSA) Services Agreement, and Business Associate Agreement, and authorize Chair to sign – Rocky Mountain Reserve [2022-3551]
- 15) Consider Amendment #3 to Leave Management Services Agreement and authorize Chair to sign – UPMC Benefit Management Services, Inc., dba Workpartners [2022-3552]
- 16) Consider Application for 2023 Emergency Management Performance Grant (EMPG) and Local Emergency Manager Support (LEMS) Program Funding, and authorize Office of Emergency Management to sign and electronically submit [2022-3553]
- 17) Consider Contract ID #6567 Amendment #1 to Lease Agreement for Communications Tower and Site, and authorize Chair to sign – T-Mobile West, LLC [2022-3554]
- 18) Consider Contract ID #6578 Communications System and Services Agreement for Time Division Multiple Access with Dynamic Dual Mode (TDMA/DDM) Radio Project, and authorize Chair to sign – Motorola Solutions, Inc. [2022-3555]
- 19) Consider Contract ID #6579 Amendment #2 to System Upgrade Agreement (SUA) II for Front Range Communications Consortium (FRCC) Astro 25 Communications System, and authorize Chair to sign – Motorola Solutions, Inc. [2022-3556]
- 20) Consider Contract ID #6559 Amendment #1 to Intergovernmental Agreement for Funding of Capital Improvements on East County Line Road/CR 1, and authorize Chair to sign – Boulder County [2022-3557]

PLANNING:

- 1) Consider Partial Vacation of Three-Lot Recorded Exemption, RE-3242, for Removal of Lot C – Donald and Sandie Hall [2022-3558]
- 2) 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*) [2022-3559]
 - Legals.....[2022-3264]
 - Correspondence.....[2022-3265]
- 3) 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*) [2022-3560]
 - Legals.....[2022-3561]
 - Correspondence.....[2022-3562]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

- 10:00 AM - 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 County Road 48.5; approximately 0.25 miles west of State Highway 257] (Planner – Diana Aungst) [2022-3457]
- 10:00 AM - 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 County Road 6] (Planner – Michael Hall) [2022-3471]
- 10:00 AM - 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) [2022-3484]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 21 -	Greeley Housing Authority	4:30 PM
Dec 23 -	HOLIDAY	CLOSED
Dec 26 -	HOLIDAY	CLOSED
Jan 2, 2023 -	HOLIDAY	CLOSED
Jan 3, 2023 -	Planning Commission	1:30 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 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.

- 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 c/o CBEP Solar 2, LLC, c/o 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 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) 10:00 AM

FUTURE PUBLIC HEARINGS:

- 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, Cancelled 1041 WOGLA Hearing Dockets for December 22, 2022, and December 29, 2022
- 2) Department of Human Services, Email dated December 12, 2022, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Coniah and Megan Grigson

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

- 1) Approve Intergovernmental Grant Agreement Award Letter, Certification of Compliance, and Lobbying Agreement for Victims of Crime Act (VOCA) Program for Victim Witness Assistance Unit – 19th Judicial District Attorney’s Office [2022-3514]
- 2) Approve Contract for 2023 Victim Assistance and Law Enforcement (VALE) for Victim Witness Assistance Unit, and Agreement with Subrecipient of Federal Recovery Funds – 19th Judicial District Attorney’s Office [2022-3515]
- 3) Approve 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 – Sheriff’s Office [2022-3516]
- 4) Approve Contract ID #6565 for 2023 Victim Assistance and Law Enforcement (VALE) Grant for Law Enforcement Victim Services – Sheriff’s Office [2022-3517]
- 5) Approve Corrected Petition for Abatement or Refund of Taxes for Account Number P9105246 – Zelios Colorado, LLC, dba Gemini Extraction [2022-3234]
- 6) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R1752202 – TBK Bank SSB [2022-3518]
- 7) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R4004706 – TBK Bank SSB [2022-3519]

RESOLUTIONS (CONT'D):

- 8) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R4060686 – TBK Bank SSB [2022-3520]
- 9) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R2466303 – Northstar Bank of Colorado [2022-3521]
- 10) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R3252804 – North Forest Office Space Denver, LLC [2022-3522]
- 11) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R3919505 – 2316 Investments, LLC [2022-3523]
- 12) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account Number R6785437 – 20680 Niobrara Blvd, LLC [2022-3524]
- 13) Approve Tax Incentive Agreement Pursuant to C.R.S. §30-11-123 – Norfolk Iron and Metal Company [2022-3525]
- 14) Approve Partial Vacation of Two-Lot Recorded Exemption, RE-4653, for Removal of Lot B – PV East, LLC, c/o Richard Johnson [2022-3528]

ORDINANCES:

- * 1) 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*) [2022-3559]
 - Legals.....[2022-3264]
 - Correspondence.....[2022-3265]
- 2) 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*) [2022-3558]

MISCELLANEOUS:

- * 1) Weld County Commissioners’ Constitution Day Essay and Art Contest Winners – Aakyriah Williams and Mika Brown [2022-3534]
- * 2) Recognition of Services, Department of Public Health and Environment – Kevin Antuna [2022-3563]

* **Signed this date**