

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 7, 2022
9:00 A.M.

2022-3367

PLEDGE OF ALLEGIANCE

ELECT ACTING CHAIR PRO-TEM:

- 1) Election of Acting Chair Pro-Tem of the Board for December 7, 2022 [2022-3369]

ROLL CALL:

Commissioner Scott K. James, Chair – EXCUSED
Commissioner Mike Freeman, Pro-Tem – EXCUSED
Commissioner Perry L. Buck
Commissioner Steve Moreno
Commissioner Lori Saine

- MINUTES:** Approval of Minutes of November 23, 2022 [2022-3282]

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:

WARRANTS:

- 1) General Warrants – December 6, 2022 [2022-3370]

BIDS:

- 1) Approve Bid #B2200163, Chase Building Cabinet Unit Heater Replacement – Facilities Department [2022-3284]
2) Present Bid #B2200139, CRs 74 and 33 Intersection Roundabout Project – Department of Public Works [2022-3371]
3) Present Bid #B2200174, Precast Concrete Pipe – Department of Public Works [2022-3372]
4) Present Bid #B2200169, Legal Newspaper Service for 2023 Calendar Year – Clerk to the Board's Office [2022-3373]

NEW BUSINESS:

- 1) Consider Contract ID #6502 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Andrew Searles and Loretta Bowman [2022-3374]

NEW BUSINESS (CONT'D):

- 2) Consider Contract ID #6515 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Employment Support Funds (ESF), and authorize Chair to sign electronically [2022-3375]
- 3) Consider 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, and authorize Chair to sign electronically [2022-3376]
- 4) Consider Grant Application for 2024-2026 Tony Grampsas Youth Services Program and authorize Department of Human Services to submit electronically [2022-3377]
- 5) Consider Contract ID #6536 Equipment Lease and Rental Agreements Mandatory Contract Provisions for Two (2) 40-Ton Haul Trucks and authorize Chair to sign – 4 Rivers Equipment [2022-3378]
- 6) Consider Directing Clerk to the Board to have Published Emergency Ordinance No. 258-B, Supplemental Budget Appropriation for 2022 [2022-3379]

PLANNING:

- 1) Consider 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]
 - 2) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza (*Cont'd from 11/9/2022, and Cont'd to 2/22/2023*) [2022-3381]
 - 3) Second 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*) [2022-3382]
- Legals.....[2022-3264]
Correspondence.....[2022-3265]

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

- 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 to 1/18/2023*) [2022-3330]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 7 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Dec 8 -	Area Agency on Aging Advisory Board	9:00 AM
Dec 12 -	Juvenile Community Review Board	12:00 PM
Dec 14 -	Board Meeting	CANCELLED
Dec 15 -	Extension Advisory Council	12:00 PM
Dec 15 -	Greeley-Weld County Airport Authority	3:30 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 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*)
- Dec 12 - 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*)
- 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 - 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*)

FUTURE PUBLIC HEARINGS:

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

- Dec 12 - Docket #2022-93, SD0004 - Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2023 Budget Hearing 9:00 AM
- Dec 12 - Docket #2022-94, SD0131 - Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2023 Budget Hearing 9:00 AM
- Dec 12 - Docket #2022-95, SD0158 - Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2023 Budget Hearing 9:00 AM
- Dec 12 - Docket #2022-96, FI0073 - 2023 Final Budget Hearing 9:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- 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

REPORTS:

- 1) Department of Public Works, Road Closures for Less than 72 Hours, November 2022

COMMUNICATIONS:

- 1) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for December 8, 2022

PUBLIC REVIEW:

- 1) Civil Resources, LLC, Adequacy Review Six (6) Responses to Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, 112c Construction Materials Operation Reclamation Permit Application, M-2022-001 – Red Tierra Equities, LLC – Section 20 Gravel Mine [2022-2370]

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

- 1) Approve Contract to Buy and Sell Real Estate (23973 Carr Rural) – Lazy Two Ranch, LLC [2022-3347]
- 2) Approve Tax Incentive Agreement Pursuant to C.R.S. §30-11-123 – Sphere Renewables [2022-3348]
- 3) Approve Contract ID #6514 Application for Beat Auto Theft Through Law Enforcement (BATTLE) Sub Grantee Funding [2022-3349]
- 4) Approve Contract ID #6525 Project Proposal Application for 2023 Northeast Colorado All Hazard Steering Committee (NEAHR) Homeland Security Grant [2022-3350]
- 5) Approve Contract ID #6531 Agreement for Relocation of Fiber Optic Lines for Stoneham Drainage and Roadway Project – Stoneham Cooperative Telephone Corporation [2022-3351]
- 6) Approve Cancellation of 2022 Outstanding Accounts Receivable for Department of Public Health and Environment [2022-3352]
- 7) Approve Declaring Certain Equipment as Surplus Property and Approve Sale of Same at Auction with Roller and Associates [2022-3353]
- 8) Approve Decommissioning Plan and Accept Collateral for a Site Specific Development Plan and Use by Special Review Permit, USR22-0022, for a Solar Energy Facility (SEF) Outside of Subdivisions and Historic Townsites in the A (Agricultural) Zone District – Arthur Griffiths, c/o CBEP Solar 5, LLC [2022-3354]

Wednesday, December 7, 2022

ORDINANCES:

- 1) Second 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*) [2022-3382]

MISCELLANEOUS:

- * 1) Contract ID #6499 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Patricia Maronek [2022-3383]
- * 2) Contract ID #6524 Master Service Agreement for Disaster Recovery Site Use – Flexential Corp. [2022-3384]
- * 3) Contract ID #6535 Service Agreement for Shooting Range Internet Services – Nunn Telephone Company [2022-3385]
- * 4) Contract ID #6521 Change Order to Agreement for Contract Professional Services for Non-Project Specific (NPS) Engineering Services (Bid #B2200039) – Atkins North American, Inc. [2022-0924]
- * 5) Contract ID #6522 Change Order to Agreement for Contract Professional Services for Non-Project Specific (NPS) Engineering Services (Bid #B2200039) – Drexel, Barrel and Company [2022-0923]
- * 6) Division Order to Kerr-McGee Oil and Gas Onshore (BINDER FED 2-2HZ – API 05-123-50730, BINDER FED 2-4HZ NBRR – API 05-123-50805, BINDER FED 2-6HZ CODL – API 05-123-50807, BINDER FED 2-7HZ – API 05-123-50803, and BINDER FED 2-8HZ NBRR – API 05-123-50804) [2022-3386]

* **Signed this date**