

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, MARCH 13, 2023
9:00 A.M.

2023-0683

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 February 27, 2023 [2023-0539]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

COMMISSIONER COORDINATOR REPORTS:

WARRANTS:

- 1) General Warrants – March 10, 2023 [2023-0685]
- 2) Commissioner Warrants (Perry L. Buck) – March 10, 2023 [2023-0686]
- 3) Commissioner Warrants (Lori Saine) – March 10, 2023 [2023-0687]

BIDS:

- 1) Approve Bid #B2300054, Northern Colorado Regional Forensic Laboratory Heating, Ventilation, and Cooling (HVAC) Exhaust System Upgrade – Facilities Department [2023-0508]
- 2) Approve Bid #B2300055, Facilities Expansion Design and Engineering Services – Facilities Department [2023-0509]
- 3) Approve Bid #B2300063, Custodial Services (Business Park) – Facilities Department [2023-0510]
- 4) Approve Bid #B2300067, Briggsdale Grader Shed, and Sand Shed Design and Engineering Services – Facilities Department [2023-0540]
- 5) Approve Bid #B2300056, Hot and Warm Mix Asphalt Supply – Department of Public Works [2023-0541]
- 6) Present Bid #B2300086, Concrete, Washed Rock, and Squeegee – Department of Public Works [2023-0688]

NEW BUSINESS:

- 1) Consider Contract ID #6725 Agreement Concerning Use of Southwest Service Center Pond and authorize Chair to sign – Northern Colorado Model Boat Club, NAMBA District 20 [2023-0689]
- 2) Consider Renewal Application for a Brew Pub (County) Liquor License, and authorize Chair to sign – Tappist Munks, LLC, dba Outworld Brewing [2023-0690]
- 3) Consider Revisions to Weld County Investment Policy [2023-0691]

PUBLIC COMMENT:

Each individual speaker is allowed, and must strictly adhere to, a three-minute period of time in which to direct comments to the Board of County Commissioners. The Chair may immediately refer any comment to staff for resolution, schedule a work session, or limit the duration depending on the Board's schedule. Personal attacks against Board members, administrative staff, or employees will not be recognized. The Board will not accept comments regarding matters which are scheduled to be considered at a future public hearing, such as a land use hearing. In that event, the speaker will be asked to give their testimony at that hearing, either in person or in writing. Persons who wish to submit written comments on any topic may do so any time by emailing: askthecommissioners@weld.gov, by mailing such comments to the Weld County Clerk to the Board, P.O. Box 758, 1150 O Street, Greeley, CO 80632, or by emailing: ctb@weld.gov.

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

* No Public Hearings Scheduled for March 13, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Mar 13 -	Juvenile Community Review Board	CANCELLED
Mar 14 -	Workforce Development Board	11:45 AM
Mar 15 -	Weld County Emergency Medical/Trauma Services Council	11:00 AM
Mar 15 -	Noxious Weed Management Advisory Board	7:00 PM
Mar 16 -	Greeley-Weld County Airport Authority	3:30 PM
Mar 21 -	Northern Colorado RETAC	12:00 PM
Mar 21 -	911 Emergency Telephone Service Authority Board	12:00 PM
Mar 21 -	Planning Commission	1:30 PM
Mar 22 -	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.

Mar 15 -	Second Reading of Code Ordinance #2023-04, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration and Chapter 5 Revenue and Finance of the Weld County Code (<i>Miscellaneous Purchasing Policy</i>)
Mar 22 -	Partial Vacation of Two-Lot Recorded Exemption, RE-3566, for Removal of Lot B – VIMA Partners, LLC
Mar 27 -	First Reading of Code Ordinance #2023-03, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (<i>Miscellaneous Zoning</i>)
Mar 29 -	Final Reading of Code Ordinance #2023-04, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration and Chapter 5 Revenue and Finance of the Weld County Code (<i>Miscellaneous Purchasing Policy</i>)
Apr 19 -	Second Reading of Code Ordinance #2023-03, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (<i>Miscellaneous Zoning</i>)
May 8 -	Final Reading of Code Ordinance #2023-03, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (<i>Miscellaneous Zoning</i>)

FUTURE PUBLIC HEARINGS:

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

Mar 22 -	Docket #2023-22, PL2863 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0003, for an Events Facility, not agriculture-related, outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Jose and Marisela Avila [located east of and adjacent to County Road 51; north of and adjacent to County Road 80] (Planner – Kim Ogle) - (<i>TO BE CONT'D TBD</i>)	10:00 AM
Mar 22 -	Docket #2023-16, PL2859 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0033, for a Breeding and Boarding Kennel, limited to 14 dogs over the age of six (6) months, outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Christopher Gleason [located approximately 300 feet east of County Road 33; north of and adjacent to County Road 92 Section Line] (Planner – Kim Ogle) (<i>Cont'd from 3/8/2023</i>)	10:00 AM
Mar 22 -	Docket #2023-19, PL2466 - Change of Zone, COZ22-0014, from the A (Agricultural) Zone District to the I-2 (Medium Industrial) Zone District, George L. Sandberg Irrevocable Trust, c/o Jeff Winter [located north of and adjacent to County Road 46; approximately 0.25 miles west of County Road 35.5] (Planner – Diana Aungst)	10:00 AM

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FUTURE PUBLIC HEARINGS (CONT'D):

- Mar 22 - Docket #2023-21, PL2862 - Site Specific Development Plan and Use by Special Review Permit, USR23-0005, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Kenneth Haring, c/o CBEP Solar 6, LLC [located approximately 980 feet south of County Road 76; approximately 1,300 feet east of County Road 39] (Planner – Kim Ogle) 10:00 AM
- Mar 29 - 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) - *(Cont'd from 3/1/2023)* 9:00 AM
- Mar 29 - Docket #2023-27, PL2866 - Site Specific Development Plan and Use by Special Review Permit, USR22-0030, for Open Mining (sand, gravel, stone, and overburden) and processing of minerals, including the import of material from, and export of material to other sites, a drying and screening building and two (2) silos, a mine office with scale house and scale, a fueling/lubricating station, portable generators, mobile mining equipment parking and storage, and employee and vendor parking outside of subdivisions and historic townsites in the A (Agricultural) Zone District, HS Land and Cattle, LLC, c/o Monarch Mountain Minerals and Aggregates, LLC [located generally north of County Road 40.5, west of State Highway 60, south of County Road 46, and east of County Road 25] (Planner – Kim Ogle) – *(TO BE CONT'D TBD)* 10:00 AM
- Mar 29 - Docket #2023-11, PL2857 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0034, for a Campground outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Clarke and Kristine Stoesz [located west of and adjacent to County Road 5; approximately 0.5 miles north of County Road 38] (Planner – Kim Ogle) 10:00 AM
- Apr 5 - Docket #2023-24, PL2864 - Site Specific Development Plan and Use by Special Review Permit, USR23-0004, for a Doggie Daycare and Boarding Kennel limited to 45 dogs over the age of six (6) months in a subdivision in the A (Agricultural) Zone District, Shannon Kemp [located east of and adjacent to County Road 3; approximately 1,750 feet south of State Highway 66] (Planner – Kim Ogle) - *(TO BE CONT'D TBD)* 10:00 AM
- Apr 19 - 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) – *(Cont'd from 1/25/2023)* 9:00 AM
- Jun 7 - 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) - *(Cont'd from 3/1/2023)* 9:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

Jul 12 - Docket #2023-10, PL0674 - Probable Cause Hearing, PCSC22-0021, 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, USR11-0004, for an Oil and Gas Support Facility (water hauling) and any Use Permitted as a Use by Right, Accessory Use, or Use by Special Review in the Commercial or Industrial Zone Districts (maintenance and fabrication of new and existing trucks) in the A (Agricultural) Zone District, Donn Foster and Mary Lee Hardy, dba Foster Trucking, Inc. [located south of and adjacent to State Highway 263 (8th Avenue); approximately 0.5 miles east of County Road 47] (Planner – Kim Ogle) – (Cont'd from 2/1/2023) 9:00 AM

COMMUNICATIONS:

Persons who wish to submit written comments on any topic may do so any time by emailing: askthecommissioners@weld.gov, by mailing such comments to the Weld County Clerk to the Board, P.O. Box 758, 1150 O Street, Greeley, CO 80632, or by emailing: ctb@weld.gov.

- 1) Department of Public Works, Memorandum dated March 7, 2023, re: Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Findings of Fact, Conclusions of Law, and Order, Permit M-2022-045
- 2) Colorado Department of Agriculture, Division of Conservation Services, Email dated January 22, 2023, re: 2023 State Noxious Weed Program Grant Award
- 3) Colorado Department of Transportation, Region 4, Letter dated February 17, 2023 re: Notification of Changes to the 1% (100-yr) Annual Chance Floodplain on South Platte River

PUBLIC REVIEW:

- 1) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice of Filing for Regular (112) Construction Materials Reclamation Permit Application, M-2021-049 – VIMA Partners, LLC – Rainsdance Reservoir #2 [2021-0693]
- 2) Town of Johnstown, Archdiocese – Dove Solar Annexation, Memorandum, Maps, Impact Report, Resolution, Petition, Affidavit [2023-0676]
- 3) Raptor Materials, LLC, fka Varra Companies, Inc., Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Letter, dated February 2, 2023, re: Regular Impact (112) Permit Application Adequacy Review #2, Permit M-2022-013 – Two Rivers Sand, Gravel and Reservoir Project [2023-0651]
- 4) Raptor Materials, LLC, fka Varra Companies, Inc., Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Request for Full or Partial Release of Permit Area/Surety Reduction, Permit M-2015-033 – Parcel 122 (aka Bearson) Resource Development Project [2023-0677]

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

- 1) Approve Contract ID #6691 Expenditure Authorization and Work Plan for Colorado Workforce Development Council (CWDC) Reskilling, Upskilling, and Next-Skilling (RUN) Workers Program [2023-0656]
- 2) Approve Contract ID #6692 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Governor Summer Job Hunt Program [2023-0657]
- 3) Approve Contract ID #6697 Advertisement Agreement for AmeriCorps Weld County Youth Conservation Corps Recruitment – City of Greeley [2023-0658]
- 4) Approve Contract ID #6701 Amendment #1 to Agreement for Services – Colorado Youth Corps Association [2023-0659]
- 5) Approve Contract ID #6707 Lease Agreement for Satellite Office Space for State Employees of Division of Vocational Rehabilitation (DVR) [2023-0660]

RESOLUTIONS (CONT'D):

- 6) Approve Contract ID #6712 License Agreement for Quarterly Census Employment and Wage (QCEW) Micro Data, and Certification for Access to Personal Identifying Information (PII) [2023-0661]
- 7) Approve Temporary Closure of Balsam AVE Between East 8th ST and East C ST [2023-0662]
- 8) Approve Declaration of Certain Equipment as Surplus Property, and Approve Sale of Same at Auction with Roller and Associates [2023-0663]
- 9) Approve Decommissioning Plan and Accept Collateral for 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 [2023-0664]
- 10) Action of the Board Concerning USR22-0033 – Christopher Gleason [2023-0674]
- 11) Approve COZ22-0012 – Sunset Industrial, LLC [2023-0614]
- 12) Approve PUDF22-0004 – Olson Bros, LP, and Spring Meadows Development, LLC, c/o Roger Olson [2023-0171]

MISCELLANEOUS:

- * 1) Contract ID #6740 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – City of Greeley, Recreation Division [2023-0692]
- * 2) Contract ID #6741 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Greeley Evans Youth League [2023-0693]
- * 3) Contract ID #6742 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Town of Platteville [2023-0694]
- * 4) Contract ID #6743 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Graceful Oaks Youth Ranch [2023-0695]
- * 5) Contract ID #6744 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Thompson Rivers Parks and Recreation District [2023-0696]
- * 6) Contract ID #6745 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Boys and Girls Club of Weld County [2023-0697]
- * 7) Contract ID #6746 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Carbon Valley Park and Recreation District [2023-0698]
- * 8) Contract ID #6750 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – City of Fort Lupton Recreation Center [2023-0699]
- * 9) Contract ID #6752 Agreement for Recreational/Education Services for Colorado Works Summer Activities Program – Eaton Area Park and Recreation District [2023-0700]
- * 10) Contract ID #6723 Change Order to Agreement for Materials Testing Services (Bid #B2000096) – Professional Service Industries, Inc. [2020-0958]
- * 11) Contract ID #6720 Agreement for Construction Services for Department of Public Health and Environment Building Heating, Ventilation, and Cooling (HVAC) Upgrade Project (Bid #B2300044) – Colorado Mechanical Systems, LLC [2023-0260]
- * 12) Contract ID #6733 Agreement for Construction Services for Fire Alarm Upgrade Project (Bid #B2300052) – Ottem Electronics, Inc. [2023-0468]
- * 13) Contract ID #6728 Agreement for 2023 Materials Hauling (Emergency Bid #B2300075) – So Low Transport, Inc. [2023-0505]
- * 14) Contract ID #6735 Road Maintenance Agreement According to Requirements During the Construction Period for Location Assessment for Pipeline Permit, LAP23-0001 – Noble Energy, Inc. [2023-0701]
- * 15) Contract ID #6736 Road Maintenance Agreement According to Requirements During the Construction Period for Location Assessment for Pipeline Permit, LAP23-0002 – DCP Operating Company, LP [2023-0702]

MISCELLANEOUS (CONT'D):

- * 16) Contract ID #6738 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Zoning Permit for Certain Uses in Agricultural Zone, ZPAG22-0016 – Dale and Teresa Dexter [2023-0703]
- * 17) Division/Transfer Order to PDC Energy, Inc. (Thornton 14K-441 – API 05-123-38759) [2023-0704]
- * 18) Division/Transfer Order to PDC Energy, Inc. (Huron 4N – API 05-123-49587, Huron 2N – API 05-123-49585, Huron 1N – API 05-123-49586, Huron 3N – API 05-123-49583, and Huron 5N – API 05-123-49584) [2023-0705]
- * 19) Vendor Taxability Assessment Form – Chevron U.S.A. Inc./Noble Energy, Inc. [2023-0706]

* **Signed this date**