

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, FEBRUARY 27, 2023
9:00 A.M.

2023-0538

PLEDGE OF ALLEGIANCE

HOUSING AUTHORITY BOARD

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 January 23, 2023

[2023-0256]

BOARD OF COUNTY COMMISSIONERS

ROLL CALL:

Commissioner Mike Freeman, Chair
Commissioner Perry L. Buck, Pro-Tem
Commissioner Scott K. James
Commissioner Kevin D. Ross
Commissioner Lori Saine

MINUTES:

- 1) Approval of Minutes of February 6, 2023
- 2) Approval of Minutes of February 8, 2023
- 3) Approval of Minutes of February 13, 2023

[2023-0370]

[2023-0398]

[2023-0429]

READ ORDINANCE BY AUDIO: Read Code Ordinance #2023-04 by audio

CERTIFICATION OF HEARINGS: Hearing conducted on February 8, 2023:

- 1) ZPSF22-0004 – Janssen Farms, LLC, c/o SunShare, LLC, dba Grizzly Solar, LLC [2023-0420]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA: See Item #9 Under 'Consent Agenda-Miscellaneous' – Partial Vacation of a Recorded Exemption

COMMISSIONER COORDINATOR REPORTS:

PRESENTATIONS:

- 1) Life Saving Awards, Sheriff's Office – David Clarke, Spencer Rougier, Nathan Burke
(Rescheduled to 3/6/2023)

[2023-0503]

WARRANTS:

- 1) General Warrants – February 21, 2023 [2023-0504]
- 2) General Warrants – February 24, 2023 [2023-0550]
- 3) Commissioner Warrants (Kevin D. Ross) – February 24, 2023 [2023-0545]

BIDS:

- 1) Conduct Oral Auction for Oil and Gas Lease and authorize Chair to sign (S1/2 SE1/4, S21, T9N, R60W) [2023-0542]
- 2) Approve Emergency Bid #B2300048, 2023 Bridge Rehabilitation – Department of Public Works (*Rescheduled from 2/22/2023*) [2023-0467]
- 3) Present and Approve Emergency Bid #B2300075, Material Hauling Contract – Department of Public Works (*Rescheduled from 2/22/2023*) [2023-0505]
- 4) Approve Bid #B2300061, 2023 Sign Material – Department of Public Works [2023-0433]
- 5) Approve Bid #B2300049, Roof Safety Anchors, Access Hatch Guardrails, and Gates – Facilities Department [2023-0431]
- 6) Present Bid #B2300041, Senior Nutrition Program Meal Delivery – Department of Human Services (*Rescheduled from 2/22/2023*) [2023-0506]
- 7) Present Bid #B2300042, Older Americans Act (OAA) Provider Grant Application Funds – Department of Human Services (*Rescheduled from 2/22/2023*) [2023-0507]
- 8) Present Bid #B2300054, Northern Colorado Regional Forensic Laboratory Heating, Ventilation, and Cooling (HVAC) Exhaust System Upgrade – Facilities Department [2023-0508]
- 9) Present Bid #B2300055, Facilities Expansion Design and Engineering Services – Facilities Department (*Rescheduled from 2/22/2023*) [2023-0509]
- 10) Present Bid #B2300063, Custodial Services (Business Park) – Facilities Department (*Rescheduled from 2/22/2023*) [2023-0510]
- 11) Present Bid #B2300067, Briggsdale Grader Shed, and Sand Shed Design and Engineering Services – Facilities Department [2023-0540]
- 12) Present Bid #B2300056, Hot and Warm Mix Asphalt Supply – Department of Public Works [2023-0541]

NEW BUSINESS:

- 1) Consider Request for Proposal (RFP) for the Case Management Agency (CMA) Activities and State General Fund Program Services, and authorize Chair to sign [2023-0543]
- 2) Consider Grant Application for Case Management Recruitment and Retention, and Statement of Assurance Form, and authorize Department of Human Services to submit electronically [2023-0544]
- 3) Consider Standard Form of Agreement for Recreational / Educational Services for Colorado Works Summer Activities Program and Release of Liability and Agreement to Hold Harmless and Indemnify between Department of Human Services and Various Providers, and authorize Chair to sign agreements consistent with said form [2023-0511]
- 4) Consider Contract ID #6690 Statement of Work Agreement for External Human Resources Human Capital Management (HCM) Functional Lead Consultant for Enterprise Resource Planning (ERP) Project and authorize Chair to sign – CDW Government, LLC [2023-0512]
- 5) Consider Contract ID #6471 Scope of Services Agreement for Gallup Access (Workplace Survey Subscription Basic) and authorize Chair to sign and submit electronically – Gallup, Inc. [2023-0513]
- 6) Consider Contract ID #6684 Student Clinical Agreement for Registered Nursing to Bachelor of Science in Nursing Program and authorize Chair to sign and submit electronically – Front Range Community College [2023-0514]
- 7) Consider Contract ID #6685 Amendment #5 for Nurse Home Visitor Program (NHVP) and authorize Chair to sign and submit electronically [2023-0515]

NEW BUSINESS (CONT'D):

- 8) Consider Contract ID #6686 Amendment to Data Use Agreement for Colorado All Payer Claims Data and authorize Chair to sign electronically – Center for Improving Value in Health Care [2023-0516]
 - 9) Consider Reassignment and Appointment to Weld County Building Code Board of Appeals [2023-0517]
 - 10) Consider Appointments to Area Agency on Aging Advisory Board [2023-0518]
 - 11) Consider Declaration of Certain Equipment as Surplus Property, Approve Sale of Same at Auction with Roller and Associates, and delegate authority to Controller to sign any necessary documents [2023-0519]
 - 12) Consider Renewal Application for a Tavern (County) Liquor License and authorize Chair to sign – RM, Inc., dba Room 119 [2023-0520]
 - 13) First 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 (*Miscellaneous Purchasing Policy – Rescheduled from 2/22/2023*) [2023-0521]
- Legals.....[2023-0522]
Correspondence.....[2023-0523]

PLANNING:

- 1) Consider Termination of Improvements Agreement for Use by Special Review Permit, USR-1670 – Northern Colorado Disposal [2023-0546]
- 2) Consider Request to Modify Condition of Approval #1.A.4 of Site Specific Development Plan and Major Amended Use By Special Review Permit, 1MJUSR21-76-298, for Open Mining (Sand, Gravel And Stone) and Processing of Minerals, Importation of Aggregate (Sand, Gravel And Stone) from off site, Mine Office with Scale House and Scale, A Fueling/Lubricating Station, Portable Generators, Mobile Mining Equipment Parking and Storage, Employee and Vendor Parking, and more than Two (2) Conex Containers for Storage of Products and Equipment associated with Operations Outside of Subdivisions and Historic Townsites, in the A (Agricultural) Zone District – North Weld Gravel, RLLP, c/o C and H Aggregate, LLC [2023-0547]
- 3) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza (*Cont'd from 12/7/2022 – Rescheduled from 2/22/2023*) [2023-0524]
- 4) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Lucina Flores (*Cont'd from 2/13/2023 – Rescheduled from 2/22/2023*) [2023-0525]

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 February 27, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Feb 28 -	Board of Public Health	9:00 AM
Feb 28 -	Regional Communications Advisory Board	10:30 AM
Feb 28 -	Community Corrections Board	12:00 PM
Mar 6 -	Weld County Fair Board	6:00 PM
Mar 7 -	Planning Commission	1:30 PM
Mar 9 -	Weld Faith Partnership Council	7:30 AM
Mar 9 -	Area Agency on Aging Advisory Board	9:00 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.

Mar 1 -	Change in Boundary Lines of Commissioner Districts in Weld County, Colorado	
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 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 1 -	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) (<i>Rescheduled from 2/22/2023</i>)	9:00 AM
Mar 1 -	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) (<i>Rescheduled from 2/22/2023</i>)	9:00 AM
Mar 1 -	Docket #2023-15, PL2858 - Zoning Permit, ZPSF22-0004, for a Solar Energy Facility in the A (Agricultural) Zone District, Janssen Farms, LLC, c/o SunShare LLC, dba Grizzly Solar, LLC [located south of and adjacent to County Road 72; east of and adjacent to County Road 39] (Planner – Maxwell Nader) – (<i>Cont'd from 2/8/2023</i>)	10:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- Mar 1 - Docket #2023-09, PL2856 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0031, for a Kennel (cat rescue shelter) in the A (Agricultural) Zone District, Brenda Hart [located north of and adjacent to Caroline Avenue; east of and adjacent to Henry Street] (Planner – Maxwell Nader) *(Rescheduled from 2/22/2023)* 10:00 AM
- Mar 1 - Docket #2023-18, PL2861 - Change of Zone, COZ22-0013, from the A (Agricultural) Zone District to the I-3 (Heavy Industrial) Zone District, Sasaki Family Holdings, LLC, c/o NGL Water Solutions DJ, LLC [located west of and adjacent to County Road 27 (North Main Street); approximately 650 feet south of County Road 6 (East Crown Prince Boulevard)] (Planner – Kim Ogle) *(Rescheduled from 2/22/2023)* 10:00 AM
- Mar 8 - 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) 10:00 AM
- Mar 8 - Docket #2023-17, PL2860 - Change of Zone, COZ22-0012, from the A (Agricultural) and I-3 (Heavy Industrial) Zone Districts to the I-3 (Heavy Industrial) Zone District, Sunset Industrial, LLC [located north of and adjacent to East 8th Street; approximately 670 feet east of Cherry Avenue (County Road 43)] (Planner – Kim Ogle) 10:00 AM
- Mar 8 - Docket #2023-03, PL1595 - A Site Specific Development Plan and Planned Unit Development Final Plan, PUDF22-0004, for four (4) residential lots for E (Estate) Zoned Uses and one (1) lot for A (Agricultural) Zoned Uses, Olson Bros, LP, and Spring Meadows Development, LLC, c/o Roger Olson [located west of and adjacent to County Road 15; south of, and east of, and adjacent to County Road 42] (Planner – Chris Gathman) – *(Rescheduled from 1/18/2023, and 2/22/2023)* 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
- 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) Planning Commission, Minutes from February 7, 2023
- 2) County Council, Press Release, dated February 13, 2023, re: 2023 Election of Officers

COMMUNICATIONS (CONT'D):

- 3) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for February 23, 2023
- 4) Department of Planning Services, Addition to File RECX16-0145 – Kelly Berndt and Anna Berndt, c/o Patricia Deplazes
- 5) Department of Planning Services, Addition to File RECX18-0064 – Sharon Scheller
- 6) Department of Planning Services, Addition to File RECX18-0065 – Sharon Scheller
- 7) Department of Planning Services, Addition to File RECX16-0146 – Patricia Deplazes
- 8) Department of Planning Services, Addition to File RECX16-0147 – Patricia Deplazes
- 9) Board of County Commissioners, Letter to Office of Infrastructure Finance and Innovation, Office of the Secretary of Transportation, dated February 7, 2023, re: Support of Adams County U.S. HWY 85 and 120th AVE Interchange Project, Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Application
- 10) Board of County Commissioners, Letter to City of Dacono, Mayor Adam Morehead, dated February 7, 2023, re: Notification of Community Development Block Grant (CDBG) Program Grant Award for Glen Dale Avenue Waterline Replacement Project

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Gaddis 36E-323, 403; 36J-223, 243, 303; 36M-443, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0257 [2023-0494]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Wiedeman 29G-323, 403; 29K-243, 323, 343, 403; 29O-243; 29-29, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0258 [2023-0495]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Kerr-McGee Onshore Oil and Gas, LP – 34003842, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 21WE0918 [2023-0496]
- 4) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice of Consideration of Construction Materials Reclamation Surety Reduction Request Application, Permit #M-2010-055 – Koenig Ag Co. – Koenig Borrow Pit [2023-0493]

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

- 1) Approve Emergency Bid #B2300012, SUVs Small 4-Door 4X4 or AWD (QTY 3), and Waiver of Ten-Day Waiting Period for Consideration and Investigation – Facilities Department, Department of Human Resources, and 19th Judicial District Attorney's Office [2023-0466]
- 2) Approve Appointment of Jason Chessher as Director of Department of Public Health and Environment [2023-0471]
- 3) Approve Contract ID #6651 Amendment #2 to Contract for the Behavioral Health Grant Program for High-Fidelity Wraparound Project [2023-0472]
- 4) Approve Contract ID #6672 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Alton and Mary Patterson [2023-0473]
- 5) Approve Contract ID #6671 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Application for License Plate Readers [2023-0474]
- 6) Approve Contract ID #6687 2024 Paul Coverdell Forensic Science Improvement Grant Application and Certification of Compliance with Regulations Form for Northern Colorado Regional Forensic Laboratory [2023-0475]
- 7) Approve Contract ID #6665 Release of Project Collateral and Accept Warranty Collateral for Planned Unit Development Final Plan, PUDF18-0007 (Spanish Fox Estates) – Lawrence and Jacquelyn Bebo [2023-0476]

ORDINANCES:

- 1) First 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 (*Miscellaneous Purchasing Policy*) [2023-0521]

MISCELLANEOUS:

- * 1) Appointment of Chief Deputy District Attorney – Patrick Roche, II [2023-0526]
- * 2) Contract ID #6673 Amendment #2 to Agreement for Professional Services for Workforce Innovation Grant Program (Bid #B2100121) – Jobs of Hope, Inc. [2021-2793]
- * 3) Contract ID #6674 Amendment #2 to Agreement for Professional Services for Workforce Innovation Grant Program (Bid #B2100142) – Jobs of Hope, Inc. [2021-3299]
- * 4) Contract ID #6679 Amendment #1 to Professional Services for Veteran Services (Bid #B2100142) – Northern Colorado Veterans Resource Center [2021-3299]
- * 5) Contract ID #6676 Amendment #2 to Agreement for Professional Services for Workforce Innovation Grant Program (Bid #B2100121) – Immigrant and Refugee Center of Northern Colorado, dba Right to Read of Weld County [2021-2793]
- * 6) Contract ID #6683 Professional Service Agreement for Design and Engineering Services for Shooting Range Water Treatment (Informal Bid) – Cairn Design, LLC [2023-0527]
- * 7) Contract ID #6699 Professional Services Agreement for Optimization of Workflow and Software Integration for Parcel Fabric Data Editing – The Sidwell Company [2023-0528]
- * 8) Invoice and Purchase Quote for SUV Small 4-Door 4X4 or All Wheel Drive (AWD) (2023 Chevy Equinox LS – Bid #B2300012) – Johnson Auto Plaza [2023-0529]
- * 9) Partial Vacation of Two-Lot Recorded Exemption, RE-444, for Removal of Lot B – The Alexander Rusch and Benita Rusch Revocable Trust, c/o Michael Rusch, Trustee [2023-0548]

* **Signed this date**