

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, APRIL 3, 2023
9:00 A.M.

2023-0913

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 March 20, 2023

[2023-0779]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

COMMISSIONER COORDINATOR REPORTS:

PROCLAMATIONS:

- 1) Week of the Young Child – April 1-7, 2023 [2023-0915]
- 2) National Public Health Week – April 3-9, 2023 [2023-0916]
- 3) Fair Housing Month – April 2023 [2023-0917]

WARRANTS:

- 1) General Warrants – March 31, 2023 [2023-0918]

BIDS:

- 1) Approve Bid #B2300017, 4 Axle Heavy Haul Tractor Truck (QTY 1) - Departments of Public Works and Fleet Services [2023-0782]
- 2) Approve Bid #B2300078, Jail Vinyl Composite (VCT) Flooring Replacement - Facilities Department [2023-0783]
- 3) Approve Bid #B2300083, Heating, Ventilation, and Cooling (HVAC) Belts - Facilities Department [2023-0784]
- 4) Approve Bid #B2300084, Heating, Ventilation, and Cooling (HVAC) Filters - Facilities Department [2023-0785]
- 5) Present Bid #B2300085, Department of Public Safety Communications Emergency Call Center Expansion Design and Engineering Services – Facilities Department [2023-0919]

NEW BUSINESS:

- 1) Consider Delay of Temporary Closure of CR 94 Between CRs 39 and 41 [2023-0920]
- 2) Consider Temporary Closure of CRs 74 and 33 Intersection [2023-0921]
- 3) Consider Invoice and Contract for Tent Rentals for Pig and Cattle Show Rings for 2023 Weld County Fair and authorize Chair to sign – Boulder Tent and Event Rentals [2023-0922]
- 4) Consider Appointment of Jason Chessher as Weld County Health Officer [2023-0923]
- 5) Consider Appointments of Privacy Officers under Health Insurance Portability and Accountability Act (HIPAA) and Section 3-15 of the Weld County Code [2023-0924]

PLANNING:

- 1) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA20-0070 Comprehensive Development Plan – Highpoint Operating Corporation [2023-0925]

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 April 3, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Apr 3 -	Federal Mineral Lease Act Board	3:00 PM
Apr 3 -	Weld County Fair Board	6:00 PM
Apr 4 -	Planning Commission	1:30 PM
Apr 5 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Apr 6 -	Island Grove Park Advisory Board	4:00 PM
Apr 10 -	Juvenile Community Review Board	12:00 PM
Apr 13 -	Weld Faith Partnership Council	7:30 AM
Apr 13 -	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.

- Apr 10 - Vacation, VAC23-0005, of Two-Lot Family Farm Division, FFD22-0009, and recombine the lots into One (1) Parcel – Greenleaf Acres, LLC, c/o Barry Fehr
- Apr 10 - Vacation, VAC23-0006, of Two-Lot Family Farm Division, FFD22-0010, and recombine the lots into One (1) Parcel – Greenleaf Acres, LLC, c/o Barry Fehr
- Apr 17 - Partial Vacation, VAC23-0008, of Two-Lot Recorded Exemption, RECX17-0065, for Removal of Lot B – BTZ Land, LLC, and Donna Mast; and Ehrhart Land Surveying, LLC, c/o John Ehrhart
- Apr 17 - Partial Vacation, VAC23-0009, of Two-Lot Recorded Exemption, RECX17-0066, for Removal of Lot B – BTZ Land, LLC, and Donna Mast; and Ehrhart Land Surveying, LLC, c/o John Ehrhart
- Apr 17 - Partial Vacation, VAC23-0011, of Four-Lot Recorded Exemption, RECX15-0084, for Removal of Lot D – 3T, LLC, c/o Trevor Thiel
- 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 (*Miscellaneous Zoning*)
- Apr 24 - First Reading of Code Ordinance #2023-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 19 Coordinated Planning Agreements of the Weld County Code (*Town of Gilcrest*)
- 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 (*Miscellaneous Zoning*)
- May 15 - Second Reading of Code Ordinance #2023-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 19 Coordinated Planning Agreements of the Weld County Code (*Town of Gilcrest*)
- Jun 5 - Final Reading of Code Ordinance #2023-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 19 Coordinated Planning Agreements of the Weld County Code (*Town of Gilcrest*)

FUTURE PUBLIC HEARINGS:

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

- 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

FUTURE PUBLIC HEARINGS (CONT'D):

- Apr 12 - 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) – *(Cont'd from 3/22/2023)* 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
- Apr 26 - 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 3/29/2023)* 9:00 AM
- Apr 26 - 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) – *(Cont'd from 3/29/2023)* 10:00 AM
- May 3 - 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) – *(Cont'd from 3/22/2023)* 10:00 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

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, Agenda for April 4, 2023
- 2) Department of Human Services, Email dated March 17, 2023, re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Marcel and Shantay Marcos
- 3) Department of Planning Services, Addition to File PL2850, COZ22-0011 – R and N Properties, LLC

COMMUNICATIONS (CONT'D):

- 4) Department of Planning Services, Addition to File PL2170, USR12-0022 – Robert L. Seltzer Family Trust
- 5) Department of Planning Services, Addition to File, RE-85 – HWY 52 CR 23, LLC, c/o Michael Dente
- 6) Little Thompson Water District, Notice of Meeting and Notice Filing Petitions for Inclusion Orders dated March 15, 2023, re: Douglas and Janice Harbert, Steven and Janet King, Terry and Diana Precht, Ranae Williams, Rose and Lynn Eining, and Susan Haley
- 7) Hudson Fire Protection District, Resolution No. 2023-02 dated March 14, 2023, re: Ordering Termination of Declaration of Local Disaster Emergency
- 8) Chevron, fka Noble Energy, Inc., Letter dated March 7, 2023, re: Natural Gas and Natural Gas Liquids Royalty Calculation for Holman Settlement Agreement, and Ace-Davis Settlement Agreement
- 9) United States Department of Treasury, Internal Revenue Service, Letter dated March 9, 2023, re: Employer Identification Number

PUBLIC REVIEW:

- 1) Raptor Materials, LLC, fka Varra Companies, Inc., Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Letter, dated March 9, 2023, re: Regular Impact (112) Permit Application Adequacy Review #4, Permit M-2022-013 – Two Rivers Sand, Gravel and Reservoir Project [2023-0651]
- 2) Raptor Materials, LLC, fka Varra Companies, Inc., Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice of Construction Materials Reclamation Acreage Release Request Application, Permit M-2015-033 – Parcel 122 (aka Bearson) Resource Development Project [2023-0677]
- 3) Raptor Materials, LLC, fka Varra Companies, Inc., Technical Revision to Office of Mined Land Reclamation (OMLR) for Extraction and Grading Plan Permit #M-2010-049 – Western Sugar Reclamation Land Development Project [2023-0893]
- 4) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Regular 112 Construction Materials Operation Reclamation Permit Application, Permit #M-1981-287 – Nikolaus Arnusch – Arnusch Gravel Pit 3 [2023-0895]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Peschel 20 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0592 [2023-0904]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Kerr-Mcgee Onshore Oil and Gas, LP – 36130844 Well Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0627 [2023-0905]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – State Pronghorn 41-32 Central Production Facility (COGCC #438946), Notice of Proposed Title V Operating Permit No. 20OPWE420 [2023-0906]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Spaur 10 Sec Pad 1 and 2, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0519 [2023-0907]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Wacker 10 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0951 [2023-0908]
- 10) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Wiedeman Federal 22 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0854 [2023-0909]

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

- 1) Approve Temporary Closure of CR 41 Between CRs 76 and 78 [2023-0890]
- 2) Action of the Board Concerning PCSC22-0013 – Scott and Kristen Fisher [2023-0551]
- 3) Action of the Board Concerning USR22-0030 – HS Land and Cattle, LLC, c/o Monarch Mountain Minerals and Aggregates, LLC [2023-0812]
- 4) Approve USR22-0034 – Clarke and Kristine Stoesz [2023-0839]

MISCELLANEOUS:

- * 1) Week of the Young Child – April 1-7, 2023 [2023-0915]
- * 2) National Public Health Week – April 3-9, 2023 [2023-0916]
- * 3) Fair Housing Month – April 2023 [2023-0917]
- * 4) Contract ID #6783 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Brett Curley and Belinda Ochoa-Curley [2023-0926]
- * 5) Contract ID #6785 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Michael and Kristi Jauken [2023-0927]
- * 6) Contract ID #6795 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Nicolas and Celine Deutsch [2023-0928]
- * 7) Contract ID #6796 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Karen Braunagel [2023-0929]
- * 8) Contract ID #6788 Extension/Renewal #2 to Professional Services Agreement for Pavement Smoothness Testing and Grinding (Bid #B2100106) – CPP Engineering, Inc. [2021-1701]
- * 9) Proxy Ballot for 2023 Election of Directors and Annual Meeting of Members – United Power [2023-0930]

* **Signed this date**