

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, APRIL 12, 2023
9:00 A.M.

2023-1031

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

MINUTES: Approval of Minutes of March 29, 2023 [2023-0886]

CERTIFICATION OF HEARINGS: Hearings conducted on March 29, 2023:

- 1) PCSC22-0013 – Scott and Kristen Fisher [2023-0552]
- 2) USR22-0030 – HS Land and Cattle, LLC, c/o Monarch Mountain Minerals and
Aggregates, LLC [2023-0813]
- 3) USR22-0034 – Clarke and Kristine Stoesz [2023-0853]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

- 1) Briggsdale Falcons Day, Class 1A Girls Basketball State Championship – April 12, 2023 [2023-1033]

WARRANTS:

- 1) General Warrants – April 11, 2023 [2023-1034]

BIDS:

- 1) Approve Bid #B2300058, Surface Gravel Supply – Department of Public Works [2023-0888]
- 2) Approve Bid #B2300080, Plaza West, Department of Public Works Building, and
Southwest Service Center (Del Camino) Intermediate Distribution Frame (IDF) Air
Conditioning (AC) Project – Facilities Department [2023-0889]
- 3) Present Bid #B2300018, 3/4-Ton 4X4 Full Size Extended Cab Long Bed Pickup with
Liftgate (QTY 3) – Fleet Services, Facilities Department and CSU Extension Office of Weld
County [2023-1035]
- 4) Present Bid #B2300019, 1/2-Ton 4X4 Full Size Extended Cab Long Bed Pickup (QTY 1) –
Fleet Services and Facilities Department [2023-1036]
- 5) Present Bid #B2300020, 1-Ton 4X4 Full Size Extended Cab Long Bed Pickup with Utility
Box and Liftgate (QTY 1) – Fleet Services and Facilities Department [2023-1037]
- 6) Present Bid #B2300021, 4X4 Mid-Size Super/Double Cab Pickup (QTY 2) – Fleet
Services and Facilities Department [2023-1038]
- 7) Present Bid #B2300022, 1/2-Ton 4X4 Pickup, 6.5-Foot Bed, Extended (Super) Cab
(QTY 3) – Fleet Services, Department of Public Works, and Department of Public Health
and Environment [2023-1039]

BIDS (CONT'D):

- 8) Present Bid #B2300023, SUV Small 4-Door 4X4 or AWD (QTY 1) – Department of Public Health and Environment [2023-1040]
- 9) Present Bid #B2300024, 3/4-Ton 4X4 Pickup 6.5-Foot Bed Extended/Double/Super Cab (QTY 2) – Fleet Services and Department of Planning Services [2023-1041]
- 10) Present Bid #B2300025, 1/2-Ton 4X4 Pickup 6.5-Foot Bed Crew Cab (QTY 1) – Fleet Services and Department of Public Works [2023-1042]
- 11) Present Bid #B2300026 4X4 Full Size Extended or Crew Cab Pickup with Service Body (QTY 1) – Fleet Services [2023-1043]
- 12) Present Bid #B2300027 1-Ton 4X4 Pickup, 8-Foot Bed Extended/Double/Super Cab (QTY 3) – Fleet Services and Department of Public Works [2023-1044]
- 13) Present Bid #B2300028, 3/4-Ton 4X4 Full Sized Pickup Long Bed Crew Cab (QTY 1) – Fleet Services and Department of Public Works [2023-1045]
- 14) Present Bid #B2300029, 2-Ton 4X4 Crew Cab with Dual Wheels and 11-Foot Utility Box (QTY 1) – Fleet Services and Department of Public Works [2023-1046]
- 15) Present Bid #B2300030, 1-Ton 4X4 Full Size Extended Cab Pickup with Utility Box (QTY 1) – Fleet Services and Department of Public Works [2023-1047]
- 16) Present Bid #B2300031, 4X4 Cab and Chassis with Custom Flatbed Utility Box (Sign Truck – QTY 1) – Fleet Services and Department of Public Works [2023-1048]
- 17) Present Bid #B2300032, 1/2-Ton 4X4 Extended Cab Pickup (QTY 1) – Fleet Services and Department of Public Works [2023-1049]
- 18) Present Bid #B2300033, 1-Ton 4X4 Full Size Crew Cab Pickup with Utility Box (QTY 1) – Fleet Services and Department of Public Works [2023-1050]
- 19) Present Bid #B2300034, Road Broom Sweeper Construction Cast Off Broom (QTY 1) – Fleet Services and Department of Public Works [2023-1051]

NEW BUSINESS:

- 1) Consider Contract ID #6817 Amendment #1 to Agreement for Bright Futures Program and authorize Chair to sign – The Weld Trust and The Weld Legacy Foundation [2023-1052]

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**

- 10:00 AM - 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) [2023-0750]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Apr 13 -	Weld Faith Partnership Council	7:30 AM
Apr 13 -	Area Agency on Aging Advisory Board	9:00 AM
Apr 17 -	Building Trades Advisory Committee	4:30 PM
Apr 18 -	911 Emergency Telephone Service Authority Board	12:00 PM
Apr 18 -	Planning Commission	CANCELLED
Apr 18 -	Northern Colorado RETAC	2:00 PM
Apr 20 -	Extension Advisory Council	12:00 PM
Apr 20 -	Greeley-Weld County Airport Authority	3:30 PM
Apr 21 -	Human Services Advisory Committee	8:00 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 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 17 - Partial Vacation, VAC23-0020, of Four-Lot Corrected Recorded Exemption, RE-4882, for Removal of Lot D – William and Noblet Danks
- Apr 17 - Partial Vacation, VAC23-0021, of Four-Lot Recorded Exemption, RE-4883, for Removal of Lot D – William and Noblet Danks
- 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 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

FUTURE PUBLIC HEARINGS (CONT'D):

- Apr 19 - Docket #2023-28, PL2867 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0035, for an Events Facility, not agriculture-related, for up to 200 people, located outside of subdivisions or historic townsites in the A (Agricultural) Zone District, Steven Wells [located east of and adjacent to State Highway 392 (immediately east of the State Highway 392/County Road 71 intersection)] (Planner – Chis Gathman) 10:00 AM
- Apr 19 - Docket #2023-26, PL2865 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0001, for a Kennel in the A (Agricultural) Zone District, Paul Salveson [located south of and adjacent to County Road 100; approximately 737 feet east of County Road 33] (Planner Maxwell Nader) 10:00 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
- Jun 7 - 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) – (Cont'd from 4/5/2023) 10:00 AM

REPORTS:

- 1) Department of Public Works, Emergency Road Closure, March 2023

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 Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for April 13, 2023
- 2) Department of Human Services, Email dated March 27, 2023, re: Colorado Department of Local Affairs Option Letter #6, Community Services Block Grant (CSBG) Program
- 3) Board of County Commissioners, Letter to Dr. Morgan Medlock, Colorado Behavioral Health Administration, dated April 4, 2023, re: Opposition to Geographic Map separating Weld County from Eastern Plains Counties for the Behavioral Health Administrative Services Organization (BHASO) regional area
- 4) Interagency Oversight Group of Weld County Vice-Chair, Perry Buck, Commissioner At-Large, Letter to House Judiciary Committee, dated April 4, 2023, re: House Bill 23-1249 Reduce Justice-Involvement for Young Children

PUBLIC REVIEW:

- 1) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Technical Revision No. Five (5) Adequacy Review for Regular 112 Permit Application, Permit #M-2022-013, Raptor Materials, LLC, fka Varra Companies, Inc. – Two Rivers Sand, Gravel and Reservoir Project [2023-0958]
- 2) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Consideration of Construction Materials Reclamation Permit Acreage Release Request, Permit #M-2009-018 – Raptor Materials, LLC, fka Varra Companies, Inc. – Heintzelman Project (Pit 116) [2023-1008]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Sunmarke 28U-334, 434; 28V-214, 234, 304, 404, 434; 28W-414, Notice of Proposed Project or Activity Warranting Public Comment, Draft Permit No. 22WE0467 [2023-1009]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Eberle Pad, Notice of Proposed Project or Activity Warranting Public Comment, Draft Permit Nos. 15WE0604, and 22WE0494 [2023-1010]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – North Platte A-33, Notice of Proposed Project or Activity Warranting Public Comment, Draft Permit No. 15WE0418 [2023-1011]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Stonebraker 28V-234, 314, 404; 28W-304, Notice of Proposed Project or Activity Warranting Public Comment, Draft Permit No. 22WE0622 [2023-1012]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Volt 5 Sec HZ, Notice of Proposed Project or Activity Warranting Public Comment, Draft Permit No. 23WE0028 [2023-1013]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Verdad Resources, LLC – Johnson 01N-65W-30 Pad, Notice of Proposed Project or Activity Warranting Public Comment, Draft Permit No. 22WE0473 [2023-1014]

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

- 1) Approve Contract ID #6805 Memorandum of Understanding for Integrated Public Alert and Warning System (IPAWS) Across County Borders during Critical – Larimer Emergency Telephone Authority (LETA) [2023-0989]
- 2) Approve Contract ID #6670 Intergovernmental Agreement and Summary of Grant Award Terms and Conditions for 2023-2024 Peace Officers Behavioral Health Support and Community Partnerships Program [2023-0990]
- 3) Approve Contract ID #6808 Intergovernmental Agreement for Cost Reimbursement for Municipal Jail Services – City of Greeley Police Department [2023-0991]

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BC0016

RESOLUTIONS (CONT'D):

- 4) Approve Extension of Temporary Closure of CR 94 Between CRs 39 and 41 [2023-0992]
- 5) Approve Emergency Temporary Closure of CR 53 Between CRs 36 and 38 [2023-0993]
- 6) Approve Temporary Closure of CR 8 Between CRs 41 and 45 [2023-0994]
- 7) Approve Temporary Closure of CR 7 Between CRs 46 and 48 [2023-0995]
- 8) Approve Resolution re: Expression of Opposition to Senate Bill, SB23-213, Land Use [2023-0996]
- 9) Approve Reappointment to Island Grove Park Advisory Board [2023-0997]
- 10) Approve Appointment to Extension Advisory Council [2023-0998]
- 11) Approve Appointment and Reappointment to Building Trades Advisory Committee [2023-0999]
- 12) Approve Appointment to Workforce Development Board [2023-1000]
- 13) Approve Appointment to Weld/Larimer Revolving Loan Fund Committee [2023-1001]
- 14) Approve 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 [2023-1002]
- 15) Approve 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 [2023-1003]

MISCELLANEOUS:

- * 1) Briggsdale Falcons Day, Class 1A Girls Basketball State Championship – April 12, 2023 [2023-1033]
- * 2) Contract ID #6819 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Josefina Barraza [2023-1053]
- * 3) Contract ID #6821 Agreement for Materials for Hot Warm and Warm Mix Asphalt Supply (Bid #B2300056) – Asphalt Specialties Co., Inc. [2023-0541]
- * 4) Installation and Integration Agreement, Sales Order Agreement, and Aftermarket Support Agreement for Multi-Functional Devise (Copier) for Department of Public Safety Communications [2023-1054]
- * 5) Division Order to Chevron U.S.A., Inc. (REVEILLE A33-720 – API 05-123-50790, REVEILLE A34-714 – API 05-123-50800, REVEILLE A34-725 – API 05-123-50797, REVEILLE A34-735 – API 05-123-50795, REVEILLE A34-746 – API 05-123-50793, REVEILLE A34-757 – API 05-123-50789, REVEILLE A34-768 – API 05-123-50792, REVEILLE A34-778 – API 05-123-50791, REVEILLE A34-788 – API 05-123-50794, REVEILLE A35-762 – API 05-123-50798, REVEILLE A35-772 – API 05-123-50796, and REVEILLE A35-783 – API 05-123-50799 [2023-1055])

* **Signed this date**