

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, MAY 8, 2023
9:00 A.M.

2023-1258

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 April 24, 2023

[2023-1148]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

COMMISSIONER COORDINATOR REPORTS:

PROCLAMATIONS:

1) National Nurses Month – May 2023

[2023-1260]

WARRANTS:

1) General Warrants – May 5, 2023

[2023-1261]

BIDS:

1) Present Bid #B2300105, Jail Elevator Modernization – Facilities Department

[2023-1262]

2) Present Bid #B2300108, Shooting Range Water Treatment – Facilities Department

[2023-1263]

NEW BUSINESS:

1) Consider Application for Juvenile Diversion and Marijuana Tax Cash Funds for the State
Funding Allocation and authorize electronic submittal

[2023-1264]

2) Consider Application for Democracy Suite ICX Printer Reimbursement Grant and
authorize Clerk and Recorder's Office to submit

[2023-1265]

3) Consider Appointment of Brigitte Grimm as Weld County Treasurer

[2023-1266]

4) Consider Appointment to Workforce Development Board

[2023-1267]

5) Consider Reappointments to Board of Public Health

[2023-1268]

6) Consider Temporary Closure of CR 83 Between S.H. 14 and CR 94

[2023-1269]

7) Consider Temporary Closure of CR 22 Between U.S. HWY 85 and CR 31

[2023-1270]

8) 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

[2023-1271]

PLANNING:

- 1) Consider Request to Extend Time to Complete Conditions of Approval, Record the Map, Begin the Next Phase of Operations and Exempt Recording Continuance Charge, for 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, and 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 & H Aggregate, LLC [2023-1272]
 - 2) Consider Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements, authorize Chair to sign, and Accept Project Collateral for Certain On-Site Improvements and All Off-Site Improvements for Site Specific Development Plan and Rural Land Division Final Plan, RLDF22-0002 – CMH Homes, Inc. [2023-1273]
 - 3) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0010 – Enerplus Resources (USA) Corporation [2023-1274]
 - 4) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0004 – Longs Peak Resources, LLC, c/o Boomtown Oil, LLC [2023-1275]
 - 5) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0008 – Verdad Resources, LLC [2023-1276]
 - 6) 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*) [2023-1277]
- Legals.....[2023-0876]
Correspondence.....[2023-0877]

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 May 8, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

May 9 -	Workforce Development Board	11:45 AM
May 11 -	Weld Faith Partnership Council	7:30 AM
May 11 -	Area Agency on Aging Advisory Board	9:00 AM
May 16 -	911 Emergency Telephone Service Authority Board	12:00 PM
May 16 -	Planning Commission	1:30 PM
May 16 -	Northern Colorado RETAC	2:00 PM
May 17 -	Weld County Emergency Medical/Trauma Services Council	11:00 AM
May 18 -	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.

- 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*)
- May 17 - Partial Vacation, VAC23-0019, of Two-Lot Recorded Exemption, RECX17-0020, for Removal of Lot D – Bean Farm, LLC, c/o Todd and Kristen Bean
- May 17 - Partial Vacation, VAC23-0022, of Two-Lot Recorded Exemption, RECX15-0009, for Removal of Lot B – Micheal Coan
- May 17 - Partial Vacation, VAC23-0023, of Two-Lot Recorded Exemption, RECX19-0109, for Removal of Lot B – Micheal Coan
- May 17 - Partial Vacation, VAC23-0024, of Two-Lot Recorded Exemption, RECX16-0012, for Removal of Lot B – Micheal Coan
- May 22 - First Reading of Code Ordinance #2023-06, In the Matter of Repealing and Reenacting with Amendments, Chapter 23 Zoning and Chapter 29 Building Regulations, of the Weld County Code (*Agricultural Buildings*)
- May 24 - Partial Vacation, VAC23-0001, of Three-Lot Recorded Exemption, RECX14-0124, for Removal of Lot C – Dillard Family, LLC, c/o James Dillard
- May 24 - Partial Vacation, VAC23-0025, of Two-Lot Recorded Exemption, RECX16-0117, for Removal of Lot B – Caleb Spear, Cynthia Spear, Samuel Spear, Lisa Spear, and Jonathan Spear
- 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*)
- Jun 5 - Second Reading of Code Ordinance #2023-06, In the Matter of Repealing and Reenacting with Amendments, Chapter 23 Zoning and Chapter 29 Building Regulations, of the Weld County Code (*Agricultural Buildings*)
- Jun 19 - Final Reading of Code Ordinance #2023-06, In the Matter of Repealing and Reenacting with Amendments, Chapter 23 Zoning and Chapter 29 Building Regulations, of the Weld County Code (*Agricultural Buildings*)

FUTURE PUBLIC HEARINGS:

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

- May 17 - 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 4/26/2023)* 9:00 AM
- May 17 - Docket # 2023-29, PL2868 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0006, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Timothy and Laura Cook, c/o Pivot Solar 35, LLC [located east of and adjacent to County Road 33; approximately 0.5 miles north of County Road 46] (Planner – Diana Aungst) 10:00 AM
- May 17 - Docket #2023-32, PL2870 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0008, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Jerry Loeffler, Personal Representative for Lydia Loeffler, c/o Pivot Solar 36, LLC [located south of and adjacent to County Road 50; east of and adjacent to County Road 35] (Planner – Chris Gathman) 10:00 AM
- May 17 - Docket #2023-30, PL2869 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0007, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Roberta McGregor and Erik Davis, Personal Representative for Dorothy Davis, c/o Pivot Solar 33, LLC [located east of and adjacent to County Road 35; approximately 0.25 miles north of County Road 46] (Planner – Molly Nelson) 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 Planning Services, Staff Approvals for April 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) Utilities Coordinating Advisory Committee, Minutes from April 27, 2023
- 2) Department of Human Services, Email dated May 3, 2023, re: Notification of Grant Award for 2024-2026 Tony Grampsas Youth Services Program

COMMUNICATIONS (CONT'D):

- 3) Board of County Commissioners, Letters to Mayor Drew Peterson of the Town of Firestone, Mayor Scott Moser of the Town of Eaton, Mayor Elizabeth Austin of the Town of Milliken, and Mayor Julie Lukela of the Town of Pierce, dated April 24, 2023, re: Notification of Community Development Block Grant (CDBG) Program Awards
- 4) Williams Field Services Company, LLC, as Operator for Overland Pass Pipeline Company, LLC, Notification dated April 27, 2023, re: Safety Assessment via Inline Inspection (ILI) tool run, aka Pigging

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Rockies Express Pipeline, LLC – Hereford Ranch Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0328 [2023-1253]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Red Cloud 1 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 22WE0477, 22WE0478, and 22WE0479 [2023-1254]
- 3) BeeBe Draw Farms Metropolitan Districts No. 1 and No. 2, Notice of Intent to Undertake Certain Actions Concerning the Provision of Broadband Services [2023-1256]

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

- 1) Approve Contract ID #6887 Consent to Assignment and Assumption of Child Protection Agreement for Services from Colorado Youth Boys Ranch Foundation, dba CBR YouthConnect to Paragon Behavioral Health Connections [2023-1237]
- 2) Approve Contract ID #6891 Confidential Document License Agreement for Use of Colorado Family Support Assessment (CFSA) 2.0 Tool for Colorado Community Response Grant – Family Resource Center Association [2023-1238]
- 3) Approve Special Events Permit – Slow Food Boulder County [2023-1239]
- 4) Approve Special Events Permit – The Wild Animal Sanctuary, a Colorado Non-Profit Corporation [2023-1240]
- 5) Approve Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements, and Accept Off-Site Collateral for Site Plan Review Permits, SPR18-0011 and SPR21-0007 – Great Western Railway of Colorado, LLC, and GWIP, LLC [2023-1241]
- 6) Approve Partial Vacation, VAC23-0015, of Two-Lot Recorded Exemption, RECX17-0050, for Removal of Lot B – Michael Coan [2023-1242]
- 7) Approve Partial Vacation, VAC23-0016, of Two-Lot Recorded Exemption, RECX14-0131, for Removal of Lot B – Michael Coan [2023-1243]
- 8) Approve Partial Vacation, VAC23-0018, of Four-Lot Recorded Exemption, RECX15-0106, for Removal of Lot D – Michael Coan [2023-1244]
- 9) Action of the Board Concerning USR23-0005 – Kenneth Haring, c/o CBEP Solar 6, LLC [2023-0763]

ORDINANCES:

- * 1) 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*) [2023-1277]
 - Legals.....[2023-0876]
 - Correspondence.....[2023-0877]

MISCELLANEOUS:

- * 1) National Nurses Month – May 2023 [2023-1260]
- * 2) Recognition of Services, Department of Public Works – Jerry Hooker [2023-1278]
- * 3) Contract ID #6895 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Johnathon and Rubyann Markworth [2023-1279]
- * 4) Contract ID #6896 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Kaci and Angela Hecker [2023-1280]
- * 5) Contract ID #6909 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Richard Hartman, Jr., dba RoundTables Collaboration of Colorado [2022-1541]
- * 6) Contract ID #6910 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Ariel Clinical Services [2022-1543]
- * 7) Contract ID #6912 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Denver Children’s Home [2022-1534]
- * 8) Contract ID #6913 Amendment #5 to Child Protection Agreement for Services (Bid #B2100042) – Amanda Hartshorn, dba Creative Nursing, LLC [2021-1437]
- * 9) Contract ID #6914 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Lifelong, Inc. [2022-1598]
- * 10) Contract ID #6915 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – JusticeWorks Colorado, LLC [2022-1632]
- * 11) Contract ID #6916 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Griffith Centers for Children, Inc. [2022-1594]
- * 12) Contract ID #6917 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Empowering Choices Therapy, LLC [2022-1463]
- * 13) Contract ID #6918 Amendment #2 to Child Protection Agreement for Services (Bid #B2100042) – Rocky Mountain Kids [2021-1465]
- * 14) Contract ID #6919 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Youth Advocate Programs, Inc. [2022-1595]
- * 15) Contract ID #6920 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Barry Lindstrom, Ph.D., LLC [2022-1535]
- * 16) Contract ID #6921 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Front Range Speech and Behavior Clinic [2022-1536]
- * 17) Contract ID #6922 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Paid in Full Ministries, Inc. [2022-1469]
- * 18) Contract ID #6923 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Maple Star Colorado [2022-1473]
- * 19) Contract ID #6924 Amendment #1 to Child Protection Agreement for Services (Bid #B2200040) – Savio House [2022-1472]
- * 20) Contract ID #6898 Agreement for Professional Services for Island Grove Building Conceptual Design and Budgeting Services (Bid #B2300092) – GSG Architecture, Inc. [2023-0988]
- * 21) Contract ID #6899 Agreement for Professional Services for Jail Booking Area Renovation Design and Engineering Services (Bid #B2300089) – Robert Shreve Architects and Planners, Inc. [2023-0987]
- * 22) Contract ID #6927 Extension/Renewal #2 to Agreement for Construction Services for 2021 Slurry Seal (Bid #B2100100) – A-1 Chipseal Company [2021-1590]

MISCELLANEOUS (CONT'D):

- * 23) Contract ID #6970 Extension/Renewal #3 to Agreement for Services – Maximus Consulting Services, Inc. [2020-1280]
- * 24) Division Order to PDC Energy, Inc. (Volt 13N – API 05-123-50327, Volt 14NA – API 05-123-50332, Volt 15N – API 05-123-50350, Volt 16N – API 05-123-50342, Volt 17C – API 05-123-50334, Volt 18N – API 05-123-50339, Volt 19NA – API 05-123-50326, and Volt 20N – API 05-123-50324) [2023-1281]

* **Signed this date**