

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, JULY 19, 2023
9:00 A.M.

2023-2031

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 July 5, 2023 [2023-1848]

READ ORDINANCE BY AUDIO: Read Code Ordinances #2023-09 and #2023-10 by audio

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA: See Items #1 and #2 Under 'Consent Agenda-Miscellaneous' – Partial Vacations of Recorded Exemptions

WARRANTS:

1) General Warrants – July 18, 2023 [2023-2033]

BIDS:

1) Present Bid #B2300144, Inmate Medical Services – Sheriff's Office [2023-2034]

NEW BUSINESS:

- 1) Consider Grant Application for Key Funding Initiatives (KFI) for NoCo Works and authorize Department of Human Services to submit electronically – The Weld Trust [2023-2035]
- 2) Consider Standard Form for Memorandum of Understanding Regarding School Stability for Students in Foster Care Between Department of Human Services and Various School Districts, and authorize Chair to sign any Memorandum of Understanding consistent with said form [2023-2036]
- 3) Consider Contract ID #7188 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Kerri Ann Ditter and Stacy Ditter [2023-2037]
- 4) Consider Contract ID #7198 Revised Online License Agreement, Online Order Form, and Customer Set-Up Form for Child and Adolescent Functional Assessment Scale (CAFAS), authorize Chair to sign, and Rescind Resolution #2023-1827, Dated June 28, 2023 – Multi-Health Systems, Inc. [2023-2038]
- 5) Consider Contract ID #7199 Professional Services Agreement for Various Core and Non-Core Child Welfare Services and authorize Chair to sign – Court Appointed Special Advocate, Inc., dba CASA of Larimer County [2023-2039]
- 6) Consider Contract ID #7200 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA), and authorize Chair to sign [2023-2040]

NEW BUSINESS (CONT'D):

- 7) Consider Contract ID #7212 Acceptance of Purchase Order Funds for Contract to Serve as Single Entry Point Agency for Long-Term Care Services, and authorize Department of Human Services to Disburse Funds [2023-2041]
 - 8) Consider Contract ID #7213 Agreement for Employment-Based Academic Affiliation and authorize Chair to sign – Colorado State University [2023-2042]
 - 9) Consider Contract ID #7215 2023-2024 Plan for Core Services Program and authorize Chair and Director of Department of Human Services to sign and submit electronically [2023-2043]
 - 10) Consider Contract ID #7216 Cooperative Agreement for Child Welfare Law Enforcement Services and authorize Chair to sign electronically [2023-2044]
 - 11) Consider Contract ID #7181 Memorandum of Understanding for Crisis Assessment Protocol and authorize Chair to sign – North Range Behavioral Health [2023-2045]
 - 12) Consider Contract ID #7182 Memorandum of Understanding for Jail Based Behavioral Services and authorize Chair to sign – North Range Behavioral Health [2023-2046]
 - 13) Consider Community Development Block Grant (CDBG) 2023-2024 Annual Action Plan [2023-1815]
 - 14) Consider Application for Federal Assistance (Form SF-424) for Community Development Block Grant (CDBG) 2023 Annual Action Plan and Certification of Compliance with Regulations Form, and authorize Chair to sign [2023-2047]
 - 15) Consider Extension of Temporary Closure of CR 8 Between CRs 49 and 51 [2023-2048]
 - 16) Consider Extension of Temporary Closure of CR 50 Between CRs 53 and 55 [2023-2049]
 - 17) Consider Contract ID #7226 Tax Incentive Agreement Pursuant to C.R.S. §30-11-123 and authorize Chair to sign – Microvast Energy, Inc. [2023-2050]
 - 18) Consider Reassignment and Reappointment of Commissioners to Coordinate Departments for the Remainder of 2023 [2023-2051]
 - 19) First Reading of Code Ordinance #2023-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Concealed Carry*) [2023-2052]
- Legals.....[2023-2053]
- Correspondence.....[2023-2054]

PLANNING:

- 1) First Reading of Code Ordinance #2023-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Limited Event Permits*) [2023-2055]
- Legals.....[2023-2056]
- Correspondence.....[2023-2057]

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**

- 9:00 AM - Docket #2023-54, F10078 - Hearing to allow public input concerning the 2023 Annual Action Plan, which is a 1-Year plan that identifies needs of the community and develops a strategy to address the needs of the County, in order to receive Community Development Block Grant (CDBG) Entitlement funds (Staff – Elizabeth Relford) [2023-1815]
- 10:00 AM - Docket #2023-41, PL2878 - A Site Specific Development Plan and Rural Land Division Final Plan, RLDF23-0001, for the Creation of Four (4) Lots in the A (Agricultural) Zone District, 2936, LLC [located south of and adjacent to County Road 36; west of and adjacent to County Road 29] (Planner – Maxwell Nader) [2023-1939]
- 10:00 AM - Docket #2023-42, PL2275 - A Site Specific Development Plan and First Major Amended Use by Special Review Permit, 1MJUSR23-14-0005, for Open Mining (sand, gravel and stone), materials processing, an asphalt batch plant, employee and equipment parking associated with operations, and mine support infrastructure outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Terry Grazing Association, c/o Connell Resources, Inc. [located north of and adjacent to County Road 126; east of and adjacent to County Road 17; west of and adjacent to County Road 21] (Planner – Kim Ogle) [2023-1960]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

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|----------|---|----------|
| Jul 19 - | Weld County Emergency Medical/Trauma Services Council | 11:00 AM |
| Jul 20 - | Greeley-Weld County Airport Authority | 3:30 PM |
| Jul 21 - | Human Services Advisory Commission | 8:00 AM |
| Jul 25 - | Board of Public Health | 9:00 AM |
| Jul 25 - | Regional Communications Advisory Board | 10:30 AM |
| Jul 25 - | Community Corrections Board | 12:00 PM |
| Jul 26 - | 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.

- Jul 24 - First Reading of Code Ordinance #2023-11, In the Matter of Repealing and Reenacting, with Amendments, Chapter 7 Emergency Medical Services of the Weld County Code (*Ambulances*)
- Jul 31 - 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*) – (*Rescheduled from 6/29/2023*)
- Aug 7 - Second Reading of Code Ordinance #2023-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Limited Event Permits*)
- Aug 7 - Second Reading of Code Ordinance #2023-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Concealed Carry*)
- Aug 14 - Second Reading of Code Ordinance #2023-11, In the Matter of Repealing and Reenacting, with Amendments, Chapter 7 Emergency Medical Services of the Weld County Code (*Ambulances*)
- Aug 23 - Final Reading of Code Ordinance #2023-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Limited Event Permits*)
- Aug 23 - Final Reading of Code Ordinance #2023-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Concealed Carry*)
- Sep 6 - Final Reading of Code Ordinance #2023-11, In the Matter of Repealing and Reenacting, with Amendments, Chapter 7 Emergency Medical Services of the Weld County Code (*Ambulances*)
- Sep 27 - First Reading of Code Ordinance #2023-12, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Floodplain Regulations*)
- Oct 16 - Second Reading of Code Ordinance #2023-12, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Floodplain Regulations*)
- Nov 8 - Final Reading of Code Ordinance #2023-12, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Floodplain Regulations*)

FUTURE PUBLIC HEARINGS:

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

- Aug 9 - Docket #2023-47, PL2882 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0015, for a Campground (up to ten [10] RV spaces) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Steven and Katherine Bingley [located west of and adjacent to County Road 29; 0.5 mile north of County Road 90] (Planner – Chris Gathman) 10:00 AM
- Aug 9 - Docket #2023-46, PL2881 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0014, for Oil and Gas Support and Service (truck parking) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Lazaro Lara Adame, c/o L&M Trucking, LLC [located north of and adjacent to County Road 20; approximately 0.5 mile west of County Road 23] (Planner – Diana Aungst) 10:00 AM
- Aug 9 - Docket #2023-45, PL2880 - Change of Zone, COZ23-0002, from the A (Agricultural) Zone District to the C-3 (Business Commercial) Zone District, Robert L. Seltzer Family Trust, c/o Jack Seltzer, Trustee, c/o Brighton Outdoor Storage [located east of and adjacent to County Road 19; approximately 890 feet north of County Road 2] (Planner – Diana Aungst) 10:00 AM
- Aug 23 - Docket #2023-38, PL2875 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0012, for a Commercial Recreation Facility and Event Facility outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Regional Transportation District, and Jeffrey and Rachel Rummer, c/o Colorado Railbike Adventures, LLC, c/o Robert Rummer [located west of and adjacent to County Road 3; approximately 0.25 mile south of County Road 10.5] (Planner – Maxwell Nader) – (Cont'd from 6/28/2023) 10:00 AM
- Sep 6 - Docket #2023-33, PL1373 - A Site Specific Development Plan and Use by Special Review Permit, USR22-0018, for Open Mining (sand, gravel and stone), employee and equipment parking associated with operations outside of subdivisions and historic townsites, in the A (Agricultural) Zone District, Loveland Ready-Mix Concrete, Inc. [located north of and adjacent to County Road 48.5; west of and adjacent to State Highway 257] (Planner – Kim Ogle) – (Cont'd from 6/7/2023) 10:00 AM
- Dec 6 - 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 6/7/2023) 9:00 AM
- Jan 10, 2024 - 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, c/o Foster Trucking, Inc., [located south of and adjacent to State Highway 263 (8th Avenue); approximately 0.5 mile east of County Road 47] (Planner – Kim Ogle) – (Cont'd from 7/12/2023) 9:00 AM

REPORTS:

- 1) Department of Planning Services, Staff Approvals for June 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) Board of Adjustment, Minutes from July 11, 2023
- 2) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for July 20, 2023
- 3) Department of Planning Services, Addition to File PL0742, 4MUSR-01-1282 – John and Dorothy Johnson
- 4) Department of Human Services, Email dated July 5, 2023, Re: Colorado Department of Health Care Policy and Financing Hold Over Letter (139139A2) for Intergovernmental Agreement for Aging and Disability Resources of Colorado (ADRC) Transition-Related Referrals

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Liquids Handling Hub, Public Notice, Proposed Title V Operating Permit Warranting Public Comment and Draft Permit No. 20OPWE416 [2023-1953]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Ione NE2H Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 13WE2520 [2023-1954]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – North Platte P-T-34HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0479 [2023-1955]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Verdad Resources, LLC – KBL 02N-63-19 Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 22WE0277, 22WE0278, 22WE0279, and 22WE0280 [2023-1956]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Cougar Baker Fritzler T5N-R64W-S2 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 14WE1300 and 17WE0255 [2023-1957]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Bulleit FED T8N-R59W-S4 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE1156 [2023-1958]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Colorado Interstate Gas Company, LLC – Fort Lupton Compressor Station, Public Notice, Proposed Title V Operating Permit Warranting Public Comment and Draft Permit No. 21OPWE430 [2023-1959]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – No Worries T4N-R65W-S14 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE1154 [2023-2011]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Johnson Robertson Reis UPRR PAN AM T2N-R64W-S19 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 12WE2752, 19WE0437, 19WE0438, and 23WE0064 [2023-2023]
- 10) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Albrighton/Heidenreich, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0618 [2023-2024]
- 11) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Brown 23 Sec HZ Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 17WE0772 [2023-2025]

ORDINANCES:

- 1) First Reading of Code Ordinance #2023-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Limited Event Permits*) [2023-2055]
- 2) First Reading of Code Ordinance #2023-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Concealed Carry*) [2023-2052]

MISCELLANEOUS:

- * 1) Partial Vacation, VAC23-0038, of Two-Lot Recorded Exemption, RECX19-0136, for Removal of Lot B – Michael Coan [2023-2058]
- * 2) Partial Vacation, VAC23-0039, of Two-Lot Corrected Recorded Exemption, RECX16-0039, for Removal of Lot B – Michael Coan [2023-2059]
- * 3) Contract ID #7192 Service Agreement for Business Park Flooring Maintenance (Bid #B2300129) – Metro Maintenance, Inc. [2023-1695]
- * 4) Contract ID #7220 Extension/Renewal Amendment #2 to Service Agreement for Prairie Dog Control Services (Bid #B2100108) – Northern Colorado Pest and Wildlife Control Corporation [2021-2457]
- * 5) Small Tract Oil and Gas Lease for Mineral Interests (0.90 acre – S8, T7N, R65W) – Bayswater Fund IV-B, LP, Bayswater Fund IV-A, LP, and Bayswater Resources, LLC [2023-2060]
- * 6) Small Tract Oil and Gas Lease for Mineral Interests (1.45 acres – S8, T7N, R65W) – Bayswater Fund IV-B, LP, Bayswater Fund IV-A, LP, and Bayswater Resources, LLC [2023-2061]
- * 7) Small Tract Oil and Gas Lease for Mineral Interests (0.4 acre – S14, T7N, R67W) – Bayswater Fund IV-B, LP, Bayswater Fund IV-A, LP, and Bayswater Resources, LLC [2023-2062]
- * 8) Division Order to Bayswater Exploration and Production, LLC (Blehm 1 – API 05-123-51626, Blehm 2 – API 05-123-51624, Blehm 3 – API 05-123-51618, Blehm 4 – API 05-123-51622, Blehm 5 – API 05-123-51625, Blehm 6 – API 05-123-51621, Blehm 7 – API 05-123-51619, Blehm 8 – API 05-123-51628, Blehm 9 – API 05-123-51617, Blehm 10 – API 05-123-51623, and Blehm 11 – API 05-123-51620) [2023-2063]
- * 9) Division Order to Bayswater Exploration and Production, LLC (East Ault 1-7-8HC – API 05-123-47063, East Ault 2-7-8HNB – API 05-123-47069, East Ault 3-7-8HNC – API 05-123-47064, East Ault 4-7-8HNA – API 05-123-47068, East Ault 5-7-8HC – API 05-123-47060, East Ault 6-7-8HNB – API 05-123-47062, East Ault 7-7-8HNC – API 05-123-47071, and East Ault 8-7-8HNA – API 05-123-47074) [2023-2064]

* **Signed this date**