

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, AUGUST 2, 2023
9:00 A.M.

2023-2234

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

CERTIFICATION OF HEARINGS: Hearings conducted on July 19, 2023:

- | | |
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| 1) Community Development Block Grant (CDBG) 2023 Annual Action Plan | [2023-1816] |
| 2) RLDF23-0001 – 2936, LLC | [2023-1952] |
| 3) 1MJUSR23-14-0005 – Terry Grazing Association, c/o Connell Resources, Inc. | [2023-2000] |

MINUTES: Approval of Minutes of July 19, 2023 – *(Cont'd to 8/7/2023)* [2023-2032]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

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| 1) Child Support Awareness Month – August 2023 | [2023-2236] |
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WARRANTS:

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| 1) General Warrants – August 1, 2023 | [2023-2237] |
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BIDS:

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| 1) Present Bid #B2300151, Cardiovascular Wellness Screening – Department of Human Resources | [2023-2238] |
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NEW BUSINESS:

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| 1) Consider Contract ID #7282 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA) and authorize Chair to sign | [2023-2239] |
| 2) Consider Contract ID #7270 Declare Certain Real Estate as Surplus Property, Approve Real Estate Purchase and Sale Agreement for Ault Grader Shed (16331 SH 14, Ault), and authorize Chair to sign all necessary documents – Town of Ault | [2023-2240] |
| 3) Consider Contract ID #7241 Non-Refundable Quote Letter for Relocation of High Pressure Gas Pipeline Meter Station for CR 41 and SH 52 Intersection Project, and authorize Chair to sign – Xcel Energy | [2023-2241] |
| 4) Consider Extension of Temporary Closure of CR 44 Between CR 33 and U.S. HWY 85 | [2023-2242] |

NEW BUSINESS (CONT'D):

- 5) Consider Contract ID #7267 Agreement for Purchase of Public Road Right-of-Way and Grant of Temporary Construction Easement for CRs 6 and 13 Intersection Improvements Project, and authorize Chair to sign any necessary documents – Duane and Bernice Kirkmeyer [2023-2243]
- 6) Consider Contract ID #7277 Agreement for Purchase of Public Road Right-of-Way for CRs 6 and 13 Intersection Improvements Project and authorize Chair to sign any necessary documents – Padade and Shoua Vue [2023-2244]
- 7) Consider Declaration of Certain Property as Surplus, Approve Purchase and Sale Agreement and Quit Claim Deed for Duran Property Section of Poudre River Trail, and authorize Chair to sign – City of Greeley [2023-2245]

PLANNING:

- 1) Consider Decommissioning Plan and Accept Collateral for 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 [2023-2246]
- 2) Consider Decommissioning Plan and Accept Collateral for 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 [2023-2247]
- 3) Consider Decommissioning Plan and Accept Collateral for 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 [2023-2248]

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 August 2, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Aug 7 -	Weld County Fair Board	6:00 PM
Aug 10 -	Weld Faith Partnership Council	7:30 AM
Aug 10 -	Area Agency on Aging Advisory Board	9:00 AM
Aug 10 -	Island Grove Park Advisory Board	4:00 PM
Aug 14 -	Juvenile Community Review Board	12:00 PM
Aug 15 -	911 Emergency Telephone Service Authority Board	12:00 PM
Aug 15 -	Planning Commission	1:30 PM
Aug 15 -	Northern Colorado RETAC	2:00 PM
Aug 17 -	Extension Advisory Council	12:00 PM
Aug 17 -	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.

- 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 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 - Family Farm Division, FFD23-0008, with Lot A Exceeding 10 Acres in Size (12 Acres) – David Dewey
- Aug 14 - Acceptance of Assignment of Contract to Buy and Sell Real Estate, Known as 2139 East 8th Street, Greeley, Colorado 80631
- 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 14 - Second Reading of Code Ordinance #2023-13, In the Matter of Repealing and Reenacting, with Amendments, Chapter 21 Areas and Activities of State Interest, Chapter 23 Zoning, and Chapter 29 Building Regulations of the Weld County Code (*Oil and Gas Equipment/Telecommunication Towers*)
- Aug 14 - Partial Vacation, VAC23-0040, of Two-Lot Recorded Exemption, RE-142, for Removal of Lot A – Yolks on You Chicken Farms, LLC, c/o Ryan Hostetler
- Aug 14 - Partial Vacation, VAC23-0045, of Two-Lot Recorded Exemption, RECX15-0087, for Removal of Lot B – Leslie Gelvin and Jeanne Gelvin
- Aug 16 - Partial Vacation, VAC23-0041, of Three-Lot Recorded Exemption, RE-2352, for Removal of Lot C – Foe Front Range Farms, LLC, c/o Roger Klingenberg
- 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*)
- Aug 28 - Final Reading of Code Ordinance #2023-13, In the Matter of Repealing and Reenacting, with Amendments, Chapter 21 Areas and Activities of State Interest, Chapter 23 Zoning, and Chapter 29 Building Regulations of the Weld County Code (*Oil and Gas Equipment/Telecommunication Towers*)

ITEMS SCHEDULED FOR FUTURE BOARD MEETINGS (CONT'D):

- 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

FUTURE PUBLIC HEARINGS (CONT'D):

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

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 August 3, 2023
- 2) Department of Planning Services, Addition to File PL2825, USR22-0008 – Brian and Jodi Warren
- 3) Department of Planning Services, Addition to File PL2867, USR22-0035 – Steven Wells
- 4) Department of Planning Services, Addition to File PL2861, COZ22-0013 – Sasaki Family Holdings, LLC, c/o NGL Water Solutions DJ, LLC
- 5) Department of Planning Services, Addition to File RECX16-0034 – Michael and Betty Coan
- 6) Board of County Commissioners, Letter to Town of Frederick Mayor Tracie Crites, dated July 11, 2023, Re: Notification of Community Development Block Grant (CDBG) Program Award

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Stockley T4N-R64W-S15 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0292 [2023-2195]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Outrigger DJ Operating, LLC – Koki Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE1084 [2023-2196]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Herbers 20H-B167 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0923 [2023-2197]

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

- 1) Approve Emergency Bid #B2300144, Inmate Medical Services, and Waiver of Ten-Day Waiting Period for Consideration and Investigation – Sheriff’s Office [2023-2034]
- 2) Approve Contract ID #7268 Declare Certain Real Estate as Surplus Property and Approve Real Estate Purchase and Sale Agreement for Severance Grader Shed (11538 CR 74, Severance) – Town of Severance [2023-2171]
- 3) Approve Contract ID #7186 Invoice and Statement of Work for Applicant Skill Level Assessment Platform – SHL Global Management Ltd., dba SHL U.S., LLC [2023-2172]
- 4) Approve Contract ID #7187 Master Services Agreement and Subscriber Application for Background Check Processing – HireRight, LLC [2023-2173]
- 5) Approve Contract ID #7272 Acceptance of Intergovernmental Grant Agreement Summary of Terms and Conditions for Energy and Mineral Impact Assistance Fund (EIAF) Program for CR 77 Improvements Project Between SH 14 and CR 100 (April Cycle – Tier II) [2023-2174]

RESOLUTIONS (CONT'D):

- 6) Approve Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for Phase Two (2) of CR 77 Improvements Project between CRs 100 and 106 (August Cycle – Tier I) [2023-2175]
- 7) Approve Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for High Plains Boulevard Design-Build Project (August Cycle –Tier II) [2023-2176]
- 8) Approve Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for Infrastructure Investments and Jobs Act (IIJA) Local Match Support (August Cycle) for Safe Streets for All (SS4A) Safety Plan [2023-2177]
- 9) Approve Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for Infrastructure Investments and Jobs Act (IIJA) Local Match Support (August Cycle) for Multimodal Project Discretionary Mega Grant (MPDG) for Segment 5 of I-25 [2023-2194]
- 10) Approve Contract ID #7273 Tax Incentive Agreement Pursuant to C.R.S. §30-11-123 – Owens-Brockway Glass Container, Inc. [2023-2178]

MISCELLANEOUS:

- * 1) Child Support Awareness Month – August 2023 [2023-2236]
- * 2) Contract ID #7279 Agreement for Foster Care Respite Services – Austin and Nichole Snow [2023-2249]
- * 3) Contract ID #7281 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Austin and Nichole Snow [2023-2250]
- * 4) Contract ID #7269 Notices of Subsequent Operations and Final Reclamation Operations to Plug and Abandon of Oil and Gas Well (Weld County 01-09H5), Pursuant to Colorado Oil and Gas Conservation Commission (COGCC) Rules 412.a.(4), and 412.a.(6) – Noble Energy, Inc., dba Chevron U.S.A., Inc. [2023-2251]
- * 5) Professional Services Agreement for Inmate Medical Services (Emergency Bid #B2300144) – Wellpath, LLC [2023-2252]

* **Signed this date**