

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, JULY 26, 2023
9:00 A.M.

2023-2107

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 – EXCUSED

MINUTES: Approval of Minutes of July 12, 2023 [2023-1975]

READ ORDINANCE BY AUDIO: Read Code Ordinance #2023-13 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on July 12, 2023:

- 1) PCSC22-0021 – Donn Foster and Mary Lee Hardy, c/o Foster Trucking, Inc. [2023-1873]
- 2) USR23-0004 – Shannon Kemp [2023-1592]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PRESENTATIONS:

- 1) Recognition of Services, Planning Commission – Sam Gluck [2023-2109]
- 2) Recognition of Services, Board of Adjustment – Lonnie Ford and Kathryn Wittman [2023-2110]
- 3) Recognition of Services, Juvenile Community Review Board – Lexi Duhring [2023-2111]

WARRANTS:

- 1) General Warrants – July 25, 2023 [2023-2112]

BIDS:

- 1) Approve Bid #B2300139, Command Unit (QTY 1) – Department of Fleet Services and Sheriff's Office [2023-1979]
- 2) Approve Bid #B2300138, Security Camera Installation – Facilities Department [2023-1978]
- 3) Present Bid #B2300140, Centennial Center Heating, Ventilation, and Air Conditioning (HVAC) and Electrical Upgrades – Facilities Department [2023-2113]
- 4) Present Bid #B2300146, 1555 North 17th Avenue, Greeley, Sheriff's Office Records Unit Cabling – Department of Information Technology [2023-2114]

NEW BUSINESS:

- 1) Consider Contract ID #7242 Award Letter and Intergovernmental Agreement for 2023 Paul Coverdell Forensic Science Improvement Grant for Northern Colorado Regional Forensic Laboratory, and authorize Chair to sign and submit electronically [2023-2115]

NEW BUSINESS (CONT'D):

- 2) Consider Contract ID #7247 Memorandum of Understanding for the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and authorize Chair to sign – City of Greeley [2023-2116]
- 3) Consider Contract ID #7223 Acceptance of Purchase Order Funds for Colorado Works Subsidized Training and Employment Program (CW STEP), and authorize Department of Human Services to Disburse Funds [2023-2117]
- 4) Consider Contract ID #7224 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Roland and Latrice Graham [2023-2118]
- 5) Consider Contract ID #7232 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Andrew Wilson and Bianca Romero [2023-2119]
- 6) Consider Contract ID #7233 Agreement for Professional Services for Court Document Translation and authorize Chair to sign – Oliva Bilingual Services [2023-2120]
- 7) Consider Contract ID #7235 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA), and authorize Chair to sign [2023-2121]
- 8) Consider Contract ID #7236 Memorandum of Understanding for One-Stop Operator Monitoring Pursuant to Workforce Innovation and Opportunity Act (WIOA), and authorize Chair to sign [2023-2122]
- 9) Consider Contract ID #7237 Amendment #1 to Intergovernmental Data-Access Contract and authorize Chair and Department of Human Services to sign and submit electronically [2023-2123]
- 10) Consider Intergovernmental Agreement for Use of Weld County Oil and Gas Energy Department Staff to Assist with 1041 Oil and Gas Location Assessment Enforcement and authorize Chair to sign – Town of Keenesburg [2023-2124]
- 11) Consider Contract ID #7246 Agreement for Relocation of Potable Water Pipeline for Bridge 54/13A Replacement Project and authorize Chair to sign – Little Thompson Water District [2023-2125]
- 12) Consider Contract ID #7256 Professional Services Agreement for the 2023 Local Multimodal Transportation and Mitigation Options Funds (MMOF) for On-Demand Transit Services for Upper Front Range Transportation Planning Region (UFRTPR), and authorize Chair to sign – Via Mobility [2023-2126]
- 13) Consider Contract ID #7255 Professional Services Agreement for the 2023 Local Multimodal Transportation and Mitigation Options Funds (MMOF) for On-Demand Transit Services for North Front Range Metropolitan Planning Organization (NFRMPO), and authorize Chair to sign – Via Mobility [2023-2127]
- 14) Consider Revised Professional Service Agreement for Horse and Carriage Services for 2023 Weld County Fair, authorize Chair to sign, and Rescind Resolution #2023-1209, Dated May 1, 2023 – Mountain Shadow Carriages, c/o Darin Henry [2023-2128]
- 15) Consider Permit Application and Report of Changes to Change, Alter, or Modify Liquor Licensed Premises, and authorize Chair to sign – Circle K Stores, Inc., dba Circle K Store 2709846 [2023-2129]
- 16) 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 [2023-2130]
- 17) Consider Appointment to Regional Communications Advisory Board [2023-2131]
- 18) Consider Appointment to Building Trades Advisory Committee [2023-2132]
- 19) Consider Appointment to Workforce Development Board [2023-2133]
- 20) Consider Appointments to Weld Faith Partnership Council [2023-2134]

NEW BUSINESS (CONT'D):

- 21) Consider Appointments to Board of Adjustment [2023-2135]
- 22) Consider Appointment and Reappointments to Planning Commission [2023-2136]
- 23) Consider Reappointment to Community Corrections Board [2023-2137]
- 24) Consider Reassignment to Weld County Building Code Board of Appeals [2023-2138]
- 25) Consider Reassignment and Appointment to Juvenile Community Review Board [2023-2139]

PLANNING:

- 1) First 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*) [2023-2140]
 - Legals.....[2023-2141]
 - Correspondence.....[2023-2142]

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 July 26, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Jul 26 -	Greeley Housing Authority	4:30 PM
Aug 1 -	Planning Commission	1:30 PM
Aug 1 -	Board of Retirement	9:00 AM
Aug 3 -	Island Grove Park Advisory Board	4:00 PM
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

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 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 #2023-10, 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 - 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 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*)
- 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

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, Minutes from July 11, 2023
- 2) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for July 27, 2023
- 3) Board of County Commissioners, Letter to Jennifer Krieger, Executive Director, dated July 19, 2023, Re: Recommendation of Commissioner Perry L. Buck to replace Commissioner Lori Saine on the Urban Renewal Authority of Dacono
- 4) Noble Energy, Inc., Notice dated June 29, 2023, Re: Pre-Abandonment of Oil and Gas Well concerning Colorado Oil and Gas Conservation Commission (COGCC) Rule 1105.d.(4) – Effective July 29, 2023 (Weld County 01-0HS – API 05-123-18314, NE1/4 SE1/4 of S1, T5N, R65W)
- 5) U.S. Department of Housing and Urban Development, Letter dated February 27, 2023, Re: Community Development Block Grant (CDBG) 2023 Grant Award Allocations

PUBLIC REVIEW:

- 1) L.G. Everist, Inc., c/o Environment, Inc., Adequacy Response No. Two (2) to Colorado Department of Natural Resources, Division of Reclamation, Mining, and Safety, Permit #M-2022-048 – West Farm Reservoirs [2023-1623]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Leffler 8-21, Donn 1-21 Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 18WE0602, 18WE0603, and 21WE0699 [2023-2097]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Frederiksen 28H, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0003 [2023-2098]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – State Antelope K-1 Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 13WE2724 [2023-2099]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Erwin 27 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0150 [2023-2100]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Shable 7 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 15WE0341 [2023-2101]

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

- 1) Approve Contract ID #7146 Service Proposal to Implement Processing Vital Records Certificate Orders – Genesis Systems, Inc., dba GoCertificates.com, Inc. [2023-2085]
- 2) Approve Contract ID #7150 Primary Care Medical Provider Agreement – Carelon Behavioral Health [2023-2086]
- 3) Approve Application for Tier II Ambulance Service License – Metro One Ambulance, LLC [2023-2087]
- 4) Approve Tent Rental Contract for Pig Show Ring at 2023 Weld County Fair – Flexx Productions, LLC [2023-2088]
- 5) Approve Appointment of Commissioner Perry L. Buck to Certain Advisory Boards [2023-2089]

ORDINANCES:

- 1) First 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*) [2023-2140]

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BC0016

MISCELLANEOUS:

- * 1) Recognition of Services, Planning Commission – Sam Gluck [2023-2109]
- * 2) Recognition of Services, Board of Adjustment – Lonnie Ford and Kathryn Wittman [2023-2110]
- * 3) Recognition of Services, Juvenile Community Review Board – Lexi Duhring [2023-2111]
- * 4) Contract ID #7252 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Patricia Maronek [2023-2143]
- * 5) Contract ID #7243 Extension/Renewal Amendment #1 to Intergovernmental Agreement for Campus Police Officer Program – Aims Community College [2023-1638]
- * 6) Contract ID #7171 Subrecipient Agreement for Community Development Block Grant (CDBG) Funds for Non-Conforming American Disability Act (ADA) Ramp Replacement Project – Town of Eaton [2023-2144]
- * 7) Contract ID #7173 Subrecipient Agreement for Community Development Block Grant (CDBG) Funds for Senior Center Improvements Project – Town of Pierce [2023-2145]
- * 8) Contract ID # 7231 Subrecipient Agreement for Community Development Block Grant (CDBG) Funds for American Disability Act (ADA) Ramp Replacement Project – Town of Milliken [2023-2146]
- * 9) Contract ID #7245 Subrecipient Agreement for Community Development Block Grant (CDBG) Funds for Operational Transportation Services – Senior Resource Services, dba 60+ Ride [2023-2147]
- * 10) Contract ID #7222 Change Order to Agreement for Professional Services for Upgrade to ALEX Advanced for Virtual Employee Benefits and Retirement Counselor – Jellyvision Lab, Inc. [2017-0451]
- * 11) Agreement for Professional Services for Independent Referee for Real and Personal Property Tax Appeals during 2023 County Board of Equalization (CBOE) – William Garcia [2023-2148]
- * 12) Agreement for Professional Services for Independent Referee for Real and Personal Property Tax Appeals during 2023 County Board of Equalization (CBOE) – Christopher Woodruff [2023-2149]
- * 13) Agreement for Professional Services for Independent Referee for Real and Personal Property Tax Appeals during 2023 County Board of Equalization (CBOE) – Gage Osthoff [2023-2150]
- * 14) Agreement for Professional Services for Independent Referee for Real and Personal Property Tax Appeals during 2023 County Board of Equalization (CBOE) – Kenneth Lavertu [2023-2151]
- * 15) Agreement for Professional Services for Independent Referee for Real and Personal Property Tax Appeals during 2023 County Board of Equalization (CBOE) – Stephen Schofield [2023-2152]

* **Signed this date**