

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, AUGUST 7, 2023
9:00 A.M.

2023-2285

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:

- 1) Approval of Minutes of July 19, 2023 (*Cont'd from 8/2/2023*) [2023-2032]
- 2) Approval of Minutes of July 24, 2023 [2023-2080]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

WARRANTS:

- 1) General Warrants – August 4, 2023 [2023-2287]

BIDS:

- 1) Approve Bid #B2300143, Carbide Cutting Bits (Picks) – Department of Public Works [2023-2083]
- 2) Approve Bid #B2300116, Learning/Training Content for Integration into Workday – Department of Information Technology and Department of Human Resources [2023-2084]

NEW BUSINESS:

- 1) Consider Temporary Closure of CR 47 Between CRs 4 and 6 [2023-2288]
- 2) Consider Extension of Temporary Closure of CR 8 Between CRs 49 and 51 [2023-2289]
- 3) Consider Extension of Temporary Closure of CRs 74 and 33 Intersection [2023-2290]
- 4) Consider Renewal Application for a Brew Pub (County) Liquor License and authorize Chair to sign – Collision Brewing Company, LLC, dba Collision Brewing Company [2023-2291]
- 5) Consider Reappointment to Board of Adjustment [2023-2292]
- 6) Consider Amendment #2 to Professional Service Agreement for Enterprise Resource Planning (ERP) Payroll and Time Tracking Functional Lead Consulting, and authorize Chair to sign – Remy Corporation [2023-2302]
- 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*) [2023-2293]
 - Legals.....[2023-2053]
 - Correspondence.....[2023-2054]

PLANNING:

- 1) Consider Two-Lot Family Farm Division, FFD23-0008, with Lot A Exceeding 10 Acres in Size (12 acres) – David Dewey [2023-2294]

PLANNING (CONT'D):

- 2) Consider Contract ID #7249 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements, authorize Chair to sign, and Accept Collateral for Planned Unit Development Final Plan, PUDF22-0003 – Wesley and Shaun Basiliere [2023-2295]
 - 3) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0044 – Highpoint Operating Corporation [2023-2296]
 - 4) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0007 – Verdad Resources, LLC [2023-2297]
 - 5) 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*) [2023-2298]
- 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**

* No Public Hearings Scheduled for August 7, 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 -	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 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 21 - Partial Vacation, VAC23-0042, of Three-Lot Recorded Exemption, RE-2146, for Removal of Lot C – Theodore Buderus, Daniel Buderus, Julie Ann Buderus, and Susan Buderus
- Aug 21 - Partial Vacation, VAC23-0043, of Two-Lot Recorded Exemption, RE-1733, for Removal of Lot B – Theodore Buderus, Daniel Buderus, Julie Ann Buderus, and Susan Buderus
- 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*)

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

- 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 Agricultural Support and Service and 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 Planning Services, Addition to File PL2845, USR22-0020 – Pierce Hardy Limited Partnership, c/o 84 Lumber Company
- 2) Department of Planning Services, Addition to File RECX16-0089 – Dennis and Marie Christine Neal
- 3) Department of Planning Services, Addition to File RE-4796 – Timothy and Elane Swaney
- 4) Town of Fort Lupton, Oath of Office for Steven Weichel as Patrol Officer
- 5) Eaton Fire Protection District, Oaths of Office for Bond Baiamonte, Anthony Sparpana, and MaryAnn Harper to Board of Directors
- 6) The Fort 21, Ltd., dba The Fort 21, Affidavit for Surrender of Local and State Liquor Licenses, dated July 25, 2023

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – State Antelope J-12 Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 13WE2849 [2023-2253]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – 70 Ranch T5N-R63W-S25 L02, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 17WE0213 [2023-2254]
- 3) Kurt Arnusch, Submittal of Additional Attachments, Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Construction Materials Reclamation Permit Conversion Application from 110c to Regular 112c, Permit #M-1981-287 – Arnusch Gravel Pit 3 [2023-0895]

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

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

RESOLUTIONS (CONT'D):

- 5) Approve 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 – Duane and Bernice Kirkmeyer [2023-2243]
- 6) Approve Contract ID #7277 Agreement for Purchase of Public Road Right-of-Way for CRs 6 and 13 Intersection Improvements Project – Padade and Shoua Vue [2023-2244]
- 7) Approve Declaration of Certain Property as Surplus, and Approve Purchase and Sale Agreement and Quit Claim Deed for Duran Property Section of Poudre River Trail – City of Greeley [2023-2245]
- 8) Approve 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]
- 9) Approve 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]
- 10) Approve 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]

ORDINANCES:

- 1) 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*) [2023-2298]
- 2) 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*) [2023-2293]

MISCELLANEOUS:

- * 1) Contract ID #7280 Amendment #3 to Child Protection Agreement for Services – Rocky Mountain Kids [2021-1465]
- * 2) Contract ID #7286 Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Matthew and Rebeca Cox [2022-2384]
- * 3) Contract ID #7287 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Felicia Esparza [2023-2299]
- * 4) Contract ID #7289 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Jacob and Courtney Guildner [2023-2300]
- * 5) Contract ID #7290 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Roy and Diana Moore [2023-2301]
- * 6) Revised Installation and Integration Agreement, Sales Order Agreement, and Aftermarket Support Agreement, for Multi-Functional Device for Accounting Department – Capital Business Systems, Inc. [2023-1651]

* **Signed this date**