

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**WEDNESDAY, AUGUST 16, 2023**  
**9:00 A.M.**

**2023-2398**

**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

**AMENDMENTS TO AGENDA:**

**APPROVAL OF CONSENT AGENDA:** See Item #1 Under 'Consent Agenda-Miscellaneous' – Partial Vacation of a Recorded Exemption

**MINUTES:** Approval of Minutes of August 2, 2023 [2023-2235]

**WARRANTS:**

1) General Warrants – August 15, 2023 [2023-2400]

**BIDS:**

- 1) Approve Bid #B2300151, Cardiovascular Wellness Screening – Department of Human Resources [2023-2238]
- 2) Present Bid #B2300158, 2-Ton 4X4 Crew Cab with Dual Wheels and 8-Foot Utility Box (QTY 1) – Departments of Fleet Services and Public Works [2023-2401]
- 3) Present Bid #B2300159, 3/4-Ton 4X4 Extended Cab Pickup with 6.5-Foot Bed (QTY 2) – Departments of Fleet Services and Public Works [2023-2402]
- 4) Present Bid #B2300160, 3/4-Ton 4X4 Extended Cab Pickup with 8-Foot Bed (QTY 5) – Departments of Fleet Services, Public Works, and Facilities [2023-2403]
- 5) Present Bid #B2300161, Pursuit Rated All Wheel Drive or 4X4 Sport Utility Vehicle (QTY 8) – Department of Fleet Services and Sheriff's Office [2023-2404]
- 6) Present Bid #B2300162, Pursuit Rated Full Size 4X4 Crew Cab Pickup (QTY 4) – Department of Fleet Services and Sheriff's Office [2023-2405]
- 7) Present Bid #B2300163, 4X4 Crew Cab with Dual Wheels and 11-Foot Utility Box (QTY 1) – Departments of Fleet Services and Public Works [2023-2406]
- 8) Present Bid #B2300164, 4X4 Full Size Extended Cab Pickup with Utility Bed (QTY 1) – Departments of Fleet Services and Facilities [2023-2407]
- 9) Present Bid #B2300166, Small 4-Door All Wheel Drive or 4X4 Sport Utility Vehicle (QTY 8) – Departments of Fleet Services, Facilities, Public Works, and Sheriff's Office [2023-2408]

**NEW BUSINESS:**

- 1) Consider Intergovernmental Agreement for Mail Ballot Drop-Off Box and Video Surveillance Recording System, and authorize Chair to sign – Aims Community College, Fort Lupton Campus [2023-2409]

**NEW BUSINESS (CONT'D):**

- 2) Consider Intergovernmental Agreement for Mail Ballot Drop-Off Box and Video Surveillance Recording System, and authorize Chair to sign – Town of Severance [2023-2410]
- 3) Consider Contract ID #7300 Professional Development Agreement for Restorative Justice Education and authorize Department of Human Services to sign and submit electronically – Interagency Oversight Group of Weld County [2023-2411]
- 4) Consider Contract ID #7304 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Ronna Brinkman [2023-2412]
- 5) Consider Customer Agreement for Fleet Electrification Advisory Program (FEAP) and authorize Chair to sign electronically – Public Service Company of Colorado, dba Xcel Energy [2023-2413]
- 6) Consider Contract ID #7318 Application for 2023 Multimodal Project Discretionary Grant (MPDG), Mega Program for North Interstate 25, Segment 5 Improvements Project, and authorize Department of Public Works to submit electronically on behalf of Colorado Department Of Transportation (CDOT) [2023-2414]
- 7) Consider Contract ID #7319 Amendment #1 to Intergovernmental Agreement for Construction of Improvements to “O” ST and 59th AVE Intersection and authorize Chair to sign – City of Greeley [2023-2415]

**PLANNING:**

- 1) Consider Decommissioning and Reclamation Plan, Accept Collateral, and authorize Chair to sign, for Site Specific Development Plan and Use by Special Review Permit, USR22-0007, for a Solar Energy Facility (SEF) in the A (Agricultural) Zone District – Willard and Linda Owens, c/o USS Picadilly Solar, LLC [2023-2416]
- 2) Consider Decommissioning and Reclamation Plan, and Accept Collateral for Zoning Permit for Solar Energy Facility, ZPSF23-0001, Less Than Five (5) Acres (5 Acre SEF) – SunShare, LLC, c/o Beau Scott [2023-2417]
- 3) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA19-0052 – Highpoint Operating Corporation [2023-2418]

**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](mailto: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](mailto:ctb@weld.gov).

**ADJOURN:**

**PUBLIC HEARINGS  
BOARD OF COUNTY COMMISSIONERS**

- 10:00 AM - Docket #2023-53, PL2153 - A Site Specific Development Plan and Second Major Amended Use by Special Review Permit, 2MJUSR23-11-0027, (an office/repair shop with outdoor vehicle/equipment storage and vehicle staging area associated with an excavation business) to construct a new building for additional storage space of equipment and/or trucks being repaired or waiting for repair parts, along with an additional outdoor storage area, in the A (Agricultural) Zone District, M & M Excavation Company, LLC [located south of and adjacent to County Road 58; 0.25 mile east of County Road 51] (Planner – Chris Gathman) [2023-2311]
- 10:00 AM - Docket #2023-44, PL2879 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0002, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, D-Dart Ranch, Inc., c/o SunShare, LLC, dba Lincoln Solar, LLC [located south of and adjacent to State Highway 14; west of and adjacent to County Road 37] (Planner – Diana Aungst) [2023-2344]
- 10:00 AM - Docket #2023-56, PL2883 - Resubdivision, RES23-0001, of Lot 11 in Enchanted Hills Subdivision, resulting in three (3) lots, Steve Maas [located east of and adjacent to County Road 15; approximately 600 feet north of Maple Street] (Planner – Maxwell Nader) [2023-2358]

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

Aug 17 -	Extension Advisory Council	12:00 PM
Aug 17 -	Greeley-Weld County Airport Authority	3:30 PM
Aug 22 -	Board of Public Health	9:00 AM
Aug 22 -	Regional Communications Advisory Board	10:30 AM
Aug 22 -	Community Corrections Board	12:00 PM
Aug 23 -	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.

- 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*)
- 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 23 - Docket #2023-40, PL2877 - Change of Zone, COZ23-0001, from the A (Agricultural) Zone District to the C-3 (Business Commercial) Zone District, PV East, LLC [located north of and adjacent to County Road 20; approximately 0.30 mile east of County Road 19] (Planner – Maxwell Nader) 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

**FUTURE PUBLIC HEARINGS (CONT'D):**

- 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](mailto: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](mailto:ctb@weld.gov).

- 1) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for August 17, 2023
- 2) U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) Region VIII, Re: Proposed Flood Hazard Determinations and Associated Appeal Process

**PUBLIC REVIEW:**

- 1) Town of Erie, North Westerly Annexation, Impact Report, Notice, Resolution, and Petition [2023-2395]
- 2) L.G. Everist, Inc., c/o Environment, Inc., Adequacy Response No. Three (3) to Colorado Department of Natural Resources, Division of Reclamation, Mining, and Safety, Permit #M-2022-048 – West Farm Reservoirs [2023-1623]

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

- 1) Approve Acceptance of Assignment of Contract to Buy and Sell Real Estate, Known as 2139 East 8th Street, Greeley, Colorado 80631 [2023-2380]
- 2) Approve Temporary Closure of CR 22 Between CRs 37 and 41 [2023-2381]
- 3) Approve Appointment to Human Services Advisory Commission [2023-2382]
- 4) Approve Appointment to Planning Commission [2023-2383]
- 5) Approve Cancellation of Board of County Commissioners Meeting Scheduled for September 13, 2023 [2023-2384]
- 6) Approve 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 [2023-2387]

**RESOLUTIONS (CONT'D):**

- 7) Approve Partial Vacation, VAC23-0045, of Two-Lot Recorded Exemption, RECX15-0087, for Removal of Lot B – Leslie Gelvin and Jeanne Gelvin [2023-2388]

**MISCELLANEOUS:**

- \* 1) 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 [2023-2419]
- \* 2) Four (4) Facility Usage Agreements for November 7, 2023, Coordinated Election – Aims Community College, Aims Community College (Fort Lupton Campus), University of Northern Colorado, and Trinity Lutheran Church [2023-2420]
- \* 3) Contract ID #7302 Service Agreement for Window Cleaning Services for Various County Buildings (Informal Bid #B2300149) – Rocky Mountain Window Cleaning, Inc., dba Squeegee Squad [2023-2421]
- \* 4) Contract ID #7316 Agreement for Materials for Carbide Cutting Bits (Picks – Bid #B2300143) – 4 Rivers Equipment [2023-2083]

\* **Signed this date**