

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, AUGUST 23, 2023
9:00 A.M.

2023-2464

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 August 9, 2023 [2023-2326]

CERTIFICATION OF HEARINGS: Hearings conducted on August 9, 2023:

- 1) USR23-0015 – Steven and Katherine Bingley [2023-2217]
- 2) USR23-0014 – Lazaro Lara Adame, c/o L&M Trucking, LLC [2023-2282]
- 3) COZ23-0002 – Robert L. Seltzer Family Trust, c/o Jack Seltzer, Trustee, c/o Brighton Outdoor Storage [2023-2232]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

WARRANTS:

- 1) General Warrants – August 22, 2023 [2023-2466]

BIDS:

- 1) Approve Bid #B2300074, Engineering Services for Weld County Trail Design Project (Request for Quote/Request for Proposal) – Department of Public Works [2023-1784]
- 2) Approve Bid #B2300147, Paving Fabric Supply – Department of Public Works [2023-2328]
- 3) Present Bid #B2300168, Generator Maintenance at Various Locations – Facilities Department [2023-2467]

NEW BUSINESS:

- 1) Consider Acceptance of 2023 Abstract of Assessment and authorize Chair to sign [2023-2468]
- 2) Consider Contract ID #7326 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Jobs for Veterans State Grant (JVSG), and authorize Chair to sign electronically [2023-2469]
- 3) Consider Contract ID #7330 Acceptance of Grant Award Letter Summary of Terms and Conditions for 2021 Homeland Security Grant Program for Northeast All-Hazards Region [2023-2470]
- 4) Consider Contract ID #7329 Acceptance of Grant Award Letter Summary of Terms and Conditions for 2022 Homeland Security Grant Program for Northeast All-Hazards Region [2023-2471]

NEW BUSINESS (CONT'D):

- 5) Consider Contract ID #7317 Professional Services Agreement for the Northeast All-Hazards Region Homeland Security Grant Coordinator and authorize Chair to sign – Preparedness Partners, LLC [2023-2472]
- 6) 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*) [2023-2473]
 - Legals.....[2023-2053]
 - Correspondence.....[2023-2054]

PLANNING:

- 1) Consider Partial Vacation of Second Minor Amended Use by Special Review Permit, 2MUSR18-84-602 – Sharp Trust, c/o Donovan Sharp [2023-2474]
- 2) Consider Vacation of Special Use Permit, SUP-299 – Affordable Owner, LLC, c/o Randall Clark [2023-2475]
- 3) 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*) [2023-2476]
 - 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**

- 10:00 AM - 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) [2023-2396]
- 10:00 AM - 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, attn: 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*) [2023-1733]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

| | | |
|----------|-------------------------------------|-----------|
| Aug 23 - | Greeley Housing Authority | 4:30 PM |
| Sep 4 - | HOLIDAY | CLOSED |
| Sep 5 - | Planning Commission | 1:30 PM |
| Sep 11 - | Juvenile Community Review Board | 12:00 PM |
| Sep 12 - | Workforce Development Board | 11:45 PM |
| Sep 13 - | Board Meeting | CANCELLED |
| Sep 14 - | Weld Faith Partnership Council | 7:30 AM |
| Sep 14 - | 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.

- 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*)
- Aug 28 - First Reading of Code Ordinance #2023-14, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*HFWA and POWR Act*)
- 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 11 - Second Reading of Code Ordinance #2023-14, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*HFWA and POWR Act*)
- Sep 25 - Final Reading of Code Ordinance #2023-14, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*HFWA and POWR Act*)
- 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.

- Sep 6 - Docket #2023-70, PL2891 - A Limited Event Permit, LEP23-0001, for a fundraiser dinner and concert, in the A (Agricultural) Zone District, Jim and Kirsten Humphrey, c/o American Cancer Society [located east of and adjacent to State Highway 257; approximately 0.48 miles south of the intersection at County Road 74 and State Highway 257] (Planner – Maxwell Nader) 9:00 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

FUTURE PUBLIC HEARINGS (CONT'D):

- 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) Board of Public Health, Agenda for August 15, 2023
- 2) Community Corrections Board, Agenda for August 22, 2023
- 3) Colorado Department of Local Affairs, Division of Property Taxation, Notices of Forfeiture, Re: Humane Society of Weld County, Triangle Cross Ranch, Inc., and New Life Tabernacle of Greeley

PUBLIC REVIEW:

- 1) City of Greeley, Schneider Annexation, Notice of Public Hearing, Petition, Affidavit, Resolution, and Map [2023-2463]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Enerplus Resources (USA) Corporation – Alberta Cities Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0141 [2023-2441]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Enerplus Resources (USA) Corporation – Colorado Rivers Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0149 [2023-2442]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Wahlert AC33 Econode T7N-R63W-S3 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0608 [2023-2443]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Grant Salisbury Elmquist 14H-C268 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 15WE1413 and 20WE0606 [2023-2444]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Pronghorn F-10, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 13WE2738 [2023-2445]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Troudt 18-27 Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0205 [2023-2446]

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

- 1) Approve Contract ID #7314 Lease Agreement for Chase Building (822 7th Street, Suite 550, Greeley) – Greeley-Weld County Economic Development Action Partnership, Inc., dba Upstate Economic Development [2023-2450]
- 2) Approve Extension of Emergency Temporary Closure of CR 8 Between CRs 49 and 51 [2023-2451]
- 3) Approve Temporary Closure of CR 18 and Market ST Intersection Between CRs 57 and 59 [2023-2452]
- 4) Approve Itemized List of Legal Holidays During Calendar Year 2024 [2023-2453]
- 5) Approve 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 [2023-2454]
- 6) Approve 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 [2023-2455]

ORDINANCES:

- * 1) 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*) [2023-2476]
 - Legals.....[2023-2056]
 - Correspondence.....[2023-2057]
- * 2) 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*) [2023-2473]
 - Legals.....[2023-2053]
 - Correspondence.....[2023-2054]

MISCELLANEOUS:

- * 1) Contract ID #7325 Amendment #1 to Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2300040) – Appa Therapy, PLLC [2023-1434]
- * 2) Contract ID #7332 Amendment #2 to Memorandum of Understanding to Develop Plan to Strengthen Foster and Kinship Programs – Children Need Amazing Parents (CHAMPS) Colorado [2021-2259]
- * 3) Contract ID #7333 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Danny and Tierney Baldwin [2023-2477]
- * 4) Contract ID #7336 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-1, Gilcrest [2023-2478]
- * 5) Contract ID #7337 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-8, Fort Lupton [2023-2479]
- * 6) Acceptance of Deed of Dedication for CRs 6 and 13 Intersection Improvements Project – Duane and Bernice Kirkmeyer [2023-2243]
- * 7) Notification Letter for Unclaimed Property and Escheated Information Concerning Suspended Funds for Plugged and Abandoned H and Y Well – PDC Energy, Inc. [2023-2480]
- * 8) Consent to Assignment of Oil and Gas Lease from Verdad Resources, LLC, to Noble Energy, Inc. – W1/2 SE1/4 S20, T9N, R60W [2023-2481]

* **Signed this date**