

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, SEPTEMBER 18, 2023
9:00 A.M.

2023-2654

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 30, 2023 [2023-2533]

AMENDMENTS TO AGENDA: Add Contract ID #7372 to 'New Business' as Item #5

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

1) National Forensic Science Week – September 17-23, 2023 [2023-2656]

WARRANTS:

1) General Warrants – September 12, 14, and 15, 2023 [2023-2657]

BIDS:

- 1) Approve Bid #B2300155, Design Services for Audio Visual Equipment Upgrades at Various Buildings – Facilities Department [2023-2538]
- 2) Present Bid #B2300133, Inmate Communication Services – Sheriff's Office and Department of Justice Services [2023-2658]

NEW BUSINESS:

- 1) Consider Contract ID #7359 Award Letter for 2022 State Criminal Alien Assistance Program (SCAAP) Grant and authorize Controller to submit electronically [2023-2659]
- 2) Consider Contract ID #7311 Agreement for Relocation of Electric Power Lines for CRs 6 and 13 Intersection Roundabout Project and authorize Chair to sign – United Power, Inc. [2023-2660]
- 3) Consider Contract ID #7312 Non-Exclusive License Agreement for Construction, Maintenance, and Use of Power Lines within Public Road Right-of-Way for CRs 6 and 13 Intersection Roundabout Project, and authorize Chair to sign – United Power, Inc. [2023-2661]
- 4) Consider Sales Agreement Terms and Conditions for Emergency Purchase of Used Conveyor for Koskie Gravel Pit and authorize Chair and Controller to sign any necessary documents – Wagner Equipment Company [2023-2662]
- 5) Consider Contract ID #7372 Rental Quote Agreement and Mandatory Contract Provisions for Asphalt Remix Transfer Vehicle for CR 77 Between SH 14 and CR 100 Improvements Project, and authorize Chair to sign – Wagner Equipment Company [2023-2672]

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 September 18, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Sep 19 -	911 Emergency Telephone Service Authority Board	12:00 PM
Sep 19 -	Northern Colorado RETAC	2:00 PM
Sep 20 -	Emergency Medical/Trauma Services Council	11:00 AM
Sep 21 -	Greeley-Weld County Airport Authority	12:30 PM
Sep 26 -	Board of Public Health	9:00 AM
Sep 26 -	Regional Communications Advisory Board	10:30 AM
Sep 26 -	Community Corrections Board	12:00 PM
Sep 27 -	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.

- 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 27 - Docket #2023-62, PL2885 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0019, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Michael Boulter Farms, LLC, c/o CBEP Solar 26, LLC [located north of and adjacent to County Road 44; east of and adjacent to County Road 45] (Planner – Kim Ogle) 10:00 AM
- Sep 27 - Docket #2023-63, PL2886 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0020, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Wake, LLLP, c/o CBEP Solar 20, LLC [located north of and adjacent to County Road 66; approximately 0.5 mile west of County Road 49] (Planner – Kim Ogle) 10:00 AM
- Sep 27 - Docket #2023-61, PL2199 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0018, for Open Mining (topsoil) and employee and equipment parking associated with operations outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Korwell Land Holdings, LLC [located north of and adjacent to County Road 40; east of and adjacent to County Road 35] (Planner – Kim Ogle) 10:00 AM
- Oct 4 - Docket #2023-64, PL2887 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0021, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Dave Weinmeister, c/o CBEP Solar 13, LLC [located north of and adjacent to County Road 54; approximately 0.5 mile west of County Road 49] (Planner – Kim Ogle) 10:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- Oct 4 - Docket #2023-65, PL2888 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0022, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Michael Morgan, c/o CBEP Solar 15, LLC [located south of and adjacent to County Road 54; west of and adjacent to County Road 27] (Planner – Kim Ogle) 10:00 AM
- Oct 4 - Docket #2023-66, PL2889 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0023, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [located north of and adjacent to County Road 54; west of and adjacent to County Road 47] (Planner – Kim Ogle) 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
- Dec 20 - 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) – *(Cont'd from 8/23/2023)* 10:00 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
- Jan 10, 2024 - 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 9/6/2023)* 10:00 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, 1041 WOGLA Hearing Docket for September 14, 2023
- 2) Department of Planning Services, Addition to File RE-3520 – NGL Water Solutions DJ, LLC
- 3) Department of Planning Services, Addition to File PL2849, USR22-0026 – Calvary Farms, LLC, c/o Bayswater Exploration and Production, LLC
- 4) Department of Planning Services, Addition to File PL1919, PUDF18-0001 – H and K Investments, LLC

COMMUNICATIONS (CONT'D):

- 5) Department of Planning Services, Addition to File PL2520, ZPAG22-0016 – Dale and Teresa Dexter
- 6) Community Development Block Grant (CDBG), Notice of Findings of No Significant Impact and Notice of Intent to Request Release of Funds Re: Hudson Walking Paths Project (22-4), Environmental Assessment Determinations and Compliance Findings
- 7) Board of County Commissioners, Letter of Response to Scott A. Clark, Esq. of Burns Figa and Will, P.C., dated September 8, 2023, Re: Letter of Request Pursuant to Weld County Code Section 24-11-40, dated August 14, 2023, on behalf of Kathryn and Kevin Beiland
- 8) Colorado Department of Local Affairs, Division of Property Taxation, Final Determinations, Re: United Way of Weld County, Inc., The Learning Source Foundation, Genesis Project of Northern Colorado, and Intersarsity Christian Fellowship/USA
- 9) Colorado Department of Local Affairs, Division of Local Government, Notice dated September 12, 2023, Re: Grant Funding Not Awarded for the Energy and Mineral Impact Assistance Fund (EIAF) Program for Infrastructure Investments and Jobs Act (IIJA) Local Match Support (August Cycle) for the Multimodal Project Discretionary Mega Grant (MPDG) for the Interstate 25 Segment 5 Improvements Project

PUBLIC REVIEW:

- 1) Town of Windsor, Smith Farm Annexation, Referral, Impact Report, Petition, Maps, Resolutions, Notice, School District Response, and Statement of Community Need [2023-2630]
- 2) City of Greeley, Wake Annexation Nos.1, 2, and 3, Petition, Affidavit, Notice, Resolution, and Map [2023-2631]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Union Tank Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0156 [2023-2599]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Renfroe Wells, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0058 [2023-2600]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Williams Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0061 [2023-2601]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Kerr-McGee Onshore Oil and Gas, LP – 36123724 Well Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0487 [2023-2602]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – University of Northern Colorado (UNC) – West Campus Generator, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 12WE2126 [2023-2603]
- 8) IHC Scott, Inc., Response to Notice of Incomplete Submittal to Colorado Department of Natural Resources, Division of Reclamation, Mining, and Safety, Application for 112(c) Construction Materials Reclamation, Permit #M-2023-025 – Bernhardt Sand and Gravel Pit [2023-2423]
- 9) Colorado Department of Regulatory Agencies, Public Utilities Commission, Public Comment Hearing Re: Amendments to Gas and Electric Disconnection Rules [2023-2640]

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

- 1) Approve Contract ID #7349 Expenditure Authorization and Work Plan for Additional Trade Adjustment Assistance (TAA) Case Management Grant Funds [2023-2613]
- 2) Approve Contract ID #7355 Amendment #1 to Facility Usage License Agreement and Rental Guidelines for Area Agency on Aging (AAA) Senior Nutrition Program (Friendly Fork) – Archdiocese of Denver and Guardian Angels Catholic Church [2023-2614]

RESOLUTIONS (CONT'D):

- 3) Approve Contract ID #7363 Commercial Real Estate Lease Agreement for Office Space (810 9th ST, Suites 150 and 200, Greeley) for Child Welfare Family Support and Visitation Center (FSVC) – Buckingham Gordon, LLC [2023-2615]
- 4) Approve Standard Form for Cooperative Agreements Regarding Protocols for Child Welfare Notification and Investigation Requirements Between Department of Human Services and Various Law Enforcement Agencies [2023-2616]
- 5) Approve Emergency Temporary Closure of CR 31 Between CRs 84 and 86 [2023-2617]
- 6) Approve Temporary Closure of Two Rivers PKWY Between CR 54 and SH 60 [2023-2618]
- 7) Approve Renewal Application for a Vintner’s Restaurant (County) Liquor License – Salt and Acres, LLC, dba Salt and Acres [2023-2619]
- 8) Approve Vacation of Public Facility Division, PFD22-0004, and Recombine Lots into Original Acreage – Barclay Farm Property, LLC, c/o Richard Johnson [2023-2621]

MISCELLANEOUS:

- * 1) National Forensic Science Week – September 17-23, 2023 [2023-2656]
- * 2) Contract ID #7366 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Eric Ibarra and Maira Gomez [2023-2663]
- * 3) Contract ID #7369 Amendment #1 to Agreement for Professional Services for Translation and Interpretation Services – Colorado Language Services, Inc. [2022-2387]
- * 4) Contract ID #7373 Amendment #1 to Agreement to Purchase Out-of-Home Placement Services – Whimspire Child Placement Agency [2023-2093]
- * 5) Contract ID #7374 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Ault Police Department [2023-2664]
- * 6) Contract ID #7375 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Eaton Police Department [2023-2665]
- * 7) Contract ID #7377 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Johnstown Police Department [2023-2666]
- * 8) Contract ID #7378 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – City of Greeley Police Department [2023-2667]
- * 9) Contract ID #7379 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Kersey Police Department [2023-2668]
- * 10) Contract ID #7380 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Mead Police Department [2023-2669]
- * 11) Contract ID #7381 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Platteville Police Department [2023-2670]
- * 12) Contract ID #7365 Extension/Renewal Addendum #1 to Software License and Service Agreement for Web Based Application TREADS (Treasurer’s Office Deed Application) – Government Technology Systems, LLC [2022-1548]
- * 13) Contract ID #7370 Agreement for Construction Services for 2023 Paving Fabric and Installation (Bid #B2300147) – Vance Brothers, Inc. [2023-2328]
- * 14) Twenty-Three (23) Memorandums of Intergovernmental Agreements for Conduct of Coordinated Elections with Various Entities [2023-2671]
- * 15) Quit Claim Deed for Real Estate Purchase and Sale Agreement for Severance Grader Shed (11538 CR 74) – Town of Severance [2023-2171]
- * 16) Quit Claim Deed for Real Estate Purchase and Sale Agreement for Ault Grader Shed (16331 SH 14) – Town of Ault [2023-2240]

MISCELLANEOUS (CONT'D):

- * 17) Contract ID #7361 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0014 – Bonanza Creek Operating Company, LLC [2023-2694]
- * 18) Contract ID #7362 Road Maintenance Agreement According to Requirements During the Construction Period for Location Assessment for Pipeline Permit, LAP23-0008 – Noble Energy, Inc. [2023-2695]
- * 19) Contract ID #7367 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0010 – Red Hawk Petroleum, LLC [2023-2696]

* **Signed this date**