

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, OCTOBER 2, 2023
9:00 A.M.

2023-2885

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 September 18, 2023 [2023-2655]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

1) Weld County Long-Term Care Residents' Rights Month – October 2023 [2023-2887]

WARRANTS:

1) General Warrants – September 29, 2023 [2023-2888]

BIDS:

- 1) Approve Bid #B2300133, Inmate Communication Services – Sheriff's Office and Department of Justice Services [2023-2658]
- 2) Present Bid #B2300178, Shooting Range Building Addition and New Water Treatment System – Facilities Department [2023-2889]

NEW BUSINESS:

- 1) Consider Contract ID #7441 Master Service Agreement and Request for Service Form for Child Welfare Family Support and Visitation Center (810 9th Street, Suites 150 and 200, Greeley), and authorize Chair to sign – Allo Communications, LLC [2023-2890]
- 2) Consider Contract ID #7430 Statement of Work for 2023-2024 Preventative Block Grant (PBG) for Public Health Services Purchase Order Funds and authorize Chair to sign [2023-2891]
- 3) Consider Extension of Temporary Closure of CR 18 and Market ST Intersection Between CRs 57 and 59 [2023-2892]
- 4) Consider Contract ID #7429 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 6 and 13 Roundabout Project, and authorize Chair to sign any necessary documents – Hunt Brothers Properties, Inc. [2023-2893]
- 5) Consider Contract ID #7445 Application for Surface Transportation Block Grant (STBG) Project Funds for CRs 13 and 50 Intersection Realignment Project, and authorize Department of Public Works to submit electronically – North Front Range Metropolitan Planning Organization (NFRMPO) [2023-2894]

NEW BUSINESS (CONT'D):

- 6) Contract ID #7446 Application for Congestion Mitigation and Air Quality (CMAQ) Project Grant Funds for SH 392 and CR 37 Intersection Improvements Project, and authorize Department of Public Works to submit electronically – North Front Range Metropolitan Planning Organization (NFRMPO) [2023-2895]

PLANNING:

- 1) Consider Accepting Filing of Amended and Restated Service Plan, and Refer Matter to Weld County Planning Commission for Study and Recommendation – Kiteley Ranch Metropolitan District [2023-2896]

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 October 2, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Oct 2 -	Weld County Fair Board	6:00 PM
Oct 3 -	Planning Commission	1:30 PM
Oct 4 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Oct 5 -	Island Grove Park Advisory Board	4:00 PM
Oct 9 -	Juvenile Community Review Board	12:00 PM
Oct 12 -	Weld Faith Partnership Council	7:30 AM
Oct 12 -	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.

- Oct 4 - Emergency Ordinance #259-A, In the Matter of a Supplemental Appropriation for the Year 2023
- Oct 9 - Second Reading of Code Ordinance #2023-19, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Holiday Addition*)
- 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*)
- Oct 23 - Final Reading of Code Ordinance #2023-19, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources of the Weld County Code (*Holiday Addition*)
- 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.

- 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
- 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

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
- 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) Planning Commission, Agenda for October 3, 2023 [2023-2881]
- 2) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for October 5, 2023 [2023-2884]
- 3) Department of Human Services, Email dated September 26, 2023, Re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Ronna Brinkmann [2023-2883]
- 4) BauerFinancial, Inc., Hometown Bank Ratings Report as of June 30, 2023 [2023-2882]

PUBLIC REVIEW:

- 1) Town of Keenesburg, Boomer Annexation, Resolution, Petition, Notice, Maps, Impact Report, and Project Narrative [2023-2836]
- 2) Town of Severance, Severance Storage Annexation No. 1, Impact Report, Petition, Resolution, Notice of Public Hearing, and Maps [2023-2866]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Ash Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0253 [2023-2682]

PUBLIC REVIEW (CONT'D):

- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Dillard Shable USX T7N-R64W-S11 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE0439 [2023-2683]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Mallard Exploration, LLC – Wigeon Fed Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 23WE0051, 23WE0052, 23WE0053, and 23WE0054 [2023-2684]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Dechant T2N-R65W-S1 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0328 [2023-2685]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Jesser Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0406 [2023-2686]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Regnier Farms 19H-B268 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0334 [2023-2687]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – McNear 10-9 Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 19WE0810 and 23WE0235 [2023-2688]
- 10) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice of Request for Temporary Cessation TC-01, Initial Period, Permit #M-1988-04 – L.G. Everist, Inc. – Carr Gravel Resource [2023-2837]

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

- 1) Approve Contract ID #7402 Independent Contractor Agreement for Legislative Proposal Drafting – Technical Assistance Collaborative, Inc. [2023-2856]
- 2) Approve Contract ID #7403 2023-2024 Low-Income Energy Assistance Program (LEAP) Outreach Incentive Program Agreement and Plan [2023-2857]
- 3) Approve Contract ID #7405 2024-2026 Community Services Block Grant (CSBG) Program Application and Plan [2023-2858]
- 4) Approve Contract ID #7364 Subaward Agreement for the DRIVE SMART Weld County Young Driver Traffic Safety Project [2023-2859]
- 5) Approve Memorandum of Understanding for Adult Treatment Court (ATC) Program with Various Entities [2023-2860]
- 6) Approve USR23-0019 – Michael Boulter Farms, LLC, c/o CBEP Solar 26, LLC [2023-2734]
- 7) Approve USR23-0020 – Robert and Allison Johnson, c/o CBEP Solar 20, LLLP [2023-2747]
- 8) Approve USR23-0018 – Korwell Land Holdings, LLC [2023-2697]

MISCELLANEOUS:

- * 1) Weld County Long-Term Care Residents' Rights Month – October 2023 [2023-2887]
- * 2) Contract ID #7386 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-4, Town of Windsor [2023-2897]
- * 3) Contract ID #7388 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-11, Town of New Raymer (Prairie) [2023-2898]
- * 4) Contract ID #7392 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-3, Town of Keenesburg [2023-2899]
- * 5) Contract ID #7436 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-12, Town of Grover (Pawnee) [2023-2900]

MISCELLANEOUS (CONT'D):

- * 6) Contract ID #7440 Memorandum of Understanding for School Stability for Students in Foster Care – Weld County School District RE-5, Towns of Johnstown and Milliken [2023-2901]
- * 7) Contract ID #7393 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Weld County Sheriff’s Office [2023-2902]
- * 8) Contract ID #7404 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Frederick Police Department [2023-2903]
- * 9) Contract ID #7406 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Nunn Police Department [2023-2904]
- * 10) Contract ID #7428 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Erie Police Department [2023-2905]
- * 11) Contract ID #7439 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Milliken Police Department [2023-2906]
- * 12) Contract ID #7442 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Lochbuie Police Department [2023-2907]
- * 13) Contract ID #7447 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of LaSalle Police Department [2023-2908]
- * 14) Contract ID #7394 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – John and Kiersten Mehl [2023-2909]
- * 15) Contract ID #7396 Agreement for Construction Services for Chase Building (822 7th ST, Suite 550, Greeley) Remodel Project (Informal Bid) – Kilgore Construction [2023-2910]
- * 16) Contract ID #7401 Extension/Renewal Amendment #1 to Service Agreement for East Parking Lots Snow Removal Services (1400, 1402, and 1551 North 17th Avenue, Greeley, and 300 8th Avenue, Greeley – Informal Bid #B2200156) – Wildscaping Unlimited, LLC [2022-3013]

* **Signed this date**