

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**WEDNESDAY, OCTOBER 4, 2023**  
**9:00 A.M.**

**2023-2928**

**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 – EXCUSED

**MINUTES:** Approval of Minutes of September 20, 2023 [2023-2723]

**READ ORDINANCE BY AUDIO:** Read Emergency Ordinance #259-A by audio

**AMENDMENTS TO AGENDA:**

**APPROVAL OF CONSENT AGENDA:**

**WARRANTS:**

1) General Warrants – October 3, 2023 [2023-2930]

**BIDS:**

1) Approve Bid #B2300169, Facilities Building Addition and Remodel – Facilities Department [2023-2726]

**NEW BUSINESS:**

- 1) Consider Petition for Abatement or Refund of Taxes for Account No. R6785437 – 20680 Niobrara Blvd, LLC [2023-2931]
- 2) Consider Petition for Abatement or Refund of Taxes for Account No. R4060686 – TBK Bank SSB [2023-2932]
- 3) Consider Petition for Abatement or Refund of Taxes for Account No. R1752202 – TBK Bank SSB [2023-2933]
- 4) Consider Petition for Abatement or Refund of Taxes for Account No. R8970291 – Brent and Sarah Gooch [2023-2934]
- 5) Consider Contract ID #7310 Employer Participation Agreement and Employer Roth Affiliation Participation Agreement for Voluntary Saving Plan Options for Eligible Employees, and authorize Chair to sign – Colorado Public Employees’ Retirement Association (PERA) [2023-2935]
- 6) Consider Contract ID #7397 Memorandum of Understanding for Services Pursuant to Workforce Innovation and Opportunity Act (WIOA) Program through One-Stop Operator Center, and authorize Chair to sign – Weld County Workforce Development Board [2023-2936]
- 7) Consider Contract ID #7427 Memorandum of Understanding for Area Agency on Aging (AAA) Senior Nutrition Program (Friendly Fork), and authorize Chair to sign – Town of Windsor [2023-2937]

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

- 8) Consider Contract ID #7444 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA) Program for Jobs for Veteran’s State Grant (JVSG) Program, and authorize Chair to sign and submit electronically [2023-2938]
  - 9) Consider Contract ID #7449 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA) Program for Migrant Seasonal Farmworker (MSFW) Program, and authorize Chair to sign [2023-2939]
  - 10) Consider Contract ID #7398 Amendment #1 to Lease Agreement for Satellite Office Space for State Employees of Division of Vocational Rehabilitation (DVR) and authorize Chair to sign and submit electronically [2023-2940]
  - 11) Consider Contract ID #7399 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program for Veteran’s Service to Career Program (VSCP), and authorize Chair to sign electronically [2023-2941]
  - 12) Consider Contract ID #7400 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Evaluation Funds and authorize Chair to sign electronically [2023-2942]
  - 13) Consider Contract ID #7418 Professional Service Agreement for Various Core and Non-Core Child Welfare Services and authorize Chair to sign – Lauren Cito Counseling, LLC [2023-2943]
  - 14) Consider Contract ID #7420 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Widad Basha [2023-2944]
  - 15) Consider Contract ID #7431 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – LaDonna Cram and Ashley Velasco [2023-2945]
  - 16) Consider Contract ID #7432 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Jason Hagert [2023-2946]
  - 17) Consider Grant Application for Case Management Retention and Sign-On Bonus Phase Three (3), and Statement of Assurance Form, and authorize Department of Human Services to submit electronically [2023-2947]
  - 18) Consider Settlement Agreement for CRs 66 and 41 Intersection Improvements Project and authorize Chair to sign – Daryl and Dalene Schump [2023-2948]
  - 19) Consider Acceptance of Deed of Dedication for Public Road Right-of-Way for CRs 66 and 41 Intersection Improvements Project and authorize Chair to sign – Daryl and Dalene Schump [2023-2949]
  - 20) Emergency Ordinance #259-A, In the Matter of a Supplemental Appropriation for the Year 2023 [2023-2950]
- Legals.....[2023-2951]

**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 #2023-64, 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) [2023-2838]
- 10:00 AM - 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) [2023-2821]
- 10:00 AM - 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) (*Cont'd to 12/6/2023*) [2023-2959]

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

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 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 ( <i>Holiday Addition</i> )	
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 ( <i>Floodplain Regulations</i> )	
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 ( <i>Holiday Addition</i> )	
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 ( <i>Floodplain Regulations</i> )	

## FUTURE PUBLIC HEARINGS:

All future Hearings are publicly noticed and will begin following the adjournment of the regular Board Meeting.

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) – ( <i>Cont'd from 6/7/2023</i> )	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) – ( <i>Cont'd from 8/23/2023</i> )	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) – ( <i>Cont'd from 7/12/2023</i> )	9:00 AM

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

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

**PUBLIC REVIEW:**

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Vic Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0591 [2023-2689]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Vogl Geist McCoy 5H-E267, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 15WE0423 and 20WE0321 [2023-2690]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Briggsdale Processing Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 12WE2008 [2023-2691]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Storis E24, and Mackinaw A19 Econode T6N-R65W-S24 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 15WE0181 [2023-2692]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Latham 14-2, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 12WE3095 [2023-2693]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bayswater Exploration and Production, LLC – East Ault Tank Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 21WE0601, 21WE0603, 21WE0604, and 23WE0181 [2023-2773]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Summit DJ-O, LLC – Makena Gas Plant, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0385 [2023-2774]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Diamond Valley East Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 13WE2799 [2023-2775]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Frye North Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0163 [2023-2776]
- 10) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice of Consideration for 112(c) Construction Materials Reclamation Application, Permit #M-2023-033 – BURNCO Colorado, LLC – Ewing Gravel Pit [2023-2681]

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

- 1) Approve 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) – Allo Communications, LLC [2023-2890]
- 2) Approve Contract ID #7430 Statement of Work for 2023-2024 Preventative Block Grant (PBG) for Public Health Services Purchase Order Funds [2023-2891]

**RESOLUTIONS (CONT'D):**

- 3) Approve Extension of Temporary Closure of CR 18 and Market ST Intersection Between CRs 57 and 59 [2023-2892]
- 4) Approve Contract ID #7429 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 6 and 13 Roundabout Project – Hunt Brothers Properties, Inc. [2023-2893]
- 5) Approve Contract ID #7445 Application for Surface Transportation Block Grant (STBG) Project Funds for CRs 13 and 50 Intersection Realignment Project – North Front Range Metropolitan Planning Organization (NFRMPO) [2023-2894]
- 6) Approve ID #7446 Application for Congestion Mitigation and Air Quality (CMAQ) Project Grant Funds for SH 392 and CR 37 Intersection Improvements Project – North Front Range Metropolitan Planning Organization (NFRMPO) [2023-2895]
- 7) Approve 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]

**ORDINANCES:**

- \* 1) Emergency Ordinance #259-A, In the Matter of a Supplemental Appropriation for the Year 2023 [2023-2950]
- Legals.....[2023-2951]

**MISCELLANEOUS:**

- \* 1) Contract ID #7452 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Johnathon and Rubyann Markworth [2023-2952]
- \* 2) Contract ID #7419 Professional Service Agreement for Design Services for Audio and Visual Equipment Upgrades (Bid #B2300155) – Shen Milsom and Wilke [2023-2538]
- \* 3) Contract ID #7422 Agreement for Construction Services for Jail Sewage Grinder Pump Electrical and Site Upgrade Project (Bid #B2300156) – Top Notch Plumbing, LLC [2023-2578]
- \* 4) Contract ID #7433 Service Agreement for Snow Removal for Chase Building (822 7th ST, Greeley) Parking Lots (Informal Bid #B2300180) – Landscapers of America, LLC [2023-2953]
- \* 5) Contract ID #7434 Service Agreement for Snow Removal for Downtown Greeley Parking Lots (Informal Bid #B2300181) – Landscapers of America, LLC [2023-2954]
- \* 6) Contract ID #7435 Service Agreement for Snow Removal for Southwest Service Center Parking Lots (Informal Bid #B2300182) – S.J. Ward Landscapes, LLC [2023-2955]
- \* 7) Division Order to Bayswater Exploration and Production, LLC (Ruby East 2 – API 05-123-51740, Ruby East 3 – API 05-123-51741, Ruby East 4 – API 05-123-51739, Ruby East 5 – API 05-123-51736, Ruby East 6 – API 05-123-51735, and Ruby East 7 – API 05-123-51738) [2023-2956]
- \* 8) Division Order to Civitas Resources, Inc. (Warner #2E-10H-E165 – API 05-123-50742) [2023-2957]

\* Signed this date