

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

**2023-2976**

**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 25, 2023 [2023-2779]

**AMENDMENTS TO AGENDA:**

**APPROVAL OF CONSENT AGENDA:**

**WARRANTS:**

- 1) General Warrants – October 4, and 6, 2023 [2023-2978]
- 2) Commissioner Warrants (Kevin D. Ross) – October 6, 2023 [2023-2979]

**BIDS:**

- 1) Approve Bid #B2300184, Electronics Waste Recycling Events – Department of Public Health and Environment [2023-2782]
- 2) Present Bid #B2300153, Online Service to Create Standardized Job Descriptions – Departments of Human Resources and Information Technology [2023-2980]

**NEW BUSINESS:**

- 1) Consider Amendment #3 to Voting System Acquisition Agreement and Three (3) Budgetary Quotes and Purchase Orders for Sole Source Ballot Voting Equipment, and authorize Chair and Department of Finance and Administration to sign – Dominion Voting Systems, Inc. [2023-2981]
  - 2) Consider Contract ID #7458 Land Use Application for Wireless Communication Facility Equipment Upgrade at 822 7th ST, Greeley (Chase Building), and authorize Chair and Facilities Department to sign – Retherford Enterprises, Inc., on behalf of Verizon Wireless and City of Greeley [2023-2982]
  - 3) Consider Contract ID #7451 Consent to Assignment and Assumption of Agreement for Construction Services for CRs 66 and 41 Intersection Project from IHC Scott, Inc., to W.W. Clyde and Company, and authorize Chair to sign [2023-2983]
  - 4) Consider Temporary Closure of CR 84.5 Between CR 149 and Marble AVE [2023-2984]
  - 5) 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) [2023-2985]
- Legals.....[2023-2797]  
Correspondence.....[2023-2798]

**PLANNING:**

- 1) Consider Local Government Land Use Applications Timeline Extension Agreement for Major Facilities of a Public Utility 1041 Permit (USR23-0039), Use by Special Review Permit (1MUSR23-99-1236), and Site Plan Review Permit (1AMSPR23-82-10), for Major Facilities of a Public Utility, and authorize Chair to sign – Public Service Company of Colorado, dba Xcel Energy [2023-2986]

**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**

\* No Public Hearings Scheduled for October 9, 2023 \*

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

Oct 12 -	Weld Faith Partnership Council	7:30 AM
Oct 12 -	Area Agency on Aging Advisory Board	9:00 AM
Oct 16 -	Federal Mineral Lease Act Board	3:00 PM
Oct 17 -	911 Emergency Telephone Service Authority Board	12:00 PM
Oct 17 -	Northern Colorado RETAC	2:00 PM
Oct 18 -	Building Trades Advisory Committee	5:30 PM
Oct 19 -	Extension Advisory Council	12:00 PM
Oct 19 -	Greeley-Weld County Airport Authority	3:30 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.

- 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.

- 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 6 - 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 from 10/4/2023*) 10:00 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

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

- 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](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) Federal Mineral Lease Act Board, Agenda for October 16, 2023 [2023-2973]
- 2) Federal Mineral Lease Act Board, Notice dated October 2, 2023, Re: Proposed Budget for Calendar Year 2024 [2023-2974]
- 3) Department of Human Services, Email dated October 3, 2023, Re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Lewis and Maureen Sevestre [2023-2975]
- 4) F and S Petroleum, LLC, Arbitration Award, dated October 3, 2023, Re: 2023 Weld County Board of Equalization [2023-2971]
- 5) Lori Schreiber, Arbitration Award, dated October 3, 2023, Re: 2023 Weld County Board of Equalization [2023-2972]
- 6) Colorado Department of Revenue, Liquor and Tobacco Enforcement Division, Stipulation, Agreement, and Order, Executed September 18, 2023, Re: Kum and Go #2906 [2023-2927]

**PUBLIC REVIEW:**

- 1) Town of Firestone, CDOT Mobility Hub Annexation, Resolution, Petition, Affidavit, Public Notice, and Maps [2023-2958]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Enerplus Resources (USA) Corporation – Saskatchewan Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0771, 20WE0774, and 20WE0775 [2023-2805]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Enerplus Resources (USA) Corporation – Colorado Lakes Well Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 18WE1219, 18WE1220, and 18WE1222 [2023-2806]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Bost Farm 5-7 Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 19WE0975 and 19WE0976 [2023-2807]

**PUBLIC REVIEW (CONT'D):**

- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Merrit 9 Sec, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0211 [2023-2808]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Shufly State Y34-16-A Econode, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE1159 [2023-2809]
- 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 [2023-2810]
- 8) 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 [2023-2811]

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

- 1) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account No. R6785437 – 20680 Niobrara Blvd, LLC [2023-2931]
- 2) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account No. R4060686 – TBK Bank SSB [2023-2932]
- 3) Action of the Board Concerning Petition for Abatement or Refund of Taxes for Account No. R1752202 – TBK Bank SSB [2023-2933]
- 4) Approve Petition for Abatement or Refund of Taxes for Account No. R8970291 – Brent and Sarah Gooch [2023-2934]
- 5) Approve Contract ID #7310 Employer Participation Agreement and Employer Roth Affiliation Participation Agreement for Voluntary Saving Plan Options for Eligible Employees – Colorado Public Employees' Retirement Association (PERA) [2023-2935]
- 6) Approve Contract ID #7397 Memorandum of Understanding for Services Pursuant to Workforce Innovation and Opportunity Act (WIOA) through One-Stop Operator Center – Weld County Workforce Development Board [2023-2936]
- 7) Approve Contract ID #7427 Memorandum of Understanding for Area Agency on Aging (AAA) Senior Nutrition Program (Friendly Fork) – Town of Windsor [2023-2937]
- 8) Approve Contract ID #7444 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA) for Jobs for Veteran's State Grant (JVSG) Program [2023-2938]
- 9) Approve Contract ID #7449 Memorandum of Understanding for Service Delivery Agreements Pursuant to Workforce Innovation and Opportunity Act (WIOA) for Migrant Seasonal Farmworker (MSFW) Program [2023-2939]
- 10) Approve Contract ID #7398 Amendment #1 to Lease Agreement for Satellite Office Space for State Employees of Division of Vocational Rehabilitation (DVR) [2023-2940]
- 11) Approve Contract ID #7399 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Veteran's Service to Career Program (VSCP) [2023-2941]
- 12) Approve Contract ID #7400 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Evaluation Funds [2023-2942]
- 13) Approve Contract ID #7418 Professional Service Agreement for Various Core and Non-Core Child Welfare Services – Lauren Cito Counseling, LLC [2023-2943]
- 14) Approve Contract ID #7420 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Widad Basha [2023-2944]
- 15) Approve Contract ID #7431 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – LaDonna Cram and Ashley Velasco [2023-2945]

**RESOLUTIONS (CONT'D):**

- 16) Approve Contract ID #7432 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Jason Hagert [2023-2946]
- 17) Approve Grant Application for Case Management Retention and Sign- On Bonus Phase Three (3), and Statement of Assurance Form [2023-2947]
- 18) Approve Settlement Agreement for CRs 66 and 41 Intersection Improvements Project – Daryl and Dalene Schump [2023-2948]
- 19) Approve Acceptance of Deed of Dedication for Public Road Right-of-Way for CRs 66 and 41 Intersection Improvements Project – Daryl and Dalene Schump [2023-2949]
- 20) Approve USR23-0021 – Dave Weinmeister, c/o CBEP Solar 13, LLC [2023-2838]
- 21) Approve USR23-0022 – Michael Morgan, c/o CBEP Solar 15, LLC [2023-2821]
- 22) Action of the Board Concerning USR23-0023 – Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [2023-2959]

**ORDINANCES:**

- 1) 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*) [2023-2985]

**MISCELLANEOUS:**

- \* 1) Contract ID #7438 Professional Service Agreement for Chase Building (822 7th ST, Greeley) Chiller Replacement Design and Engineering Services (Bid #B2300172) – G2 Consulting Engineers, Inc. [2023-2611]
- \* 2) Contract ID #7443 Service Agreement for Southeast Service Center Snow Removal (Informal Bid #B2300183) – Onken Enterprises, LLC [2023-2987]
- \* 3) Contract ID #7455 Change Order #1 to Agreement for Construction Services for Chase Building (822 7th ST, Greeley) Renovation Project (Bid #B2300107) – TCC Corporation [2023-1451]
- \* 4) Contract ID #7456 Change Order #1 to Professional Service Agreement for Back-Up Generator Architectural and Electrical Design (Bid #B2200166) – Cairn Design, LLC [2022-3314]
- \* 5) Contract ID #7457 Agreement for Professional Services for Access Control Doors for Family Support Visitation Center (810 9th ST, Suites 160 and 200, Greeley – Bid #B1700146) – Long Building Technologies, Inc. [2023-2988]
- \* 6) Contract ID #7423 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA22-0045 – Bison IV Operating, LLC [2023-2989]
- \* 7) Contract ID #7424 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0016 – Verdad Resources, LLC [2023-2990]
- \* 8) Contract ID #7425 Road Maintenance Agreement According to Requirements During the Construction Period for Zoning Permit for Solar Energy Facility, ZPSF23-0001 – Lisa Foos, c/o Montezuma Solar, LLC [2023-2991]
- \* 9) Contract ID #7426 Road Maintenance Agreement According to Requirements During the Construction Period for Zoning Permit for Solar Energy Facility, ZPSF23-0002 – Wayne Alm, c/o Cirque Solar, LLC [2023-2992]

\* **Signed this date**