

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**MONDAY, OCTOBER 16, 2023**  
**9:00 A.M.**

**2023-3065**

**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 October 2, 2023 [2023-2886]

**AMENDMENTS TO AGENDA:**

**APPROVAL OF CONSENT AGENDA:** See Item #3 under 'Bids' – Emergency Bid #B2300197, and Item #6 Under 'Consent Agenda-Miscellaneous' – Agreement for Construction Services

**PRESENTATIONS:**

- 1) Recognition of Services, Juvenile Community Review Board – Sarah Babb [2023-3067]
- 2) Recognition of Services, Weld Faith Partnership Council – Steven Grant, Steven Hall, and William Maxwell [2023-3068]

**PROCLAMATIONS:**

- 1) National Health Education Week – October 15-21, 2023 [2023-3069]

**WARRANTS:**

- 1) General Warrants – October 13, 2023 [2023-3070]
- 2) Commissioner Warrants (Lori Saine) – October 13, 2023 [2023-3071]

**BIDS:**

- 1) Approve Bid #B2300178, Shooting Range Building Addition and New Water Treatment System – Facilities Department – *(Cont'd to 10/30/2023)* [2023-2889]
- 2) Present Bid #B2300176, Courts Security Screening at Various Locations – Sheriff's Office [2023-3072]
- 3) Present and Approve Emergency Bid #B2300197, CR 74 and 33 Intersection Roundabout Completion Project – Department of Public Works [2023-3073]

**NEW BUSINESS:**

- 1) Consider Returning Federal Surface Transportation Block Grant (STBG) Funds from CRs 74 and 33 Intersection Roundabout Project Back to North Front Range Metropolitan Planning Organization (NFRMPO), and authorize Clerk to the Board to submit electronically [2023-3074]

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

- 2) Consider Returning Reimbursed Federal Surface Transportation Block Grant (STBG) Funds from CRs 74 and 33 Intersection Roundabout Project Back to Colorado Department of Transportation (CDOT), authorize Clerk to the Board to submit electronically, and Terminate Intergovernmental Agreement Entered Into Under Resolution #2020-2453, dated August 8, 2020 [2023-3075]
- 3) Consider Appointments to Building Trades Advisory Committee [2023-3076]
- 4) Consider Reassignments, Appointment, and Reappointments to Juvenile Community Review Board [2023-3077]
- 5) Consider Appointment to Regional Communications Advisory Board [2023-3078]
- 6) Consider Reappointments to Weld County Community Development Block Grant Advisory Committee (CDBGAC) [2023-3079]
- 7) Consider Reappointment to Weld Faith Partnership Council [2023-3080]
- 8) Consider Appointment to Workforce Development Board [2023-3081]

**PLANNING:**

- 1) 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*) [2023-3082]
- Legals.....[2023-2862]
- Correspondence.....[2023-2863]

**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 16, 2023 \*

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

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
Oct 24 -	Board of Public Health	9:00 AM
Oct 24 -	Regional Communications Advisory Board	10:30 AM
Oct 24 -	Community Corrections Board	12:00 PM
Oct 25 -	Greeley Housing Authority	4:30 PM
Oct 27 -	Human Services Advisory Commission	8:00 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 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 18 - Docket #2023-74, PL2893 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0030, for a 3.6 MW Solar Energy Facility (SEF) in the A (Agricultural) Zone District, Louis and Gina Fabrizius, c/o CBEP Solar 30, LLC [located approximately 0.5 miles north of State Highway 14; approximately 3,200 feet east of County Road 39; west of and adjacent to County Road 41 Section Line] (Planner – Chris Gathman) 10:00 AM
- Oct 18 - Docket #2023-75, PL2894 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0031, for a 5.7 MW Solar Energy Facility (SEF) in the A (Agricultural) Zone District, Louis and Gina Fabrizius, and Stanley and Carolyn Heinze, c/o CBEP Solar 32, LLC [located north of and adjacent to State Highway 392; approximately 1,600 feet east of County Road 41] (Planner – Chris Gathman) 10:00 AM
- Oct 18 - Docket #2023-67, PL2890 - Change of Zone, COZ23-0003, from the A (Agricultural) Zone District to the C-3 (Business Commercial) Zone District, PV East, LLC [located east of and adjacent to County Road 19; approximately 600 feet north of County Road 20] (Planner – Diana Aungst) 10:00 AM
- Nov 8 - Docket #2023-77, PL0181 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0033, for a 1.5 MW Solar Energy Facility (SEF) in the A (Agricultural) Zone District, John Scott Byrnes Trust, c/o CBEP Solar 28, LLC [located east of and adjacent to County Road 13; approximately 2,600 feet south of County Road 96] (Planner – Chris Gathman) 10:00 AM
- Nov 8 - Docket #2023-76, PL2734 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0032, for a 7.5 MW Solar Energy Facility (SEF) in the A (Agricultural) Zone District, McKee Ranch, LLLP, c/o CBEP Solar 16, LLC [located south of and adjacent to State Highway 392; west of and adjacent to County Road 37] (Planner – Chris Gathman) 10:00 AM

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

- Nov 8 - Docket #2023-69, PL2884 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0025, for Event Facilities (not agriculture-related) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Sandra Strobel [located north of and adjacent to, and east of and adjacent to, County Road 8; approximately 3,500 feet east of County Road 17] (Planner – Chris Gathman) 10:00 AM
- Nov 15 - Docket #2023-78, PL2895 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0034, for a 5.8 MW Solar Energy Facility (SEF) in the A (Agricultural) Zone District, Barry James Reider Living Trust and Julie Ann Nelson Living Trust, c/o CBEP Solar 17, LLC [located east of and adjacent to County Road 39; approximately 1,300 feet south of County Road 86] (Planner – Chris Gathman) 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 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
- 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) Department of Human Services, Email dated October 5, 2023, Re: Colorado Department of Health Care Policy and Financing, Notification of Award for Case Management Agency Transition Support Start-Up Grant [2023-2996]
- 2) Department of Human Services, Email dated October 9, 2023, Re: Notification of Award for Colorado AmeriCorps Planning Grant Funds for Weld County Youth Conservation Corps (WCYCC) [2023-3063]
- 3) Department of Human Services, Email dated October 11, 2023, Re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Andrew Searles and Loretta Bowman [2023-3064]
- 4) Department of Public Works, Letter to Lawson Construction Company, dated September 19, 2023, Re: Written Notice of Termination of Agreement for Construction Services for CRs 74 and 33 Intersection Roundabout Project [2022-3371]
- 5) Department of Local Affairs, Division of Local Government, Letter dated October 5, 2023, Re: Notification of Award for Energy and Mineral Impact Assistance Fund (EAIF) Program for Phase Two (2) of CR 77 Improvements Project [2023-3062]

## PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Wells Ranch USX AE18, AA13, Econode T6N-R62W-S18 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0118 [2023-2918]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Wells Ranch AE05, 06 Econode T6N-R62W-S6 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0117 [2023-2919]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Wells Ranch AA24, AA23, BOB AA24 Econode T6N-R63W-S24 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0116 [2023-2920]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Wells Ranch AA14, AA16 Econode T6N-R63W-S14 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0114 [2023-2921]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Wells Ranch AA12, AE07, AA12 Econode T6N-R63W-S12 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0115 [2023-2922]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Antelope P-17, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 12WE2919 [2023-2923]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Judy 6 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 22WE0004, 22WE0005, and 22WE0006 [2023-2924]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Highpoint Operating Corporation – Anschutz State 5-62-22\_23 SWSW, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 16WE0780 and 17WE0715 [2023-2925]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bayswater Exploration and Production, LLC – Mead Tank Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 21WE0792 [2023-2926]

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

- 1) Approve Contract ID #7448 Memorandum of Understanding for Distribution of State of Colorado Birth Certificates and Identification (I.D.) Vouchers – United Way of Weld County [2023-3029]
- 2) Approve Contract ID #7459 Professional Service Agreement for Core and Non-Core Child Welfare Services – Deep Waters Parenting, LLC [2023-3030]

**ORDINANCES:**

- 1) 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*) [2023-3082]

**MISCELLANEOUS:**

- \* 1) Recognition of Services, Juvenile Community Review Board – Sarah Babb [2023-3067]
- \* 2) Recognition of Services, Weld Faith Partnership Council – Steven Grant, Steven Hall, and William Maxwell [2023-3068]
- \* 3) National Health Education Week – October 15-21, 2023 [2023-3069]
- \* 4) Recognition of Services, Sheriff's Office – David Clarke [2023-3083]
- \* 5) Recognition of Services, Department of Public Health and Environment – Amy Antuna [2023-3084]
- \* 6) Contract ID #7514 Agreement for Construction Services for CR 74 and 33 Intersection Roundabout Completion Project (Emergency Bid #B2300197) – W.W. Clyde and Company [2023-3073]

\* **Signed this date**