

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

2023-3092

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 October 4, 2023 [2023-2929]

CERTIFICATION OF HEARINGS: Hearings conducted on October 4, 2023:

- 1) USR23-0021 – Dave Weinmeister, c/o CBEP Solar 13, LLC [2023-2851]
- 2) USR23-0022 – Michael Morgan, c/o CBEP Solar 15, LLC [2023-2834]
- 3) USR23-0023 – Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [2023-2960]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

WARRANTS:

- 1) General Warrants – October 17, 2023 [2023-3094]

BIDS:

- 1) Present Bid #B2300179, Consulting Services to Develop Weld County Environmental Justice Master Plan (Request for Quote [RFQ]/Request for Proposal [RFP]) – Department of Public Works [2023-3095]
- 2) Present Bid #B2300186, North Jail Hot Water Generator and Wall Removal and Replacement – Facilities Department [2023-3096]
- 3) Present Bid #B2300191, Department of Public Works Weeds Building Insulation Replacement – Facilities Department [2023-3097]

NEW BUSINESS:

- 1) Consider Contract ID #7468 Agreement to Purchase Out-of-Home Placement Services and authorize Chair to sign – Hope’s Promise [2023-3098]
- 2) Consider Contract ID #7506 Expenditure Authorization and Work Plan for Various Workforce Innovation and Opportunity Act (WIOA) Programs, and authorize Chair to sign electronically [2023-3099]
- 3) Consider Contract ID #7505 Programming Agreement and Colorado Satellite Partner and Grant Addendum for Cooking Matters Program and No Kid Hungry Campaign, and authorize Chair to sign – Nourish Colorado [2023-3100]
- 4) Consider Contract ID #7522 Off-System Bridge Program Application for Bridge 60.5/49A Replacement Project and authorize Department of Public Works to submit electronically – Colorado Counties, Inc. (CCI) [2023-3101]
- 5) Consider Extension of Temporary Closure of CR 77 Between CR 100 and SH 14 [2023-3102]

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NEW BUSINESS (CONT'D):

- 6) Consider Contract ID #7521 Professional Service Agreement for Weld County Strategic Plan, authorize Chair to sign, and Terminate Agreement Entered into Under Resolution #2022-0634, dated March 30, 2022 – Stratalysts, LLC [2023-3103]
- 7) Consider Expression of Opposition to Proposition HH and Strongly Urging its' Defeat [2023-3104]
- 8) Consider Cancellation of Board of County Commissioners Meeting Scheduled for November 15, 2023 [2023-3105]

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**

- 10:00 AM - 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) [2023-3034]
- 10:00 AM - 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) [2023-2998]
- 10:00 AM - 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) – (Cont'd to 12/20/2023) [2023-3111]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

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.

- 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
- 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

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FUTURE PUBLIC HEARINGS (CONT'D):

- 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, 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, Cancelled 1041 WOGLA Hearing Docket for October 19, 2023 [2023-3090]
- 2) Board of County Commissioners, Letter to Weld County Council, dated October 5, 2023, Re: Strategic Investment for the Future of Weld County [2023-3091]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Hurley H26-11-A Econode T3N-R65W-S26 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0394 [2023-3049]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Resolute E25 Steadfast E27 Healy E34 Econode T6N-R65W-S26 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 15WE0279 [2023-3050]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Emmy State H25-14-A T3N-R65W-S25 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0560 [2023-3051]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – ARC Colorado, Inc. – ARC Colorado, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 96WE428-2 [2023-3052]

PUBLIC REVIEW (CONT'D):

- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Antelope 18-I, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE1261 [2023-3053]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Sandau K25-65-1HN, 66-1HN, K-25-62-1HNL, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE1316 [2023-3054]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – State Antelope D-13, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE1687 [2023-3055]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Harold 6 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0206 [2023-3056]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Daisy 31 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE1011 [2023-3057]
- 10) Colorado Department of Public Health and Environment, Air Pollution Control Division – Enerplus Resources (U.S.A.) Corporation – Calgary Streets Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0578 [2023-3058]

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

- 1) Approve Emergency Bid #B2300197, CRs 74 and 33 Intersection Roundabout Completion Project, and Waiver of Ten-Day Waiting Period for Consideration and Investigation – Department of Public Works [2023-3073]
- 2) Approve 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) [2023-3074]
- 3) Approve Returning Reimbursed Federal Surface Transportation Block Grant (STBG) Funds from CRs 74 and 33 Intersection Roundabout Project Back to Colorado Department of Transportation (CDOT), and Terminate Intergovernmental Agreement Entered into under Resolution #2020-2453, dated August 8, 2020 [2023-3075]
- 4) Approve Appointments to Building Trades Advisory Committee [2023-3076]
- 5) Approve Reassignments, Appointment, and Reappointments to Juvenile Community Review Board [2023-3077]
- 6) Approve Appointment to Regional Communications Advisory Board [2023-3078]
- 7) Approve Reappointments to Weld County Community Development Block Grant Advisory Committee (CDBGAC) [2023-3079]
- 8) Approve Reappointment to Weld Faith Partnership Council [2023-3080]
- 9) Approve Appointment to Workforce Development Board [2023-3081]

MISCELLANEOUS:

- * 1) Contract ID #7511 Cooperative Agreement Regarding Protocols for Child Welfare Notification and Investigation Requirements – Town of Hudson Police Department [2023-3106]
- * 2) Contract ID #7518 Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Greeley Counseling Center [2022-1547]
- * 3) Contract ID #7530 Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Paid in Full Ministries, Inc. [2022-1469]
- * 4) Contract ID #7520 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Dorian Brown [2023-3107]
- * 5) Contract ID #7526 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Michael Grigsby and Esther Dennis [2023-3108]

MISCELLANEOUS (CONT'D):

- * 6) Contract ID #7527 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Matthew and Valerie Beckstrand [2023-3109]
- * 7) Contract ID #7461 Amendment #2 to Extend Subrecipient Agreement for Community Development Block Grant (CDBG) Program Funds for VIA Transit Services – Town of Firestone [2021-2188]
- * 8) Contract ID #7529 Amendment #1 to Extend Subrecipient Agreement for Community Development Block Grant (CDBG) Program Funds for Americans with Disabilities Act (ADA) Ramp Replacement Project – Town of Milliken [2023-2146]
- * 9) Contract ID #7450 Subrecipient Agreement for Community Development Block Grant (CDBG) Program Funds for Americans with Disabilities Act (ADA) Ramp Project – Town of Firestone [2023-3110]

* **Signed this date**