

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, NOVEMBER 1, 2023
9:00 A.M.

2023-3251

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 18, 2023 [2023-3093]

CERTIFICATION OF HEARINGS: Hearings conducted on October 18, 2023:

- 1) COZ23-0003 – PV East, LLC [2023-3048]
- 2) USR23-0030 – Louis and Gina Fabrizius, c/o CBEP Solar 30, LLC [2023-3010]
- 3) USR23-0031 – Louis and Gina Fabrizius, and Stanley and Carolyn Heinze, c/o CBEP Solar 32, LLC [2023-3112]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

- 1) Weld County Adoption Day – November 17, 2023 [2023-3253]

WARRANTS:

- 1) General Warrants – October 31, 2023 [2023-3254]
- 2) Commissioner Warrants (Perry L. Buck) – October 31, 2023 [2023-3255]

BIDS:

- 1) Approve Bid #B2300186, North Jail Hot Water Generator and Wall Removal and Replacement – Facilities Department [2023-3096]
- 2) Approve Bid #B2300191, Department of Public Works Weeds Building Insulation Replacement – Facilities Department [2023-3097]
- 3) Present Bid #B2300196, Department of Public Safety Communications User Fee Study Project – Department of Finance and Administration [2023-3256]

NEW BUSINESS:

- 1) Consider Contract ID #7535 Community Service Funding Agreement for Animal Control Services and authorize Chair to sign – NOCO Humane, fka Larimer Humane Society, and Humane Society of Weld County [2023-3257]
- 2) Consider Contract ID #7462 Agreement for Provision of Alternative Transportation Solutions and authorize Chair to sign – EverDriven Technologies, LLC [2023-3258]
- 3) Consider Contract ID #7563 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Dallas Williams and Kristine Veit-Williams [2023-3259]

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NEW BUSINESS (CONT'D):

- 4) Consider Contract ID #7564 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Jodi Kiefer and Kristen Bushaw [2023-3260]
- 5) Consider Contract ID #7568 Professional Service Agreement for Various Core and Non-Core Child Welfare Services and authorize Chair to sign – The Family Resource Center [2023-3261]
- 6) Consider Contract ID #7570 American Rescue Plan Act (ARPA) Grant Agreement for Case Management Agencies (CMA) Retention Sign-On Bonus Project Phase Three (3), and authorize Chair and Department of Human Services to sign and submit electronically [2023-3262]
- 7) Consider Appointments of Weld County Veterans Service Officers [2023-3263]
- 8) Consider Appointment of Weld County Assistant Veterans Service Officer [2023-3264]
- 9) Consider Contract ID #7532 Award Letter and Intergovernmental Agreement for Surface Transportation Block Grant (STBG) Project Funds for CRs 54 and 13 Intersection Roundabout Project, and authorize Chair to sign and submit electronically [2023-3265]
- 10) Consider Temporary Closure of CR 44 Between CR 35 and U.S. HWY 85 [2023-3266]

PLANNING:

- 1) Consider Decommissioning and Reclamation Plan, and Accept Collateral for Zoning Permit for Solar Energy Facility, ZPSF23-0002, Less than Five (5) Acres In-Size – Sunshare, LLC, c/o Beau Scott [2023-3267]

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 November 1, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Nov 1 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Nov 6 -	Weld County Fair Board	6:00 PM
Nov 7 -	Board of Retirement	9:00 AM
Nov 7 -	Planning Commission	1:30 PM
Nov 9 -	Weld Faith Partnership Council	7:30 AM
Nov 9 -	Area Agency on Aging Advisory Board	9:00 AM
Nov 15 -	Board Meeting	CANCELLED

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.

- Nov 6 - Partial Vacation, VAC23-0048, of Two-Lot Recorded Exemption, RECX19-0052, for Removal of Lot B – Joshua and Holly Lehman
- Nov 8 - Vacation, VAC23-0050, of Special Use Permit, SUP-118 – Anadarko E & P Onshore, LLC, c/o Rachel Friedman
- 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*)
- Nov 8 - First Reading of Code Ordinance #2023-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 12 Licenses and Permits of the Weld County Code (*Secure Transportation Services*)
- Nov 8 - First Reading of Code Ordinance #2023-21, In the Matter of Repealing and Reenacting, with Amendments, Chapter 14 Health and Animals of the Weld County Code (*NOCO Humane*)
- Nov 22 - Second Reading of Code Ordinance #2023-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 12 Licenses and Permits of the Weld County Code (*Secure Transportation Services*)
- Nov 22 - Second Reading of Code Ordinance #2023-21, In the Matter of Repealing and Reenacting, with Amendments, Chapter 14 Health and Animals of the Weld County Code (*NOCO Humane*)
- Dec 4 - First Reading of Code Ordinance #2023-15, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration of the Weld County Code (*Planning and Zoning Matters, Hearings, and Addressing*)
- Dec 4 - First Reading of Code Ordinance #2023-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works of the Weld County Code
- Dec 4 - First Reading of Code Ordinance #2023-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions of the Weld County Code
- Dec 4 - First Reading of Code Ordinance #2023-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 27 Planned Unit Development of the Weld County Code
- Dec 6 - Final Reading of Code Ordinance #2023-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 12 Licenses and Permits of the Weld County Code (*Secure Transportation Services*)
- Dec 6 - Final Reading of Code Ordinance #2023-21, In the Matter of Repealing and Reenacting, with Amendments, Chapter 14 Health and Animals of the Weld County Code (*NOCO Humane*)

ITEMS SCHEDULED FOR FUTURE BOARD MEETINGS (CONT'D):

- Dec 20 - Second Reading of Code Ordinance #2023-15, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration of the Weld County Code (*Planning and Zoning Matters, Hearings, and Addressing*)
- Dec 20 - Second Reading of Code Ordinance #2023-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works of the Weld County Code
- Dec 20 - Second Reading of Code Ordinance #2023-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions of the Weld County Code
- Dec 20 - Second Reading of Code Ordinance #2023-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 27 Planned Unit Development of the Weld County Code
- Jan 8, 2024 - Final Reading of Code Ordinance #2023-15, In the Matter of Repealing and Reenacting, with Amendments, Chapter 2 Administration of the Weld County Code (*Planning and Zoning Matters, Hearings, and Addressing*)
- Jan 8, 2024 - Final Reading of Code Ordinance #2023-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works of the Weld County Code
- Jan 8, 2024 - Final Reading of Code Ordinance #2023-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions of the Weld County Code
- Jan 8, 2024 - Final Reading of Code Ordinance #2023-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 27 Planned Unit Development of the Weld County Code

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 22 - 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) – (*Rescheduled from 11/15/2023*) 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 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 #2023-75, 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 from 10/18/2023)* 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, 1041 WOGLA Hearing Docket for November 2, 2023 [2023-3238]
- 2) Department of Human Services, Email dated October 25, 2023, Re: Cancellation of Memorandums of Understanding with Various Local Law Enforcement Agencies [2023-3214]
- 3) Sheriff's Office, Pass-Around Review dated October 4, 2023, Re: Quote and Requisition Form for Purchase Request of 112 Riot Agent Gas Mask Filters with Equitable Share Funds [2023-3269]

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

- 1) Approve Acceptance of Two (2) Award Letter Statements of Work Regarding Small Dollar Grant Award Terms and Conditions for 2023 Emergency Management Performance Grant (EMPG) and Local Emergency Management Support (LEMS), and authorize Office of Emergency Management to disburse funds [2023-3221]
- 2) Approve Contract ID #7512 Agreement Regarding Consent for Photographs of Children in Legal Custody of Weld County – Life Stories Child and Family Advocacy, and Court Appointed Special Advocates (CASA) of Weld County [2023-3222]
- 3) Approve Contract ID #7513 Agreement Regarding Transportation of Children in Legal Custody of Weld County – Life Stories Child and Family Advocacy, and Court Appointed Special Advocates (CASA) of Weld County [2023-3223]
- 4) Approve Contract ID #7515 American Rescue Plan Act (ARPA) Grant Agreement for Case Management Agencies (CMA) Recruitment and Retention Project [2023-3224]
- 5) Approve Contract ID #7516 American Rescue Plan Act (ARPA) Grant Agreement for Case Management Agencies (CMA) Retention Project Phase Two (2) [2023-3225]
- 6) Approve Contract ID #7517 American Rescue Plan Act (ARPA) Grant Agreement for Case Management Agencies (CMA) Transition Support Start-Up Project [2023-3226]
- 7) Approve Contract ID #7519 Promoting Safe and Stable Families (PSSF) Partnership Project Agreement – Catholic Charities and Community Services of the Archdiocese Denver, Weld Regional Office [2023-3227]
- 8) Approve Contract ID #7528 Promoting Safe and Stable Families (PSSF) Partnership Project Agreement – Kids at Heart [2023-3228]
- 9) Approve Contract ID #7531 Memorandum of Understanding for Facility Usage to Conduct Strong People Program – Town of Milliken [2023-3229]
- 10) Approve Contract ID #7534 Agreement to Purchase Out-of-Home Placement Services – The Daisy Center [2023-3230]
- 11) Approve Contract ID #7536 Agreement for Professional Services for Low-Income Energy Assistance Program (LEAP) Outreach Incentive Program – United Way of Weld County [2023-3231]
- 12) Approve Bill of Sale and Invoice Terms and Conditions for Emergency Purchase of Sliding Axel Trailer – Transwest Truck Trailer RV [2023-3232]
- 13) Approve Temporary Closure of CR 63 Between CR 380 and U.S. HWY 34 [2023-3233]
- 14) Approve Temporary Closure of CR 52 Between CRs 61 and 65 [2023-3234]
- 15) Approve Cancellation of Board of County Commissioners Meeting Scheduled for November 29, 2023 [2023-3235]

MISCELLANEOUS:

- * 1) Weld County Adoption Day – November 17, 2023 [2023-3253]
- * 2) Contract ID #7559 Amendment #2 to Agreement for Substance Abuse Treatment Services – Signal Behavioral Health Network [2023-1540]
- * 3) Contract ID #7524 Extension/Renewal #8 to Agreement for Professional Services for Jail Chaplain – Duane Duran [2015-3583]
- * 4) Contract ID #7464 Agreement for Construction Services for Facilities Department Building Addition and Remodel Project (Bid #B2300169) – Rhinotrax Construction [2023-2726]
- * 5) Contract ID #7565 Change Order #1 to Agreement for Construction Services for Southeast Annex Building (Bid #B2300112) – Roche Constructors, Inc. [2023-1531]

MISCELLANEOUS (CONT'D):

- * 6) Contract ID #7567 Change Order #1 to Service Agreement for Chase Building
(822 7th ST, Greeley) Custodial Services (Bid #B2300082) – ZTL Janitorial Services, LLC
[2023-0874]
- * 7) Division Order to PDC Energy, Inc. (Bernhardt 01C – API 05-123-51141 and
Bernhardt 02N – API 05-123-51136) [2023-3268]

* **Signed this date**