

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, NOVEMBER 8, 2023
9:00 A.M.

2023-3296

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 25, 2023 [2023-3161]

READ ORDINANCE BY AUDIO: Read Code Ordinances #2023-20 and #2023-21 by audio

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

1) Veterans Day – November 11, 2023 [2023-3298]

WARRANTS:

1) General Warrants – November 7, 2023 [2023-3299]

BIDS:

- 1) Approve Bid #B2300187, Chase Building (822 7th ST, Greeley) Renovation Cabling – Department of Information Technology [2023-3163]
- 2) Approve Bid #B2300188, Fort Lupton Annex Building (Southeast Substation) Cabling – Department of Information Technology [2023-3164]
- 3) Present Bid #B2300201, Sheriff Uniforms and Equipment – Sheriff's Office [2023-3300]

NEW BUSINESS:

- 1) Consider Contract ID #7569 Intergovernmental Agreement Amendment #1 for County Computer Refresh Program for Leased Computing Assets and authorize Chair to sign [2023-3301]
 - 2) Consider Contract ID #7571 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Dolorez Fuentes [2023-3302]
 - 3) Consider Contract ID #7580 Amendment #1 to Task Order Contract for Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems Grant, and authorize Chair to sign and submit electronically [2023-3303]
 - 4) Consider Updated Itemized List of Legal Holidays During Calendar Year 2024 [2023-3304]
 - 5) 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*) [2023-3305]
- Legals.....[2023-3306]
Correspondence.....[2023-3307]

NEW BUSINESS (CONT'D):

- 6) 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*) [2023-3308]
 - Legals.....[2023-3309]
 - Correspondence.....[2023-3310]

PLANNING:

- 1) Consider Vacation, VAC23-0050, of Special Use Permit, SUP-118 – Anadarko E & P Onshore, LLC [2023-3311]
- 2) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Bruce Olson and Suzanne Brunstrom (*Cont'd to 8/5/2024*) [2023-3312]
- 3) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Frank and Yrene Martinez [2023-3313]
- 4) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Roger and Sheryl Hill [2023-3314]
- 5) Consider Certification to Weld County Treasurer of Building Violation Penalties as Special Assessment – Steven Wood [2023-3315]
- 6) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Mauro and Louisa Rodriguez [2023-3316]
- 7) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Juan and Silvia Gallardo [2023-3317]
- 8) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Gene and Erin Williams [2023-3318]
- 9) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jesus Vega [2023-3319]
- 10) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza [2023-3320]
- 11) 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*) [2023-3321]
 - 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, 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 #2023-77, 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) [2023-3147]
- 10:00 AM - 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) [2023-3168]
- 10:00 AM - 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) [2023-3181]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Nov 9 -	Weld Faith Partnership Council	7:30 AM
Nov 9 -	Area Agency on Aging Advisory Board	9:00 AM
Nov 10 -	HOLIDAY	CLOSED
Nov 14 -	Workforce Development Board	11:45 AM
Nov 15 -	Weld County Emergency Medical/Trauma Services Council	11:00 AM
Nov 15 -	Board Meeting	CANCELLED
Nov 16 -	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.

- 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*)
- Nov 27 - Second Reading of Code Ordinance #2023-22, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance, and Chapter 21 Areas and Activities of State Interest, of the Weld County Code (*Annual Fees*)
- 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*)
- 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 #2023-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 27 Planned Unit Development of the Weld County Code

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

- Dec 20 - Final Reading of Code Ordinance #2023-22, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance, and Chapter 21 Areas and Activities of State Interest, of the Weld County Code (*Annual Fees*)
- 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 #2023-18, 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 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
- 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

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, 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 9, 2023 [2023-3276]
- 2) Department of Planning Services, Addition to File PL0589, 1MJUSR21-76-298 – North Weld Gravel, RLLP, c/o C & H Aggregate, LLC [2023-2436]
- 3) Department of Human Services, Email dated November 2, 2023, Re: Colorado Department of Human Services, Option Letter #5, Contract for Area Agency on Aging (AAA) Services [2021-1608]

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

- 1) Approve Contract ID #7537 for CR 21 and SH 66 Intersection Improvements Project [2023-3284]
- 2) Approve Contract ID #7574 Acceptance of Intergovernmental Grant Agreement Summary of Terms and Conditions for Energy and Mineral Impact Assistance Fund (EIAF) Program for Phase II of CR 77 Improvements Project Between CRs 100 and 106 (August Cycle – Tier I) [2023-3285]
- 3) Approve Funding Approval / Agreement Transmittal for Housing and Urban Development (HUD) Grant Funds for 2023 Community Development Block Grant (CDBG) Program [2023-3286]
- 4) Approve Extension of Temporary Closure of CR 7 Between CR 48 and SH 56 [2023-3287]
- 5) Approve Declaration of Certain Equipment as Surplus Property and Sale of Same at Auction with Roller and Associates [2023-3288]
- 6) Approve Ratification of Appointments to Board of Trustees of High Plains Library District [2023-3289]
- 7) Approve Appointment to Building Trades Advisory Committee [2023-3290]
- 8) Approve Partial Vacation, VAC23-0048, of Two-Lot Recorded Exemption, RECX19-0052, for Removal of Lot B – Joshua and Holly Lehman [2023-3294]

ORDINANCES:

- 1) 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*) [2023-3305]

ORDINANCES (CONT'D):

- 2) 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*) [2023-3308]
- * 3) 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*) [2023-3321]
 - Legals.....[2023-2862]
 - Correspondence.....[2023-2863]

MISCELLANEOUS:

- * 1) Veterans Day – November 11, 2023 [2023-3298]
- * 2) Contract ID #7561 Order Form and Master Subscription and Services Agreement for Child Welfare Data Processing Software – Binti, Inc. [2023-3322]
- * 3) Contract ID #7581 2024 County Personnel and Merit System Certification [2023-3323]

* **Signed this date**