

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, NOVEMBER 13, 2023
9:00 A.M.

2023-3333

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 30, 2023 [2023-3219]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

1) Apprenticeship Week – November 13-19, 2023 [2023-3335]

WARRANTS:

1) General Warrants – November 8, and 9, 2023 [2023-3336]

NEW BUSINESS:

- 1) Consider Extension of Temporary Closure of CR 43 Between CRs 42 and 44 [2023-3337]
- 2) Consider Appeal of Decision by Chief Financial Officer to Deny Protest of Award of Contract to Global Tel*Link Corporation, dba ViaPath Technologies, for Bid #B2300133, Inmate Communication Services – Securus Technologies, LLC [2023-3338]

PLANNING:

- 1) Consider Full Release of Warranty Collateral for Minor Amended Use by Special Review Permit, MUSR15-0020, as Related to Use by Special Review Permit, USR-1687 – Journey Ventures, LLC, c/o J-2 Contracting Company, Inc. [2023-3339]
- 2) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Charles Simansky [2023-3340]
- 3) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Graciela Quinonez and Veronica Gutierrez [2023-3341]
- 4) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – John Krenzelok [2023-3342]
- 5) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Vince Holton [2023-3343]
- 6) Consider Certification to Weld County Treasurer of Building and Zoning Violation Penalties as Special Assessment – Luis Lopez [2023-3344]
- 7) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Andres Hernandez, Jr. [2023-3345]
- 8) Consider Certification to Weld County Treasurer of Building and Zoning Violation Penalties as Special Assessment – Rolando and Eloisa Castillo [2023-3346]

Monday, November 13, 2023

Page 1
www.weld.gov

2023-3333
BC0016

PLANNING (CONT'D):

- 9) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Bruce Brotemarkle [2023-3347]
- 10) Consider Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Baudel Tortoledo Hernandez [2023-3348]

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 13, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

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
Nov 21 -	Northern Colorado RETAC	2:00 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
- 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*)

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

- 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
- Aug 5, 2024 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Bruce Olson and Suzanne Brunstrom (*Cont'd from 11/8/2023*)

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
- 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

FUTURE PUBLIC HEARINGS (CONT'D):

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 November 16, 2023 [2023-3330]
- 2) Board of County Commissioners, Letter to Colorado Department of Health and Human Services, dated November 7, 2023, Re: Notice of Proposed Rulemaking, Public Comment, and Adult Protective Services, 45 CFR Part 1324 RIN: 0985-AA18 [2023-3331]
- 3) City of Fort Lupton, Oaths of Office for Shawna Paintin and Kenneth Parsons as Patrol Officers [2023-3332]
- 4) Town of Mead, Response to Notice of Inquiry, dated October 30, 2023, Re: Pre-Application, PRE23-0225 [2023-3329]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Oscar Y10 Econode T2N-R64W-S10 L02, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 15WE0978 [2023-3324]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Oscar Y10 Econode T2N-R64W-S10 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE1498 [2023-3325]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Expedition Water Solutions – EWS 14 (HPD Platteville), Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 09WE0929 [2023-3326]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Kerr-McGee Onshore Oil and Gas, LP – Well Production Facility 36005927, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 21WE0746 [2023-3327]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Rocky Mountain Midstream, LLC – West Brighton Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0413 [2023-3328]

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

- 1) Approve Contract ID #7569 Intergovernmental Agreement Amendment #1 for County Computer Refresh Program for Leased Computing Assets [2023-3301]
- 2) Approve Contract ID #7571 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Dolorez Fuentes [2023-3302]
- 3) Approve Contract ID #7580 Amendment #1 to Task Order Contract for Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems Grant [2023-3303]
- 4) Approve Updated Itemized List of Legal Holidays During Calendar Year 2024 [2023-3304]
- 5) Approve Vacation, VAC23-0050, of Special Use Permit, SUP-118 – Anadarko E & P Onshore, LLC [2023-3311]

RESOLUTIONS (CONT'D):

- 6) Action of the Board Concerning Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Bruce Olson and Suzanne Brunstrom [2023-3312]
- 7) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Frank and Yrene Martinez [2023-3313]
- 8) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Roger and Sheryl Hill [2023-3314]
- 9) Approve Certification to Weld County Treasurer of Building Violation Penalties as Special Assessment – Steven Wood [2023-3315]
- 10) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Mauro and Louisa Rodriguez [2023-3316]
- 11) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Juan and Silvia Gallardo [2023-3317]
- 12) Action of the Board Concerning Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Gene and Erin Williams [2023-3318]
- 13) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jesus Vega [2023-3319]
- 14) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Mendoza [2023-3320]
- 15) Approve USR23-0033 – John Scott Byrnes Trust, c/o CBEP Solar 28, LLC [2023-3147]
- 16) Approve USR23-0032 – McKee Ranch, LLLP, c/o CBEP Solar 16, LLC [2023-3168]
- 17) Approve USR23-0025 – Sandra Strobel [2023-3181]

MISCELLANEOUS:

- * 1) Apprenticeship Week – November 13-19, 2023 [2023-3335]
- * 2) Recognition of Services, Department of Public Health and Environment – Wendy Paris [2023-3349]
- * 3) Appointment of Deputy District Attorney – Dustin Funk [2023-3350]
- * 4) Contract ID #7586 Enterprise Order Form and Subscription and Services Agreement for Online Service to Create Standardized Job Descriptions (Bid #B2300153) – HRTMS, Inc., dba JDXpert [2023-2980]

* **Signed this date**