

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 6, 2023
9:00 A.M.

2023-3538

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Mike Freeman, Chair
Commissioner Perry L. Buck, Pro-Tem
Commissioner Scott K. James
Commissioner Kevin D. Ross – EXCUSED
Commissioner Lori Saine

MINUTES: Approval of Minutes of November 22, 2023 [2023-3402]

CERTIFICATION OF HEARINGS: Hearings conducted on November 22, 2023:

- 1) USR23-0034 – Barry James Reider Living Trust and Julie Ann Nelson Living Trust, c/o CBEP Solar 17, LLC [2023-3212]
- 2) USR23-0037 – Cervi Enterprises, Inc., c/o Kerr-McGee Oil and Gas Onshore, LP [2023-3363]

AMENDMENTS TO AGENDA: Add the Following as Item #2 Under 'PRESENTATIONS': Recognition of Weld County Constitution Day Essay and Art Contest.

APPROVAL OF CONSENT AGENDA:

PRESENTATIONS:

- 1) Recognition of Services, Department of Justice Services – Sharon Behrens [2023-3540]
- 2) Recognition of Weld County Constitution Day Essay and Art Contest [2023-3571]

WARRANTS:

- 1) General Warrants – December 5, 2023 [2023-3541]

NEW BUSINESS:

- 1) Consider Standard Form for Health Insurance Portability and Accountability Act (HIPAA) Disclosure and Privacy Policy Between Department of Human Services, Area Agency on Aging (AAA), and Various Clients [2023-3542]
- 2) Consider Amended Bylaws for Human Services Advisory Commission [2023-3543]
- 3) Consider Contract ID #7606 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Funds for Migrant Seasonal Farm Worker (MSFW) Program, and authorize Chair to sign electronically [2023-3544]
- 4) Consider Contract ID #7607 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Funds for Foreign Labor Certification (FLC) Grant, and authorize Chair to sign electronically [2023-3545]
- 5) Consider Contract ID #7608 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Funds for Reemployment Services and Eligibility Assessment (RESEA) Program, and authorize Chair to sign electronically [2023-3546]
- 6) Consider Contract ID #7611 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services, and authorize Chair to sign – Tierney Baldwin [2023-3547]

NEW BUSINESS (CONT'D):

- 7) Consider Contract ID #7631 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services, and authorize Chair to sign – Esther Dennis [2023-3548]
- 8) Consider Contract ID #7635 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services, and authorize Chair to sign – Nichole Snow [2023-3549]
- 9) Consider Contract ID #7626 Memorandum of Understanding for Bed Bug Mitigation and authorize Chair to sign – Greeley Transitional House, Inc., dba Greeley Family House [2023-3550]
- 10) Consider Contract ID #7629 Memorandum of Understanding for Child Welfare and Adult Protective Services Hotline, and authorize Chair to sign – Prowers County [2023-3551]
- 11) Consider Contract ID #7632 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Andrea Sinden [2023-3552]
- 12) Consider Contract ID #7643 2024 Annual Program Plan for Child Support Services and authorize Department of Human Services to sign and submit electronically [2023-3553]
- 13) Consider Revisions to Fee Schedule for Fees Collected by Weld County Department of Public Health and Environment [2023-3554]
- 14) Consider Contract ID #7658 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for CR 21 Improvements Project (December Cycle – Tier I), and authorize Department of Public Works to submit electronically [2023-3555]
- 15) Consider Contract ID #7659 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for CRs 6 and 13 Intersection Roundabout Project (December Cycle – Tier II), and authorize Department of Public Works to submit electronically [2023-3556]
- 16) Consider Non-Exclusive License Agreement for a Crude Oil Pipeline Associated with Location Assessment for Pipelines Permit, LAP22-0011, within Portions of CR 27 Non-Maintained Public Road Right-of-Way, and authorize Chair to sign – Suncor Energy (U.S.A.) Pipeline Company [2023-3557]
- 17) 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*) [2023-3558]
 - Legals.....[2023-3306]
 - Correspondence.....[2023-3307]
- 18) 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*) [2023-3559]
 - Legals.....[2023-3309]
 - Correspondence.....[2023-3310]

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**

- 9:00 AM - Docket #2023-90, SD0129 - Public Hearing to Consider Amended and Restated Service Plan for Kiteley Ranch Metropolitan District, Icenogle Seaver Pogue, P.C. [located south of and adjacent to State Highway 66, east of and adjacent to County Road 17] (Planner – Maxwell Nader) [2023-3560]
- 9:00 AM - 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)* [2023-3475]
- 10:00 AM - 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, and Cont'd to 1/17/2024)* [2023-3509]
- 10:00 AM - Docket #2023-83, PL2900 - Change of Zone, COZ23-0004, from the A (Agricultural) Zone District to the I-1 (Light Industrial) Zone District, Fritzier Real Estate, LLC [located south of and adjacent to County Road 44; west of and adjacent to County Road 33] (Planner – Chris Gathman) [2023-3429]
- 10:00 AM - Docket #2023-72, PL2892 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0027, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Phyllis Burkgren, c/o USS South Platte Solar, LLC [located south of and adjacent to County Road 394; approximately 0.5 miles east of County Road 35] (Planner – Diana Aungst) [2023-3443]
- 10:00 AM - Docket #2023-71, PL2582 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0028, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Leslie Matson, c/o USS Auburn Solar, LLC [located south of and adjacent to County Road 52; east of and adjacent to County Road 45] (Planner – Diana Aungst) [2023-3456]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 6 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Dec 7 -	Island Grove Park Advisory Board	4:00 PM
Dec 12 -	Joint Meeting for 911 Emergency Telephone Services Authority Board and Regional Communications Advisory Board	12:00 PM
Dec 14 -	Area Agency on Aging Advisory Board	9:00 AM
Dec 14 -	Greeley-Weld County Airport Authority	1:00 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.

- Dec 11 - Partial Vacation, VAC23-0049, of Four-Lot Recorded Exemption, RECX17-0118, for Removal of Lot D – David Lucas and Susan Colvin
- 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 - 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
- Mar 4, 2024 - 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
- May 20, 2024 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez (*Cont'd from 11/20/2023*)
- 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.

- Dec 11 - Docket #2023-99, FI0079 - 2024 Final Budget Hearing 9:00 AM
- Dec 13 - Docket #2023-79, PL2852 - A Site Specific Development Plan and Major Amended Use by Special Review Permit, 1MJUSR23-22-0027, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, CBEP Land 2, LLC, c/o CBEP Solar 9, LLC, and ECA CO Lead [located south of and adjacent to County Road 64; approximately 1,320 feet east of County Road 43] (Planner – Kim Ogle) 10:00 AM
- Dec 13 - Docket #2023-84, PL2853 - A Site Specific Development Plan and Planned Unit Development Final Plan, PUDF23-0002, for six (6) residential lots with E (Estate) Zone District uses and one (1) non-buildable outlot with A (Agricultural) Zone District uses, Amanda, Brandon, Lisa, and Moriah Nguyen [located west of and adjacent to County Road 31; approximately 0.5 miles north of County Road 2] (Planner – Maxwell Nader) 10:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- 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

REPORTS:

- 1) Department of Planning Services, Staff Approvals for November 2023 [2023-3519]

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 December 7, 2023 [2023-3515]
- 2) Department of Planning Services, Addition to File RE-1733 – Theodore Buderus, Daniel Buderus, Julie Ann Buderus, and Susan Buderus [2023-3518]
- 3) Department of Planning Services, Addition to File PL2882, USR23-0015 – Steven and Katherine Bingley [2023-3520]
- 4) Department of Planning Services, Addition to File RE-3566 – VIMA Partners, LLC, c/o Martin Lind [2023-3521]
- 5) Department of Human Services, Email dated November 30, 2023, Re: Special Event Grant Report for Agreement for Workforce Symposium with The Weld Trust [2023-3516]
- 6) Department of Human Services, Email dated November 30, 2023, Re: Grant Award Letter for Application for Key Funding Initiatives (KFI) for NoCo Works from The Weld Trust [2023-3517]
- 7) Colorado Department of Revenue, Liquor and Tobacco Enforcement Division, Stipulation, Agreement, and Order, Executed November 27, 2023, Re: Big D Oil Company, dba Big D #51 [2023-3487]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Kerr-McGee Gathering, LLC – Dacono Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22OPWE481 [2023-3486]

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

- 1) Approve Amendment #1 to Master Agreement for Treasury Management Services – Wells Fargo Bank, N.A. [2023-3492]
- 2) Approve Extension of Temporary Closure of CRs 74 and 33 Intersection [2023-3493]
- 3) Approve Contract ID #7634 Conference and Event Services Agreement for Preventing Targeted Violence and Combating Domestic Violence Extremism Workshop – University of Northern Colorado (UNC) [2023-3494]
- 4) Approve Partial Vacation, VAC23-0047, of Two-Lot Recorded Exemption, RECX18-0086, for Removal of Lot B – Nicandro and Maria Sanchez [2023-3507]

ORDINANCES:

- * 1) 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*) [2023-3558]
 - Legals.....[2023-3306]
 - Correspondence.....[2023-3307]
- * 2) 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*) [2023-3559]
 - Legals.....[2023-3309]
 - Correspondence.....[2023-3310]

MISCELLANEOUS:

- * 1) Recognition of Services, Department of Justice Services – Sharon Behrens [2023-3540]

* **Signed this date**