

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 20, 2023
9:00 A.M.

2023-3766

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 December 6, 2023 [2023-3539]

CERTIFICATION OF HEARINGS: Hearings conducted on December 6, 2023:

- 1) Amended and Restated Service Plan for Kiteley Ranch Metropolitan District – Icenogle Seaver Pogue, P.C. [2023-3570]
- 2) PCSC22-0010 – Paul Page [2023-3476]
- 3) USR23-0023 – Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [2023-3510]
- 4) COZ23-0004 – Fritzler Real Estate, LLC [2023-3442]
- 5) USR23-0027 – Phyllis Burkgren, c/o USS South Platte Solar, LLC [2023-3455]
- 6) USR23-0028 – Leslie Matson, c/o USS Auburn Solar, LLC [2023-3469]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PRESENTATIONS:

- 1) Recognition of Services, Sheriff's Office – Debra Brodhead [2023-3768]
- 2) 2023 Employee Service Awards – 10, 20, 30, and 40-Year Employees [2023-3769]

WARRANTS:

- 1) General Warrants – December 19, 2023 [2023-3770]

NEW BUSINESS:

- 1) Consider Contract ID #7670 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Sarah Rodriguez and Rebecca Rodriguez [2023-3771]
- 2) Consider Contract ID #7686 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Tresten Coleman-Droel and Ashley Redding [2023-3772]
- 3) Consider Contract ID #7684 AmeriCorps Education Award Service Location Agreement and authorize Department of Human Services to sign electronically – Colorado Youth Corps Association [2023-3773]
- 4) Consider Contract ID #7687 Professional Services Agreement, Software Support Agreement, and Compass Software End User License Agreement for Contract Management Platform, and authorize Chair to sign – Northwoods Consulting Partners, Inc. [2023-3774]

NEW BUSINESS (CONT'D):

- 5) Consider Contract ID #7700 Application for Hazard Mitigation Grant for Stream Gage Alert and Warning Station Project, and authorize Office of Emergency Management to submit electronically [2023-3775]
- 6) Consider Contract ID #7703 Project Statement of Work, Schedule, and Budget for the Weld County Hazard Mitigation Plan Update and authorize Chair to sign [2023-3776]
- 7) Consider Contract ID #7697 Intergovernmental Agreement for Extraordinary Maintenance and Extraordinary Snow Removal for Transporter Erector Routes, and authorize Chair to sign and submit electronically – Various Entities [2023-3777]
- 8) 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*) [2023-3778]
 - Legals.....[2023-3496]
 - Correspondence.....[2023-3497]
- 9) 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 [2023-3779]
 - Legals.....[2023-3499]
 - Correspondence.....[2023-3500]
- 10) 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*) [2023-3780]
 - Legals.....[2023-3292]
 - Correspondence.....[2023-3293]

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 #2023-96, SD0004 - Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2024 Budget Hearing
- 1) Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2024 Budget for the Beebe Draw Law Enforcement Authority District [2023-3695]
 - 2) Resolution Appropriating Sums of Money to the General Fund for the Beebe Draw Law Enforcement Authority for the 2024 Budget Year [2023-3696]
 - 3) Resolution Levying General Property Taxes for the 2024 Budget Year to Help Defray the Costs of Government for the Beebe Draw Law Enforcement Authority [2023-3697]
 - 4) Law Enforcement Agreement – Beebe Draw Law Enforcement Authority [2023-3698]
- 9:00 AM - Docket #2023-97, SD0131 - Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2024 Budget Hearing
- 1) Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2024 Budget for the Weld County Pioneer Community Law Enforcement Authority District [2023-3700]
 - 2) Resolution Appropriating Sums of Money to the General Fund for the Weld County Pioneer Community Law Enforcement Authority for the 2024 Budget Year [2023-3701]
 - 3) Resolution Levying General Property Taxes for the 2024 Budget Year to Help Defray the Costs of Government for the Weld County Pioneer Community Law Enforcement Authority [2023-3702]
 - 4) Law Enforcement Agreement – Pioneer Community Law Enforcement Authority District [2023-3703]
- 9:00 AM - Docket #2023-98, SD0158 - Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2024 Budget Hearing
- 1) Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2024 Budget for the Southwestern Weld County Law Enforcement District Authority Board [2023-3705]
 - 2) Resolution Appropriating Sums of Money to the General Fund for the Southwestern Weld County Law Enforcement District Authority Board for the 2024 Budget Year [2023-3706]
 - 3) Resolution Levying General Property Taxes for the 2024 Budget Year to Help Defray the Costs of Government for the Southwestern Weld County Law Enforcement District Authority Board [2023-3707]
- 9:00 AM - Docket #2023-99, FI0079 - 2024 Final Budget Hearing *(See 12/11/2023 Agenda for Public Hearing to Adopt Budget and Appropriate Funds)*
- 1) Resolution Setting the Mill Levy for the Annual Appropriation for Weld County, Colorado for Fiscal Year 2024 [2023-3709]
 - 2) Final Budget Book [2023-3764]

PUBLIC HEARINGS (CONT'D):

- 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 from 10/18/2023)* [2023-3011]
- 10:00 AM - Docket #2023-81, PL2898 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0036, for a Livestock Confinement Operation (dry cow facility for up to 2,000 cows) in the A (Agricultural) Zone District, Rooster Land Company, LLC [located north of and adjacent to County Road 22; 0.5 mile west of County Road 37] (Planner – Chris Gathman) [2023-3635]
- 10:00 AM - Docket #2023-82, PL2899 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0026, for Livestock Confinement Operations for up to 25,000 calves and multi-family dwelling for persons principally employed at or engaged in farming outside of subdivisions and historic townsites in the A (Agricultural) Zone District, ABCD Landco, LLC, c/o 5280 Cattle Company, LLC [located south of and adjacent to County Road 84; east of and adjacent to County Road 23] (Planner – Kim Ogle) [2023-3621]
- 10:00 AM - 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)* [2023-3651]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 21 -	Extension Advisory Council	12:00 PM
Dec 21 -	Greeley-Weld County Airport Authority	3:30 PM
Dec 25 -	Holiday	CLOSED
Dec 26 -	Holiday	CLOSED
Jan 1, 2024 -	Holiday	CLOSED

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.

- Jan 3, 2024 - Partial Vacation, VAC23-0053, of Two-Lot Amended Recorded Exemption, AMRE-644, for Removal of Lot B – Perkins Land and Livestock V, LLC, c/o David Perkins
- 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
- Feb 26, 2024 - First Reading of Code Ordinance #2024-01, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works of the Weld County Code (*Appendix 8-O – Functional Classification Map*)
- 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
- Mar 13, 2024 - Second Reading of Code Ordinance #2024-01, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works of the Weld County Code (*Appendix 8-O – Functional Classification Map*)
- Mar 27, 2024 - Final Reading of Code Ordinance #2024-01, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works of the Weld County Code (*Appendix 8-O – Functional Classification Map*)
- 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.

- Jan 10, 2024 - Docket #2023-95, PL2902 - Resolution of Illegal Land Division, ILD23-0001, created in 2009, William and Debra Senseney [located south of and adjacent to U.S. Highway 34; approximately 1.45 miles east of County Road 91] (Planner – Maxwell Nader) – (*Cont'd from 12/18/2023*) 9:00 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
- Jan 17, 2024 – Docket #2024-02, PL0529 - A Site Specific Development Plan and Rural Land Division Final Plan, RLDF23-0002, for the Creation of Three (3) Lots in the A (Agricultural) Zone District, Sharp Trust [located south of and adjacent to County Road 52; west of and adjacent to County Road 45] (Planner – Diana Aungst) 10:00 AM
- Jan 17, 2024 - 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 12/6/2023)* 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) County Council, Minutes from October 16, 2023 [2023-3759]
- 2) Utilities Coordinating Advisory Committee, Minutes from December 14, 2023 [2023-3758]
- 3) County Council, Agenda for December 18, 2023 [2023-3755]
- 4) Community Corrections Board, Agenda for December 19, 2023 [2023-3756]
- 5) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for December 21, 2023 [2023-3757]
- 6) Department of Planning Services, Addition to File PL2308, USR14-0055 – Anthony and Nancy Sandoval [2023-3761]
- 7) Department of Planning Services, Addition to File PL2869, USR23-0007 – Roberta McGregor and Erik Davis, Personal Representative for Dorothy Davis, c/o Pivot Solar 33, LLC [2023-3763]
- 8) Department of Planning Services, Addition to File RECX19-0052 – Joshua and Holly Lehman [2023-3762]
- 9) Department of Human Services, Email dated December 15, 2023, Re: Notification of Error Concerning Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Gilbert Marin and Justine Lazuick-Marin [2023-2305]
- 10) City of Fort Lupton, Oaths of Office for David Crespín, Chris Ceretto, and Bruce Fitzgerald, as Councilmembers [2023-3760]

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

- 1) Approve Contract ID #7693 Application for 2024 Emergency Management Program Grant (EMPG) and Local Emergency Manager Support (LEMS) Program Funding [2023-3723]
- 2) Approve Application for Colorado Environmental Justice Grant Program for Community-Oriented Solutions to Improve Environmental Health [2023-3724]
- 3) Approve Contract ID #7676 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 76 and 35 Intersection Improvements Project – T.K. Farms, Inc. [2023-3725]

RESOLUTIONS (CONT'D):

- 4) Approve Contract ID #7677 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 76 and 35 Intersection Improvements Project – Noffsinger Manufacturing Company, Inc. [2023-3726]
- 5) Approve Contract ID #7696 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 76 and 35 Intersection Improvements Project – WB2, LLC [2023-3727]
- 6) Approve Contract ID #7685 Rental Contract Mandatory Provisions for Two (2) 40-Ton Articulating Haul Trucks for Various Gravel Pit Mines – ProSource Machinery, LLC [2023-3728]
- 7) Approve County Dance Hall License Number 2024-01 – El Centenario Entertainment, LLC, dba El Centenario Nightclub [2023-3729]
- 8) Approve County Dance Hall License Number 2024-02 – RM, Inc., dba Room 119 [2023-3730]
- 9) Approve Acceptance of Property Transfer (2139 East 8th Street, Greeley) [2023-3731]
- 10) Approve Appointment to Noxious Weed Management Advisory Board [2023-3732]
- 11) Approve Appointments to Weld Faith Partnership Council [2023-3733]
- 12) Approve Appointment and Reappointment to Weld County Building Code Board of Appeals [2023-3734]
- 13) Approve Appointment and Reappointments to Human Services Advisory Commission [2023-3735]
- 14) Approve Reappointments to Workforce Development Board [2023-3736]
- 15) Approve Appointment and Reappointments to Regional Communications Advisory Board [2023-3737]
- 16) Approve Reappointments to 911 Emergency Telephone Service Authority Board [2023-3738]
- 17) Approve 2024 Amount to be Paid for Intergovernmental Agreement Between City of Greeley and Weld County for Island Grove Park Management Services [2023-3739]
- 18) Approve Memorandum of Understanding for Adult Treatment Court [2023-3740]
- 19) Approve Memorandum of Agreement Between Weld County, Colorado, and A Woman's Place as Recipient of Weld County General Fund Monies [2023-3741]
- 20) Approve Memorandum of Agreement Between Weld County, Colorado, and Envision as Recipient of Weld County General Fund Monies [2023-3742]
- 21) Approve Memorandum of Agreement Between Weld County, Colorado, and Great Western Trail Authority as Recipient of Weld County General Fund Monies [2023-3743]
- 22) Approve Memorandum of Agreement for Mental Health Services Between Weld County, Colorado, and North Range Behavioral Health as Recipient of Weld County General Fund Monies [2023-3744]
- 23) Approve Memorandum of Agreement for Suicide Education and Prevention Services Between Weld County, Colorado, and North Range Behavioral Health as Recipient of Weld County General Fund Monies [2023-3745]
- 24) Approve Memorandum of Agreement Between Weld County, Colorado, and East Colorado Small Business Development Center (SBDC) as Recipient of Weld County Economic Development Trust Fund Monies [2023-3746]
- 25) Approve Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (211 Information and Referral) as Recipient of Weld County General Fund Monies [2023-3747]
- 26) Approve Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (Reading Great by 8) as Recipient of Weld County General Fund Monies [2023-3748]
- 27) Approve Memorandum of Agreement Between Weld County, Colorado, and United Way of Weld County (Weld's Way Home) as Recipient of Weld County General Fund Monies [2023-3749]

RESOLUTIONS (CONT'D):

- 28) Approve Memorandum of Agreement Between Weld County, Colorado, and Upstate Colorado Economic Development as Recipient of Weld County Economic Development Trust Fund Monies [2023-3750]
- 29) Approve Memorandum of Agreement Between Weld County, Colorado, and Weld County Senior Citizen Coordinators as Recipient of Weld County General Fund Monies [2023-3751]
- 30) Approve Contract ID #7671 Release of Project Collateral and Accept Warranty Collateral for Site Plan Review, SPR-340 – Lindsay Precast, LLC, formerly Rolinda Colorado Company, Ltd., and Firebaugh Precast, Inc. [2023-3752]
- 31) Action of the Board Concerning ILD23-0001 – William and Debra Senseney [2023-3513]

ORDINANCES:

- 1) 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*) [2023-3778]
- 2) 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 [2023-3779]
- * 3) 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*) [2023-3780]
 - Legals.....[2023-3292]
 - Correspondence.....[2023-3293]

MISCELLANEOUS:

- * 1) Recognition of Services, Sheriff’s Office – Debra Brodhead [2023-3768]
- 2) 2023 Employee Service Awards – 10, 20, 30, and 40-Year Employees [2023-3769]
- * 3) Contract ID #7653 Amendment #4 to Agreement for Professional Services (Bid #B2100142) – Colorado Bioscience Institute and St. Vrain Valley School District RE-1J [2021-3299]
- * 4) Contract ID #7667 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Joseph Montoya and Tierra Glasmann [2023-3781]
- * 5) Contract ID #7688 Professional Service Agreement for Department of Public Safety Communications User Fee Study Project (Bid #B2300196) – DELTAWRX, LLC [2023-3256]
- * 6) Acceptance of Deed of Dedication and Temporary Construction Easement for Agreement for Purchase of Certain Property for Public Road Improvements for CRs 6 and 13 Intersection Improvements Project – 6045 County Rd 6 Trust (formerly owned by Jordan Gutierrez and E. Marie Gutierrez) [2023-2787]
- * 7) Four (4) Facility Usage Agreements for March 5, 2024, Presidential Primary Election – Aims Community College, Aims Community College (Fort Lupton Campus), University of Northern Colorado, and Trinity Lutheran Church [2023-3782]

* **Signed this date**