

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, DECEMBER 4, 2023
9:00 A.M.

2023-3488

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 November 20, 2023 [2023-3367]

READ ORDINANCE BY AUDIO: Read Code Ordinances #2023-15, #2023-16, and #2023-18 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on November 8, 2023:

1) USR23-0025 – Sandra Strobel (*Cont'd from 11/22/2023*) [2023-3195]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA: See Item #2 Under 'Consent Agenda-Miscellaneous' – Partial Vacation of a Recorded Exemption

PROCLAMATIONS:

1) Eaton Reds Day, Class 3A Softball State Championship – December 4, 2023 [2023-3490]

WARRANTS:

1) General Warrants – November 27, and 28, 2023, and December 1, 2023 [2023-3491]

NEW BUSINESS:

- 1) Consider Amendment #1 to Master Agreement for Treasury Management Services and authorize Chair to sign – Wells Fargo Bank, N.A. [2023-3492]
- 2) Consider Extension of Temporary Closure of CRs 74 and 33 Intersection [2023-3493]
- 3) Consider Contract ID #7634 Conference and Event Services Agreement for Preventing Targeted Violence and Combating Domestic Violence Extremism Workshop, and authorize Chair to sign – University of Northern Colorado (UNC) [2023-3494]
- 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*) [2023-3495]
 - Legals.....[2023-3496]
 - Correspondence.....[2023-3497]
- 5) 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 [2023-3498]
 - Legals.....[2023-3499]
 - Correspondence.....[2023-3500]

PLANNING:

- 1) 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 [2023-3504]
 - Legals.....[2023-3505]
 - Correspondence.....[2023-3506]

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 December 4, 2023 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 4 -	Weld County Fair Board	6:00 PM
Dec 5 -	Planning Commission	1:30 PM
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 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 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 - 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*)
- 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
- 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 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 6 - Docket #2023-83, PL2900 - Change of Zone, COZ23-0004, from the A (Agricultural) Zone District to the I-1 (Light Industrial) Zone District, Fritzler Real Estate, LLC [located south of and adjacent to County Road 44; west of and adjacent to County Road 33] (Planner – Chris Gathman) 10:00 AM
- Dec 6 - 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) 10:00 AM
- Dec 6 - 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) 10:00 AM
- 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
- 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

FUTURE PUBLIC HEARINGS (CONT'D):

- 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) Board of Public Health, Minutes from October 24, 2023 [2023-3471]
- 2) Board of Public Health, Agenda for November 17, 2023 [2023-3470]
- 3) Community Corrections Board, Agenda for November 28, 2023 [2023-3472]
- 4) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for November 30, 2023 [2023-3473]
- 5) Planning Commission, Agenda for December 5, 2023 [2023-3477]
- 6) Department of Planning Services, Addition to File PL2870, USR23-0008 – Jerry Leoffler, Personal Representative for Lydia Loeffler, c/o Pivot Solar 36, LLC [2023-3481]
- 7) Department of Planning Services, Addition to File PL2881, USR23-0014 – Lazaro Adame, c/o L & M Trucking, LLC [2023-3482]
- 8) Department of Planning Services, Addition to File PL2650, USR18-0119 – Michael and Mary Krier, c/o Expedition Water Solutions Colorado, LLC [2023-3483]
- 9) Department of Planning Services, Email dated November 20, 2023, Re: Town of Milliken Comprehensive Plan Open House Held on November 29, 2023 [2023-3474]
- 10) Department of Human Services, Email dated November 20, 2023, Re: Funding Award Letter for 2023-2024 Core Services Program [2023-3478]
- 11) Board of County Commissioners, Letter to Office of Economic Development and International Trade, dated November 21, 2023, Re: Letter of Support for Town of Kersey's Application for Funding through Rural Technical Assistance Program (RTAP) [2023-3480]
- 12) Board of County Commissioners and Weld County Workforce Development Board, on behalf of Department of Human Services, Employment Services Division, Letter to Colorado Department of Labor and Employment, dated November 20, 2023, Re: Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Final Monitoring Report [2023-3479]

COMMUNICATIONS (CONT'D):

- 13) Kiteley Ranch Metropolitan District, c/o Icenogle Seaver Pogue, Letter dated November 22, 2023, Re: Certification of Authorization of General Obligation Debt and Canvassers Certification of Special Election Held on November 7, 2023 [2023-3485]
- 14) U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), Region VIII, Letter dated November 14, 2023, Re: Letter of Map Revision (LOMR) for Flood Insurance Study (FIS) Report and Flood Insurance Rate Map (FIRM) [2023-2001]
- 15) U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), Region VIII, Letter dated November 13, 2023, Re: Conditional Letter of Map Revision (CLOMR) Comment Document [2023-3484]

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

- 1) Approve Contract ID #7636 Agreement for Transition Data Sharing for Case Management Agency (CMA) Functions [2023-3424]
- 2) Approve Contract ID #7610 Amendment #1 to Task Order Contract for Immunization Core Services Program [2023-3425]
- 3) Approve Proposal Subrecipient Commitment Form for Grant Funds from Arnold Ventures, LLC, for Pretrial Release Decisions, Conditions, and Services Research Project – University of Northern Colorado (UNC) [2023-3426]

ORDINANCES:

- 1) 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*) [2023-3495]
- 2) 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 [2023-3498]
- 3) 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 [2023-3504]

MISCELLANEOUS:

- * 1) Eaton Reds Day, Class 3A Softball State Championship – December 4, 2023 [2023-3490]
- * 2) Partial Vacation, VAC23-0047, of Two-Lot Recorded Exemption, RECX18-0086, for Removal of Lot B – Nicandro and Maria Sanchez [2023-3507]
- * 3) Contract ID #7638 Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Transitions Psychology Group, LLC [2022-1542]
- * 4) Contract ID #7642 Agreement for Construction Services for Courts Holding Sally Port Garage Door Replacement (Informal Bid #B2300203) – TCC Corporation [2023-3508]
- * 5) Renewal/Extension #2 as Application for Netguard Plus Cyber Liability Insurance for Claims and Reported Policy – Tokio Marine, HCC / Cyber and Professional Lines Group [2023-0248]

* **Signed this date**