

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, NOVEMBER 22, 2023
9:00 A.M.

2023-3401

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 8, 2023 [2023-3297]

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

- 1) USR23-0033 – John Scott Byrnes Trust, c/o CBEP Solar 28, LLC [2023-3159]
- 2) USR23-0032 – McKee Ranch, LLLP, c/o CBEP Solar 16, LLC [2023-3180]
- 3) USR23-0025 – Sandra Strobel (*Cont'd to 12/4/2023*) [2023-3195]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PRESENTATIONS:

- 1) Tenure of Service Award, Department of Human Services – Rebecca Lorenz [2023-3403]

WARRANTS:

- 1) General Warrants – November 21, 2023 [2023-3404]

BIDS:

- 1) Approve Bid #B2300201, Sheriff Uniforms and Equipment – Sheriff's Office [2023-3300]

NEW BUSINESS:

- 1) Consider Contract ID #7583 Agreement for Respite Services and authorize Chair to sign – Steven and Crystal Fretwell [2023-3405]
- 2) Consider Contract ID #7593 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Alaina Maus [2023-3406]
- 3) Consider Contract ID #7598 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Patrick and Toni Moore [2023-3407]
- 4) Consider Contract ID #7595 Reservation and Service Contract, and authorize Chair to sign – Mountain Shadow Carriages [2023-3408]
- 5) Consider Contract ID #7625 Agency Partnership Agreement and Memorandum of Understanding for Coordinated Assessment and Housing Placement System (CAHPS) Partner for Colorado Homeless Management Information System (COHMIS), and authorize Chair to sign and submit electronically – Northern Colorado Continuum of Care [2023-3409]

NEW BUSINESS (CONT'D):

- 6) Consider Delegation of Signatory Authority for County Veterans Service Officer Monthly Report in Compliance with C.R.S. §28-5-707 and §28-5-804 [2023-3410]
- 7) Consider Six (6) Intergovernmental Agreements for School Resource Officer Services and authorize Chair to sign – Various Entities [2023-3411]
- 8) Consider Applications for Various Ambulance Service Licenses and authorize Chair to sign [2023-3412]
- 9) 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*) [2023-3413]
 - Legals.....[2023-3306]
 - Correspondence.....[2023-3307]
- 10) 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*) [2023-3414]
 - 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**

- 10:00 AM - 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*) [2023-3199]
- 10:00 AM - Docket #2023-80, PL2897 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0037, for Oil and Gas Support and Service (storage area for parts for drilling rigs, drilling iron pipe and fittings, poly pipe and fittings, two [2] parts trailers and rig mats, light plant trailers and general oil and gas equipment supplies) in the A (Agricultural) Zone District, Cervi Enterprises, Inc., c/o Kerr-McGee Oil and Gas Onshore, LP [located approximately 1.4 miles south of the intersection of U.S. Highway 34 and County Road 69] (Planner – Chris Gathman) [2023-3351]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Nov 23 -	Holiday	CLOSED
Nov 24 -	Holiday	CLOSED
Nov 28 -	Board of Public Health	9:00 AM
Nov 28 -	Community Corrections Board	12:00 PM
Nov 29 -	Board Meeting	CANCELLED

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 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 - Partial Vacation, VAC23-0047, of Two-Lot Recorded Exemption, RECX18-0086, for Removal of Lot B – Nicandro and Maria Sanchez
- 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*)
- 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

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

- May 20, 2024 - Consider 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 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

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) Planning Commission, Minutes from November 7, 2023 [2023-3809]
- 2) County Council, Notice, PowerPoint Presentation, and Letter from the Weld County Board of Commissioners, dated November 13-15, 2023, Re: Meeting on November 20, 2023, to Consider Request from the Board of Commissioners to Retain Existing Mill Levy and Excess Funds per Home Rule Charter, Section 14-7, for 2024 Budget [2023-3389]
- 3) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for November 23, 2023 [2023-3388]
- 4) Department of Planning Services, Addition to File PL2852, USR22-0027 – CBEP Solar 2, LLC, c/o CBEP Solar 8, LLC [2023-3390]
- 5) Department of Planning Services, Addition to File PL2868, USR23-0006 – Timothy and Laura Cook, c/o Pivot Solar 35, LLC [2023-3391]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Mallard Exploration, LLC – Green Teal Fed Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 22WE0611, 22WE0612, 22WE0613, and 23WE0021 [2023-3387]

PUBLIC REVIEW (CONT'D):

- 2) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Consideration of Construction Materials Reclamation Permit Surety Release Request, Permit #M-1985-112 – Loloff Construction, Inc. – Loloff Mine [2021-2849]

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

- 1) Approve Temporary Closure of CR 72 Between CRs 57 and 59 [2023-3369]
- 2) Approve Temporary Closure of CR 41 Between CR 70 and SH 392 [2023-3370]
- 3) Approve Ten (10) Intergovernmental Agreements for Local On-Demand Transit Program Operation Services – Various Entities [2023-3371]
- 4) Approve Designation of Certain Banks as Depositories for Weld County Funds [2023-3372]
- 5) Approve Designation of Certain Brokers and Dealers for Handling Investment Transactions of Weld County Funds [2023-3373]
- 6) Approve Indication of Support of the Sheep Industry in Rural America [2023-3374]
- 7) Approve Setting Hearing Date for Consideration of Amended and Restated Service Plan – Kiteley Ranch Metropolitan District [2023-3375]
- 8) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jerry Dill [2023-3376]
- 9) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Donald Harris and Christina Elam [2023-3377]
- 10) Action of the Board Concerning Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez [2023-3378]
- 11) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Aryan Kiani and Matthew Irvin [2023-3379]
- 12) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Mahic Sabahudin and Melina Sabanovic [2023-3380]
- 13) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jesus Salas and Tiffany Brown [2023-3381]
- 14) Approve Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Dave Sanger, Sr. [2023-3382]
- 15) Action of the Board Concerning Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Porfirio and Lucina Flores [2023-3383]

ORDINANCES:

- 1) 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*) [2023-3413]
- 2) 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*) [2023-3414]

MISCELLANEOUS:

- 1) Tenure of Service Award, Department of Human Services – Rebecca Lorenz [2023-3403]
- * 2) Contract ID #7628 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Diane Bloomfield [2023-3415]
- 3) Contract ID #7630 Extension/Renewal #1 to Independent Contractor Agreement for Legislative Proposal Drafting – Technical Assistance Collaborative, Inc. [2023-2856]
- * 4) Agreement for Professional Services for Inmate Communication Services (Bid #B2300133) – ViaPath Technologies [2023-2658]

MISCELLANEOUS (CONT'D):

- * 5) Contract ID #7577 Agreement for Construction Services for Department of Public Works Weeds Building Insulation Replacement Project (Bid #B2300191) – DS Constructors, LLC [2023-3097]
- * 6) Contract ID #7589 Agreement for Construction Services for Briggsdale Sand and Grader Shed Project (Bid #B2300177) – TCC Corporation [2023-3130]
- * 7) Contract ID #7591 Amendment Extension/Renewal #3 to Agreement for Services for Fire Alarm Testing (Bid #B2000185) – Integrity Fire Safety Services Holdings, LLC [2020-3077]

* **Signed this date**