

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**MONDAY, DECEMBER 11, 2023**  
**9:00 A.M.**

**2023-3600**

**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 27, 2023 [2023-3421]

**READ ORDINANCE BY AUDIO:** Read Emergency Ordinance #260 by audio

**AMENDMENTS TO AGENDA:**

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

**WARRANTS:**

- 1) General Warrants – December 8, 2023 [2023-3602]
- 2) Commissioner Warrants (Kevin D. Ross) – December 8, 2023 [2023-3603]

**BIDS:**

- 1) Approve Bid #B2300207, Custodial Services for Department of Human Services (Buildings A, B, and C) – Facilities Department [2023-3423]
- 2) Present Bid #B2300211, Legal Newspaper Service for 2024 – Clerk to the Board [2023-3604]

**NEW BUSINESS:**

- 1) Consider Contract for 2024 Victim Assistance and Law Enforcement (VALE) Grant for Victim Witness Assistance Unit, and authorize Chair to sign electronically [2023-3605]
- 2) Consider Agreement for American Rescue Plan Act (ARPA) Subrecipient Federal Recovery Funds (Exhibit E), and authorize Chair to sign electronically [2023-3606]
- 3) Consider Petition for Abatement or Refund of Taxes for Account No. P3734507 – K2D, Inc., dba Colorado Premium Foods [2023-3607]
- 4) Consider Contract ID #7647 Award Letter for 2023 State Criminal Alien Assistance Program (SCAAP) Grant and authorize Controller to submit electronically [2023-3608]
- 5) Consider Contract ID #7654 Contract for 2024 Victim Assistance and Law Enforcement (VALE) Grant for Law Enforcement Victim Services, and authorize Chair to sign [2023-3609]
- 6) Consider Contract ID #7665 Award Letter and Intergovernmental Agreement for 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for Purchase of License Plate Readers, and authorize Chair to sign and submit electronically [2023-3610]
- 7) Consider Contract ID #7637 Laboratory Services Group Purchasing Agreement and Participation Form (Exhibits E and F) for Reduced Costs of Clinical Laboratory Services, and authorize Chair to sign and submit electronically – Colorado Community Health Network, and Laboratory Corporation of America [2023-3611]

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**NEW BUSINESS (CONT'D):**

- 8) Consider Contract ID #7661 Change Order #2 to Agreement for Construction Services for Chase Building (822 7th ST, Greeley) Renovation Project (Bid #B2300107) and authorize Chair to sign – TCC Corporation [2023-1451]
- 9) Consider Contract ID #7657 Intergovernmental Agreement for Gravel Road Maintenance and Snow Removal, and authorize Chair to sign – Town of Severance [2023-3612]
- 10) Consider Contract ID #7663 Amendment to Purchase of Professional Services Agreement for Oil and Gas Audits and Evaluation Services, and authorize Chair to sign – Martindale Consultants, Inc. [2023-3613]
- 11) Consider Lobbying Agreement and authorize Chair to sign – Colorado Legislative Services, LLC, dba Colorado Legislative Strategies [2023-3614]

**PLANNING:**

- 1) Consider Full Release of Warranty Collateral for Change of Zone, PUDZ16-0001, and Planned Unit Development Final Plan, PUDF16-0003 – Gander Valley Farms, Ltd. [2023-3615]
- 2) Consider Application for Small Business Incentive Program and authorize Release of Economic Development Trust Funds (Tier I) – Wholesome Meats and Lockers, LLC [2023-3616]

**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](mailto: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](mailto:ctb@weld.gov).

**ADJOURN:**

**PUBLIC HEARINGS  
BOARD OF COUNTY COMMISSIONERS**

- 9:00 AM - Docket #2023-99, FI0079 - 2024 Final Budget Hearing
- 1) Resolution Re: Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the County of Weld, Colorado, for the Calendar Year Beginning on the First Day of January 2024, and Ending on the Last Day of December 2024 [2023-3594]
  - 2) Emergency Ordinance #260, In the Matter of the Annual Appropriation for the Year 2024 [2023-3595]
  - Legal Notice..... [2023-3596]
  - Budget Book..... [2023-3597]
- (See 12/20/2023 Agenda for Public Hearing to Set Mill Levy)*

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 11 -	Juvenile Community Review Board	12:00 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 (Budget Meeting)	1:00 PM
Dec 19 -	911 Emergency Telephone Services Authority Board	12:00 PM
Dec 19 -	Northern Colorado RETAC	2:00 PM
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.

- 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
- 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 (*Rescheduled from 12/20/2023*)
- 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*) – (*Rescheduled to 4/22/2024*)
- 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*) – (*Rescheduled to 5/13/2024*)
- 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 13 - Docket #2023-95, PL2902 – Resolution of Illegal Land Division, ILD23-0001, to correct an illegal land division 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) – *(TO BE CONT'D TO 12/18/2023)* 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 18 - Docket #2023-95, PL2902 – Resolution of Illegal Land Division, ILD23-0001, to correct an illegal land division 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) – *(TO BE CONT'D from 12/13/2023)* 9:00 AM
- Dec 20 - Docket #2023-96, SD0004 - Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2024 Budget Hearing 9:00 AM
- Dec 20 - Docket #2023-97, SD0131 - Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2024 Budget Hearing 9:00 AM
- Dec 20 - Docket #2023-98, SD0158 - Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2024 Budget Hearing 9:00 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
- 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

**REPORTS:**

- 1) Department of Public Works, Road Closures for Less than 72 Hours, November 2023 [2023-3593]

**COMMUNICATIONS:**

- 1) Weld County Proposed Budget for 2024 [2023-3598]

**PUBLIC REVIEW:**

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – 70 Ranch T5N-R63W-S32 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0393 [2023-3522]

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

- 1) Approve 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) Approve Amended Bylaws for Human Services Advisory Commission [2023-3543]
- 3) Approve Contract ID #7606 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Funds for Migrant Seasonal Farm Worker (MSFW) Program [2023-3544]
- 4) Approve Contract ID #7607 Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Funds for Foreign Labor Certification (FLC) Grant [2023-3545]
- 5) Approve 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 [2023-3546]
- 6) Approve Contract ID #7611 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services – Tierney Baldwin [2023-3547]
- 7) Approve Contract ID #7631 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services – Esther Dennis [2023-3548]
- 8) Approve Contract ID #7635 Agreement for Professional Services for Foster Parent Training and Co-Facilitator Services – Nichole Snow [2023-3549]
- 9) Approve Contract ID #7626 Memorandum of Understanding for Bed Bug Mitigation – Greeley Transitional House, Inc., dba Greeley Family House [2023-3550]
- 10) Approve Contract ID #7629 Memorandum of Understanding for Child Welfare and Adult Protective Services Hotline – Prowers County [2023-3551]
- 11) Approve Contract ID #7632 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Andrea Sinden [2023-3552]

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**RESOLUTIONS (CONT'D):**

- 12) Approve Contract ID #7643 2024 Annual Program Plan for Child Support Services [2023-3553]
- 13) Approve Revisions to Fee Schedule for Fees Collected by Weld County Department of Public Health and Environment [2023-3554]
- 14) Approve Contract ID #7658 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for CR 21 Improvements Project (December Cycle – Tier I) [2023-3555]
- 15) Approve 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) [2023-3556]
- 16) Approve 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 – Suncor Energy (U.S.A.) Pipeline Company [2023-3557]
- 17) Approve Amended and Restated Service Plan for Kiteley Ranch Metropolitan District – Icenogle Seaver Pogue, P.C. [2023-3560]
- 18) Action of the Board Concerning PCSC22-0010 – Paul Page [2023-3475]
- 19) Action of the Board Concerning USR23-0023 – Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [2023-3509]
- 20) Approve COZ23-0004 – Fritzier Real Estate, LLC [2023-3429]
- 21) Approve USR23-0027 – Phyllis Burkgren, c/o USS South Platte Solar, LLC [2023-3443]
- 22) Approve USR23-0028 – Leslie Matson, c/o USS Auburn Solar, LLC [2023-3456]

**ORDINANCES:**

- \* 1) Emergency Ordinance #260, In the Matter of the Annual Appropriation for the Year 2024 [2023-3595]  
Legals.....[2023-3596]

**MISCELLANEOUS:**

- \* 1) Contract ID #7661 Change Order #2 to Agreement for Construction Services for Chase Building (822 7th ST, Greeley) Renovation Project (Bid #B2300107) – TCC Corporation [2023-1451]
- \* 2) Partial Vacation, VAC23-0049, of Four-Lot Recorded Exemption, RECX17-0118, for Removal of Lot D – David Lucas and Susan Colvin [2023-3617]
- \* 3) Contract ID #7639 Extension/Renewal Amendment #1 to Memorandum of Agreement for Coordinated Investigations into Child Abuse and Neglect – Life Stories Child and Family Advocacy [2022-3411]
- \* 4) Contract ID #7656 Extension/Renewal Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Diane Bloomfield [2023-3415]
- \* 5) Contract ID #7668 Extension/Renewal Amendment #3 to Child Protection Agreement for Services – Brad’s House [2022-1537]
- \* 6) Contract ID #7664 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Micki Indrika and Alensia Underwood [2023-3618]
- \* 7) Contract ID #7669 Services Agreement for Software for Area Agency on Aging (AAA) Single Entry Point (SEP) Client Tracking System – Chocolate Software, LLC [2023-3619]
- \* 8) Contract ID #7575 Agreement for Construction Services for Shooting Range Building Addition and Water Treatment System (Bid #B2300178) – KR Construction Group, Inc. [2023-2889]
- \* 9) Contract ID #7592 Amendment #1 to Service Agreement for Custodial Services for Chase Building Plaza (822 7th ST, Greeley – Bid #B2200147) – CCS Facilities Services [2022-2981]
- \* 10) Contract ID #7640 Agreement for Construction Services for Department of Public Health and Environment Immunization Room Remodel Project (Informal Bid) – Choice Builders [2023-3620]

**MISCELLANEOUS (CONT'D):**

- \* 11) Contract ID #7666 Change Order #1 to Agreement for Construction Services for Facilities Department Building Addition and Remodel Project (Bid #B2300169) – Rhinotrax Construction [2023-2726]
- \* 12) Contract ID #7651 Agreement for Professional Services for Engineering Services for Weld County Trail Study and Design Project (Bid #B2300074) – Otak, Inc. [2023-1784]
- \* 13) Amendment #1 to Agreement for Construction Services for Southeast Annex Building Project (Bid #B2300112)– Roche Constructors, Inc. [2023-1531]

\* **Signed this date**