

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, FEBRUARY 21, 2024
9:00 A.M.

2024-0418

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

MINUTES:

- 1) Approval of Minutes of February 5, 2024 [2024-0282]
- 2) Approval of Minutes of February 7, 2024 [2024-0302]

CERTIFICATION OF HEARINGS: Hearings conducted on February 7, 2024:

- 1) USR23-0040 – Cervi Enterprises, Inc., c/o Kerr-McGee Oil and Gas Onshore, LP [2024-0249]
- 2) USR23-0039 – Public Service Company of Colorado, dba Xcel Energy [2024-0251]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PRESENTATIONS:

- 1) Recognition of Services, Department of Public Health and Environment – Aurora Medina [2024-0420]

PROCLAMATIONS:

- 1) Highland Huskies Day, Class 3A Cheerleading State Championship – February 21, 2024 [2024-0421]

WARRANTS:

- 1) General Warrants – February 16, and 20, 2024 [2024-0422]

BIDS:

- 1) Approve Bid #B2300210, Benefits Consulting and Broker Services – Department of Human Resources *(Cont'd from 2/7/2024)* [2024-0007]
- 2) Approve Bid #B2400042, Jail 1 East Heating Ventilation and Air Conditioning (HVAC) Roof Top Unit (RTU) Replacement – Facilities Department [2024-0286]
- 3) Approve Bid #B2400002, Mobile Medical Unit (QTY 1) – Department of Fleet Services [2024-0287]
- 4) Approve Bid #B2400003, Tandem Axle Tractor with Wet Kit (QTY 1) – Departments of Fleet Services and Public Works [2024-0288]
- 5) Approve Bid #B2400006, Roadside Herbicide Spray Truck (QTY 1) – Departments of Fleet Services and Public Works [2024-0289]

BIDS (CONT'D):

- 6) Approve Bid #B2400035, 2024 Sign Material – Department of Public Works [2024-0290]
- 7) Approve Bid #B2400036, Traffic Paint and Beads – Department of Public Works [2024-0291]
- 8) Approve Bid #B2400045, Enforcement Services for Weed Mowing and/or Spraying – Department of Public Works [2024-0292]
- 9) Approve Bid #B2400004, 4X4 Extended Cab and Chassis with Custom Flatbed (QTY 2) – Departments of Fleet Services and Public Works [2024-0304]
- 10) Present Bid #B2400034, On-Call Right-of-Way Acquisition, Relocation, and Appraisal Services – Department of Public Works [2024-0423]
- 11) Present Bid #B2400046, Downtown Greeley Complex and Northern Colorado Regional Forensic Laboratory Flooring Maintenance – Facilities Department [2024-0424]
- 12) Present Bid #B2400047, Department of Human Services Buildings A, B, and C Flooring Maintenance – Facilities Department [2024-0425]

NEW BUSINESS:

- 1) Consider Laboratory Services Agreement and authorize Chair to sign – Denver Health and Hospital Authority [2024-0426]
- 2) Consider Contract ID #7777 Amendment #6 to Diagnostic Services Agreement for Tuberculosis Control Program and authorize Chair to sign – Banner Imaging Services Colorado, LLC [2024-0427]
- 3) Consider Contract ID #7781 Amendment #6 to Diagnostic Services Agreement for Women’s Wellness Connection Program and authorize Chair to sign – Banner Imaging Services Colorado, LLC [2024-0428]
- 4) Consider Contract ID #7778 Professional Service Agreement for Consulting Pharmacist and authorize Chair to sign – Cassandra Sanchez, Registered Pharmacist [2024-0429]
- 5) Consider Contract ID #7779 Agreement Concerning Pathology Services and authorize Chair to sign – Summit Pathology [2024-0430]
- 6) Consider Contract ID #7783 Acceptance of Purchase Order Funds for 2023-2024 Preventative Block Grant (PBG) for Public Health Services and authorize Department of Public Health and Environment to disburse funds [2024-0431]
- 7) Consider Contract ID #7787 Agreement Concerning Surgical Services for Women’s Wellness Connection Program and authorize Chair to sign – Banner MD Anderson [2024-0432]
- 8) Consider Temporary Closure of North 35th AVE Between ‘O’ ST and ‘AA’ ST [2024-0433]
- 9) Consider Contract ID #7824 Memorandum of Agreement for Purchase of Certain Property for Public Road Improvements for CR 41 and SH 52 Intersection Project, and authorize Chair to sign any necessary documents – Hugo Villela-Portillo [2024-0434]
- 10) Consider Contract ID #7825 Acceptance of Intergovernmental Grant Agreement Summary of Terms and Conditions for Energy and Mineral Impact Assistance Fund (EIAF) Program for High Plains Boulevard Design-Build Project (August Cycle – Tier II) [2024-0435]
- 11) Consider Contract ID #7841 Sub-Merchant Application, Services Agreement, and Addendum for HS GovTech Solutions HealthSpace System, and authorize Chair to sign – Wonderware, Inc., dba CORE Business Technologies [2024-0436]
- 12) Consider Contract ID #7842 Master Merchant Services Contract and Participation Agreement (Exhibit E) for Credit Card Processing Services, and authorize Chair to sign and submit electronically [2024-0437]
- 13) Consider Declaring Certain Equipment as Surplus Property, Authorize Sale of Same to Town of Lochbuie, and delegate authority to Controller to sign any necessary documents [2024-0438]

NEW BUSINESS (CONT'D):

- 14) Consider Corrected Resolution for Reappointments to Area Agency on Aging Advisory Board [2024-0233]
 - 15) Contract ID #7803 Confidentiality Agreement and authorize Chair to sign – Neighbor to Neighbor, Inc. [2024-0439]
 - 16) Second Reading of Code Ordinance #2024-03, In the Matter of Repealing and Reenacting, with Amendments, Chapter 10 Social Services of the Weld County Code [2024-0440]
- Legals.....[2024-0264]
Correspondence.....[2024-0265]

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 #2024-15, EG0082 - Public Hearing to Consider Acceptance of Petition to Vacate a Portion of County Road 41 Between County Roads 6 and 4, Subject to Dedicated and Recorded Easements and Rights-of-Way, BNSF Railway Company and Alan Agnew [2024-0320]
- 10:00 AM - Docket #2023-10, PL0674 - Show Cause Hearing, PCSC22-0021, to determine whether or not the permittee 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) [2024-0094]
- 10:00 AM - Docket #2024-03, PL2682 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0043, for Oil and Gas Support and Service including establishments principally engaged in serving the oil and gas industry (fabricating, installing and maintaining containment liners for oil and gas operations) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, ECO Properties, LLC [located west of and adjacent to County Road 53; approximately 0.5 miles north of County Road 74] (Planner – Kim Ogle) – (Cont'd from 1/31/2024) [2024-0366]
- 10:00 AM - Docket #2024-09, PL2906 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0038, for a Breeding Kennel limited to 30 dogs over the age of six (6) months outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Marvin Spayd and Edie Pittman, c/o French Bred Frenchie's, LLC [located north of and adjacent to County Road 4; approximately 4,000 feet east of County Road 49] (Planner – Kim Ogle) [2024-0405]

Wednesday, February 21, 2024

PUBLIC HEARINGS (CONT'D):

- 10:00 AM - Docket #2024-05, PL2904 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0040, for a 190-foot Telecommunication Antenna Tower in the A (Agricultural) Zone District, Cervi Enterprises, Inc., c/o Kerr-McGee Oil and Gas Onshore, LP [located approximately 3.5 miles south of the intersection of County Road 69 and U.S. Highway 34. The site will access onto U.S. Highway 34 via a private access] (Planner – Chris Gathman) – *(Cont'd from 2/7/2024)* [2024-0392]
- 10:00 AM - Docket #2024-01, PL2901 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0024, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Lee and Ruby Linblad, and M.A. Linblad, LLC, c/o CBEP Solar 22, LLC, and CBEP Solar 23, LLC [located north of and adjacent to State Highway 392; 0.30 miles east of County Road 27] (Planner – Molly Wright) – *(Cont'd from 1/31/2024)* [2024-0348]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Feb 21 -	Weld County Emergency Medical/Trauma Services Council	10:00 AM
Feb 27 -	Board of Public Health	9:00 AM
Feb 27 -	Regional Communications Advisory Board	10:30 AM
Feb 27 -	Community Corrections Board	12:00 PM
Mar 4 -	Weld County Fair Board	6:00 PM
Mar 6 -	Weld County Community Development Block Grant Advisory Committee	3:00 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.

- Feb 26 - 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 - 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 4 - Withdraw Application for Planned Unit Development Final Plan, PF-1130, Rescind Resolution #2008-2278, dated September 10, 2008, Rescind Resolution #2007-2521, dated September 5, 2007, and Revoke Change of Zone, PZ-1130 (Mackey Circle PUD), to Revert Zoning to the A (Agricultural) Zone District – Matthew Schindler
- Mar 4 - Withdraw Application for Planned Unit Development Final Plan, PF-1102 (Deer Meadows Cluster PUD), Rescind Staff Approval, dated October 13, 2006, Rescind Resolution #2006-0752, dated April 5, 2006, and Revoke Change of Zone, PZ-1102, to Revert Zoning to the A (Agricultural) Zone District – Kent and Deanna McDaniel
- Mar 6 - Vacation, VAC23-0051, of Two-Lot Recorded Exemption, RECX20-0028, and Recombine Lots into One (1) Parcel – Scott Tarbell
- Mar 6 - Final Reading of Code Ordinance #2024-03, In the Matter of Repealing and Reenacting, with Amendments, Chapter 10 Social Services of the Weld County Code
- Mar 13 - 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 - 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 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez (*Cont'd from 11/20/2023*)
- Aug 5 - 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.

- Feb 28 - 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 1/10/2024*)
10:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- Mar 6 - Docket #2024-04, PL2903 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0039, for a 1041 Major Facility of a Public Utility or Public Agency, encompassing approximately 47.2 miles of the proposed Colorado Power Pathways 345-kilovolt (kV) double-circuit Electric Transmission Line, including the 58.7-acre laydown yard, referred to as the Cervi Yard, and the 59.4-acre laydown yard, referred to as the Sarchet Yard, outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Public Service Company of Colorado, dba Xcel Energy [located generally in the southern-most part of Weld County, starting near Platteville and extending east and south to the Weld County/Morgan County Line] (Planner – Kim Ogle) – (Cont'd from 2/7/2024) 10:00 AM
- Apr 24 - 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) – (Cont'd from 1/17/2024) 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 February 6, 2024 [2024-0364]
- 2) Planning Commission, Agenda for February 20, 2024 [2024-0390]
- 3) Scott Moser, Town of Eaton Mayor, Email dated February 2, 2024, and Response from Commissioner Lori Saine, dated February 3, 2024, Re: Eaton Urban Growth Area Boundary Map [2024-0305]
- 4) Commissioner Lori Saine, Letter to Johanna Ostrum, Chief Operating Officer of Gradient Geothermal, dated January 22, 2024, Re: Support for Proposal of Pre-Feasibility Study for the Pierce Field Project [2024-0244]

PUBLIC REVIEW:

- 1) Town of Johnstown, Front Range Fire Rescue Annexation, Resolution, Petition, Affidavit, and Map [2024-0345]

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

- 1) Approve Equitable Sharing Agreement and Certification [2024-0386]

ORDINANCES:

- 1) Second Reading of Code Ordinance #2024-03, In the Matter of Repealing and Reenacting, with Amendments, Chapter 10 Social Services of the Weld County Code [2024-0440]

MISCELLANEOUS:

- * 1) Recognition of Services, Department of Public Health and Environment – Aurora Medina [2024-0420]
- * 2) Highland Huskies Day, Class 3A Cheerleading State Championship – February 21, 2024 [2024-0421]
- * 3) Contract ID #7830 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Ryan and Lidia Neuenberger [2024-0441]
- * 4) Contract ID #7805 Agreement for Construction Services for Community Corrections Heat Recovery Ventilation (HRV) Replacement (Bid #B2300217) – MTech Mechanical [2024-0147]

MISCELLANEOUS (CONT'D):

- * 5) Contract ID #7815 Road Maintenance Agreement According to Requirements During Construction for Location Assessment for Pipeline Permit, LAP24-0002 – DCP Operating Company, LP [2024-0442]
- * 6) Contract ID #7817 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Second Major Amended Use by Special Review Permit, 2MJUSR23-11-0027 – M & M Excavation Company, LLC [2024-0443]
- * 7) Contract ID #7818 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0017 – Noble Energy, Inc. [2024-0444]
- * 8) Contract ID #7819 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0018 – Noble Energy, Inc. [2024-0445]

* **Signed this date**