

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, FEBRUARY 26, 2024
9:00 A.M.

2024-0458

PLEDGE OF ALLEGIANCE

HOUSING AUTHORITY BOARD

ROLL CALL:

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

MINUTES: Approval of Minutes of January 22, 2024 [2024-0143]

BOARD OF COUNTY COMMISSIONERS

ROLL CALL:

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

MINUTES: Approval of Minutes of February 12, 2024 [2024-0323]

READ ORDINANCE BY AUDIO: Read Code Ordinance #2024-01 by audio

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

- 1) Roosevelt Roughriders Day, Class 4A State Championship for Co-Ed Cheerleading – February 26, 2024 [2024-0461]
- 2) Roosevelt Roughriders Day, Class 4A State Championship for Poms – February 26, 2024 [2024-0462]

WARRANTS:

- 1) General Warrants – February 23, 2024 [2024-0463]
- 2) Commissioner Warrants (Kevin D. Ross) – February 23, 2024 [2024-0464]

BIDS:

- 1) Approve Bid #B2400007, SUV Small 4 Door 4X4 or AWD (QTY 1) – Department of Fleet Services and 19th Judicial District Attorney's Office [2024-0325]

NEW BUSINESS:

- 1) Consider Contract ID #7838 Intergovernmental Agreement for Resurfacing of East 168th AVE and authorize Chair to sign – Adams County [2024-0465]
- 2) Consider Temporary Closure of CR 13 Between CR 50 and SH 60 [2024-0466]
- 3) Consider Temporary Closure of CR 72 Between CRs 29 and 31 [2024-0467]
- 4) Consider Declaration of Certain Equipment as Surplus Property, Approve Sale of Same at Auction with Roller and Associates, and delegate authority to Controller to sign any necessary documents [2024-0468]
- 5) 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*) – (Cont'd to 3/27/2024) [2024-0469]
 - Legals.....[2024-0470]
 - Correspondence.....[2024-0471]

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 February 26, 2024 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

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
Feb 28 -	Greeley Housing Authority	4:30 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.

- 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 4 - Withdraw Application, Rescind Resolution #2004-3337, dated December 15, 2004, and Revoke Change of Zone, PZ-1050, to Revert the Ridgeview PUD (Planned Unit Development) Zoning to the A (Agricultural) Zone District – P and A Turkey Farms, Inc., c/o Douglas Pluss
- 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

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FUTURE PUBLIC HEARINGS (CONT'D):

- Mar 4 - Docket #2024-17, FI0080 - Hearing to allow public input concerning community development and housing needs, including the needs of low- to moderate-income persons, as well as needs in the community that might be addressed in the 2024 Annual Action Plan through the Community Development Block Grant (CDBG) Program (CDBG Program Manager – Elizabeth Relford) 9:00 AM
- Mar 6 - 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 (*Cont'd from 2/21/2024*) 9:00 AM
- 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
- Mar 27 - 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) – (*Cont'd from 2/21/2024*) 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) Board of Public Health, Agenda for February 21, 2024 [2024-0391]
- 2) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for February 22, 2024 [2024-0451]
- 3) Department of Planning Services, Addition to File PL2275, 1MJUSR23-14-0005 – Terry Grazing Association, c/o Connell Resources, Inc. [2024-0452]
- 4) Department of Planning Services, Addition to File PL2900, COZ23-0004 – Fritzler Real Estate, LLC [2024-0453]
- 5) Department of Planning Services, Addition to File PL2834, COZ22-0005 – Keith Cowan [2024-0454]
- 6) Town of Frederick, Letter of Concern dated February 14, 2024, Re: Ongoing Oil and Gas Spills and Failed Remediation by KP Kauffman Company, Inc., with Response from Commissioner Kevin D. Ross, dated February 22, 2024 [2024-0455]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – NGL Crude Terminals, LLC – Lucerne Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 15WE0038 [2024-0446]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Elevation Field Services, LLC – Buffalo Compressor Station, Notice of a Proposed Title V Operating Permit Warranting Public Comment, Draft Permit No. 21OPWE468 [2024-0447]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – North Platte 14-36 Production Facility, Notice of a Proposed Title V Operating Permit Warranting Public Comment, Draft Permit No. 22OPWE492 [2024-0448]

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

- 1) Approve Laboratory Services Agreement – Denver Health and Hospital Authority [2024-0426]
- 2) Approve Contract ID #7777 Amendment #6 to Diagnostic Services Agreement for Tuberculosis Control Program – Banner Imaging Services Colorado, LLC [2024-0427]
- 3) Approve Contract ID #7781 Amendment #6 to Diagnostic Services Agreement for Women’s Wellness Connection Program – Banner Imaging Services Colorado, LLC [2024-0428]
- 4) Approve Contract ID #7778 Professional Service Agreement for Consulting Pharmacist – Cassandra Sanchez, Registered Pharmacist [2024-0429]
- 5) Approve Contract ID #7779 Agreement Concerning Pathology Services – Summit Pathology [2024-0430]
- 6) Approve Contract ID #7783 Acceptance of Purchase Order Funds for 2023-2024 Preventative Block Grant (PBG) Program for Public Health Services [2024-0431]
- 7) Approve Contract ID #7787 Agreement Concerning Surgical Services for Women’s Wellness Connection Program – Banner MD Anderson [2024-0432]
- 8) Approve Temporary Closure of North 35th AVE Between ‘O’ ST and ‘AA’ ST [2024-0433]
- 9) Approve Contract ID #7824 Memorandum of Agreement for Purchase of Certain Property for Public Road Improvements for CR 41 and SH 52 Intersection Project – Hugo Villela-Portillo [2024-0434]
- 10) Approve 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) Approve Contract ID #7841 Sub-Merchant Application, Services Agreement, and Addendum for HS GovTech Solutions HealthSpace System – Wonderware, Inc., dba CORE Business Technologies [2024-0436]
- 12) Approve Contract ID #7842 Master Merchant Services Contract and Participation Agreement (Exhibit E) for Credit Card Processing Services [2024-0437]
- 13) Approve Declaration of Certain Equipment as Surplus Property and Authorize Sale of Same to Town of Lochbuie [2024-0438]
- 14) Approve Corrected Resolution for Reappointments to Area Agency on Aging Advisory Board [2024-0233]
- 15) Approve Contract ID #7803 Confidentiality Agreement – Neighbor to Neighbor, Inc. [2024-0439]
- 16) Action of the Board Concerning Petition for Vacation of a Portion of County Road 41 Between County Roads 6 and 4 – BNSF Railway Company and Alan Agnew [2024-0320]
- 17) Action of the Board Concerning PCSC22-0021 – Donn Foster and Mary Lee Hardy, c/o Foster Trucking, Inc. [2024-0094]
- 18) Approve USR23-0043 – ECO Properties, LLC [2024-0366]
- 19) Approve USR23-0038 – Marvin Spayd and Edie Pittman, c/o French Bred Frenchie’s, LLC [2024-0405]
- 20) Approve USR23-0040 – Cervi Enterprises, Inc., c/o Kerr-McGee Oil and Gas Onshore, LP [2024-0392]

RESOLUTIONS (CONT'D):

- 21) Approve USR23-0024 – Lee and Ruby Linblad, and M.A. Linblad, LLC, c/o CBEP Solar 22, LLC, and CBEP Solar 23, LLC [2024-0348]

MISCELLANEOUS:

- * 1) Roosevelt Roughriders Day, Class 4A State Championship for Co-Ed Cheerleading – February 26, 2024 [2024-0461]
- * 2) Roosevelt Roughriders Day, Class 4A State Championship for Poms – February 26, 2024 [2024-0462]
- * 3) Contract ID #7845 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Nicole Haskett [2024-0472]
- * 4) Contract ID #7848 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Marizol Irizarry [2024-0473]
- * 5) Contract ID #7849 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Jason and Emily Norris [2024-0474]
- * 6) Contract ID #7801 Extension/Renewal #3 to Agreement for Professional Services for Trash Removal Services (Bid #B2100045) – Gallegos Sanitation, Inc./Republic Services, Inc. [2021-0308]
- * 7) Contract ID #7806 Agreement for Professional Services for Materials Testing Services for Shooting Range Water Treatment Project (Bid #B2000096) – Professional Service Industries, Inc. [2020-0958]
- * 8) Contract ID #7810 Agreement for Professional Services for Materials Testing Services for Jail Booking Project (Bid #B2000096) – Professional Service Industries, Inc. [2020-0958]
- * 9) Contract ID #7811 Agreement for Professional Services for Materials Testing Services for Briggsdale Grader Shed Project (Bid #B2000096) – Professional Service Industries, Inc. [2020-0958]
- * 10) Contract ID #7834 Extension/Renewal #1 to Agreement for Surface Gravel Supply (Central and Southern Locations – Bid #B2300058) – Connell Resources, Inc. [2023-0888]
- * 11) Contract ID #7840 Extension/Renewal #1 to Agreement for Professional Services for Non Project Specific Subsurface Utility Engineering (Bid #B2200179) – T2 UES, Inc., dba T2 Utility Engineers [2023-0307]
- * 12) Contract ID #7837 Professional Service Agreement for Wellness Platform Solution (Bid #B2300205) – Propel, Inc. [2024-0146]
- * 13) Retail Purchase Agreement and Predelivery Inspection List for 1-Ton 4X4 Full Size Extended Cab Pickup with Utility Box (QTY 1 – Rescinded Bid #B2200017) – Johnson Auto Plaza, Inc. [2024-0475]
- * 14) Retail Purchase Agreement and Predelivery Inspection List for 3/4-Ton 4X4 Full-Sized Crew Cab Pickup with Utility Box (QTY 1 – Rescinded Bid #B2200030) – Johnson Auto Plaza, Inc. [2024-0476]
- * 15) Retail Purchase Agreement and Predelivery Inspection List for 1/2-Ton 4X4 Pickup 6.5-Foot Bed Crew Cab (QTY 1 – Bid #B2300025 / Rescinded Bid #B2200023) – Johnson Auto Plaza, Inc. [2024-0477]
- * 16) Vehicle Buyer’s Order Additional Terms and Conditions, and Predelivery Inspection List for 2-Ton 4X4 Crew Cab with Dual Wheels and 11-Foot Utility Bed (QTY 1 – Rescinded Bid #B2200027) – Ken Garff Ford of Greeley [2024-0478]
- * 17) Vehicle Buyer’s Order Additional Terms and Conditions, and Predelivery Inspection List for 2-Ton 4X4 Crew Cab with Dual Wheels and 8-Foot Utility Box (QTY 1 – Rescinded Bid #B2200035) – Ken Garff Ford of Greeley [2024-0479]

MISCELLANEOUS (CONT'D):

- * 18) Contract ID #7844 Technical Support Agreement for Facilities Department Building Automation Services – Setpoint Systems Corporation [2024-0480]
- * 19) Member Proxy and Confidential Voting Instruction Ballot for 2024 Annual Meeting – Weld County Underground Water Users Association, Inc. (WCUWUA) [2024-0481]

* **Signed this date**