

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**WEDNESDAY, MARCH 6, 2024**  
**9:00 A.M.**

**2024-0564**

**PLEDGE OF ALLEGIANCE**

**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 21, 2024 [2024-0419]

**CERTIFICATION OF HEARINGS:** Hearings conducted on February 21, 2024:

- 1) Petition to Vacate a Portion of CR 41 Between CRs 6 and 4 – BNSF Railway Company and Alan Agnew [2024-0321]
- 2) PCSC22-0021 – Donn Foster and Mary Lee Hardy, c/o Foster Trucking, Inc. [2024-0095]
- 3) USR23-0043 – ECO Properties, LLC [2024-0378]
- 4) USR23-0038 – Marvin Spayd and Edie Pittman, c/o French Bred Frenchie’s, LLC [2024-0417]
- 5) USR23-0040 – Cervi Enterprises, Inc., c/o Kerr-McGee Oil and Gas Onshore, LP [2024-0404]
- 6) USR23-0024 – Lee and Ruby Linblad, and M.A. Linblad, LLC, c/o CBEP Solar 22, LLC, and CBEP Solar 23, LLC [2024-0361]

**AMENDMENTS TO AGENDA:** Remove Item #11 Under ‘New Business’: Consider Expression of Support for Weld County Sheriff’s Office Immigration Detainers Policy [2024-0593]; and Add a New Item #11 Under ‘New Business’: Consider Declaration that Weld County is Not a Sanctuary County for Federal Immigration Crisis [2024-0594]

**APPROVAL OF CONSENT AGENDA:** See Item #1 Under ‘Consent Agenda-Miscellaneous’ – Vacation of a Recorded Exemption

**WARRANTS:**

- 1) General Warrants – March 5, 2024 [2024-0566]

**BIDS:**

- 1) Approve Bid #B2400034, On-Call Right-of-Way Acquisition, Relocation, and Appraisal Services – Department of Public Works [2024-0423]
- 2) Approve Bid #B2400046, Downtown Greeley Complex and Northern Colorado Regional Forensic Laboratory Flooring Maintenance – Facilities Department (*Cont’d to 3/13/2024*) [2024-0424]
- 3) Approve Bid #B2400047, Department of Human Services Buildings A, B, and C Flooring Maintenance – Facilities Department [2024-0425]
- 4) Present Bid #B2400052, North Jail Security Grid Replacement – Facilities Department [2024-0567]

**NEW BUSINESS:**

- 1) Consider Contract ID #7903 Sole Source Quote for Purchase of Compact Rapid Deployable (CRD) Emergency Communications Equipment and authorize Chair to sign – AT&T FirstNet [2024-0568]
- 2) Consider Contract ID #7859 Case Management Agency (CMA) Agreement Terms and Conditions, and authorize Chair to sign – Envision Creative Support for People with Developmental Disabilities [2024-0569]
- 3) Consider Contract ID #7878 Case Management Agency (CMA) Agreement Terms and Conditions, and authorize Chair to sign – Medical Massage, LLC [2024-0570]
- 4) Consider Contract ID #7879 Case Management Agency (CMA) Agreement Terms and Conditions, and authorize Chair to sign – Elevate 4:14, LLC [2024-0571]
- 5) Consider Contract ID #7880 Case Management Agency (CMA) Agreement Terms and Conditions, and authorize Chair to sign – Ease-e Medical, Inc. [2024-0572]
- 6) Consider Contract ID #7882 Case Management Agency (CMA) Agreement Terms and Conditions, and authorize Chair to sign – American Medical Alert Corporation [2024-0573]
- 7) Consider Contract ID #7883 Case Management Agency (CMA) Agreement Terms and Conditions, and authorize Chair to sign – Hearts in Harmony Music Therapy, LLC [2024-0574]
- 8) Consider Contract ID #7862 Amendment #3 to Intergovernmental Agreement for 2023-2024 County Incentives Program and authorize Chair to sign and submit electronically [2024-0575]
- 9) 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 [2024-0576]
  - Legals.....[2024-0264]
  - Correspondence.....[2024-0265]
- 10) Consider Expression of Support for University of Northern Colorado, College of Osteopathic Medicine, and HB24-1231, State Funding for Higher Education Projects [2024-0592]
- 11) Consider Declaration that Weld County is Not a Sanctuary County for Federal Immigration Crisis [2024-0594]

**PLANNING:**

- 1) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR12-0041, for an Agricultural Service Establishment, primarily engaged in performing agricultural, animal husbandry or horticultural services on a fee or contract basis (a mixed animal veterinary clinic) in the A (Agricultural) Zone District, and Rescind Resolution #2012-2495, dated September 19, 2012 – Larry D. Johnson Living Trust [2024-0577]
- 2) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR12-0062, for Use permitted as a Use by Right, Accessory Use or Use by Special Review in the Commercial or Industrial Zone Districts (manufacturing, fabrication and painting of oil and gas, and agricultural equipment) provided that the property is not a lot in an approved or recorded subdivision plat or part of a map or plan filed prior to adoption of any regulations controlling subdivisions in the A (Agricultural) Zone District, and Rescind Resolution #2013-0144, dated January 16, 2013 – RF Holdings, LLC [2024-0578]
- 3) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR13-0030, for Resource Development Facilities, including an Oil and Gas Support and Service Facility (water depot) in the A (Agricultural) Zone District, and Rescind Resolution #2013-2589, dated September 4, 2013 – 70 Ranch, LLC, c/o United Water and Sanitation District [2024-0579]

**PLANNING (CONT'D):**

- 4) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR14-0032, for a Mineral Resource Development Facility, including an Oil and Gas Support and Service Facility (water depot) in the A (Agricultural) Zone District, and Rescind Resolution #2014-2867, dated September 24, 2014 – David Bashor [2024-0580]
- 5) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR16-0033, for any Use permitted as a Use by Right, Accessory Use or Use by Special Review in the Commercial or Industrial Zone Districts (storage of electrical equipment in an existing building, along with an office and parking, and staging of commercial vehicles associated with the electrical business) provided that the property is not a lot in an approved or recorded subdivision plat or part of a map or plan filed prior to adoption of any regulations controlling subdivisions in the A (Agricultural) Zone District, and Rescind Resolution #2016-3359, dated November 9, 2016 – Hollis Revard [2024-0581]
- 6) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR17-0010, for any Use permitted as a Use by Right, Accessory Use or Use by Special Review in the Commercial or Industrial Zone Districts (shop for light body work and storage of parts along with occasional outdoor painting of bumpers and fenders, etc.) provided that the property is not a lot in an approved or recorded subdivision plat or part of a map or plan filed prior to adoption of any regulations controlling subdivisions in the A (Agricultural) Zone District, and Rescind Resolution #2017-1992, dated July 12, 2017 – William Worrell, c/o Booth Motors, LLC [2024-0582]
- 7) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR17-0057, for an Oil and Gas Support and Service Facility (compressor station facility) in the A (Agricultural) Zone District, and Rescind Resolution #2018-0163, dated January 17, 2018 – Equus Farms, Inc., c/o Bill Barrett Corporation [2024-0583]
- 8) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR18-0067, for a Home Business (automobile modification) in the A (Agricultural) Zone District, and Rescind Resolution #2019-0179, dated November 14, 2018 – Adam Hilton and Lashawn Laguardia Hilton [2024-0584]
- 9) Consider Request to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR22-0017, for Buildings Exceeding the Maximum Building Coverage in subdivisions (up to 17.5%) in the A (Agricultural) Zone District, and Rescind Resolution #2022-2728, dated October 5, 2022 – Jeffrey Futter [2024-0585]

**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 #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*) [2024-0456]
- 10:00 AM - 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*) [2024-0595]

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

Mar 6 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Mar 11 -	Juvenile Community Review Board	12:00 PM
Mar 12 -	Workforce Development Board	11:45 AM
Mar 14 -	Weld Faith Partnership Council	7:30 AM
Mar 14 -	Area Agency on Aging Advisory Board	9:00 AM

## 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 27 -	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 ( <i>Appendix 8-O – Functional Classification Map</i> ) – ( <i>Cont'd from 2/26/2024</i> )	
Apr 22 -	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 ( <i>Appendix 8-O – Functional Classification Map</i> ) – ( <i>Rescheduled from 3/13/2024</i> )	
May 13 -	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 ( <i>Appendix 8-O – Functional Classification Map</i> ) – ( <i>Rescheduled from 3/27/2024</i> )	
May 20 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez ( <i>Cont'd from 11/20/2023</i> )	
Jun 12 -	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 ( <i>Cont'd from 3/4/2024</i> )	
Aug 5 -	Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Bruce Olson and Suzanne Brunstrom ( <i>Cont'd from 11/8/2023</i> )	

## FUTURE PUBLIC HEARINGS:

All future Hearings are publicly noticed and will begin following the adjournment of the regular Board Meeting.

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) – ( <i>Cont'd from 2/21/2024</i> )	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) – ( <i>Cont'd from 1/17/2024</i> )	10:00 AM

## COMMUNICATIONS:

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).

- 1) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for March 7, 2024 [2024-0489]
- 2) BauerFinancial, Inc., Hometown Bank Ratings Report as of December 31, 2023 [2024-0562]

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**PUBLIC REVIEW:**

- 1) Department of Planning Services, Letter of Response to Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Re: Surety Reduction Request (SR-1), Permit #M-1977-036 – Martin Marietta Materials, Inc. – West Cell Reservoir [2014-2197]

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

- 1) Approve Appointment of Chris Coulter as Director of the Weld County Facilities Department [2024-0527]
- 2) Approve Adopting Weld County Data Retention Schedule [2024-0528]
- 3) Approve Contract ID #7870 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 76 and 33 Intersection Project – KTC Farm, LLC [2024-0529]
- 4) Approve Contract ID #7872 Agreement for Purchase of Certain Property for Public Road Improvements for CRs 76 and 33 Intersection Project – Glenn and Lee Shannon Leffler [2024-0530]
- 5) Approve Request to 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 the Zoning to the A (Agricultural) Zone District – Matthew Schindler [2024-0531]
- 6) Approve Request to 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 the Zoning to the A (Agricultural) Zone District – Kent and Deanna McDaniel [2024-0532]
- 7) Approve Request to 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 [2024-0533]

**ORDINANCES:**

- \* 1) 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 [2024-0576]
  - Legals.....[2024-0264]
  - Correspondence.....[2024-0265]

**MISCELLANEOUS:**

- \* 1) Vacation, VAC23-0051, of Two-Lot Recorded Exemption, RECX20-0028, and Recombine Lots into One (1) Parcel – Scott Tarbell [2024-0586]
- \* 2) Contract ID #7895 Extension/Renewal #1 to Agreement for Materials for Hot and Warm Mix Asphalt Supply (Bid #B2300056) – Martin Marietta Materials, Inc. [2023-0541]
- \* 3) Contract ID #7896 Extension/Renewal #1 to Agreement for Materials for Hot and Warm Mix Asphalt Supply (Bid #B2300056) – Asphalt Specialties Co., Inc. [2023-0541]
- \* 4) Contract ID #7820 Road Maintenance Agreement According to Requirements During the Construction Period for Minor Amended Use by Special Review Permit, 1MUSR23-88-819 – Aristocrat Ranchettes Water Project, Inc. [2024-0587]
- \* 5) Contract ID #7831 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0066 – Prairie Operating Company, LLC [2024-0588]

**MISCELLANEOUS (CONT'D):**

- \* 6) Contract ID #7832 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0065 – Prairie Operating Company, LLC [2024-0589]
- \* 7) Contract ID #7833 Road Maintenance Agreement According to Requirements During the Construction Period for Location Assessment for Pipeline Permit, LAP24-0001 – Williams Front Range, LLC [2024-0590]

\* **Signed this date**