

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, MARCH 27, 2024
9:00 A.M.

2024-0711

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 March 13, 2024 [2024-0630]

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

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

1) Day of the Young Child – March 30, 2024 [2024-0713]

WARRANTS:

1) General Warrants – March 27, 2024 [2024-0714]

BIDS:

1) Approve Bid #B2400014, One-Ton 4X4 Extended Cab Pickup with 8-Foot Utility Box (QTY 1) – Departments of Fleet Services and Public Works [2024-0632]

2) Approve Bid #B2400053, Cisco Network Switches – Department of Information Technology [2024-0633]

3) Present Bid #B2400032, Pavement Smoothness Testing and Grinding – Department of Public Works [2024-0715]

4) Present Bid #B2400061, VMware Maintenance Weld – Department of Information Technology [2024-0716]

NEW BUSINESS:

1) Consider Petition for Abatement or Refund of Taxes for Account No. P9107041 – The Mill Event Venue, LLC [2024-0717]

2) Consider Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for Phase Three (3) of CR 77 Improvements Project Between CRs 106 and 114 (April Cycle - Tier II), and authorize Department of Public Works to submit electronically [2024-0718]

3) Consider Warranty Deed to Convey Property for Relocation of High-Pressure Gas Pipeline Meter Station for CR 41 and SH 52 Intersection Project, and authorize Chair to sign – Public Service Company of Colorado, a Colorado Corporation, dba Xcel Energy [2024-0719]

NEW BUSINESS (CONT'D):

- 4) Consider Acceptance of Deed of Dedication for Public Road Right-of-Way for CRs 76 and 33 Intersection Project, and authorize Chair to sign – KTC Farm, LLC [2024-0720]
- 5) Consider Acceptance of Deed of Dedication for Public Road Right-of-Way for CRs 76 and 33 Intersection Project, and authorize Chair to sign – Glenn and Lee Shannon Leffler [2024-0721]
- 6) Consider Temporary Closure of CR 39 Between CRs 70 and 74 [2024-0722]
- 7) Consider Contract ID #7958 Application for Federal Assistance (Form SF-424) for Energy Efficiency and Conservation Block Grant (EECBG) Program, and authorize Chair to sign [2024-0723]
- 8) 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 from 2/26/2024*) [2024-0469]
 - Legals.....[2024-0470]
 - Correspondence.....[2024-0471]

PUBLIC COMMENT:

Each individual speaker is allowed, and must strictly adhere to, a three (3)-minute period of time in which to direct comments to the Board of County Commissioners. The Chair shall enforce the Board's historically followed rules of order and decorum. The Chair may immediately refer any comment to staff for resolution or schedule a work session. Total time allotted for public comment from all speakers will not exceed fifteen (15) minutes per meeting, unless the Board, by majority vote, extends such total time prior to the start of Public Comment. The Board will not accept comments regarding matters that 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 the appropriate public hearing, either in person or in writing. Persons who wish to submit written comments on any topic may do so at any time by emailing: publiccomment@weld.gov, by mailing such comments to the Weld County Clerk to the Board, P.O. Box 758, 1150 O Street, Greeley, CO 80632, by emailing ctb@weld.gov, or by visiting 1150 O Street, Greeley, CO 80631.

ADJOURN:

**PUBLIC HEARINGS
BOARD OF COUNTY COMMISSIONERS**

- 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) – (*Cont'd from 2/21/2024*) [2024-0449]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Mar 27 -	Greeley Housing Authority	4:30 PM
Apr 1 -	Weld County Fair Board	6:00 PM
Apr 2 -	Board of Adjustment	11:00 AM
Apr 2 -	Planning Commission	1:30 PM
Apr 3 -	Weld County Community Development Block Grant Advisory Committee	3:00 PM
Apr 4 -	Island Grove Park Advisory Board	4:00 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.

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>)	
Jul 17 -	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	
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.

Apr 3 -	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) – (<i>Cont'd from 3/6/2024</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

FUTURE PUBLIC HEARINGS (CONT'D):

- May 8 - 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 3/6/2024)* 9:00 AM
- May 13 - Docket #2024-25, EG0082 - Petition to vacate a portion of County Road 78, being 1,267 feet in length, more or less, between Union Pacific Railroad right-of-way (adjacent to U.S. Highway 85) and County Road 37, subject to dedicated and recorded easements and rights-of-way, Weld County Department of Public Works 9:00 AM

COMMUNICATIONS:

Persons who wish to submit written comments on any topic may do so at any time by emailing: publiccomment@weld.gov, by mailing such comments to the Weld County Clerk to the Board, P.O. Box 758, 1150 O Street, Greeley, CO 80632, by emailing ctb@weld.gov, or by visiting 1150 O Street, Greeley, CO 80631.

- 1) Community Corrections Board, Agenda for March 26, 2024 [2024-0710]

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

- 1) Approve Contract ID #7956 Amendment #1 to Settlement Agreement for Bridge 54/13A Reconstruction Project – Dustin and Jamie Christensen [2024-0705]
- 2) Approve Special Event Permit – The Wild Animal Sanctuary, a Colorado Non-Profit Corporation [2024-0706]
- 3) Approve Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements, and Accept Collateral for Access Permit, AP20-00070 – Omaha Track, Inc. [2024-0707]

ORDINANCES:

- 1) 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 from 2/26/2024)* [2024-0469]

MISCELLANEOUS:

- * 1) Day of the Young Child – March 30, 2024 [2024-0713]
- 2) Conveyance of Warranty Deed from Hugo Vilella-Portillo to Colorado Department of Transportation (CDOT) through Memorandum of Agreement for Purchase of Certain Property for Public Road Improvements for CR 41 and SH 52 Intersection Project (Parcels RW-02 and RW-02A) [2024-0434]
- 3) Grant of Temporary Construction Easement from Hugo Vilella-Portillo to Weld County through Memorandum of Agreement for Purchase of Certain Property for Public Road Improvements for CR 41 and SH 52 Intersection Project (Parcel TE-02) [2024-0434]
- * 4) Contract ID #7940 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Use by Special Review Permit, USR23-0026 – ABCD Landco, LLC, c/o 5280 Cattle Company, LLC [2024-0724]
- * 5) Contract ID #7941 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Use by Special Review Permit, USR23-0036 – Rooster Land Company, LLC [2024-0725]
- * 6) Division Order to Nickle Road Operating, LLC, (Elder 1X-HNC-09-07-65 – API 05-123-50234, Elder 2X-HNA-09-07-65 – API 05-123-50238, Elder 2X-HC-09-07-65 – API 05-123-50243, Elder 3X-HNB-09-07-65 – API 05-123-50242, and Elder 4X-HNC-09-07-65 – API 05-123-50246) [2024-0726]

MISCELLANEOUS (CONT'D):

- * 7) Division Order to Chevron U.S.A., Inc., (Guttersen C34-715 – API 05-123-48916, Guttersen C34-725 – API 05-123-48911, Guttersen C34-735 – API 05-123-48913, Guttersen C34-745 – API 05-123-48915, Gittlein C34-755 – API 05-123-48864, Gittlein C34-765 – API 05-123-48872, Gittlein C34-775 – API 05-123-48867, and Gittlein C34-785 – API 05-123-48873) [2024-0727]

* **Signed this date**