

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, MAY 6, 2024
9:00 A.M.

2024-1097

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 April 22, 2024 [2024-0938]

READ ORDINANCE BY AUDIO: Read Code Ordinance #2024-08 by audio

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

1) National Nurses Week – May 6-12, 2024 [2024-1099]

WARRANTS:

1) General Warrants – May 3, 2024 [2024-1100]

BIDS:

- 1) Approve Bid #B2400065, Chase Building (822 7th ST, Greeley) Chiller Replacement – Facilities Department [2024-0943]
- 2) Present Bid #B2400077, Grounds Building Design and Engineering Services – Facilities Department [2024-1101]
- 3) Present Bid #B2400079, Dacono Grader Shed Design and Engineering Services – Facilities Department [2024-1102]

NEW BUSINESS:

- 1) Consider Intergovernmental Agreement for Mail Ballot Drop-Off Box and Video Surveillance Recording System, and authorize Chair to sign – Eaton Area Park and Recreation District [2024-1103]
- 2) Consider Contract ID #8078 Professional Services Agreement for Pipe and Drape at 2024 Weld County Fair, and authorize Chair to sign – Flexx Productions, LLC [2024-1104]
- 3) Consider Contract ID #8080 Service Agreement for Tent Rentals for 2024 Weld County Fair and authorize Chair to sign – Mountain View Tent Company [2024-1105]
- 4) Consider Contract ID #8096 Professional Services Agreement for Horse and Carriage Services at 2024 Weld County Fair, and authorize Chair to sign – Mountain Shadow Carriages, LLC, c/o Darin Henry [2024-1106]
- 5) Consider Temporary Closure of CR 76 Between CRs 39 and 41 [2024-1107]
- 6) Consider Temporary Closure of CR 84 Between CRs 29 and 31 [2024-1108]

NEW BUSINESS (CONT'D):

- 7) Consider Corrected Resolution for Application for 2025/2026 Multimodal Project Discretionary Grant (MPDG) Program for Colorado I-76 and CR 8 Improvements Project and authorize Department of Planning Services to sign and submit electronically [2024-1058]
- 8) Consider Appointment to Building Trades Advisory Committee [2024-1109]
- 9) Consider Appointment to Weld Faith Partnership Council [2024-1110]

PLANNING:

- 1) Consider Decommissioning Plan, Accept Collateral for Site Specific Development Plan and Use by Special Review Permit, USR22-0013, for a Solar Energy Facility in the A (Agricultural) Zone District, and authorize Chair to sign – David Cogburn, c/o US Solar [2024-1111]
- 2) Consider Contract ID #8009 Release of Collateral and Accept Replacement Collateral for Site Specific Development Plan and Use by Special Review Permit, USR15-0059 – Tallgrass Terminals, LLC [2024-1112]
- 3) Consider Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA20-0066 – Highpoint Operating Corporation [2024-1113]
- 4) First Reading of Code Ordinance #2024-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Rural Land Divisions [RLDF]*) [2024-1114]
- Legals.....[2024-1115]
- Correspondence.....[2024-1116]

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 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 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**

* No Public Hearings Scheduled for May 6, 2024 *

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

May 6 -	Weld County Fair Board	6:00 PM
May 7 -	Planning Commission	1:30 PM
May 9 -	Weld Faith Partnership Council	8:00 AM
May 9 -	Area Agency on Aging Advisory Board	9:00 AM
May 13 -	Juvenile Community Review Board	12:00 PM
May 14 -	Workforce Development Board	11:45 AM
May 15 -	Weld County Emergency Medical/Trauma Services Council	10:00 AM
May 16 -	Greeley-Weld County Airport Authority	3:30 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.

- 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 (*Appendix 8-O – Functional Classification Map*) – (*Rescheduled from 3/27/2024*)
- May 15 - Second Reading of Code Ordinance #2024-04, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Accessory Dwelling Units and R-1 Revisions*)
- May 20 - Partial Vacation, VAC24-0006, of Four-Lot Recorded Exemption, RECX18-0017, for Removal of Lot D – Sanchez Living Trust, c/o Anthony Sanchez
- May 20 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez (*Cont'd from 11/20/2023*)
- May 20 - First Reading of Code Ordinance #2024-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 7 Emergency Medical Services of the Weld County Code
- May 20 - Second Reading of Code Ordinance #2024-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Rural Land Divisions [RLDF]*)
- May 20 - Second Reading of Code Ordinance #2024-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance of the Weld County Code (*No Appropriation for Emergency Sheltering of Illegal Aliens*)
- May 22 - First Reading of Code Ordinance #2024-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 21 Areas and Activities of State Interest of the Weld County Code (*1041 WOGLA Code Changes*)
- Jun 3 - Final Reading of Code Ordinance #2024-04, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Accessory Dwelling Units and R-1 Revisions*)
- Jun 3 - Final Reading of Code Ordinance #2024-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Rural Land Divisions [RLDF]*)
- Jun 3 - First Reading of Code Ordinance #2024-06, In the Matter of Repealing and Reenacting, with Amendments, Chapter 29 Building Regulations of the Weld County Code (*National Electrical Code*)
- Jun 5 - Second Reading of Code Ordinance #2024-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 7 Emergency Medical Services of the Weld County Code
- Jun 10 - Final Reading of Code Ordinance #2024-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance of the Weld County Code (*No Appropriation for Emergency Sheltering of Illegal Aliens*)

ITEMS SCHEDULED FOR FUTURE BOARD MEETINGS (CONT'D):

- Jun 10 - Second Reading of Code Ordinance #2024-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 21 Areas and Activities of State Interest of the Weld County Code (*1041 WOGLA Code Changes*)
- 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 (*Cont'd from 3/4/2024*)
- Jun 19 - Final Reading of Code Ordinance #2024-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 7 Emergency Medical Services of the Weld County Code
- Jun 24 - Second Reading of Code Ordinance #2024-06, In the Matter of Repealing and Reenacting, with Amendments, Chapter 29 Building Regulations of the Weld County Code (*National Electrical Code*)
- Jun 24 - First Reading of Code Ordinance #2024-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Floodplain*)
- Jun 26 - Final Reading of Code Ordinance #2024-09, In the Matter of Repealing and Reenacting, with Amendments, Chapter 21 Areas and Activities of State Interest of the Weld County Code (*1041 WOGLA Code Changes*)
- Jul 15 - Final Reading of Code Ordinance #2024-06, In the Matter of Repealing and Reenacting, with Amendments, Chapter 29 Building Regulations of the Weld County Code (*National Electrical Code*)
- Jul 17 - Second Reading of Code Ordinance #2024-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Floodplain*)
- 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 (*Cont'd from 11/8/2023*)
- Aug 5 - Final Reading of Code Ordinance #2024-10, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Floodplain*)

FUTURE PUBLIC HEARINGS:

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

- 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 8 - Docket #2024-14, PL2909 - Change of Zone, COZ23-0005, from the A (Agricultural) Zone District to the C-3 (Business Commercial) Zone District, Robert L. Seltzer Family, LLC [located east of and adjacent to County Road 19; north of and adjacent to County Road 2] (Planner – Diana Aungst) 10:00 AM
- May 8 - Docket #2024-16, PL2930 - A Site Specific Development Plan and Use by Special Review Permit, USR23-0042, for an Oil and Gas Support Facility (Compressed Natural Gas [CNG] Station) in the A (Agricultural) Zone District, Michael Boulter Farms, LLC, c/o Liberty Power Innovations, LLC [located east of and adjacent to County Road 49; north of and adjacent to County Road 50] (Planner – Chris Gathman) 10:00 AM
- May 13 - Docket #2024-28, PL2891 and LC0022 - A Limited Event Permit, LEP24-0001, for a fundraising campaign associated with the Erie Makerspace in the A (Agricultural) Zone District, Benjamin Marmon and Janna Czepiel [located approximately 0.35 mile south of the intersection at County Road 1 and State Highway 52; and 0.2 mile north of the intersection at County Road 1 and Westview Road] (Planner – Eric Sheley) 9:00 AM

FUTURE PUBLIC HEARINGS (CONT'D):

- 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
- May 22 - 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 4/24/2024) 10:00 AM

REPORTS:

- 1) Department of Planning Services, Staff Approvals for April 2024 [2024-1091]

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) Planning Commission, Agenda for May 7, 2024 [2024-1087]
- 2) Department of Public Health and Environment, Email dated April 29, 2024, Re: Colorado Department of Public Health and Environment, Option Letter #1-4, Task Order Contract for Food and Drug Administration (FDA) Tobacco Retail Compliance Check Inspection Program [2024-1095]
- 3) Colorado State University, College of Business, Corporate Partnership Program Terms and Agreement for Learning and Development [2024-1093]
- 4) Carbon Storage Solutions, Letter dated April 25, 2024, Re: Notice of Hearing for Colorado Energy and Carbon Management Commission Rule Section 302.e, Front Range 2 Pad (SW1/4 SE1/4 S23,T6N, R67W) [2024-1092]
- 5) Board of County Commissioners, Letter of Support to U.S. Representative Yadira Caraveo, dated April 29, 2024, Re: Support for CR 7 Paving Project from Town of Mead to Town of Berthoud [2024-1043]
- 6) Board of County Commissioners, Letter of Support to U.S. Representative Yadira Caraveo, dated April 29, 2024, Re: Congressionally Directed Spending for Greeley-Weld County Airport Bravo and Echo (B&E) Complex [2024-1090]
- 7) Town of Windsor, Oaths of Office for Barry Wilson as Mayor and Richard Klimek, Lainie Peltz, and Ron Steinbach as Town Board Members [2024-1089]
- 8) Town of Eaton, Letter of Support dated May 1, 2024, Re: Second Reading of Planned Unit Development (PUD) Ordinance #2023-18 and Coordinated Planning Agreement Updates [2024-1094]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Highpoint Operating Corporation – Siebring 5-63-32 SENE, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 22WE0112 [2024-1081]
- 2) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice for Consideration of Construction Materials Reclamation Permit Surety Full/Final Release Request (SL-1), Permit #M-2022-044 – Jalisco International, Inc. – Section 20 Mine [2022-0476]

PUBLIC REVIEW (CONT'D):

- 3) Raptor Materials, LLC, fka Varra Companies, Inc., Submittal to Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Technical Revision No. Three (3) Adequacy Review Response for Revised Acreage and Life of Mine, Permit #M-2015-033 – Parcel 122 (aka Bearson) Resource Development Project [2023-0677]

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

- 1) Approve Certification Letters in Support of Sexual Assault Victim Advocate (SAVA) Center 2024 Improve Criminal Justice Response (ICJR) Program Grant Application [2024-1061]
- 2) Approve Standard Form of Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments, Provider List, and Rates, between the Department of Human Services and various providers [2024-1053]
- 3) Approve Contract ID #8062 Memorandum of Understanding for Weld County Youth Conservation Corps Services at 2024 Weld County Fair [2024-1054]
- 4) Approve Contract ID #8063 Two-Year County Personnel and Merit System Certification for Wagner-Peyser Act Funded Employment Services [2024-1055]
- 5) Approve Contract ID #8073 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Rhonda Johnson [2024-1056]
- 6) Approve Contract ID #8085 Memorandum of Understanding for Collaborative Management Program (CMP) with Various Agencies [2024-1057]
- 7) Approve Application for 2025/2026 Multimodal Project Discretionary Grant (MPDG) Program and Mega Grant Program [2024-1058]
- 8) Approve Contract ID #7982 Sole Source Agreement for Materials or Equipment for Dust Suppressant and Road Stabilization Products – Envirotech Services, LLC [2024-1059]
- 9) Approve Temporary Closure of CR 77 Between CRs 100 and 120 [2024-1060]

ORDINANCES:

- 1) First Reading of Code Ordinance #2024-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 24 Subdivisions of the Weld County Code (*Rural Land Divisions [RLDF]*) [2024-1114]

MISCELLANEOUS:

- * 1) National Nurses Week – May 6-12, 2024 [2024-1099]
- * 2) Nine (9) Facility Usage Agreements for June 25, 2024, Primary Election – Town of Keenesburg, Windsor Recreation Center, Nunn Town Hall, Briggsdale High School, Benjamin Eaton Elementary School, University of Northern Colorado, Aims Community College (Fort Lupton Campus), Trinity Lutheran Church, and Aims Community College [2024-1117]
- * 3) Contract ID #8083 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Alex Turner [2024-1118]
- * 4) Contract ID #8084 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Stacey Larrabee [2024-1119]
- * 5) Contract ID #8089 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Ayanna Griffin [2024-1120]
- * 6) Contract ID #8094 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Micki Schoech [2024-1121]
- * 7) Contract ID #8097 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Emilia McGinn [2024-1122]
- * 8) Contract ID #8099 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Sulema Saenz Sanchez [2024-1123]

MISCELLANEOUS (CONT'D):

- * 9) Contract ID #8103 Agreement for Professional Services for Case Management Agency (CMA) Supports Intensity Scale (SIS) Assessments – Karol Guerrero [2024-1124]
- * 10) Contract ID #8064 Agreement for Services for Tree Disposal Services (Informal Bid #B2400030) – Aesthetic Alternative Recycling, Inc. [2024-1125]
- * 11) Contract ID #8092 Agreement for Services for Tree Disposal Services (Informal Bid #B2400030) – Moore Stump Removal, LLC [2024-1126]
- * 12) Division Order to PDC Energy, Inc. (Market Federal 03N – API 05-123-50921, Market Federal 08N – API 05-123-50916, Market Federal 01N – API 05-123-51629, Market Federal 06C – API 05-123-50920, Market Federal 02N – API 05-123-50918, Market Federal 05N – API 05-123-50922, Market Federal 07N – API 05-123-50917, Market Federal 04C – API 05-123-50919, California 03C – API 05-123-51101, California 04N – API 05-123-51097, California 05N – API 05-123-51108, California 06NA – API 05-123-51100, California 07N – API 05-123-51098, California Federal 09C – API 05-123-51102, California Federal 10N – API 05-123-51099, California Federal 11C – API 05-123-51105, California Federal 12N – API 05-123-51107, California Federal 13N – API 05-123-51106, California Federal 14NA – API 05-123-51109, California Federal 15N – API 05-123-51111, and California 02N – API 05-123-51103) [2024-1127]

* **Signed this date**