

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**WEDNESDAY, MAY 8, 2024**  
**9:00 A.M.**

**2024-1130**

**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 24, 2024 [2024-0971]

**CERTIFICATION OF HEARINGS:** Hearings conducted on April 24, 2024:

- 1) RLDF23-0002 – Sharp Trust [2024-1016]
- 2) USR23-0045 – PDC Energy, Inc., c/o Thistle Solar, LLC [2024-0898]
- 3) USR23-0047 – Cornish Plains Livestock, LLLP, c/o SunShare, LLC, dba Oriole Solar, LLC, Starling Solar, LLC, and Porcupine Solar, LLC [2024-0930]

**AMENDMENTS TO AGENDA:**

**APPROVAL OF CONSENT AGENDA:**

**PROCLAMATIONS:**

- 1) Child Care Provider Day – May 8, 2024 [2024-1132]

**WARRANTS:**

- 1) General Warrants – May 6, and 7, 2024 [2024-1133]

**BIDS:**

- 1) Approve Bid #B2400069, F5 Maintenance and Support – Department of Information Technology [2024-0974]
- 2) Approve Bid #B2400070, Fortinet Maintenance and Support – Department of Information Technology [2024-0975]
- 3) Approve Bid #B2400081, Dell Professional Services and Quest AD Migrator – Department of Information Technology [2024-0976]
- 4) Present Bid #B2400015, Tandem Axle Dump Truck (Elliptical with Plow - QTY 1) – Departments of Fleet Services and Public Works [2024-1134]
- 5) Present Bid #B2400016, 20-Ton Single Padfoot Vibratory Roller (QTY 1) – Departments of Fleet Services and Public Works [2024-1135]
- 6) Present Bid #B2400082, Master Key System Design Services – Facilities Department [2024-1136]

**NEW BUSINESS:**

- 1) Consider Contract ID #8090 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Nicole Ramirez and Jennifer Mervelt [2024-1137]

**NEW BUSINESS (CONT'D):**

- 2) Consider Contract ID #8091 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Stephen Wiench and Amber Oneill [2024-1138]
- 3) Consider Acceptance of Deed of Dedication for Purchase of Certain Property for Public Road Improvements for CR 44 and U.S. HWY 85 Peckham Interchange Project, and authorize Chair to sign – Petrocco Family Limited Partnership, LLLP [2024-1139]
- 4) Consider Contract ID #8122 Statement of Work (Exhibit A) for Regional Grant Navigator Funds and authorize Department of Finance to disburse funds [2024-1140]

**PLANNING:**

- 1) Consider Agreement for Local Government Land Use Applications Timeline Extension for Use by Special Review Permit, USR24-0009, for a 1041 Major Facility of a Public Utility or Public Agency for 165 MW Peaker Power Plant with six (6) combustion turbine generators, 69 KV switchyard, and ancillary equipment associated with facility operations utilized for energy generation outside of subdivisions and historic townsites in the A (Agricultural) Zone District, and authorize Chair to sign – United Power, Inc., c/o Mountain Peak Power, LLC [2024-1141]

**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](mailto: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](mailto:ctb@weld.gov), or by visiting 1150 O Street, Greeley, CO 80631.

**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 3/6/2024*) [2024-0605]
- 10:00 AM - 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) [2024-1000]
- 10:00 AM - 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) – (*Cont'd to 6/12/2024*) [2024-1150]

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

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 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
- 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

**COMMUNICATIONS:**

Persons who wish to submit written comments on any topic may do so at any time by emailing: [publiccomment@weld.gov](mailto: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](mailto:ctb@weld.gov), or by visiting 1150 O Street, Greeley, CO 80631.

- 1) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for May 9, 2024 [2024-1128]
- 2) Department of Planning Services, Addition to File PL2889, USR23-0023 – Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [2024-1129]

**PUBLIC REVIEW:**

- 1) Ogilvy Irrigating and Land Company, Notice of Filing Application for Regular 112 Construction Materials Extraction Operation Permit to Colorado Department of Natural Resources, Division of Reclamation, Mining, and Safety – Seeley Reservoir Stockpiles [2024-1096]

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

- 1) Approve Intergovernmental Agreement for Mail Ballot Drop-Off Box and Video Surveillance Recording System – Eaton Area Park and Recreation District [2024-1103]
- 2) Approve Contract ID #8078 Professional Services Agreement for Pipe and Drape at 2024 Weld County Fair – Flexx Productions, LLC [2024-1104]
- 3) Approve Contract ID #8080 Service Agreement for Tent Rentals for 2024 Weld County Fair – Mountain View Tent Company [2024-1105]
- 4) Approve Contract ID #8096 Professional Services Agreement for Horse and Carriage Services at 2024 Weld County Fair – Mountain Shadow Carriages, LLC, c/o Darin Henry [2024-1106]
- 5) Approve Temporary Closure of CR 76 Between CRs 39 and 41 [2024-1107]
- 6) Approve Temporary Closure of CR 84 Between CRs 29 and 31 [2024-1108]
- 7) Approve Corrected Resolution for Application for 2025/2026 Multimodal Project Discretionary Grant (MPDG) Program for Colorado I-76 and CR 8 Improvements Project [2024-1058]
- 8) Approve Appointment to Building Trades Advisory Committee [2024-1109]
- 9) Approve Appointment to Weld Faith Partnership Council [2024-1110]
- 10) Approve Decommissioning Plan and 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 – David Cogburn, c/o US Solar [2024-1111]
- 11) Approve 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]
- 12) Approve Termination of Road Maintenance Improvements Agreement for 1041 Weld Oil and Gas Location Assessment Permit, 1041WOGLA20-0066 – Highpoint Operating Corporation [2024-1113]

**MISCELLANEOUS:**

- \* 1) Child Care Provider Day – May 8, 2024 [2024-1132]
- \* 2) Contract ID #8056 Change Order to Agreement for Construction Services for Shooting Range Building Addition and Water Treatment System (Bid #B2300178) – KR Construction Group, Inc. [2023-2889]
- \* 3) Contract ID #8057 Agreement for Construction Services for Chase Building Probation Intrusion Alarm System Project (822 7th ST, Greeley – Informal Bid) – Security Alarm Systems, Inc., dba Dictoguard Security Alarm Systems, Inc. [2024-1142]

**MISCELLANEOUS (CONT'D):**

- \* 4) Contract ID #8068 Premium Access Agreement, and Government Customer Rider – Getty Images (US), Inc. [2024-1143]
- \* 5) Contract ID #8101 Extension/Renewal #2 to Agreement for Services for Proactive Maintenance and Calibration of Flood Warning Network – Water and Earth Technologies, Inc. [2020-1079]
- \* 6) Acceptance of Deed of Dedication for CR 104 Public Road Improvements Project – Karl and Janet Kerzic [2020-3043]
- \* 7) Contract ID #8010 Road Maintenance Agreement According to Requirements During the Construction Period for Location Assessment for Pipeline Permit, LAP24-0006 – Summit DJ-S, LLC [2024-1144]
- \* 8) Contract ID #8012 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA24-0008 – Prairie Operating Co., LLC [2024-1145]
- \* 9) Contract ID #8058 Road Maintenance Agreement According to Requirements During the Construction Period for Use by Special Review Permit, USR23-0023 – Thomas and Marjorie Brown, c/o CBEP Solar 27, LLC [2024-1146]
- \* 10) Contract ID #8059 Road Maintenance Agreement According to Requirements During the Construction Period for Major Amended Use by Special Review Permit, 1MJUSR23-22-0027 – CBEP Land 2, LLC, c/o CBEP Solar 9, LLC, and ECA CO Lead, LLC [2024-1147]
- \* 11) Contract ID #8087 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA23-0067 and 1041WOGLA23-0068 – Noble Energy, Inc. [2024-1148]
- \* 12) Contract ID #8088 Road Maintenance Agreement According to Requirements During the Construction Period for Use by Special Review Permit, USR23-0028 – Leslie Matson, c/o USS Auburn Solar, LLC [2024-1149]

\* **Signed this date**