

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, MAY 13, 2024
9:00 A.M.

2024-1160

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 29, 2024 [2024-1020]

CERTIFICATION OF HEARINGS: Hearings conducted on April 29, 2024:

- 1) Public Hearing to Consider Abatement of Dangerous Building Proceedings and Abatement of Nuisance Condition Concerning Property Described as: 3716 Yosemite Drive, Greeley, CO 80634 [2024-0863]

AMENDMENTS TO AGENDA: Remove Item #7 under 'New Business' and add it as Item #1 under 'Public Hearings': Consider Special Event Permit and authorize Chair to sign – Erie Makerspace [2024-1174]

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

- 1) National Peace Officers Memorial Day – May 15, 2024; Weld County Fallen Officer Memorial Tribute Ceremony – May 16, 2024; and National Weld County Police Officers Week – May 12-18, 2024 [2024-1162]

WARRANTS:

- 1) General Warrants – May 10, 2024 [2024-1163]

BIDS:

- 1) Approve Bid #B2400055, Continual Motor Vehicle Record Monitoring Software – Department of Human Resources (*Cont'd to 5/20/2024*) [2024-0868]
- 2) Present Bid #B2400017, 2024 Ford Interceptor Utility Base (K8A - QTY 2) – Department of Fleet Services and Sheriff's Office [2024-1164]
- 3) Present Bid #B2400092, Weld County Fuel – Department of Fleet Services [2024-1165]
- 4) Present Bid #B2400083, Courthouse and Centennial Center Hot Water Generator and Chilled Water Pump Replacement – Facilities Department [2024-1166]
- 5) Present Bid #B2400091, Security Camera Equipment and Licensing Acquisition – Facilities Department [2024-1167]

NEW BUSINESS:

- 1) Consider Application for Community Investment Grant Opportunity for Diabetes Prevention Program and authorize Department of Public Health and Environment to submit electronically – Northeast Health Partners, LLC [2024-1168]

NEW BUSINESS (CONT'D):

- 2) Consider Contract ID #8079 Grant Agreement for Safe Streets and Roads for All (SS4A) Planning Grant Program, and authorize Chair to sign [2024-1169]
- 3) Consider Temporary Closure of CR 72 Between CRs 45 and 47 [2024-1170]
- 4) Consider Extension of Temporary Closure of CR 4 Between CRs 41 and 45 [2024-1171]
- 5) 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*) [2024-1172]
 - Legals.....[2024-0470]
 - Correspondence.....[2024-0471]
- 6) Consider Special Event Permit and authorize Chair to sign – Wish Ride of Colorado, fbo Make-A-Wish Foundation of Colorado, Inc. [2024-1173]

PLANNING:

- 1) Consider Decommissioning Plan and Accept Collateral for Site Specific Development Plan and Use by Special Review Permit, USR23-0032, for a 7.5 MW Solar Energy Facility (SEF) in the A (Agricultural) Zone District – McKee Ranch, LLLP, c/o CBEP Solar 6, LLC [2024-1175]
- 2) Consider Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements, authorize Chair to sign, and Accept Collateral for Access Permit, AP24-00029 – BHS Solar, LLC [2024-1176]
- 3) Consider Vacation, VAC24-0012, of Use by Special Review Permit, USR19-0015 – ECO Properties, LLC [2024-1177]

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**

- 9:00 AM - Consider Special Event Permit and authorize Chair to sign – Erie Makerspace [2024-1174]
- 9:00 AM - 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) [2024-0812]
- 9:00 AM - 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 [2024-0643]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

May 13 -	Juvenile Community Review Board	CANCELLED
May 14 -	Workforce Development Board	11:45 AM
May 15 -	Weld County Emergency Medical/Trauma Services Council	10:00 AM
May 21 -	Board of Retirement	9:00 AM
May 21 -	911 Emergency Telephone Service Authority Board	12:00 PM
May 21 -	Northern Colorado RETAC	2:00 PM
May 21 -	Greeley-Weld County Airport Authority (<i>Rescheduled from 5/16/2024</i>)	3:30 PM
May 22 -	Greeley Housing Authority	4:30 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 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 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
- Jun 12 - 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 from 5/8/2024) 10:00 AM

REPORTS:

- 1) Department of Public Works, Road Closures for Less than 72 Hours, April 2024 [2024-1156]

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) Board of Public Health, Minutes from April 23, 2024 [2024-1152]

COMMUNICATIONS (CONT'D):

- 2) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for May 16, 2024 [2024-1157]
- 3) Department of Planning Services, Addition to File PL2852, 1MJUSR23-22-0027 – CBEP Land 2, LLC, c/o CBEP Solar 9, LLC, and ECA CO Lead, LLC [2024-1154]
- 4) Department of Human Services, Email dated May 7, 2024, Re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Justin and Nicole Eberle [2024-1158]
- 5) Department of Human Services, Email dated May 3, 2024, Re: Plan for Agricultural Services / Agricultural Outreach Plan (AOP) / Wagner-Peyser (W-P) Agricultural Outreach Plan (AOP), for Program Years 2024-2025, Pursuant to Expenditure Authorization and Work Plan for Workforce Innovation and Opportunity Act (WIOA) Program Funds for Migrant Seasonal Farmworker (MSFW) Program [2024-1153]
- 6) Board of County Commissioners, Letter to Colorado Governor Jared Polis, Colorado Legislators, and Concerned Stakeholders, dated May 3, 2024, Re: Senate Bill, SB 20-229, for Provisions of Great Concern and Little Demonstrated Need [2024-1155]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Letters of Intent for Use and Distribution of Biosolids, Re: BMP #2511, #2512, #2513, #2514, and #2515 – TerraGenesis, LLC [2024-1159]

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

- 1) Approve Contract ID #8090 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Nicole Ramirez and Jennifer Mervelt [2024-1137]
- 2) Approve Contract ID #8091 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Stephen Wiench and Amber Oneill [2024-1138]
- 3) Approve 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 – Petrocco Family Limited Partnership, LLLP [2024-1139]
- 4) Approve Contract ID #8122 Statement of Work (Exhibit A) for Regional Grant Navigator Funds [2024-1140]
- 5) Approve 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 – United Power, Inc., c/o Mountain Peak Power, LLC [2024-1141]
- 6) Approve Petition and Authorize Vacation of a Portion of CR 41 Between CRs 6 and 4 – BNSF Railway Company and Alan Agnew [2024-0605]
- 7) Approve COZ23-0005 – Robert L. Seltzer Family, LLC [2024-1000]
- 8) Action of the Board Concerning USR23-0042 – Michael Boulter Farms, LLC, c/o Liberty Power Innovations, LLC [2024-1150]

ORDINANCES:

- * 1) 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*) [2024-1172]
 - Legals.....[2024-0470]
 - Correspondence.....[2024-0471]

MISCELLANEOUS:

- * 1) National Peace Officers Memorial Day – May 15, 2024; Weld County Fallen Officer Memorial Tribute Ceremony – May 16, 2024; and National Weld County Police Officers Week – May 12-18, 2024 [2024-1162]
- * 2) Contract ID #8124 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Randall and Amanda Nix [2024-1178]
- * 3) Contract ID #8125 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Marcia Jolly [2024-1179]
- * 4) Contract ID #8108 Extension/Renewal Amendment #1 to Agreement for Materials for Bulk Portland Cement (Bid #B2300106) – Cemex Construction Materials South, LLC [2023-1118]
- * 5) Contract ID #7938 Amendment #1 to Subrecipient Agreement for Community Development Block Grant (CDBG) Funds – Town of Firestone [2023-0133]
- * 6) Consent to Assignment of Oil and Gas Lease from Civitas Resources, Inc., to Bison IV Properties Colorado, LLC – S22 and S23, T8N, R60W [2024-1180]

* **Signed this date**