

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, MAY 22, 2024
9:00 A.M.

2024-1284

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 May 8, 2024 [2024-1131]

READ ORDINANCE BY AUDIO: Read Code Ordinance #2024-09 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on May 8, 2024:

- 1) Petition for Vacation of a Portion of CR 41 Between CRs 6 and 4 – BNSF Railway Company and Alan Agnew [2024-0606]
- 2) COZ23-0005 – Robert L. Seltzer Family, LLC [2024-1014]
- 3) USR23-0042 – Michael Boulter Farms, LLC, c/o Liberty Power Innovations, LLC [2024-1151]

AMENDMENTS TO AGENDA:

APPROVAL OF CONSENT AGENDA:

PROCLAMATIONS:

- 1) Memorial Day – May 27, 2024 [2024-1286]

WARRANTS:

- 1) General Warrants – May 21, 2024 [2024-1287]

BIDS:

- 1) Approve Bid #B2400015, Tandem Axle Dump Truck (Elliptical with Plow - QTY 1) – Departments of Fleet Services and Public Works [2024-1134]
- 2) Approve Bid #B2400016, 20-Ton Single Padfoot Vibratory Roller (QTY 1) – Departments of Fleet Services and Public Works [2024-1135]
- 3) Approve Bid #B2400082, Master Key System Design Services – Facilities Department (Cont'd to 6/19/2024) [2024-1136]
- 4) Present Bid #B2400090, Weld County Americans with Disabilities Act (ADA) Building Audit – Facilities Department [2024-1288]

NEW BUSINESS:

- 1) Consider Request for Proposal and Attestation of Compliance for Background Checks and Colorado Adult Protective Services System (CAPS) for 2024/2025 Colorado Respite Coalition (CRC) Grant, and authorize Department of Human Services to sign and submit electronically [2024-1289]

NEW BUSINESS (CONT'D):

- 2) Consider Qualified Apprenticeship Intermediary Application and authorize Department of Human Services to sign and submit electronically [2024-1290]
- 3) Consider Contract ID #8100 Expenditure Authorization and Work Plan for Foreign Labor Certification (FLC) Grant, and authorize Chair to sign electronically [2024-1291]
- 4) Consider Contract ID #8199 Modification Letter to Expenditure Authorization and Workplan for Workforce Innovation and Opportunity Act (WIOA) Veteran’s Service to Career Program (VSCP), and authorize Chair and Department of Human Services to sign [2024-1292]
- 5) Consider Contract ID #8206 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Daniel and Elizabeth Giles [2024-1293]
- 6) Consider Contract ID #8222 Consent to Assignment and Assumption of Purchase of Service Agreement for Older Americans Act In-Home Services from Mile High Seniors, Inc., dba Home Helpers, to Colorado Double H, LLC, dba Home Helpers Home Care of Longmont, and authorize Chair to Sign [2024-1294]
- 7) Consider Contract ID #8231 Acceptance of Intergovernmental Grant Agreement Summary of Terms and Conditions for Energy and Mineral Impact Assistance (EIAF) Program for CRs 6 and 13 Intersection Roundabout Project (December Cycle – Tier II) [2024-1295]
- 8) Consider Grant Application for Competency Restoration Support Services for PreRestore and PreConnect Programs, and authorize Department of Justice Services to submit electronically – Colorado Competency Solutions [2024-1296]
- 9) Consider Master Contract and Personal Identifying Information (PII) Certification (Exhibit C) for Community Corrections Services, and authorize Chair to sign [2024-1297]
- 10) Consider Appointment to Board of Adjustment [2024-1298]
- 11) Consider Appointment and Reappointments to Board of Public Health [2024-1299]
- 12) Consider Appointment to Planning Commission [2024-1300]
- 13) Consider Appointments to Weld Faith Partnership Council [2024-1301]
- 14) Consider Appointment to Workforce Development Board [2024-1302]
- 15) Consider Appointment to Area Agency on Aging Advisory Board [2024-1303]
- 16) Consider Appointment to Extension Advisory Council [2024-1304]
- 17) 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) [2024-1305]
- Legals.....[2024-1306]
- Correspondence.....[2024-1307]

PLANNING:

- 1) Consider Decommissioning Plan and Accept Collateral for Site Specific Development Plan and Major Amended Use by Special Review Permit, 1MJUSR23-22-0027, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District – CBEP Land 2, LLC, c/o CBEP Solar 9, LLC, and ECA CO Lead, LLC [2024-1308]
- 2) Consider Decommissioning Plan and Accept Collateral for Site Specific Development Plan and Major Amended Use by Special Review Permit, 1MJUSR23-22-0027, for a Solar Energy Facility (SEF) outside of subdivisions and historic townsites in the A (Agricultural) Zone District – CBEP Land 2, LLC, c/o CBEP Solar 9, LLC, and ECA CO Lead, LLC [2024-1309]
- 3) Consider Full Release of Warranty Collateral for Use by Special Review Permit, USR19-0071 – DPG Farms, LLC, and Calvin Goza, c/o Holcim – WCR, Inc. [2024-1310]

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**

- 10:00 AM - 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)* [2024-0078]
- 10:00 AM - Docket #2024-22, PL2913 - A Site Specific Development Plan and Use by Special Review Permit, USR24-0003, for Oil and Gas Support and Service, including a 3,750-square-foot storage and equipment maintenance building for company vehicles only, screened outdoor storage of company vehicles, company equipment and materials associated with oil and gas operations and one double walled fueling station, outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Hutton Family Trust, c/o K-La Construction, LLC [located north of and adjacent to County Road 86; approximately 975 feet west of County Road 41] (Planner – Kim Ogle) [2024-1182]
- 10:00 AM - Docket #2024-26, PL2916 - A Site Specific Development Plan and Use by Special Review Permit, USR24-0005, for Oil and Gas Support and Service (compressor station) outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Peters 313 Ranch, Inc., c/o Rockies Express Pipeline, LLC [located north of and adjacent to County Road 136; west of and adjacent to County Road 71] (Planner – Molly Wright) [2024-1196]
- 10:00 AM - Docket #2024-20, PL2911 - Change of Zone, COZ24-0001, from the R-1 (Low-Density Residential) Zone District to the A (Agricultural) Zone District, Moore Real Property, LLC [located east of and adjacent to Cherry Avenue; approximately 220 feet north of East 20th Street] (Planner – Chris Gathman) [2024-1124]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

May 22 -	Greeley Housing Authority	4:30 PM
May 27 -	Holiday	CLOSED
May 28 -	Board of Public Health	9:00 AM
May 28 -	Regional Communications Advisory Board	10:30 AM
May 28 -	Community Corrections Board	12:00 PM
May 29 -	Board Meeting	CANCELLED

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.

- 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*)
- 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 17 - Partial Vacation, VAC24-0011, of Two-Lot Amended Recorded Exemption AMRE-1246, for Removal of Lot B – Kawakami Family Farms, LLC
- 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*)

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

- 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*)
- Aug 19 - Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez (*Cont'd from 5/20/2024*)

FUTURE PUBLIC HEARINGS:

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

- Jun 3 - Docket #2024-42, BC0058 – Public Hearing On behalf of Town of Erie and Regional Transportation District ('RTD') to Consider Resolution Re: Call for an Election to Refer to Certain Registered Electors Residing in the Town of Erie the Question of Whether Portions of the Town of Erie in Which They Reside Should be Annexed into the Regional Transportation District, Board of Weld County Commissioners 9:00 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

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) County Council, Agenda for May 20, 2024 [2024-1277]
- 2) Department of Planning Services, Addition to File PL2593, USR18-0058 – George and Lauren Sagner, Jr., JR's Landscaping, LLC, c/o Patricia Sagner [2024-1280]
- 3) Department of Planning Services, Addition to File PL2351, USR15-0025 – Lolita Miller [2024-1281]
- 4) Department of Planning Services, Addition to File PL0312, ZPAG22-0009 – DPR Greeley, LLC [2024-1282]
- 5) Department of Planning Services, Addition to File RECX19-0018 – Brian and Caroline Cohoon [2024-1283]
- 6) Department of Human Services, Email dated May 16, 2024, Re: Closure of Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Roy and Diana Moore [2024-1278]
- 7) Board of County Commissioners, Letter to Kari Snelson, Chief Executive Officer of Northeast Health Partners, dated May 13, 2024, Re: Support for Proposal in Continued Regional Accountable Entity (RAE) in Phase III of Accountable Care Collaborative with Colorado Department of Health Care Policy and Financing [2024-1279]

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Mountain Peak Power, LLC – Tesla Substation, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 23WE0543 [2024-1276]

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

- 1) Approve Contract ID #8105 Amendment #2 to Task Order Contract for Air Quality Program [2024-1250]
- 2) Approve Contract ID #8109 Education Affiliation Clinical Training Agreement for Nursing Student Internship Requirements – Herzing University, Ltd. [2024-1251]
- 3) Approve Special Event Permit – A Woman’s Place, Inc. [2024-1252]
- 4) Approve Application for Hotel and Restaurant (County) Liquor License – Rigo’s Mexican Restaurant, LLC, dba Rigo’s Mexican Restaurant [2024-1253]
- 5) Approve Contract to Buy and Sell Real Estate (825 and 827 7th Street, Greeley) – Dorothy Eckhardt [2024-1254]
- 6) Action of the Board Concerning Resolution Re: Expression of Support for Zoning from R-1 to Agricultural Zoning for All Residents of East Greeley who have Signed a Petition in Support [2024-1255]
- 7) Action of the Board Concerning Resolution Re: Actions Outside of Federal Government Enumerated Powers [2024-1256]
- 8) Action of the Board Concerning Certification to Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Consuelo Hernandez [2024-1261]
- 9) Approve Partial Vacation, VAC24-0006, of Four-Lot Recorded Exemption, RECX18-0017, for Removal of Lot D – Sanchez Living Trust, c/o Anthony Sanchez [2024-1263]

ORDINANCES:

- 1) 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) [2024-1305]

MISCELLANEOUS:

- * 1) Memorial Day – May 27, 2024 [2024-1286]
- * 2) Recognition of Services, Department of Human Services – Tammy Maurer [2024-1311]
- * 3) Recognition of Services, Department of Planning Services – Kim Ogle [2024-1312]
- * 4) Appointment of Deputy District Attorney – John Hatch [2024-1313]
- * 5) Appointment of Deputy District Attorney – Ingrid Bent [2024-1314]
- * 6) Contract ID #8183 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Taylor and Hannah Cross [2024-1315]
- * 7) Contract ID #8184 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Rodney Troyer and Cynthia Klein-Troyer [2024-1316]
- * 8) Contract ID #8200 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Tommie Taylor [2024-1317]
- * 9) Contract ID #8221 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Peter and Kim Serna [2024-1318]
- * 10) Contract ID #8218 Amendment #3 to Agreement for Professional Services for Prevention Services – Weld County Departments of Human Services, and Public Health and Environment [2021-1644]
- * 11) Contract ID #8198 Amendment #3 to Agreement for Professional Services for SafeTouch Body Safety Program and Parent Education Services – Lutheran Family Services Rocky Mountains [2022-3545]
- * 12) Contract ID #8181 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Youth Advocate Programs, Inc. [2022-1595]
- * 13) Contract ID #8186 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Flynn Counseling, LLC [2022-1466]
- * 14) Contract ID #8189 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Parker Personal Care Homes, Inc., dba David Kalis [2022-1916]

MISCELLANEOUS (CONT'D):

- * 15) Contract ID #8195 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Maple Star Colorado [2022-1473]
- * 16) Contract ID #8196 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Northern Colorado Youth for Christ [2022-1470]
- * 17) Contract ID #8197 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – JusticeWorks Colorado, LLC [2022-1632]
- * 18) Contract ID #8209 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Nathan Swisher, PsyD, PLLC [2022-1474]
- * 19) Contract ID #8210 Extension/Renewal Amendment #3 to Child Protection Agreement for Services (Bid #B2200040) – Greeley Counseling Center [2022-1547]
- * 20) Contract ID #8211 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Idea Forum, Inc. [2022-1813]
- * 21) Contract ID #8212 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Intervention, Inc. [2022-1540]
- * 22) Contract ID #8213 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Savio House [2022-1472]
- * 23) Contract ID #8214 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Smith Agency [2022-1673]
- * 24) Contract ID #8216 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Denver Area Youth Services [2022-1539]
- * 25) Contract ID #8226 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Shiloh Home, Inc. [2022-1631]
- * 26) Contract ID #8227 Extension/Renewal Amendment #2 to Child Protection Agreement for Services (Bid #B2200040) – Turning Point Center for Youth and Family Development, Inc. [2022-1475]
- * 27) Contract ID #8194 Extension/Renewal Amendment #1 to Agreement for Professional Services for Various Child Welfare Services (Bid #B2300040) – RE, Inc., dba RE Services [2023-1400]
- * 28) Contract ID #8207 Extension/Renewal Amendment #1 to Agreement for Professional Services for Various Child Welfare Services (Bid #B2300040) – April Rabillard [2023-1569]
- * 29) Contract ID #8208 Extension/Renewal Amendment #1 to Agreement for Professional Services for Various Child Welfare Services (Bid #B2300040) – Stacey Sevier [2023-1432]
- * 30) Contract ID #8187 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – Northern Horizon Behavioral Health [2024-1319]
- * 31) Contract ID #8188 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – The Hope Initiative, LLC [2024-1320]
- * 32) Contract ID #8190 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – Reaching Hope [2024-1321]
- * 33) Contract ID #8191 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – Northern Colorado Counseling and Assessment, LLC [2024-1322]
- * 34) Contract ID #8192 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – Willow Collective Foundation, PLLC [2024-1323]
- * 35) Contract ID #8193 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – Sovereignty Counseling Services, PLLC [2024-1324]
- * 36) Contract ID #8204 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – Right On Learning, Inc. [2024-1325]
- * 37) Contract ID #8217 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – VitalCare Corporation [2024-1326]

MISCELLANEOUS (CONT'D):

- * 38) Contract ID #8219 Professional Service Agreement for Various Core and Non-Core Child Welfare Services (Bid #B2400040) – University of Northern Colorado, Campus Connections [2024-1327]
- * 39) Contract ID #8107 Agreement for Materials for Class 6 Road Base Supply (Bid #B2400074) – Holcim – WCR, Inc. [2024-0905]
- * 40) Contract ID #8121 Professional Service Agreement for Elevator Modernization Consulting and Design Services for Department of Public Health and Environment Building (Informal Bid) – Bureau Veritas National Elevator Inspection Services, Inc [2024-1328]
- * 41) Contract ID #8202 Extension/Renewal Amendment #2 to Lease Agreement for Farm Property – Hungenberg Produce, Inc. [2022-1720]

* **Signed this date**