

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, SEPTEMBER 28, 2020
9:00 A.M.

2020-2942

PLEDGE OF ALLEGIANCE

HOUSING AUTHORITY BOARD

ROLL CALL:

Commissioner Mike Freeman, Chair
Commissioner Steve Moreno, Pro-Tem
Commissioner Scott K. James
Commissioner Barbara Kirkmeyer
Commissioner Kevin D. Ross

MINUTES: Approval of Minutes of August 24, 2020

BOARD OF COUNTY COMMISSIONERS

ROLL CALL:

Commissioner Mike Freeman, Chair
Commissioner Steve Moreno, Pro-Tem
Commissioner Scott K. James
Commissioner Barbara Kirkmeyer
Commissioner Kevin D. Ross

MINUTES: Approval of Minutes of September 23, 2020

READ ORDINANCE BY AUDIO: Read Code Ordinance #2020-16 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on September 23, 2020: 1) USR20-0015 – John and Sharon Baptist, and 2) USR20-0016 – Bryan Edwards

AMENDMENTS TO AGENDA: Insert the following under New Business and renumber Items 12 and 13 accordingly: 12) Consider Reorganization of Department of Public Works [2020-2969]

APPROVAL OF CONSENT AGENDA:

PUBLIC INPUT:

Each individual speaker is allowed, and must strictly adhere to, a three-minute period of time in which to address the Board of County Commissioners on topics which are not on the Consent Agenda and not on the Board's regular Agenda. All comments must be directed to the Board. To accommodate the limited time available for Public Input, speakers are asked to restrict comments to topics which have not been previously addressed to the Board by the speaker. The Chair may immediately refer any comment to staff for resolution or for scheduling of a work session. Personal attacks against Board members, Administrative staff or Employees will not be recognized. The Board will not accept comments regarding matters which fall outside its jurisdiction or are likely to be considered at a future public hearing, such as a land use hearing. In that event, the speaker will be asked to give his or her testimony at that hearing, either in person or in writing. Combined public input on any topic shall be limited to 15 minutes. Persons who wish to submit written comments on any topic may do so any time by mailing such comments to the Weld County Clerk to the Board, P.O. Box 758, 1150 O Street, Greeley, CO 80632, or by email to: ctb@weldgov.com, either in person or in writing. Combined public input on any topic shall be limited to 15 minutes.

WARRANTS:

1) General Warrants – September 25, 2020 [2020-2945]

NEW BUSINESS:

- 1) Consider Application for Tier III Emergency Medical Services License and authorize Chair to sign – Global Management and Consulting, LLC, and Armada Management, LLC, dba Mile High Ambulance, LLC [2020-2946]
- 2) Consider Contract ID #4129 Amendment #2 for Maternal and Child Health (MCH) Program and authorize Chair to sign and electronically submit [2020-2947]
- 3) Consider Contract ID #4131 Amendment #2 for WISEWOMAN Program for Chronic Disease Prevention and authorize Chair to sign and electronically submit [2020-2948]
- 4) Consider Contract ID #4121 Intergovernmental Agreement for 2020 Transportation Master Plan Update and authorize Chair to sign – City of Evans [2020-2949]
- 5) Consider Contract ID #4122 Intergovernmental Agreement for 37th Street Widening Between 35th Avenue and 47th Avenue and authorize Chair to sign – City of Evans [2020-2950]
- 6) Consider Contract ID #4130 Agreement for Relocation of Gas/Oil Pipelines for CR 72 Railroad Cul-de-sac Project and authorize Chair to sign – DCP Operating Company, LP [2020-2951]
- 7) Consider Temporary Closure of CR 42 Between CRs 39 and 41 [2020-2952]
- 8) Consider Temporary Closure of CR 69 Between CRs 18 and 20 [2020-2953]
- 9) Consider Temporary Closure of CR 20 Between CRs 67 and 69 [2020-2954]
- 10) Consider Contract ID #4128 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for CRs 74 and 31 Intersection Roundabout Design Project (August Cycle-Tier I) and authorize electronic submittal [2020-2967]
- 11) Consider Contract ID #4127 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for 35th Ave. and O St. Intersection Roundabout Construction Project (October Cycle-Tier II) and authorize electronic submittal [2020-2968]
- 12) Consider Reorganization of Department of Public Works [2020-2969]
- 13) Consider Appointment to Workforce Development Board [2020-2955]
- 14) Consider Corrected Resolution Concerning Itemized List of Legal Holidays During Calendar Year 2021 [2020-2785]

PLANNING:

- 1) Consider Rescinding Resolution #2019-4345, dated October 9, 2019, Concerning Use by Special Review Permit, USR19-0053 – Patricia Nash (*Cont'd to 1/11/2021*) [2020-2956]
- 2) Consider Probable Cause Hearing, PCSC20-0002, Concerning Use by Special Review Permit, USR-983 – Marek Farms, Ltd., c/o John Pipe [2020-2957]
- 3) First Reading of Code Ordinance #2020-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions, of the Weld County Code (*Recorded Exemptions and Misc.*) [2020-2958]
 - Legals.....[2020-2959]
 - Correspondence.....[2020-2960]
- 4) Final Reading of Code Ordinance #2020-11, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning, of the Weld County Code (*ZPAG Changes*) [2020-2961]
 - Legals.....[2020-2314]
 - Correspondence.....[2020-2315]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Oct 5 -	Weld County Fair Board	6:00 PM
Oct 6 -	Planning Commission	12:30 PM
Oct 8 -	Weld Faith Partnership Council	7:30 AM
Oct 8 -	Area Agency on Aging Advisory Board	9:00 AM

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.

- Sep 30 - First Reading of Code Ordinance #2020-13, In the Matter of Repealing and Reenacting, with Amendments, Chapter 22 Comprehensive Plan, of the Weld County Code
- Sep 30 - First Reading of Code Ordinance #2020-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works, of the Weld County Code (*Transportation Plan*)
- Oct 5 - Final Reading of Code Ordinance #2020-15, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 26 Regional Urbanization Areas, of the Weld County Code (*I-25 Overlay District*)
- Oct 7 - Petition for Abatement or Refund of Taxes for Account Number R7102198 – Gary Buchholtz (*Cont'd from 9/21/2020*)
- Oct 19 - First Reading of Code Ordinance #2020-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 6 Law Enforcement, of the Weld County Code (*Model Traffic Code*)
- Oct 19 - Second Reading of Code Ordinance #2020-13, In the Matter of Repealing and Reenacting, with Amendments, Chapter 22 Comprehensive Plan, of the Weld County Code
- Oct 19 - Second Reading of Code Ordinance #2020-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works, of the Weld County Code (*Transportation Plan*)
- Oct 21 - Second Reading of Code Ordinance #2020-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions, of the Weld County Code (*Recorded Exemptions and Misc.*)
- Nov 9 - Final Reading of Code Ordinance #2020-13, In the Matter of Repealing and Reenacting, with Amendments, Chapter 22 Comprehensive Plan, of the Weld County Code
- Nov 9 - Final Reading of Code Ordinance #2020-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works, of the Weld County Code (*Transportation Plan*)
- Nov 16 - Second Reading of Code Ordinance #2020-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 6 Law Enforcement, of the Weld County Code (*Model Traffic Code*)
- Nov 16 - Final Reading of Code Ordinance #2020-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions, of the Weld County Code (*Recorded Exemptions and Misc.*)
- Dec 16 - Final Reading of Code Ordinance #2020-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 6 Law Enforcement, of the Weld County Code (*Model Traffic Code*)

HEARINGS:

- Sep 30 - Docket #2020-60, PL2762 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0019, for a Kennel (cat rescue shelter) in the A (Agricultural) Zone District, Lance and Cheryl Messinger [located south of and adjacent to State HWY 66; approximately 640 feet east of CR 3] (Planner – Maxwell Nader) 10:00 AM
- Oct 7 - Docket #2020-39, EG0078 - Petition to vacate a portion of Section Line Right-of-Way and County Road Right-of-Way laying near County Roads 91, 93, 95, and 34, and Interstate-76, subject to dedicated and recorded easements and rights-of-way, Black Mountain Land Company, LP, c/o Black Mountain Sand Weld, LLC (*Cont'd from 5/27/2020*) 10:00 AM
- Oct 7 - Docket #2020-09, PL2722 - A Site Specific Development Plan and Use by Special Review Permit, USR19-0057, for Open Mining and Processing of Minerals (sand mining, processing of mined sand and accessory activities associated with the sand mining and processing operation) in the A (Agricultural) Zone District, Black Mountain Land Company, LP, c/o Black Mountain Sand Weld, LLC [located east of and adjacent to CR 91; north of and adjacent to Interstate 76 and 2 miles south of U.S. Highway 34] (Planner – Chris Gathman) – (*Cont'd from 5/27/2020*) 10:00 AM
- Oct 14 - Docket #2020-62, PL2765 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0016, for six (6) cargo containers in the A (Agricultural) Zone District, Bryan Edwards [located north of and adjacent to 175th Ave.; approximately 990 feet west of CR 7] (Planner – Maxwell Nader) – (*Cont'd from 9/23/2020*) 10:00 AM
- Oct 28 - Docket #2020-08, PL2732 - Change of Zone, PUDZ18-0006, from the A (Agricultural) Zone District to the PUD (Planned Unit Development) Zone District for three hundred (300) lots with R-1 (Low Density Residential), R-2 (Duplex Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), and C-1 (Neighborhood Commercial) Zone District Uses with 14.1 acres of open space and ongoing oil and gas activity, Alf Equinox Todd Creek Village North, LLC [located north of and adjacent to CR 2; east of and adjacent to CR 21] (Planner – Angela Snyder) – (*Cont'd from 2/12/2020*) 10:00 AM
- Oct 28 - Public Hearing to Consider MET19-0003, Service Plan for Proposed Dry Creek Metropolitan District No. 1 (*Cont'd from 2/12/2020*) 10:00 AM
- Nov 4 - Docket #2020-01, PL2727 - A Site Specific Development Plan and Use by Special Review Permit, USR19-0060, for Oil and Gas Support and Service, including an unmanned, pipeline only, Class II Saltwater Disposal Facility and related infrastructure, up to five (5) construction trailers and five (5) conex containers for temporary use during construction in the A (Agricultural) Zone District, NGL Water Solutions DJ, LLC [located north of and adjacent to State Highway 392; west of and adjacent to CR 31] (Planner – Kim Ogle) – (*Cont'd from 9/16/2020*) 10:00 AM
- May 5, 2021 - Docket #2019-48, PL2657 - A Site Specific Development Plan and Use by Special Review Permit, USR18-0130, for a greater than 16-inch raw domestic water pipeline (permanent 42-inch pipeline and associated appurtenances, including, but not limited to: 1-million gallon water tank, two pump stations, buried valve assemblies, access manways, fiber optic cable and temporary construction easements) in the E (Estate) Zone District, A (Agricultural) Zone District, and the RUA (Regional Urbanized Area) Zone District, City of Thornton [located north of CR 2, south of CR 94, east of CR 13, and west of CR 19] (Planner – Diana Aungst) – (*Cont'd from 9/16/2020*) 10:00 AM

COMMUNICATIONS:

- 1) Department of Planning Services, Addition to File PL2699, USR19-0019 – Crestone Peak Resource Holdings, LLC
- 2) Department of Planning Services, Addition to File PL2713, USR19-0054 – Western Equipment and Truck, Inc., c/o SunShare, LLC

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bayswater Exploration and Production, LLC – Leffler 13, 14, 23, 24-26NHZ, B-26CHZ, P-26NHZ Tank Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE0997 [2020-2909]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Snowmass 5 Sec HZ; Noffsinger 21, 31-5, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0572 [2020-2910]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Midstream, LLC – Lilli Gas Plant, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0364 [2020-2911]

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

- 1) Consider Revisions to Section 6.000 Colorado Works and Child Care of the Department of Human Services Policies and Guidelines Manual [2020-2919]
- 2) Approve Contract ID #4040 Amendment #4 for Promoting Safe and Stable Families (PSSF) Grant [2020-2920]
- 3) Approve Contract ID #4100 Memorandum of Understanding Amendment #1 for State Apprenticeship Expansion Funds – Arapahoe County [2020-2921]
- 4) Approve Contract ID #4104 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – John and Leah Borskie [2020-2922]
- 5) Approve Contract ID #4107 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Justin and Amie Collins [2020-2923]
- 6) Approve Contract ID #4108 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Justin Oliver and Lynette Puga-Oliver [2020-2924]
- 7) Approve Contract ID #4105 Agreement for Professional Services for Trust-Based Relational Intervention (TBRI) Caregiver Training Curriculum – Michelle Ammerman [2020-2925]
- 8) Approve Contract ID #4106 Child Protection Agreement for Services – Northern Colorado Counseling and Assessment, LLC [2020-2926]
- 9) Approve Contract ID #4112 Federal Fiscal Year (FFY) 2021 Program Plan and Budget for Chafee Foster Care Independence Program (CFCIP) [2020-2927]
- 10) Approve Temporary Closure of CR 66 Between CRs 43 and 45 [2020-2928]
- 11) Approve Temporary Closure of CR 18 Between CRs 67 and 69 [2020-2929]
- 12) Approve Temporary Closure of CR 13 Between CRs 42 and 44 [2020-2930]
- 13) Approve Application for Small Business Incentive Program and authorize Release of Economic Development Trust Funds (Tier I) – Bear Cave Wrestling, LLC [2020-2931]
- 14) Approve Partial Vacation of Use by Special Review Permit, USR-977 – David, Mandy, and Logan Wolfe [2020-2932]
- 15) Approve USR20-0015 – John and Sharon Baptist [2020-2802]
- 16) Action of the Board Concerning USR20-0016 – Bryan Edwards [2020-2938]

ORDINANCES:

- 1) First Reading of Code Ordinance #2020-16, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning and Chapter 24 Subdivisions, of the Weld County Code (*Recorded Exemptions and Misc.*) [2020-2958]
- * 2) Final Reading of Code Ordinance #2020-11, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning, of the Weld County Code (*ZPAG Changes*) [2020-2961]
 - Legals.....[2020-2314]
 - Correspondence.....[2020-2315]

MISCELLANEOUS:

- * 1) Certification of Compliance with Regulations for Coronavirus (COVID-19) Emergency Supplemental Funding (CESF) Grant for Reducing Transmission of Coronavirus for Law Enforcement and Inmates [2020-2962]
- * 2) Contract ID #4116 Contract Amendment #4 to Agreement for Campus Police Officer Services – Aims Community College [2015-4042]
- * 3) Contract ID #4133 Agreement Amendment #2 for Child Protection Services (Bid #B1900025) – Lutheran Family Services Rocky Mountains [2019-2019]
- * 4) Task Order Contract Agreement Extension/Amendment #1 for Human Services Building B Remodel (Bid #B2000117) – American Construction Services, LLC [2020-1601]
- * 5) Contract ID #3957 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Minor Amendment to Use by Special Review Permit, 1MUSR19-04-1445 – Pact, LLC [2020-2963]
- * 6) Contract ID #4119 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0057 – HighPoint Operating Corporation [2020-2964]
- * 7) Contract ID #4120 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Site Plan Review Permit, SPR19-0006 – Schack Properties, LLC [2020-2965]

* **Signed this date**