

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 9, 2020
9:00 A.M.

2020-3596

PLEDGE OF ALLEGIANCE

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 December 7, 2020

AMENDMENTS TO AGENDA:

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 – December 8, 2020 [2020-3598]

NEW BUSINESS:

- 1) Consider Temporary Permit for a Retail Liquor Store (County) Liquor License and authorize Chair to sign – Crow Valley, Ltd., dba Crow Valley Liquors [2020-3599]
- 2) Consider Contract ID #4259 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Ryan Rutledge and Casey Crawford [2020-3600]
- 3) Consider Contract ID #4261 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Jonathan and Lindsey Seitz [2020-3601]
- 4) Consider Contract ID #4269 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Melissa Knutson [2020-3602]
- 5) Consider Contract ID #4272 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Johanna Arce [2020-3603]
- 6) Consider Contract ID #4262 Agreement for Professional Services and authorize Chair to sign – Live the Victory, Inc., dba The Matthews House [2020-3604]
- 7) Consider Contract ID #4264 Memorandum of Understanding for Apprenticeship State Expansion (ASE) Grant Funds and authorize Chair to sign – Arapahoe County [2020-3605]

NEW BUSINESS (CONT'D):

- 8) Consider Contract ID #4282 Memorandum of Understanding Amendment #2 for State Apprenticeship Expansion (SAE) Grant Funds and authorize Chair to sign – Arapahoe County [2020-3606]
- 9) Consider Contract ID #4266 Universal Membership / Work Number Agreement for Equifax Verification Services and authorize Chair to electronically sign and submit [2020-3607]
- 10) Consider Contract ID #4257 Work Plan Template, Annual Program Paper, and Application for 2021 Emergency Management Performance Grant (EMPG) and Local Emergency Manager Support (LEMS) Program Funding and authorize Chair to sign [2020-3608]
- 11) Consider Contract ID #4288 Agreement for Purchase of Private Property for Certain Improvements to Intersection at CRs 41 and 66 and authorize Chair to sign necessary documents – Ray Hunt [2020-3609]
- 12) Consider Contract ID #4299 Mandatory Contract Provision Agreement and Equipment Rental Agreements for Two (2) 40-Ton Haul Trucks and authorize Chair to sign – 4 Rivers Equipment [2020-3610]

PLANNING:

- 1) Consider Amended Recorded Exemption, RECX16-0061 – Ryan and Heather Heiland, and Anthony and Lori Sanchez [2020-3611]
- 2) Consider Recorded Exemption, RECX17-0110 – William and Adriann Wycoff [2020-3612]
- 3) Consider Recorded Exemption, RECX18-0090 – Todd and Lisa Arnold [2020-3613]
- 4) Consider Recorded Exemption, RECX19-0018 – Brian and Caroline Cohoon [2020-3614]
- 5) Consider Recorded Exemption, RECX17-0173 – Robert and Candice Pittington, Jr. [2020-3615]
- 6) Consider Subdivision Exemption, SUBX17-0023 – Benjamin and Heather Erickson [2020-3616]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 10 -	Area Agency on Aging Advisory Board	9:00 AM
Dec 15 -	Planning Commission	12:30 PM
Dec 16 -	Greeley Housing Authority	4:30 PM
Dec 17 -	Extension Advisory Council	12:00 PM
Dec 17 -	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.

- Dec 16 - Second Reading of Code Ordinance #2020-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Solar*)
- 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*)
- Dec 21 - Final Reading of Code Ordinance #2020-19, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance of the Weld County Code (*Annual Fees*)
- Dec 21 - Rescind Resolution #2019-4359, Dated December 11, 2019, for a Use Permitted as a Use by Right, Accessory Use, or Use by Special Review in the Commercial or Industrial Zone Districts (storage of firewood and parking and staging of up to five [5] 3/4-ton pickup trucks and two [2] trailers) in the A (Agricultural) Zone District – The Guest Family Trust (*Cont'd from 11/16/2020*)
- Dec 30 - Final Reading of Code Ordinance #2020-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Solar*)
- Jan 11, 2021 - Rescinding Resolution #2019-4345, dated October 9, 2019, Concerning Use by Special Review Permit, USR19-0053 – Patricia Nash (*Cont'd from 9/28/2020*)

HEARINGS:

- Dec 9 - Docket #2020-80, PL2775 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0030, for Open Mining (sand, gravel, stone, topsoil, overburden and borrow materials) and processing of minerals. Also included are portable (temporary) concrete and asphalt batch plants, concrete and asphalt recycling, a mine office/scale house and scale, a fueling/lubricating station, portable generators, mobile mining equipment parking and storage, employee and vendor parking, and more than two (2) conex containers for storage of products for plant operations and maintenance in the A (Agricultural) Zone District, Cannon Land Company and Platte Valley Irrigation Company, c/o L.G. Everist, Inc. [located south of and adjacent to County Road 22.5; approximately 7,900 feet west of County Road 31; approximately 1,260 feet east of County Road 25; approximately 3,825 feet north of County Road 18] (Planner – Kim Ogle) 10:00 AM

HEARINGS (CONT'D):

- Dec 9 - Docket #2020-73, PL2442 - A Site Specific Development Plan and First Major Amended Use By Special Review Permit, 1MJUSR20-15-0048, for a Solid Waste Disposal Site and Facility (a designated commercial exploration and production waste management facility) that will receive non-hazardous wastes that may contain very low concentrations of naturally occurring radioactive materials (NORM) and technically enhanced naturally occurring radioactive materials (TENORM) pursuant to the Colorado State Statute and as defined and regulated by the Colorado Department of Public Health and Environment and obtain a Certificate of Designation, pursuant to C.R.S. §30-20-104, in addition to accepting Construction and Demolition (C&D) Waste, and Industrial Waste, the addition of two (2) new storage buildings and a company only heavy equipment parking, staging and storage area outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Pawnee Waste, LLC [located south of and adjacent to County Road 118 Section Line; approximately 1,320 feet east of County Road 95] (Planner – Kim Ogle) 10:00 AM
- Dec 9 - Docket #2020-86, PL2691 - Show Cause Hearing, PCSC20-0025, to show whether good cause exists for revocation of Use by Special Review Permit, USR19-0022, for an Animal Boarding and Training Facility, and a Commercial Race Track in the A (Agricultural) Zone District, Eduardo Salvador Rivera Torres [located north of and adjacent to County Road 102; east of and adjacent to County Road 21] (Planner – Angela Snyder) 10:00 AM
- Dec 14 - Docket #2020-76, Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2021 Budget Hearing 9:00 AM
- Dec 14 - Docket #2020-77, Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2021 Budget Hearing 9:00 AM
- Dec 14 - Docket #2020-78, Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2021 Budget Hearing 9:00 AM
- Dec 14 - Docket #2020-79, 2021 Weld County Final Budget Hearing 9:00 AM
- Dec 16 - Docket #2020-75, PL2773 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0028, for Outdoor Storage of public utility-related equipment and uses (public utility support and service) similar to the uses listed (oil and gas support and service) as permitted as long as the use complies with the general intent of the Zone District in the A (Agricultural) Zone District, Lonnie Shoemaker [located east of and adjacent to County Road 23; approximately 0.37 miles north of County Road 20] (Planner – Angela Snyder) – **(TO BE CONT'D TBD)** 10:00 AM
- Dec 16 - Docket #2020-85, PL1804 - A Site Specific Development Plan and 3rd Amended Use by Special Review Permit, 3MJUSR18-07-1604, for Oil and Gas Support and Service, Solids Processing Facility for Exploration and Production wastes, pursuant to Colorado State Statute and as defined and regulated by the Colorado Department of Public Health and Environment, and obtain a Certificate of Designation, pursuant to C.R.S. §30-20-104 and continued use of the facilities to include, Class II Oilfield Waste Disposal Facility - Saltwater Injection Facility parking and maintenance for 18 NGL company produced water tankers and other operation support commercial vehicles; facility offices; outdoor storage of materials and equipment accessory to an allowed use (new, used and obsolete oil field equipment, including empty frac tanks and staging frac tanks), as long as the materials are screened from adjacent lots and rights-of-way; a company vehicle only wash bay, maintenance/mechanic shop, fueling station and accessory structures associated with the operation of the facility and up to 18 cargo (Conex)

HEARINGS (CONT'D):

- containers outside of subdivisions and historic townsites in the A (Agricultural) Zone District, High Sierra Water Services, LLC, c/o NGL Water Solutions DJ, LLC [located north of and adjacent to County Road 28 Section Line; west of and adjacent to County Road 39] (Planner – Kim Ogle) – **(TO BE CONT'D TBD)** 10:00 AM
- Dec 16 - Docket #2020-72, PL2772 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0025, for Open Mining (sand, gravel, and stone – North Star Pit) and processing of minerals outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Joel and Marcy Konig, c/o Superior Oilfield Services Company, LTD [located north of and adjacent to County Road 138; approximately one (1) mile west of County Road 71] (Planner – Diana Aungst) 10:00 AM
- Dec 30 - Docket #2020-84, PL2779 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0018, for Accessory Buildings with gross floor area larger than four percent (4%) of the total lot area including structures for the storage of agricultural equipment and agricultural products (storage and distribution of bagged seed and grain) located in subdivisions and historic townsites in the A (Agricultural) Zone District, Lucerne, Inc. [located north of and adjacent to Elm Street; east of and adjacent to Railroad Avenue and the Union Pacific Railroad (UPRR) Mainline Track] (Planner – Kim Ogle) 10:00 AM
- Jan 27, 2021 - 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 10/7/2020*) 10:00 AM
- Jan 27, 2021 - 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 County Road 91; north of and adjacent to Interstate 76 and 2 miles south of U.S. Highway 34] (Planner – Chris Gathman) – (*Cont'd from 10/7/2020*) 10:00 AM

REPORTS:

- 1) Department of Planning Services, Staff Approvals for November 2020

COMMUNICATIONS:

- 1) Board of Public Health, Minutes from November 24, 2020
- 2) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for December 10, 2020
- 3) Department of Planning Services, Addition to File RECX20-0055 – Brian and Denise Barton
- 4) Department of Planning Services, Addition to File PL2755, USR20-0009 – Ellen Oman, c/o Keaton Crawford
- 5) Department of Planning Services, Addition to File PL2719, RES19-0007 – Herbies Homes, LLC
- 6) Department of Human Services, Emails dated December 3, 2020, re: Closure of Two (2) Individual Provider Contracts for Purchase of Foster Care Services in Foster Care Homes (Twyla Delaney [Document #2020-2623], and Gregory and Debra Bickle [Document #2020-0897])

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

- 1) Approve Accepting Canvass Board Certification of November 3, 2020, General Election [2020-3576]
- 2) Approve Award Letter and Summary of Grant Award Terms and Conditions for Coronavirus (COVID-19) Aid, Relief and Economic Security (CARES) Act Election Safety Grant for 2020 Primary Election Ballot Costs [2020-3577]
- 3) Approve Discontinuing Appointment of Brianna White as Deputy Clerk to the Board [2020-3578]
- 4) Approve Designation of Von Trotha-Firestein at Bracewell Historic Farm as Agricultural Heritage Site [2020-3579]

MISCELLANEOUS:

- * 1) Contract ID #4286 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Joshua and Jennifer Long [2020-3617]
- * 2) Task Order Amendment #3 for Design Services for Health Laboratory Expansion (Bid #B1900100) – GSG Architecture, Inc. [2019-4763]
- * 3) Contract Amendment #3 for Custodial Services for Downtown Buildings and Crime Lab (Bid #B1900153) – Oband’s Janitorial Company [2019-5105]
- * 4) Task Order Contract Agreement Extension/Amendment #3 for Clerk and Recorder’s Office Building Remodel (Bid #B2000111) – Swift Builders, LLC [2020-1274]
- * 5) Task Order Contract Agreement Extension/Amendment #1 for Department of Public Health and Environment Fire Alarm System (Bid #B2000132) – Commercial Electronics Systems [2020-1802]
- * 6) Contract ID #4239 Agreement for Professional Services for Law Enforcement Training Facility Domestic Water Well (Bid #B2000186) – Trinity Water Solutions, LLC [2020-3144]
- * 7) Division Order to Verdad Resources, LLC (HDI KF 10-1H – API 05-123-46167 and HDI KF 10-3H – API 05-123-46165) [2020-3618]
- * 8) Division Order to Verdad Resources, LLC (HDI KF 10-4H – API 05-123-46160) [2020-3619]
- * 9) Division Order to Verdad Resources, LLC (HDI KF 10-5H – API 05-123-46158 and HDI KF 10-7H – API 05-123-46162) [2020-3620]
- * 10) Division Order to Verdad Resources, LLC (HDI KF 10-8H – API 05-123-46166 and HDI KF 10-9H – API 05-123-46164) [2020-3621]
- * 11) Division Order to Verdad Resources, LLC (HDI KF 10-11H – API 05-123-46159) [2020-3622]

* **Signed this date**