

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, MARCH 30, 2020
9:00 A.M.

2020-0993

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 March 25, 2020

READ ORDINANCE BY AUDIO: Read Emergency Ordinance #2020-08 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on March 25, 2020: 1) USR19-0058 – Orrlando, LLC, c/o Bucklen Services Company, 2) USR20-0003 – Robert and Donna Ackerman, and 3) 2MJUSR19-08-1660 – Global Asset Recovery, LLC

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 – March 27, 2020 [2020-0995]

BIDS:

1) Approve Bid #B2000039, CRs 54 and 17 Roundabout Project – Department of Public Works (*Cont'd from 3/23/2020*) [2020-0801]

NEW BUSINESS:

- 1) Consider Acceptance of Contract ID #3485 Deed Restriction Dedication for CR 39 Extension Project for Wetland Mitigation and authorize Chair to sign [2020-0996]
- 2) Consider Contract ID #3486 Intergovernmental Agreement for Improvements to CR 37 and State HWY 52 Intersection and authorize Chair to sign [2020-0997]

NEW BUSINESS (CONT'D):

- 3) Consider Contract ID #3491 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for CR 6 Full Depth Reconstruction from U.S. HWY 85 to CR 19 Project (April Cycle-Tier I) and authorize electronic submittal [2020-0998]
- 4) Consider Contract ID #3492 Grant Application for Energy and Mineral Impact Assistance Fund (EIAF) Program for CRs 80 and 37 Design Build Project (April Cycle-Tier II) and authorize electronic submittal [2020-0999]
- 5) Second Reading of Code Ordinance #2020-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 17 Public Places, of the Weld County Code (*Trails and E- Bikes*) – (*Cont'd to 4/22/2020*) [2020-1000]
 - Legals.....[2020-0810]
 - Correspondence.....[2020-0811]
- 6) Emergency Ordinance #2020-08, In the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources, of the Weld County Code (*COVID-19 Leave Policy*) [2020-1001]
 - Legals..... [2020-1002]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

- Apr 6 - Weld County Fair Board – Zoom Video Conference 6:00 PM
Apr 7 - Planning Commission – Rescheduled to 4/21/2020 12:30 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.

- Apr 22 - Final Reading of Code Ordinance #2020-02, In the Matter of Repealing and Reenacting, with Amendments, Chapter 17 Public Places and Chapter 8 Public Works, of the Weld County Code (*Right-of-Way Vacation Petitions*) – (*Rescheduled from 4/6/2020*)
- Apr 22 - Second Reading of Code Ordinance #2020-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 17 Public Places, of the Weld County Code (*Trails and E-Bikes*) – (*Cont'd from 3/30/2020*)
- Apr 22 - First Reading of Code Ordinance #2020-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance, of the Weld County Code (*Appendix 5Q, 5R and 5S*)
- May 11 - Final Reading of Code Ordinance #2020-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 17 Public Places, of the Weld County Code (*Trails and E-Bikes*) – (*Rescheduled from 4/20/2020*)
- May 11 - Second Reading of Code Ordinance #2020-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance, of the Weld County Code (*Appendix 5Q, 5R and 5S*)
- Jun 1 - Final Reading of Code Ordinance #2020-07, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance, of the Weld County Code (*Appendix 5Q, 5R and 5S*)

HEARINGS:

- Apr 1 - Docket #2019-125, PL2709 - Change of Zone, COZ19-0002, from the R-1 (Low Density Residential) Zone District to the C-3 (Business Commercial) Zone District, Daniel and Janna Miller [located south of and adjacent to E. 18th Street; approximately 0.13 miles west of Balsam Avenue] (Planner – Angela Snyder) – (*Cont'd from 01/15/2020*) – **(TO BE CONT'D TBD)** 10:00 AM
- Apr 1 - Docket #2020-22, PL2740 - A Site Specific Development Plan and Use by Special Review Permit, USR19-0072, for a campground (to accommodate up to 80 RVs) for a period of six (6) months or less per calendar year in the A (Agricultural) Zone District, James and Bettie Miller, c/o H. James Miller [located west of and adjacent to CR 19 and approximately 250 feet south of State Highway 14] (Planner – Diana Aungst) – **(TO BE CONT'D TBD)** 10:00 AM
- Apr 1 - Docket #2020-23, PL2741 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0004, for Oil and Gas storage facilities (four (4) 200,000 BBL storage tanks, and associated appurtenances) in the A (Agricultural) Zone District, Colorado Liberty Pipeline, LLC [located south of and adjacent to CR 30 and approximately 0.25 miles west of CR 47] (Planner – Diana Aungst) – **(TO BE CONT'D TBD)** 10:00 AM
- Apr 22 - Docket #2019-139, PL2725 - A Site Specific Development Plan and Use by Special Review Permit, USR19-0058, for Open Mining (sand, gravel, and stone) in the A (Agricultural) Zone District, Orrlando, LLC, c/o Bucklen Services Company [located north of and adjacent to CR 64; east of and adjacent to CR 27] (Planner – Angela Snyder) – (*Cont'd from 3/25/2020*) 10:00 AM

HEARINGS (CONT'D):

- Apr 22 - Docket #2019-119, PL1983 - A Site Specific Development Plan and Second Amended Use by Special Review Permit, 2MJUSR19-08-1660, for Mineral Resource Development Facilities including Open Pit Mining (sand, gravel and stone) and materials processing, stockpiling, recycling, and processing of demolition material (asphalt and concrete), and the importation of soil amendments (topsoil, peats, and compost) in the A (Agricultural) Zone District, Global Asset Recovery, LLC [located east of and adjacent to N. Balsam Avenue (CR 4); south of and adjacent to E. C Street (CR 62); west of and adjacent to Cherry Avenue (CR 43)] (Planner – Kim Ogle) – *(Cont'd from 3/25/2020)* 10:00 AM
- Apr 29 - Docket #2020-26, PL2744 - A Site Specific Development Plan and Use by Special Review Permit, USR19-0073, for Oil and Gas Support and Service, including three (3) gas compressors and related equipment, up to five (5) temporary construction office trailers and ten (10) temporary conex containers for use during the construction of the facility in the A (Agricultural) Zone District, Peters Ranch 313, Inc., c/o HighPoint Operating Corporation [located approximately 2 miles north of CR 132; approximately 1.5 miles west of maintained CR 136.5; east of and adjacent to CR 65 section line (road does not exist)] (Planner – Kim Ogle) – *(Cont'd from 3/18/2020)* 10:00 AM
- Apr 29 - Docket #2020-27, PL2742 - A Site Specific Development Plan and Use by Special Review Permit, USR19-0074, for Oil and Gas Support and Service, including three (3) gas compressors and related equipment, up to five (5) temporary construction office trailers and ten (10) temporary conex containers for use during the construction of the facility in the A (Agricultural) Zone District, John and Sharon Peters, c/o HighPoint Operating Corporation [located south of and adjacent to CR 136.5; approximately 0.25 miles west of CR 71] (Planner – Kim Ogle) – *(Cont'd from 3/18/2020)* 10:00 AM
- Apr 29 - Docket #2020-24, PL2735 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0002, for Oil and Gas Support and Service (magazine bunker storage of explosives utilized in fracking of oil and gas wells) in the A (Agricultural) Zone District, Richard and Debra Shubert, c/o Go Wireline, LLC [located west of and adjacent to CR 53; approximately 1,320 feet south of CR 52] (Planner – Kim Ogle) – *(Cont'd from 3/18/2020)* 10:00 AM
- Apr 29 - Docket #2020-25, PL2743 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0003, for Uses similar to the Uses listed as permitted as long as the Use complies with the general intent of the Zone District for an Agricultural Support and Service Facility and more than one (1) cargo container in the A (Agricultural) Zone District, Robert and Donna Ackerman [located approximately 4,750 feet north of CR 46; approximately 1,435 feet west of CR 33] (Planner – Kim Ogle) – *(Cont'd from 3/25/2020)* 10:00 AM
- May 27 - 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 2/26/2020)* 10:00 AM

HEARINGS (CONT'D):

- Jun 10 - 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 3/11/2020)* 10:00 AM
- Jul 15 - Docket #2019-48, PL2657 - A Site Specific Development Plan and Use by Special Review Permit, USR18-0130, for a greater than 16-inch domestic water pipeline (permanent 48-inch pipeline and associated appurtenances, including, but not limited to: buried valve assemblies, access manways, fiber optic cable and temporary construction easements) in the A (Agricultural) Zone District, City of Thornton [located starting at CR 2 and extending north following CR 17 to just north of State Highway 66] (Planner – Diana Aungst) – *(Cont'd from 7/10/2019)* 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

COMMUNICATIONS:

- 1) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket, Cancellation of Meetings from March 26, 2020, until April 16, 2020
- 2) Board of County Commissioners, Letter dated March 18, 2020, re: County Economic Stability and Diversity
- 3) Greeley Area Realtor Association, Letter dated March 25, 2020, re: Request for Exceptions for Real Estate Services to “Shelter in Place” Orders
- 4) Lanna O'Malley, Saddleback Golf Club, Letter dated March 25, 2020, re: Consider Engagement in Outdoor and Social Activities during the COVID-19 Pandemic Health Emergency
- 5) Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Letter dated March 2, 2020, re: Approved 2019 Financial Assurance Review for Pawnee Waste E&P Landfill
- 6) Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Letter dated March 4, 2020, re: Approved 2019 Financial Assurance Review for Caresteam Health, Inc.
- 7) Colorado Department of Local Affairs, Division of Property Taxation, Final Determination re: Banner Health System

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

- 1) Approve Revision to Section 5.000 General Assistance of the Department of Human Services Policies and Guidelines Manual [2020-0979]
- 2) Approve Revisions to Section 6.000 Colorado Works and Child Care of the Department of Human Services Policies and Guidelines Manual [2020-0980]
- 3) Approve Temporary Permit for a Fermented Malt Beverage Off-Premises (County) Liquor License – 7-Eleven, Inc., dba 7-Eleven Store 39510H [2020-0981]

RESOLUTIONS (CONT'D):

- 4) Approve Partial Waiver of Property Tax Delinquency Interest Rate Set Forth in C.R.S. §39-10-104.5(3) as authorized by Governor's Executive Order D 2020 012 [2020-0987]
- 5) Action of the Board Concerning USR19-0058 – Orrlando, LLC, c/o Bucklen Services Company [2020-0941]
- 6) Action of the Board Concerning USR20-0003 – Robert and Donna Ackerman [2020-0943]
- 7) Action of the Board Concerning 2MJUSR19-08-1660 – Global Asset Recovery, LLC [2020-0945]

ORDINANCES:

- 1) Second Reading of Code Ordinance #2020-05, In the Matter of Repealing and Reenacting, with Amendments, Chapter 17 Public Places, of the Weld County Code (*Trails and E- Bikes*) – (*Cont'd to 4/22/2020*) [2020-1000]
- * 2) Emergency Ordinance #2020-08, in the Matter of Repealing and Reenacting, with Amendments, Chapter 3 Human Resources, of the Weld County Code (*COVID-19 Leave Policy*) [2020-1001]

MISCELLANEOUS:

- * 1) Contract ID #3454 Agreement for Professional Services for Floor Care-Downtown Buildings (Bid #B2000067) – Metro Maintenance, Inc. [2020-0591]
- * 2) Contract ID #3456 Agreement for Professional Services for Floor Care-Human Services Building (Bid #B2000068) – Metro Maintenance, Inc. [2020-0655]
- * 3) Contract ID #3465 Agreement for Professional Services for Dispatch Center Electrical Box Installation (Bid #B2000075) – Southpaw Electric Company [2020-0656]
- * 4) Contract ID #3478 Agreement for Materials or Equipment for Asphalt Supply (Bid #B2000069) – Martin Marietta Materials, Inc. [2020-0657]
- * 5) Contract ID #3484 Agreement Extension/Renewal for Crack Filler Supply (Bid #B1800109) – CrafcO, Inc. [2018-1690]
- * 6) Contract ID #3487 Agreement Extension/Renewal for Chip Seal Oil Supply (Bid #B1800085) – Vance Brothers, Inc. [2018-1165]
- * 7) Contract ID #3488 Agreement Extension/Renewal for Noxious Weed Enforcement (Bid #B1900035) – Hired Gun Weed and Pest Control [2019-0973]
- * 8) Contract ID #3489 Agreement Extension/Renewal for Noxious Weed Enforcement (Bid #B1900035) – Smith Environmental and Engineering [2019-0973]
- * 9) Contract ID #3480 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Use by Special Review Permit, USR19-0069 – Troy Andersen [2020-1003]

* **Signed this date**