

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, APRIL 22, 2020
9:00 A.M.

2020-1177

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 April 20, 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 – April 21, 2020 [2020-1179]

OLD BUSINESS:

1) Consider Appointment of Directors to Fill Vacancies on Board of Directors of Kiteley Ranch Metropolitan District – *(Cont'd from 4/20/2020)* [2020-1172]

NEW BUSINESS:

- 1) Consider Application for Foster and Kinship Family Placement Stabilization Funding and authorize electronic submittal [2020-1180]
- 2) Consider Contract ID #3564 At-Grade Crossing Closure and Maintenance Agreement for CR 29 and authorize Chair to sign – Union Pacific Railroad (UPRR) Company [2020-1181]
- 3) Consider Temporary Closure of Intersection at CRs 17 and 54 [2020-1182]

NEW BUSINESS (CONT'D):

- 4) 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*) – (*Cont'd to 5/4/2020*) [2020-1183]
 - Legals.....[2020-0669]
 - Correspondence.....[2020-0670]
- 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 5/4/2020*) [2020-1000]
 - Legals.....[2020-0810]
 - Correspondence.....[2020-0811]
- 6) 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) – (*Cont'd to 5/4/2020*) [2020-1184]
 - Legals.....[2020-1185]
 - Correspondence.....[2020-1186]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Apr 22 -	Greeley Housing Authority	CANCELLED
Apr 28 -	Board of Public Health	9:00 AM
Apr 28 -	Community Corrections Board	12:00 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 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*) – **(TO BE CONT'D TBD)**

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*) – **(TO BE CONT'D TBD)**

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*) – **(TO BE CONT'D TBD)**

HEARINGS:

Apr 22 - Docket #2020-28, PL2747 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0005, for Oil and Gas Support and Service including (three [3] gas compressors and related equipment), one (1) up to 30 feet in height secure Communications Tower, and up to four (4) construction office trailers and four (4) conex located within a fence laydown yard for use during the construction of the facility in the A (Agricultural) Zone District, Wells Ranch, LLLP, c/o Outrigger DJ Operating, LLC [located approximately 8,000 feet east of CR 69; south of and adjacent to CR 74] (Planner – Kim Ogle) – (*To Be Withdrawn*) 10:00 AM

Apr 22 - Docket #2020-29, PL2746 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0001, for Multi-Family Dwellings for persons principally employed at or engaged in farming with the H2A Program in the A (Agricultural) Zone District, Hard Knocks Homestead, LLC [located north of and adjacent to CR 48; approximately 0.4 miles west of CR 53] (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*) – **(TO BE CONT'D TBD)** 10:00 AM

Apr 22 - 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 4/1/2020*) – **(TO BE CONT'D TBD)** 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) – **(TO BE CONT'D TBD)** 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) – **(TO BE CONT'D TBD)** 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) – **(TO BE CONT'D TBD)** 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) – **(TO BE CONT'D TBD)** 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) – **(TO BE CONT'D TBD)** 10:00 AM
- May 13 - 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) – (Cont'd from 4/1/2020) – **(TO BE CONT'D TBD)** 10:00 AM

HEARINGS (CONT'D):

- May 13 - 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) – *(Cont'd from 4/1/2020)* – **(TO BE CONT'D TBD)** 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
- 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) County Council, Revised Agenda for April 20, 2020
- 2) SPN Well Services, Letter dated April 10, 2020, re: Complete Energy Services Employee Layoff Due to COVID-19 Pandemic Health Emergency and Business Loss
- 3) Federal Emergency Management Agency, Letter dated March 23, 2020, re: Conditional Letter of Map Revision (CLOMR) for Revision of the Flood Insurance Rate Map (FIRM)

PUBLIC REVIEW:

- 1) Town of Mead, Waterfront Annexation, Notice, Resolution, Legal Description, Petition, Maps, and Impact Report [2019-0965]
- 2) Employment Services of Weld County, Workforce Development Board, Upstate Planning Region, Workforce Innovation and Opportunity Act (WIOA) Regional/Local Workforce Development Plan for Program Years 2020-2023 [2020-1176]

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

- 1) Approve Application for Juvenile Diversion and Marijuana Tax Cash Funds for Restorative Justice Services [2020-1166]
- 2) Approve Grant Application for Coronavirus (COVID-19) Emergency Supplemental Funding (CESF) Program [2020-1167]
- 3) Approve Amended Bylaws for Board of Public Health [2020-1168]
- 4) Approve Reimbursement Request Letter for COVID-19 Non-Congregate Sheltering Emergency Protective Measure Funds [2020-1169]
- 5) Approve Agreement Proposal for Federal Emergency Management Agency (FEMA) Grant Management Services – BASE Tactical Disaster Recovery [2020-1170]
- 6) Approve Concurrence with Plan for Permanent Transporter Erector Route Change to Access Francis E. Warren Air Force Base Minuteman III Launch Facilities [2020-1171]
- 7) Approve Authorizing Use of Recreational Vehicles for Temporary Quarantine Quarters as Necessary for Physical Distancing in Response to COVID-19 Pandemic Health Emergency [2020-1173]

ORDINANCES:

- 1) 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*) – (*Cont'd to 5/4/2020*) [2020-1183]
- 2) 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 03/30/2020*) – (*Cont'd to 5/4/2020*) [2020-1000]
- 3) 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) – (*Cont'd to 5/4/2020*) [2020-1184]

MISCELLANEOUS:

- * 1) Update to Contract Amendment for Custodial Services in Response to COVID-19 Additional Cleaning Requirements – Oband’s Janitorial Company [2020-1141]
- * 2) Contract ID #3545 Service Agreement for Public Works Plotter – United Reprographic Supply, Inc. [2020-1187]
- * 3) Contract ID #3541 Road Maintenance Agreement According to Requirements During the Construction Period for Use by Special Review Permit, USR19-0070 – Tri-State Generation and Transmission Association, Inc. [2020-1188]

* **Signed this date**