

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, MAY 4, 2020
9:00 A.M.

2020-1270

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 29, 2020

READ ORDINANCE BY AUDIO: Read Code Ordinance #2020-07 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on April 29, 2020: 1) USR19-0073 – Peters Ranch 313, Inc., c/o HighPoint Operating Corporation, 2) USR19-0074 – John and Sharon Peters, c/o HighPoint Operating Corporation, 3) USR20-0002 – Richard and Debra Shubert, c/o Go Wireline, LLC, and 4) USR20-0003 – Robert and Donna Ackerman

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.

PROCLAMATIONS:

1) Older Americans Month – May 2020 [2020-1272]

WARRANTS:

1) General Warrants – April 29, 2020, and May 1, 2020 [2020-1273]

BIDS:

1) Approve Bid #B2000108, Window Cleaning-North County – Department of Buildings and Grounds [2020-1165]
2) Present Bid #B2000111, Clerk and Recorder Building Remodel – Department of Buildings and Grounds [2020-1274]

NEW BUSINESS:

- 1) Consider Petition for Abatement or Refund of Taxes for Account Number P1298398 – ARC Colorado, Inc. [2020-1275]
- 2) Consider Petition for Abatement or Refund of Taxes for Account Number P1582999 – ARC Colorado, Inc., dba Thixoforming, LLC [2020-1276]
- 3) Consider Petition for Abatement or Refund of Taxes for Account Numbers O9533613 and O9537499 – Savanna Drilling, LLC [2020-1277]
- 4) Consider Third Amendment to Specific Performance Contract for Water Shares and authorize Chair to sign all necessary documents – Central Colorado Water Conservancy District [2020-1278]
- 5) Consider Contract ID #3623 Right of Entry for CRs 80 and 37 Intersection Project and authorize Chair to sign – City of Thornton [2020-1279]
- 6) Consider Agreement for Services and authorize Chair to sign – Maximus Consulting Services, Inc. [2020-1280]
- 7) 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 from 4/22/2020*) [2020-1183]
 - Legals.....[2020-0669]
 - Correspondence.....[2020-0670]
- 8) 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 4/22/2020*) [2020-1000]
 - Legals.....[2020-0810]
 - Correspondence.....[2020-0811]
- 9) 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 from 4/22/2020*) [2020-1184]
 - Legals.....[2020-1185]
 - Correspondence.....[2020-1186]

PLANNING:

- 1) Consider Two-Lot Recorded Exemption, RECX20-0022 – Michael Coan [2020-1281]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

May 5 -	Board of Retirement	9:00 AM
May 5 -	Planning Commission	12:30 PM
May 14 -	Weld Faith Partnership Council	7:30 AM
May 14 -	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.

- May 18 - 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*)
- May 27 - 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 15 - 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:

- May 6 - 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 4/22/2020*) 10:00 AM
- May 6 - 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 4/22/2020*) 10:30 AM
- May 6 - 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 4/22/2020*) 11:00 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 TO 5/27/2020)** 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 TO 6/10/2020)** 10:00 AM
- May 13 - 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 4/29/2020)* 10:00 AM
- May 13 - 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 4/29/2020)* 10:00 AM
- May 13 - 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 4/29/2020)* 10:00 AM
- May 13 - 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 4/29/2020)* 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
- Jun 10 - 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) – *(Cont'd from 4/22/2020)* 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) Community Corrections Board, Agenda for April 28, 2020 – Skype Meeting
- 2) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for April 30, 2020 – Skype Meeting
- 3) Clerk to the Board's Office, Memorandum Dated April 28, 2020, re: Special Events Permit for Friends of Raymer, Inc., Granted for April 25, 2020, and Request to Reschedule Due to COVID-19 Pandemic Health Emergency
- 4) Henrylyn Irrigation District, Exclusion Order for Douglas Wilson and DRAJ, LLC, and Inclusion Order for Douglas Wilson, dated April 2, 2020

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Rohn State LD09 Econode T9N-R58W-S15 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE1052 [2020-1228]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Verdad Resources, LLC – Lost Creek 03-62-08-2H Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0235 [2020-1229]

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

- 1) Action of the Board Concerning Extension of Oil and Gas Lease Covering Certain Property Owned by Weld County, Colorado – N1/2 S14, T4N, R63W [2020-1210]
- 2) Approve Contract ID #3515 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Patrick Stump and Megan Sommers [2020-1246]
- 3) Approve Contract ID #3520 Memorandum of Understanding for Reemployment Services and Eligibility Assessment Program (RESEA) [2020-1247]

RESOLUTIONS (CONT'D):

- 4) Approve Contract ID #3568 Modification #3 to 2020 Cooperative Law Enforcement Operating and Financial Plan [2020-1248]
- 5) Approve Contract ID #3599 Regional Communications Project Agreement for Additional Mercury Pro-Consoles – Watson Consoles [2020-1250]
- 6) Approve Annexation Agreement for Portions of CRs 21 and 74 Right-of-Way – Town of Severance [2020-1251]
- 7) Action of the Board Concerning USR19-0073 – Peters Ranch 313, Inc., c/o HighPoint Operating Corporation [2020-1220]
- 8) Action of the Board Concerning USR19-0074 – John and Sharon Peters, c/o HighPoint Operating Corporation [2020-1222]
- 9) Action of the Board Concerning USR20-0002 – Richard and Debra Shubert, c/o Go Wireline, LLC [2020-1224]
- 10) Action of the Board Concerning USR20-0003 – Robert and Donna Ackerman [2020-1226]

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*) [2020-1183]
 - Legals.....[2020-0669]
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- 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*) [2020-1184]

MISCELLANEOUS:

- * 1) Older Americans Month – May 2020 [2020-1272]
- * 2) Task Order Contract Agreement Extension/Amendment #2 for Roof Top Unit Replacement-Jail 1 West (Bid #B1900103) – Kuck Mechanical Contractors, LLC [2019-2356]
- * 3) Task Order Agreement Amendment #1 for Custodial Services-South County Buildings (Bid #B1900116) – Maintenance Resources, Inc. [2019-3524]
- * 4) Task Order Agreement Amendment #1 for Custodial Services-Human Services Buildings A, B, and C (Bid #B1900152) – Oband’s Janitorial Company, LLC [2019-5104]
- * 5) Contract ID #3609 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA19-0051 – HighPoint Operating Corporation [2020-1282]
- * 6) Contract ID #3610 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA19-0040 – PDC Energy, Inc. [2020-1283]
- * 7) Contract ID #3621 Agreement for Professional Services for Design of CR 47 and State HWY 392 Signalization Project (Bid #B2000101) – Drexel, Barrell and Company [2020-1077]

* **Signed this date**