

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, AUGUST 5, 2020
9:00 A.M.

2020-2382

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 August 3, 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.

PROCLAMATIONS:

- 1) Weld County Child Support Awareness Month – August 2020 [2020-2384]

WARRANTS:

- 1) General Warrants – August 4, 2020 [2020-2385]

NEW BUSINESS:

- 1) Consider Contract ID #3921 Membership Agreement for Homelessness Prevention and authorize Chair to sign – Northern Colorado Continuum of Care [2020-2386]
- 2) Consider Contract ID #3926 Expenditure Authorization Work Plan for Migrant and Seasonal Farmworker (MSFW) and authorize Chair to sign [2020-2387]
- 3) Consider Contract ID #3927 Expenditure Authorization Work Plan for Jobs for Veteran's State Grant (JVSG) Disabled Veterans Outreach Program (DVOP) and authorize Chair to sign [2020-2388]
- 4) Consider Contract ID #3928 Intergovernmental Agreement for County Incentives Program and authorize Chair to sign and electronically submit [2020-2389]
- 5) Consider Contract ID #3929 Agreement for Professional Services for Nursing Consultation, Care Management, and Education/Training and authorize Chair to sign – North Colorado Health Alliance [2020-2390]

NEW BUSINESS (CONT'D):

- 6) Consider Contract ID #3930 Child Protection Agreement for Services and authorize Chair to sign – Reaching HOPE [2020-2391]
- 7) Consider Contract ID #3936 Agreement for Respite Services and authorize Chair to sign – Shaun and Paula Call [2020-2392]
- 8) Consider Contract ID #3940 Agreement for Substance Abuse Treatment Services and authorize Chair to sign – Signal Behavioral Health Network [2020-2393]
- 9) Consider Contract ID #3989 Memorandum of Understanding for 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and authorize Chair to sign – City of Greeley [2020-2394]
- 10) Consider Contract ID #3996 Submission of Petition for Designation of Weld County Parkway (CR 49) as a Hazardous Materials Route to Colorado State Patrol and authorize Chair to sign [2020-2395]
- 11) Consider Revocation of County Dance Hall License Number 401 – IHRF, Inc. [2020-2396]
- 12) Consider Declaring Certain Equipment as Surplus Property, Approve Sale of Same at Auction with Roller and Associates, and Delegate authority to Controller to sign any necessary documents [2020-2397]

PLANNING:

- 1) Consider Cancellation and Release of Collateral, Reassign Improvements and Road Maintenance Agreement, and Accept Replacement Collateral for Use by Special Review Permit, USR14-0087 – Timbro Ranch and Cattle, LLC, c/o BNN Western, LLC (Formerly c/o Whiting Oil and Gas Corporation) [2020-2398]
- 2) Consider Cancellation and Release of Collateral, Reassign Improvements and Road Maintenance Agreement, and Accept Replacement Collateral for Use by Special Review Permit, USR15-0021 – RJM Land Company, LLC, c/o BNN Western, LLC (Formerly c/o Whiting Oil and Gas Corporation) [2020-2399]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Aug 13 - Weld Faith Partnership Council 7:30 AM
Aug 13 - 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.

Aug 12 - Resubdivision, RES20-0004, to Consolidate Lots 4-10 of the Briggsdale Townsite into Two (2) Lots – Donald and Vicki Sheller

Aug 24 - First 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*)

Aug 24 - Second 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*)

Sep 14 - Dismissal of Certification to the Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Lopez (*Cont'd from 7/13/2020*)

Sep 14 - Second 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*)

Sep 14 - 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*)

Sep 28 - 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.*)

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

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 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 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 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.*)

HEARINGS:

- Aug 12 - Docket #2020-51, PL2759 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0011, for a Small Scale Solar Facility in A (Agricultural) Zone District, Scott Peterson, c/o Pivot Solar 8, LLC [located south of and adjacent to CR 36; east of and adjacent to CR 31] (Planner – Angela Snyder) 10:00 AM
- Aug 12 - Docket #2020-52, PL2415 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0012, for a Small Scale Solar Facility in the A (Agricultural) Zone District, Colorado State Land Board, c/o Pivot Solar 4, LLC [located north of and adjacent to CR 32; west of and adjacent to CR 31] (Planner – Diana Aungst) 10:00 AM
- Aug 26 - 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 7/15/2020) 10:00 AM
- Sep 16 - 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 6/10/2020) 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 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) Planning Commission, Minutes for July 21, 2020
- 2) Board of Adjustment, Minutes from July 21, 2020
- 3) Board of Public Health, Minutes from July 28, 2020
- 4) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for August 6, 2020
- 5) County Estates, LLC, Letter dated July 27, 2020, re: Notice of Unconditional Acceptance of an Offer for the Sale of Country Estates Mobile Home Park

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – DP416 418 D25-04-A ECO GUTTERSEN D23 D25 T3N-R64W-S25 L01, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0172 [2020-2331]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Wetco Farms A-4 Production Facility (COGCC #431774), Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 13WE2521 [2020-2352]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Antelope Section 19 Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 12WE1563 [2020-2353]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Enerplus Resources (USA) Corporation – Irish Well Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 18WE1126, 18WE1127, and 18WE1129 [2020-2354]

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

- 1) Approve Contract ID #3939 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award Letter for Jail Booking Body Scanner Project [2020-2360]
- 2) Approve Contract ID #3985 Improvements and Road Maintenance Agreement According to Policy Regarding Collateral for Improvements and Accept Off-Site Collateral for Use by Special Review Permit, USR18-0065 – Waste Management Disposal Services of Colorado, Inc. [2020-2362]

MISCELLANEOUS:

- * 1) Weld County Child Support Awareness Month – August 2020 [2020-2384]
- * 2) Contract ID #3954 Amendment to Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Use by Special Review Permit, USR15-0048 – Pawnee Waste, LLC [2020-2400]
- * 3) Contract ID #3958 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Site Plan Review Permit, SPR20-0006 – Ronald Greene [2020-2401]
- * 4) Contract ID #3959 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Use by Special Review Permit, USR19-0053 – Patricia Nash [2020-2402]
- * 5) Contract ID #3984 Amendment to Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Major Amendment to Use by Special Review Permit, 1MJUSR19-14-0035 – Aka Energy Group, LLC [2020-2403]
- * 6) Contract ID #3955 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0026 – Mallard Exploration, LLC [2020-2404]

MISCELLANEOUS (CONT'D):

- * 7) Contract ID #3956 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Oil and Gas Location Assessment (WOGLA) Permit, WOGLA18-0049 – Cub Creek Energy, LLC [2020-2405]
- * 8) Contract ID #3960 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0050 – Enerplus Resources (USA) Corporation [2020-2406]
- * 9) Contract ID #3982 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA19-0025 – Verdad Resources, LLC [2020-2407]
- * 10) Contract ID #3983 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0017 – Whiting Oil and Gas Corporation [2020-2408]
- * 11) Consent to Rule 318.c Exception Location – Bison Oil and Gas II, LLC [2020-2367]

* **Signed this date**