

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, SEPTEMBER 2, 2020
9:00 A.M.

2020-2692

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 31, 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.

PRESENTATIONS:

1) Recognition of Services, Weld County Fair Board – Neil Temmer [2020-2694]

PROCLAMATIONS:

1) Workforce Development Month – September 2020 [2020-2695]

WARRANTS:

1) General Warrants – September 1, 2020 [2020-2696]

BIDS:

1) Approve Bid #B2000162, Public Works Parking Lot-Lighting and Electrical – Department of Buildings and Grounds (*Cont'd from 8/26/2020*) [2020-2448]

2) Present Bid #B2000169, 35th Avenue Tower Site Exterior Lighting – Department of Buildings and Grounds [2020-2697]

NEW BUSINESS:

- 1) Consider Contract ID #4051 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Winston and Nikki Hammond [2020-2698]
- 2) Consider Contract ID #4054 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Austin and Nichole Snow [2020-2699]
- 3) Consider Contract ID #4063 Agreement Concerning Purchase of a Temporary Construction Easement for Improvements to CR 86/33A Bridge Project and authorize Chair to sign any necessary documents – Laverne Fiolkoski [2020-2700]
- 4) Consider Contract ID #4064 Agreement Concerning Purchase of a Temporary Construction Easement for Improvements to CR 29/68A Bridge Project and authorize Chair to sign any necessary documents – Fritzier Farms, LLC [2020-2701]
- 5) Consider Temporary Closure of CR 59 Between CR 10 and State HWY 52 [2020-2702]
- 6) Consider Renewal Application for a Tavern (County) Liquor License and authorize Chair to sign – El Centenario Entertainment, LLC, dba El Centenario Nightclub [2020-2703]
- 7) Consider Reappointment and Appointment to Weld County Fair Board [2020-2704]
- 8) Consider Acceptance of Assessed Valuation of All Taxable Property and Master Protest Log – Real and Personal Property [2020-2705]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Sep 7 -	HOLIDAY	CLOSED
Sep 10 -	Weld Faith Partnership Council	7:30 AM
Sep 10 -	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.

- Sep 9 - Resubdivision, RES20-0006, Modification of Lot Lines Between Two (2) Adjoining Parcels (Lots 6-7, Block J of the Purcell Townsite) to Ensure All Structures Meet the Minimum Setbacks and Offsets in the A (Agricultural) Zone District – Homestead Properties, LLC, c/o Matthew Mullet, Member
- 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 #2020-11, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning, of the Weld County Code (*ZPAG Changes*) – (*Rescheduled from 8/24/2020*)
- 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 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 28 - 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*) – (*Rescheduled from 9/14/2020*)
- 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
- Sep 30 - First Reading of Code Ordinance #2020-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works, of the Weld County Code (*Transportation Plan*)
- 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 19 - Second Reading of Code Ordinance #2020-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works, of the Weld County Code (*Transportation Plan*)
- 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 9 - Final Reading of Code Ordinance #2020-17, In the Matter of Repealing and Reenacting, with Amendments, Chapter 8 Public Works, of the Weld County Code (*Transportation Plan*)

ITEMS SCHEDULED FOR FUTURE BOARD MEETINGS (CONT'D):

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:

- Sep 16 - Docket #2020-58, PL1974 - Change of Zone, COZ20-0005, from the C-3 (Business Commercial) Zone District and R-1 (Low-Density Residential) Zone District to the A (Agricultural) Zone District, Brian Harrell [located approximately 800 feet east of 1st Avenue; approximately 0.36 miles north of State Highway 263] (Planner – Maxwell Nader) 10:00 AM
- Sep 16 - 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 8/26/2020*) 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) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for September 3, 2020
- 2) Liberty Ranch Metropolitan District, 2019 Financial Statements and Supplementary Information
- 3) Department of Human Services, Youth Conservation Corps, Application submitted December 2, 2019, re: 2020 State Noxious Weed Program Grant Application to the Colorado Department of Agriculture, Conservation Services Division, for the Russian olive and Tamarisk Removal on the Big Thompson River Project
- 4) Colorado Department of Agriculture, Conservation Services Division, Award Letter dated February 22, 2019, re: 2019 State Noxious Weed Program Grant for Full Funding toward the Noxious Weed Eradication in Northern Weld County
- 5) Colorado Department of Agriculture, Conservation Services Division, Award Letter and Statement of Work dated February 20, 2020, re: 2020 State Noxious Weed Program Grant for Full Funding toward the Russian olive and Tamarisk Removal on the Big Thompson River Project
- 6) Colorado Department of Agriculture, Conservation Services Division, Award Letter dated February 22, 2020, re: 2020 State Noxious Weed Program Grant for Partial Funding toward the Eradication of Dalmatian toadflax and Diffuse knapweed in Northern Weld County
- 7) Colorado Department of Human Services, Office of Children, Youth and Families, Letter dated August 19, 2020, re: Awarded Stipend for Completion of the Foster Parent Recruitment Social Media Training
- 8) Colorado Department of Local Affairs, Division of Property Taxation, Final Determination re: Faith Tabernacle Ministries, Inc.

PUBLIC REVIEW:

- 1) City of Fort Lupton, Smith Annexation, Resolution, Notice, Petition, Affidavit of Circulator, Legal Description, Plats, Impact Report, and Maps [2020-2655]
- 2) Town of Severance, Severance County Roads 21 and 74 Annexation, Property Description, Resolution, Notice, Petition, Affidavit, and Maps [2020-2656]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Diamond Valley East, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0093 [2020-2657]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Bath-Schmier 32 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0107 and 20WE0601 [2020-2658]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Thistle Down 31 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 19WE1027 and 20WE0603 [2020-2659]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Wilmoth 5 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0192 and 20WE0602 [2020-2660]
- 7) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Notice of 112(c) Construction Materials Reclamation Permit Surety Release Request Application, Permit M-1977-522 – L.G. Everist, Inc., Star Water Resource [2020-2646]

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

- 1) Approve Permit Application and Report of Changes to Change, Alter, or Modify Liquor Licensed Premises – Tappist Munks, LLC, dba Outworld Brewing [2020-2664]
- 2) Approve Contract ID #4061 Single Entry Point (SEP) Subrecipient Performance Questionnaire for Fiscal Year (FY) 2021 Central Services Cost Allocation Plan [2020-2665]

RESOLUTIONS (CONT'D):

- 3) Approve Contract ID #4059 Railroad Highway Grade Crossing Closure and Maintenance Agreement for CR 37 – Union Pacific Railroad (UPRR) Company [2020-2666]
- 4) Approve Contract ID #4060 Railroad Highway Grade Crossing Closure and Maintenance Agreement for CR 78 – Union Pacific Railroad (UPRR) Company [2020-2667]
- 5) Approve Contract ID #4062 Application to Remove Existing Active Warning Railroad Gates, Crossing Surface, and Road Approaches to Close the Existing Crossing at Tracks Owned by Union Pacific Railroad (UPRR) Company Crossing at CR 64 [2020-2668]
- 6) Approve Directing Clerk to the Board to have Published Emergency Ordinance No. 256-A Supplemental Appropriation for 2020 [2020-2669]
- 7) Approve Partial Vacation of Use by Special Review Permit, USR15-0054 – Nevin, Karen, and Jalynn Byler [2020-2670]
- 8) Action of the Board Concerning Rescinding or Extending Use by Special Review Permit, USR18-0073 – Mark Sloan and Evan and Tara Marcellus [2020-2671]

MISCELLANEOUS:

- * 1) Recognition of Services, Weld County Fair Board – Neil Temmer [2020-2694]
- * 2) Workforce Development Month – September 2020 [2020-2695]
- * 3) Contract ID #4065 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Danny and Tierney Baldwin [2020-2706]
- * 4) Contract ID #4067 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Matthew and Yvette Berrelez [2020-2707]
- * 5) Contract ID #4068 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Zachary and Nicole Armstrong [2020-2708]
- * 6) Contract ID #4069 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Zachary and Maddisen Mars [2020-2709]
- * 7) Contract ID #4056 Agreement Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Jon and Teri Lozen [2020-1997]
- * 8) Contract ID #4057 Agreement Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Vincent and Rose Lopez [2020-2528]
- * 9) Contract ID #4058 Agreement Amendment #1 to Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Kaci and Angela Hecker [2020-2070]

* **Signed this date**