

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, SEPTEMBER 14, 2020
9:00 A.M.

2020-2777

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 September 9, 2020

AMENDMENTS TO AGENDA: Insert the Following Under Consent Agenda – Miscellaneous and Renumber Items 11 through 15 Accordingly: 11) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of LaSalle [2020-1129]

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 – September 11, 2020 [2020-2779]

NEW BUSINESS:

- 1) Consider Petition for Abatement or Refund of Taxes for Account Number R1424802 – Heidbrink Family Trust [2020-2780]
2) Consider Creation of Weld County Community Development Block Grant Advisory Committee and Adoption of Bylaws [2020-2781]
3) Consider Agreement Pursuant to C.R.S. §30-11-123 and authorize Chair to sign – Vestas Blades America, Inc. [2020-2782]
4) Consider Renewal Application for an Optional Premises (County) Liquor License and authorize Chair to sign – Fritzier Farms, Inc., dba Fritzier Farm Park [2020-2783]
5) Consider Appointment of Deputy District Attorney and authorize Chair to sign – Carle Tarnutzer [2020-2784]
6) Consider Itemized List of Legal Holidays During Calendar Year 2021 [2020-2785]

NEW BUSINESS (CONT'D):

- 7) 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*) [2020-2786]
 - Legals.....[2020-2314]
 - Correspondence.....[2020-2315]
- 8) Second Reading of Code Ordinance #2020-15, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning, and Repealing Chapter 26 Regional Urbanization Areas, of the Weld County Code (*I-25 Overlay District*) [2020-2787]
 - Legals.....[2020-2596]
 - Correspondence.....[2020-2597]

PLANNING:

- 1) Consider Dismissal of Certification to the Weld County Treasurer of Zoning Violation Penalties as Special Assessment – Jose Lopez (*Cont'd from 7/13/2020*) [2020-2788]
- 2) Consider Rescinding Resolution #2019-4345, dated October 9, 2019, Concerning Use by Special Review Permit, USR19-0053 – Patricia Nash (*Cont'd from 6/8/2020 and to 9/28/2020*) [2020-2789]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Sep 14 -	Weld County Fair Board	6:00 PM
Sep 15 -	911 Emergency Telephone Service Authority Board	12:00 PM
Sep 15 -	Planning Commission	12:30 PM
Sep 16 -	Weld County Emergency/Trauma Services Council	10:00 AM
Sep 17 -	Greeley-Weld County Airport Authority	3:30 PM
Sep 22 -	Board of Public Health	9:00 AM
Sep 22 -	Regional Communications Advisory Board	10:30 AM
Sep 22 -	Community Corrections Board	12:00 PM
Sep 23 -	Greeley Housing Authority	4:30 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.

- Sep 21 - Petition to Vacate a Portion of County Road 37 laying within the Right-of-Way of the Union Pacific Railroad (UPRR) Company, adjacent to U.S. Highway 85, subject to Dedicated and Recorded Easements and Rights-of-Way – Weld County Department of Public Works
- Sep 21 - Petition to Vacate a Portion of County Road 78 laying within the Right-of-Way of the Union Pacific Railroad (UPRR) Company, adjacent to U.S. Highway 85, subject to Dedicated and Recorded Easements and Rights-of-Way – Weld County Department of Public Works
- 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
- Sep 23 - Docket #2020-59, PL2761 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0015, for a Home Business (vehicle restoration and repair) in the A (Agricultural) Zone District, John and Sharon Baptist [located east of and adjacent to CR 23; approximately 0.50 miles south of State HWY 392] (Planner – Maxwell Nader) 10:00 AM
- Sep 23 - Docket #2020-62, PL2765 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0016, for six (6) cargo containers in the A (Agricultural) Zone District, Bryan Edwards [located north of and adjacent to 175th Ave.; approximately 990 feet west of CR 7] (Planner – Maxwell Nader) 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

HEARINGS (CONT'D):

- 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, Agenda for September 15, 2020
- 2) Department of Oil and Gas Energy, 1041 WOGLA Hearing Docket for September 10, 2020
- 3) Department of Planning Services, Addition to File PL2520, 1AMSPR19-14-0007 – Chocolate Covered Trucking, Inc., c/o Charles Kinsey
- 4) Department of Planning Services, Addition to File PL2291, 1MJUSR19-14-0035 – AKA Energy Group, LLC
- 5) Department of Planning Services, Addition to File PL2723, USR19-0055 – Weld County

PUBLIC REVIEW:

- 1) Town of Keenesburg, Kauffman Annexation No. 4, Notice, Resolution, Legal Descriptions, Petition, and Affidavit [2020-2729]
- 2) Town of Ault, United Ready-Mix Annexation, Notice, Resolution, Annexation Assessment Report, Legal Description, and Maps [2020-2730]
- 3) Town of LaSalle, Weld County Road (CR) 39 Annexation Nos. 1 and 2, Impact Report, Maps, Petition, Legal Description, Notice, and Resolution [2020-2728]
- 4) Town of LaSalle, 715 West First Avenue Annexation, Impact Report, Petition, Legal Description, Maps, Resolution, and Notice [2020-2727]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating, LLC – State North Platte T-36 Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE0187 [2020-2719]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Noble Energy, Inc. – Hullabaloo Y16-28-A Econode, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0996 [2020-2720]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Sun Mountain, Inc. – Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 98WE0023 [2020-2722]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – HighPoint Operating Corporation – Anschutz Coffelt 5-61-35_36 NWNW Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0131 and 20WE0132 [2020-2723]
- 9) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Surety Reduction Application Request for 112 Construction Materials Reclamation Permit, M-2018-027 – Hunt Water, LLC – Hunt Water, LLC, Gravel Mine [2020-2731]
- 10) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Adequacy Review Response No. 1 for 112 Construction Materials Acreage Expansion Request, Permit M-2014-024 – Department of Public Works – Koskie Gravel Pit [2020-2100]

PUBLIC REVIEW (CONT'D):

- 11) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Technical Revision No. 3 (TR-03) Adequacy Review for Regular Impact 112 Permit Application, Permit M-2015-33 – Varra Companies, Inc. – Parcel 122 [2020-1010]
- 12) Burnco Colorado, LLC, Inouye Gravel Mine, Structure Agreement for Application to the Colorado Department of Natural Resources, Division of Reclamation, Mining, and Safety, for Permit M2018-038-AM01 [2020-2726]

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

- 1) Approve Emergency Bid #B2000180, Ballot Sorting Device and Digital Signature Verification System – Department of Information Technology [2020-2742]
- 2) Approve Contract ID #4066 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Johanna Arce [2020-2747]
- 3) Approve Contract ID #4080 Service Agreement – Benchmark Solutions, LLC, dba Benchmark Analytics, LLC [2020-2748]
- 4) Approve Structure Agreement for Compensation for Damage to Structures within 200 Feet of Mining Activities at Lone Tree Creek – C&H Aggregates, LLC [2020-2749]
- 5) Approve Resubdivision, RES20-0006, to Modify Lot Lines Between Two (2) Adjoining Parcels, Lots 6 and 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 [2020-2750]
- 6) Approve COZ20-0004 – Gerrard Investments, LLC, c/o Rock and Rail, LLC (See A/so: 7/27/2020 Agenda) [2020-2111]

ORDINANCES:

- 1) 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*) [2020-2786]
- 2) Second Reading of Code Ordinance #2020-15, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning, and Repealing Chapter 26 Regional Urbanization Areas, of the Weld County Code (*I-25 Overlay District*) [2020-2787]

MISCELLANEOUS:

- * 1) Appointment of Deputy District Attorney – Carle Tarnutzer [2020-2784]
- * 2) Contract ID #4053 Software as a Service Agreement for Website Content Management System (Bid #B2000113) – OpenCities, Inc. [2020-1803]
- * 3) Contract ID #4087 Renewal/Extension Enterprise License Agreement – Environmental Systems Research Institute, Inc. [2020-2790]
- * 4) Task Order Agreement Extension/Amendment #3 for Public Works Sign Shop Renovation (Bid #B2000115) – TCC Corporation [2020-1370]
- * 5) Task Order Contract Agreement Extension/Amendment #4 for Professional Services for Justice Services Remodel (Bid #B2000038) – Growling Bear Company, Inc. [2020-0480]
- * 6) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of Garden City [2020-1643]
- * 7) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of Grover [2020-1128]
- * 8) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of Hudson [2020-1322]
- * 9) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of Johnstown [2020-1323]

MISCELLANEOUS (CONT'D):

- * 10) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of Kersey [2020-1644]
- * 11) Amendment #1 to Intergovernmental Agreement for Conduct of Community Development Block Grant (CDBG) Program – Town of LaSalle [2020-1129]
- * 12) Contract ID #4088 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for Zoning Permit for Certain Uses in the Agricultural Zone Permit, ZPAG20-0012 – Cynthia and Kevin Sullivan [2020-2791]
- * 13) Contract ID #4089 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0033 – PDC Energy, Inc. [2020-2792]
- * 14) Contract ID #4090 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0054 – Mallard Exploration, LLC [2020-2793]
- * 15) Contract ID #4091 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0059 – Mallard Exploration, LLC [2020-2794]
- * 16) Contract ID #4092 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0070 Comprehensive Development Plan – HighPoint Operating Corporation [2020-2795]

* **Signed this date**