

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 16, 2020
9:00 A.M.

2020-3737

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 December 14, 2020

CERTIFICATION OF HEARINGS: Hearings conducted on December 14, 2020: 1) Annual Meeting and Final 2021 Budget for Beebe Draw Law Enforcement District Authority Board, 2) Annual Meeting and Final 2021 Budget for Weld County Pioneer Community Law Enforcement Authority District, 3) Annual Meeting and Final 2021 Budget for Southwestern Weld County Law Enforcement District Authority Board, and 4) 2021 Final Budget Hearing

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, Department of Planning Services – Johnny Roberts [2020-3739]
- 2) Recognition of Services, Human Services Advisory Commission – Pres Montoya [2020-3740]
- 3) Recognition of Services, Greeley-Weld County Airport Authority – Ron Bland [2020-3741]
- 4) Recognition of Services, Weld County Building Code Board of Appeals – Jason Baker [2020-3742]
- 5) Recognition of Services, Workforce Development Board – Dwight Steele, David Thompson, Geoffrey Herrig, Greg Farris, Joshua Johnson, and Ryan Rose [2020-3743]

WARRANTS:

- 1) General Warrants – December 15, 2020 [2020-3744]

BIDS:

- 1) Present Bid #B2000195, Greeley Fuel Tank Replacements – Department of Buildings and Grounds [2020-3745]

NEW BUSINESS:

- 1) Consider Addition to Section 2.000 Child Welfare of the Department of Human Services Policies [2020-3746]
- 2) Consider Contract and Certifications for 2021 Victim Assistance and Law Enforcement (VALE) Grant for Victim Witness Assistance Unit and authorize Chair to sign and submit electronically [2020-3747]
- 3) Consider Contract ID #4305 Contract for 2021 Victim Assistance and Law Enforcement (VALE) Grant for Weld County Law Enforcement Victim Services and authorize Chair to sign and submit electronically [2020-3748]
- 4) Consider Contract ID #4309 Service Order for Viper 9-1-1 Phone System and Maintenance Services and authorize Chair to sign – Intrado Life and Safety Solutions Corporation [2020-3749]
- 5) Consider Cancellation of Tax Lien Sale Certificate (TS CERT 2019-31086) for Parcel #105320000024 [2020-3750]
- 6) Consider Cancellation of Tax Lien Sale Certificate (TS CERT 2019-30013) for Parcel #096133400060 [2020-3751]
- 7) Consider Cancellation of Tax Lien Sale Certificate (TS CERT 2005-0919) for Parcel #147131000097 [2020-3752]
- 8) Consider Affidavit and Letter of Authorization for City of Greeley Land Use Application for Wireless Communication Facility (822 7th Street, Greeley) and authorize Chair to sign – Verizon Wireless [2020-3753]
- 9) Consider Easement and Right-of-Way Agreement for Mead Grader Shed and authorize Chair to sign – Little Thompson Water District [2020-3754]
- 10) Consider Addendum #27 to Agreement for Services and authorize Chair to sign – Colorado Technical Services, Inc. (CTSI) [2020-3755]
- 11) Consider 2021 State Noxious Weed Program Grant Application for Eradication of List B Species in Northern Weld County and authorize Chair to sign and electronic submittal [2020-3756]
- 12) Consider Contract ID #4295 Intergovernmental Agreement for SH 392 and CR 47 Intersection Signal Project and authorize Chair to sign and submit electronically [2020-3757]
- 13) Consider Contract ID #4310 Intergovernmental Agreement for CR 35 Improvements Project and authorize Chair to sign and submit electronically – City of Greeley [2020-3758]
- 14) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Banner Health / North Colorado Medical Center Paramedics Service [2020-3759]
- 15) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Frederick-Firestone Fire Protection District [2020-3760]
- 16) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Front Range Fire Rescue Fire Protection District [2020-3761]
- 17) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Greeley Fire Department [2020-3762]
- 18) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Mountain View Fire Protection District [2020-3763]
- 19) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – North Metro Fire Rescue District [2020-3764]
- 20) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Platte Valley Ambulance Service [2020-3765]
- 21) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Platteville-Gilcrest Fire Protection District [2020-3766]
- 22) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – UCHHealth Emergency Medical Service [2020-3767]

NEW BUSINESS (CONT'D):

- 23) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Southeast Weld Fire Protection District [2020-3768]
 - 24) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Thompson Valley Emergency Medical Service [2020-3769]
 - 25) Consider Application for Tier I Ambulance Service License and authorize Chair to sign – Windsor-Severance Fire Protection District [2020-3770]
 - 26) Consider Application for Tier II Ambulance Service License and authorize Chair to sign – Ambulnz CO, LLC [2020-3771]
 - 27) Consider Application for Tier II Ambulance Service License and authorize Chair to sign – American Medical Response of Colorado [2020-3772]
 - 28) Consider Application for Tier III Ambulance Service License and authorize Chair to sign – Stadium Medical, Inc. [2020-3773]
 - 29) Consider Revisions to Fee Schedule for Fees Collected by Weld County Department of Public Health and Environment [2020-3774]
 - 30) Consider Contract ID #4308 Radon Grant Statement of Work and authorize Chair to sign and electronic submittal [2020-3775]
 - 31) Consider Appointment to Greeley Housing Authority [2020-3776]
 - 32) Consider Appointment to Greeley-Weld County Airport Authority [2020-3777]
 - 33) Consider Reappointments to Human Services Advisory Commission [2020-3778]
 - 34) Consider Appointment to Juvenile Community Review Board [2020-3779]
 - 35) Consider Appointments and Reappointment to Regional Communications Advisory Board [2020-3780]
 - 36) Consider Appointment and Reappointment to Weld County Building Code Board of Appeals [2020-3781]
 - 37) Consider Appointments and Reappointments to Workforce Development Board [2020-3782]
 - 38) Consider Appointment and Reappointment to Weld/Larimer Revolving Loan Fund Committee [2020-3783]
 - 39) Consider Reappointment to Federal Mineral Lease Act Board of Directors [2020-3784]
 - 40) Final Reading of Code Ordinance #2020-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 6 Law Enforcement of the Weld County Code (*Model Traffic Code*) [2020-3785]
- Legals.....[2020-3123]
Correspondence.....[2020-3124]

PLANNING:

- 1) Consider Two-Lot Recorded Exemption, RECX20-0118 – Dennie Kutcher [2020-3786]
 - 2) Consider Four-Lot Recorded Exemption, RECX19-0165 – Perkins Land and Livestock IV, LLC, c/o P. David Perkins [2020-3787]
 - 3) Second Reading of Code Ordinance #2020-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Solar*) – (*Cont'd to 2/22/2021*) [2020-3788]
- Legals.....[2020-3561]
Correspondence.....[2020-3562]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 16 -	Greeley Housing Authority	4:30 PM
Dec 16 -	Building Trades Advisory Committee	5:30 PM
Dec 17 -	Extension Advisory Council	12:00 PM
Dec 17 -	Greeley-Weld County Airport Authority	3:30 PM
Dec 22 -	Community Corrections Board	CANCELLED
Dec 22 -	Noxious Weed Management Advisory Board	7:00 PM
Dec 24 -	HOLIDAY	CLOSED
Dec 25 -	HOLIDAY	CLOSED

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.

- Dec 21 - Final Reading of Code Ordinance #2020-19, In the Matter of Repealing and Reenacting, with Amendments, Chapter 5 Revenue and Finance of the Weld County Code (*Annual Fees*)
- Dec 21 - Rescind Resolution #2019-4359, Dated December 11, 2019, for a Use Permitted as a Use by Right, Accessory Use, or Use by Special Review in the Commercial or Industrial Zone Districts (storage of firewood and parking and staging of up to five [5] 3/4-ton pickup trucks and two [2] trailers) in the A (Agricultural) Zone District – The Guest Family Trust (*Cont'd from 11/16/2020*)
- Dec 30 - Final Reading of Code Ordinance #2020-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Solar*)
- Jan 6, 2021 - Petition to Vacate Road and Alley Right-of-Way – Kenneth and Daniela Perez
- Jan 11, 2021 - Rescinding Resolution #2019-4345, dated October 9, 2019, Concerning Use by Special Review Permit, USR19-0053 – Patricia Nash (*Cont'd from 9/28/2020*)

HEARINGS:

- Dec 16 - Docket #2020-75, PL2773 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0028, for Outdoor Storage of public utility-related equipment and uses (public utility support and service) similar to the uses listed (oil and gas support and service) as permitted as long as the use complies with the general intent of the Zone District in the A (Agricultural) Zone District, Lonnie Shoemaker [located east of and adjacent to County Road 23; approximately 0.37 miles north of County Road 20] (Planner – Angela Snyder) – **(TO BE CONT'D TBD)** 10:00 AM

HEARINGS (CONT'D):

- Dec 16 - Docket #2020-85, PL1804 - A Site Specific Development Plan and 3rd Amended Use by Special Review Permit, 3MJUSR18-07-1604, for Oil and Gas Support and Service, Solids Processing Facility for Exploration and Production wastes, pursuant to Colorado State Statute and as defined and regulated by the Colorado Department of Public Health and Environment, and obtain a Certificate of Designation, pursuant to C.R.S. §30-20-104 and continued use of the facilities to include, Class II Oilfield Waste Disposal Facility - Saltwater Injection Facility parking and maintenance for 18 NGL company produced water tankers and other operation support commercial vehicles; facility offices; outdoor storage of materials and equipment accessory to an allowed use (new, used and obsolete oil field equipment, including empty frac tanks and staging frac tanks), as long as the materials are screened from adjacent lots and rights-of-way; a company vehicle only wash bay, maintenance/mechanic shop, fueling station and accessory structures associated with the operation of the facility and up to 18 cargo (Conex) containers outside of subdivisions and historic townsites in the A (Agricultural) Zone District, High Sierra Water Services, LLC, c/o NGL Water Solutions DJ, LLC [located north of and adjacent to County Road 28 Section Line; west of and adjacent to County Road 39] (Planner – Kim Ogle) – **(TO BE CONT'D TBD)** 10:00 AM
- Dec 16 - Docket #2020-72, PL2772 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0025, for Open Mining (sand, gravel, and stone – North Star Pit) and processing of minerals outside of subdivisions and historic townsites in the A (Agricultural) Zone District, Joel and Marcy Konig, c/o Superior Oilfield Services Company, LTD [located north of and adjacent to County Road 138; approximately one (1) mile west of County Road 71] (Planner – Diana Aungst) 10:00 AM
- Dec 23 - Docket #2020-82, PL2777 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0029, for a Medium Scale Solar Facility (4.0 MegaWatts [Alternating Current] and 4.826 MegaWatts [Direct Current]) in the A (Agricultural) Zone District, Bryan Kugel Living Trust, Gary P. Kugel Trust, Kay Kugel Sachs, Troy Skogmo, Paula R. Carr Revocable Living Trust, Cynthia L. Walters Revocable Trust, c/o Sunshare, LLC [located south of and adjacent to County Road 34; west of and adjacent to County Road 29] (Planner – Chris Gathman) 10:00 AM
- Dec 30 - Docket #2020-84, PL2779 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0018, for Accessory Buildings with gross floor area larger than four percent (4%) of the total lot area including structures for the storage of agricultural equipment and agricultural products (storage and distribution of bagged seed and grain) located in subdivisions and historic townsites in the A (Agricultural) Zone District, Lucerne, Inc. [located north of and adjacent to Elm Street; east of and adjacent to Railroad Avenue and the Union Pacific Railroad (UPRR) Mainline Track] (Planner – Kim Ogle) 10:00 AM
- Jan 27, 2021 - 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 10/7/2020*) 10:00 AM

HEARINGS (CONT'D):

Jan 27, 2021 - 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 County Road 91; north of and adjacent to Interstate 76 and 2 miles south of U.S. Highway 34] (Planner – Chris Gathman) – *(Cont'd from 10/7/2020)* 10:00 AM

COMMUNICATIONS:

- 1) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for December 17, 2020
- 2) Planning Commission, Minutes from December 1, 2020
- 3) Pioneer Metropolitan District Nos. 2 and 5, Letters dated December 3, 2020, re: Capital Pledge Agreements – Notices of Special District Authorization or Issuance of General Obligation Indebtedness
- 4) Colorado Youth Corps Association (CYCA) and Great Outdoors Colorado (GOCO), Letter dated December 11, 2020, re: Rejection of Grant Application for Russian Olive and Tamarisk Removal along the Cache La Poudre River (Document #2020-2843)

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – J Klein 7 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 17WE1191 [2020-3650]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Devore 34H-A366, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0613 [2020-3651]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – State Peterson 2-20H, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0537 [2020-3652]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Mathews HZ Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0605 [2020-3653]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Sprague 9H-N267 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0387 and 20WE0388 [2020-3654]

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

- 1) Approve Extension of Temporary Closure of CR 13 Between CRs 42 and 44 [2020-3662]
- 2) Approve Reappointment to North Front Range Water Quality Board [2020-3663]
- 3) Approve 2021 Amount to be Paid for Intergovernmental Agreement between the City of Greeley and Weld County for Island Grove Park Management Services [2020-3664]
- 4) Approve Memorandum of Understanding for Adult Treatment Court [2020-3665]
- 5) Approve Memorandum of Agreement between Weld County, Colorado, and Envision as a Recipient of Weld County General Fund Monies [2020-3666]
- 6) Approve Memorandum of Agreement for Mental Health Services between Weld County, Colorado, and North Range Behavioral Health as a Recipient of Weld County General Fund Monies [2020-3667]

RESOLUTIONS (CONT'D):

- 7) Approve Memorandum of Agreement for Suicide Education and Prevention Services between Weld County, Colorado, and North Range Behavioral Health as a Recipient of Weld County General Fund Monies [2020-3668]
- 8) Approve Memorandum of Agreement between Weld County, Colorado, and Promises for Children as a Recipient of Weld County General Fund Monies [2020-3669]
- 9) Approve Memorandum of Agreement between Weld County, Colorado, and Weld County Senior Citizen Coordinators as a Recipient of Weld County General Fund Monies [2020-3670]
- 10) Approve Memorandum of Agreement between Weld County, Colorado, and East Colorado Small Business Development Center (SBDC) as a Recipient of Weld County General Fund Monies [2020-3671]
- 11) Approve Memorandum of Agreement between Weld County, Colorado, and United Way (Weld's Way Home Program) of Weld County as a Recipient of Weld County General Fund Monies [2020-3672]
- 12) Approve Memorandum of Agreement between Weld County, Colorado, and Upstate Colorado Economic Development as a Recipient of Weld County Economic Development Trust Fund Monies [2020-3673]
- 13) Approve Memorandum of Agreement between Weld County, Colorado, and Upstate Colorado Economic Development as a Recipient of Weld County Economic Development Trust Fund Monies for Administration of Weld County Service Industry Relief Fund [2020-3674]
- 14) Approve Amendment #1 to Memorandum of Agreement between Weld County, Colorado, and Upstate Colorado Economic Development as a Recipient of CARES Act Monies [2020-3675]
- 15) Approve Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2021 Budget for the Beebe Draw Law Enforcement Authority District [2020-3681]
- 16) Approve Resolution Appropriating Sums of Money to the General Fund for the Beebe Draw Law Enforcement Authority District for the 2021 Budget Year [2020-3682]
- 17) Approve Resolution Levying General Property Taxes for the 2021 Budget Year to Help Defray the Costs of Government for the Beebe Draw Law Enforcement Authority District [2020-3683]
- 18) Approve Law Enforcement Agreement – Beebe Draw Law Enforcement Authority District [2020-3684]
- 19) Approve Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2021 Budget for the Weld County Pioneer Community Law Enforcement Authority District [2020-3686]
- 20) Approve Resolution Appropriating Sums of Money to the General Fund for the Weld County Pioneer Community Law Enforcement Authority District for the 2021 Budget Year [2020-3687]
- 21) Approve Resolution Levying General Property Taxes for the 2021 Budget Year to Help Defray the Costs of Government for the Weld County Pioneer Community Law Enforcement Authority District [2020-3688]
- 22) Approve Law Enforcement Agreement – Pioneer Community Law Enforcement Authority District [2020-3689]
- 23) Approve Resolution Summarizing Expenditures and Revenues for the General Fund and Adopting 2021 Budget for the Southwestern Weld County Law Enforcement Authority District [2020-3691]
- 24) Approve Resolution Appropriating Sums of Money to the General Fund for the Southwestern Weld County Law Enforcement Authority District for the 2021 Budget Year [2020-3692]
- 25) Approve Resolution Levying General Property Taxes for the 2021 Budget Year to Help Defray the Costs of Government for the Southwestern Weld County Law Enforcement Authority District [2020-3693]

RESOLUTIONS (CONT'D):

- 26) Approve Law Enforcement Agreement – Southwestern Weld County Law Enforcement Authority District [2020-3694]
- 27) Approve Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting the 2021 Budget for the County of Weld, Colorado [2020-3696]
- 28) Approve Resolution Setting the Mill Levy for the Annual Appropriation for Weld County, Colorado for Fiscal Year 2021 [2020-3699]

ORDINANCES:

- * 1) Final Reading of Code Ordinance #2020-18, In the Matter of Repealing and Reenacting, with Amendments, Chapter 6 Law Enforcement of the Weld County Code (*Model Traffic Code*) [2020-3785]
 - Legals.....[2020-3123]
 - Correspondence.....[2020-3124]
- 2) Second Reading of Code Ordinance #2020-20, In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code (*Solar*) – (*Cont'd to 2/22/2021*) [2020-3788]

MISCELLANEOUS:

- * 1) Recognition of Services, Department of Planning Services – Johnny Roberts [2020-3739]
- * 2) Recognition of Services, Human Services Advisory Commission – Pres Montoya [2020-3740]
- * 3) Recognition of Services, Greeley-Weld County Airport Authority – Ron Bland [2020-3741]
- * 4) Recognition of Services, Weld County Building Code Board of Appeals – Jason Baker [2020-3742]
- * 5) Recognition of Services, Workforce Development Board – Dwight Steele, David Thompson, Geoffrey Herrig, Greg Farris, Joshua Johnson, and Ryan Rose [2020-3743]
- * 6) Task Order Contract Agreement Extension/Amendment #3 to Agreement for Professional Services for Public Works Building Addition (Bid #B2000107) – Swift Builders, LLC [2020-1203]
- * 7) Contract ID #4290 Amendment #1 to Agreement for Professional Services for Inmate Medical Services (Bid #B1900131) – Turn Key Health Clinics, LLC [2019-4524]
- * 8) Contract ID #4291 Agreement Extension/Renewal for Agreement for Professional Services for Inmate Medical Services (Bid #B1900131) – Turn Key Health Clinics, LLC [2019-4524]
- * 9) Contract ID #4307 Agreement for Professional Services for Household Hazardous Waste Pick-up and Disposal Services (Bid #B2000156) – Clean Harbors Environmental Services, Inc. [2020-2517]

* **Signed this date**