

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
**WELD COUNTY, COLORADO**  
**MONDAY, DECEMBER 21, 2020**  
**9:00 A.M.**

**2020-3793**

**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 16, 2020

**CERTIFICATION OF HEARINGS:** Hearings conducted on December 16, 2020: 1) USR20-0028 – Lonnie Shoemaker, 2) 3MJUSR18-07-1604 – High Sierra Water Services, LLC, c/o NGL Water Solutions DJ, LLC, and 3) USR20-0025 – Joel and Marcy Konig, c/o Superior Oilfield Services Company, LTD

**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](mailto: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 – December 18, 2020 [2020-3795]

**NEW BUSINESS:**

- 1) Consider 2021-2022 Crime Victim Services (CVS) Intergovernmental Grant Agreement Award Letter and Summary of Grant Award Terms and Conditions for Victim Witness Assistance Unit and authorize Chair to sign and submit electronically [2020-3796]
- 2) Consider Certification of Tax Levies and Revenue for 2021 and authorize Chair to sign [2020-3797]
- 3) Consider Contract ID #4318 Intergovernmental Agreement for Contribution to Roadway Improvements at Intersection of CRs 74 and 35 and authorize Chair to sign – Town of Eaton [2020-3798]
- 4) Consider Cancellation of 2020 Outstanding Accounts Receivable for Weld County Department of Public Health and Environment [2020-3799]

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BC0016

**NEW BUSINESS (CONT'D):**

- 5) Consider Amendment to Purchase of Professional Services Agreement for Oil and Gas Audits and Evaluation Services and authorize Chair to sign – Martindale Consultants, Inc. [2020-3800]
- 6) 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*) [2020-3801]
  - Legals.....[2020-3305]
  - Correspondence.....[2020-3306]

**PLANNING:**

- 1) Consider Rescinding Resolution #2019-4359, Dated December 11, 2019, for Use by Special Review Permit, USR19-0052, 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*) [2020-3802]
- 2) Consider Extension of Authorization to Use Recreational Vehicles for Temporary Quarantine Quarters as Necessary for Physical Distancing in Response to COVID-19 Pandemic Health Emergency [2020-3803]

# CONSENT AGENDA

## SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 22 -	Community Corrections Board	CANCELLED
Dec 22 -	Noxious Weed Management Advisory Board	7:00 PM
Dec 24 -	HOLIDAY	CLOSED
Dec 25 -	HOLIDAY	CLOSED
Dec 31 -	HOLIDAY	CLOSED
Jan 1, 2021 -	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.

- 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*)
- Feb 22, 2021 - 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 from 12/16/2020*)
- Mar 15, 2021 - 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*) – (*Rescheduled from 12/30/2020*)

## HEARINGS:

- 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
- Dec 30 - Docket #2020-83, PL2778 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0024, for an Oil and Gas Support and Service Facility (outside storage of oil and gas vehicles and equipment) in the A (Agricultural) Zone District, Ensign United States Drilling, Inc. [located East of and adjacent to CR 49; approximately 700 feet south of CR 46] (Planner – Chris Gathman) 10:00 AM
- Jan 6, 2021 - Docket #2021-01, PL2776 - Change of Zone, COZ20-0007, from the A (Agricultural) Zone District to the I-2 (Medium Industrial) Zone District, Western Equipment and Truck, Inc. [located north of and adjacent to CR 46; west of and adjacent to CR 35] (Planner – Maxwell Nader) 10:00 AM

**HEARINGS (CONT'D):**

- Jan 6, 2021 - 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) – *(Cont'd from 12/16/2020)* 10:00 AM
- Jan 13, 2021 - Docket #2021-02, PL2780 - A Site Specific Development Plan and Use by Special Review Permit, USR20-0022, for Oil and Gas Support and Service (outside storage of oil field equipment and supplies) and more than the number of cargo containers allowed by Section 23-3-30 of the Weld County Code (up to 20 cargo containers) in the A (Agricultural) Zone District, 151 Development Group, LLC [located North of and adjacent to State HWY 66; East of and adjacent to CR 1] (Planner – Chris Gathman) – **(TO BE CONT'D TBD)** 10:00 AM
- Jan 20, 2021 - 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) – *(Cont'd from 12/16/2020)* 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
- 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) County Council, Agenda for December 21, 2020
- 2) Department of Public Works, Email dated December 3, 2020, re: Withdrawn Access Appeal Letter from Randy and Kimber Wheeler
- 3) Colorado Department of Public Safety, Colorado State Patrol, Letter dated December 10, 2020, re: Approved Petition for Reinstatement of Petroleum Exemption and Implementation of Crude Oil Exemption on CR 49

**PUBLIC REVIEW:**

- 1) Town of Ault, Ochoa Annexation, Notice and Resolution [2020-3714]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – Pronghorn 11-14-5HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 12WE1828 [2020-3703]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company – Latham 11-13 Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0761 and 20WE0760 [2020-3704]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Grant Hurt 14H-G268 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 16WE0033, 20WE0489, and 20WE0490 [2020-3705]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resource Operating, LLC – Echeverria 2A-2B Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0492 [2020-3706]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Lochbuie 31H-D165 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0487 [2020-3707]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bayswater Exploration and Production, LLC – Calvary Farms North Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0133 [2020-3712]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Dale 20H-O264 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0343 and 20WE0344 [2020-3713]
- 9) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Acceptance of Performance Warranty, Permit M-2014-024 – Weld County Department of Public Works, Koskie Pit [2020-2100]
- 10) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Consideration of Construction Materials Reclamation Permit Surety Release Request Application, Permit M-1982-015 – Barefoot, LLC, St. Vrain Lakes, Filing 1, Slurry Wall [2020-3678]
- 11) Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Consideration of Construction Materials Reclamation Permit Surety Reduction Request Application, Permit M-2016-085 – Northern Colorado Constructors, Bennett Pit [2020-3679]

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

- 1) Approve Addition to Section 2.000 Child Welfare of the Department of Human Services Policies [2020-3746]
- 2) Approve Contract and Certifications for 2021 Victim Assistance and Law Enforcement (VALE) Grant for Victim Witness Assistance Unit [2020-3747]
- 3) Approve Contract ID #4305 Contract for 2021 Victim Assistance and Law Enforcement (VALE) Grant for Weld County Law Enforcement Victim Services [2020-3748]
- 4) Approve Contract ID #4309 Service Order for Viper 9-1-1 Phone System and Maintenance Services – Intrado Life and Safety Solutions Corporation [2020-3749]
- 5) Approve Cancellation of Tax Lien Sale Certificate (TS CERT 2019-31086) for Parcel #10532000024) [2020-3750]
- 6) Approve Cancellation of Tax Lien Sale Certificate (TS CERT 2019-30013) for Parcel #096133400060) [2020-3751]
- 7) Approve Cancellation of Tax Lien Sale Certificate (TS CERT 2005-0919) for Parcel #147131000097) [2020-3752]
- 8) Approve Affidavit and Letter of Authorization for City of Greeley Land Use Application for Wireless Communication Facility (822 7th Street, Greeley) – Verizon Wireless [2020-3753]
- 9) Approve Easement and Right-of-Way Agreement for Mead Grader Shed – Little Thompson Water District [2020-3754]
- 10) Approve Addendum #27 to Agreement for Services – Colorado Technical Services, Inc. (CTSI) [2020-3755]
- 11) Approve 2021 State Noxious Weed Program Grant Application for Eradication of List B Species in Northern Weld County [2020-3756]
- 12) Approve Contract ID #4295 Intergovernmental Agreement for SH 392 and CR 47 Intersection Signal Project [2020-3757]
- 13) Approve Contract ID #4310 Intergovernmental Agreement for CR 35 Improvements Project – City of Greeley [2020-3758]
- 14) Approve Application for Tier I Ambulance Service License – Banner Health / North Colorado Medical Center Paramedics Service [2020-3759]
- 15) Approve Application for Tier I Ambulance Service License – Frederick-Firestone Fire Protection District [2020-3760]
- 16) Approve Application for Tier I Ambulance Service License – Front Range Fire Rescue Fire Protection District [2020-3761]
- 17) Approve Application for Tier I Ambulance Service License – Greeley Fire Department [2020-3762]
- 18) Approve Application for Tier I Ambulance Service License – Mountain View Fire Protection District [2020-3763]
- 19) Approve Application for Tier I Ambulance Service License – North Metro Fire Rescue District [2020-3764]
- 20) Approve Application for Tier I Ambulance Service License – Platte Valley Ambulance Service [2020-3765]
- 21) Approve Application for Tier I Ambulance Service License – Platteville-Gilcrest Fire Protection District [2020-3766]
- 22) Approve Application for Tier I Ambulance Service License – UCHHealth Emergency Medical Service [2020-3767]
- 23) Approve Application for Tier I Ambulance Service License – Southeast Weld Fire Protection District [2020-3768]
- 24) Approve Application for Tier I Ambulance Service License – Thompson Valley Emergency Medical Service [2020-3769]
- 25) Approve Application for Tier I Ambulance Service License – Windsor-Severance Fire Protection District [2020-3770]

**RESOLUTIONS (CONT'D):**

- 26) Approve Application for Tier II Ambulance Service License – Ambulnz CO, LLC [2020-3771]
- 27) Approve Application for Tier II Ambulance Service License – American Medical Response of Colorado [2020-3772]
- 28) Approve Application for Tier III Ambulance Service License – Stadium Medical, Inc. [2020-3773]
- 29) Approve Revisions to Fee Schedule for Fees Collected by Weld County Department of Public Health and Environment [2020-3774]
- 30) Approve Contract ID #4308 Radon Grant Statement of Work [2020-3775]
- 31) Approve Appointment to Greeley Housing Authority [2020-3776]
- 32) Approve Appointment to Greeley-Weld County Airport Authority [2020-3777]
- 33) Approve Reappointments to Human Services Advisory Commission [2020-3778]
- 34) Approve Appointment to Juvenile Community Review Board [2020-3779]
- 35) Approve Appointments and Reappointment to Regional Communications Advisory Board [2020-3780]
- 36) Approve Appointment and Reappointment to Weld County Building Code Board of Appeals [2020-3781]
- 37) Approve Appointments and Reappointments to Workforce Development Board [2020-3782]
- 38) Approve Appointment and Reappointment to Weld/Larimer Revolving Loan Fund Committee [2020-3783]
- 39) Approve Reappointment to Federal Mineral Lease Act Board of Directors [2020-3784]
- 40) Action of the Board Concerning Two-Lot Recorded Exemption, RECX20-0118 – Dennie Kutcher [2020-3786]
- 41) Action of the Board Concerning Four-Lot Recorded Exemption, RECX19-0165 – Perkins Land and Livestock IV, LLC, c/o P. David Perkins [2020-3787]
- 42) Action of the Board Concerning USR20-0028 – Lonnie Shoemaker [2020-3645]
- 43) Action of the Board Concerning 3MJUSR18-07-1604 – High Sierra Water Services, LLC, c/o NGL Water Solutions DJ, LLC [2020-3647]
- 44) Action of the Board Concerning CD18-0001 – High Sierra Water Services, LLC, c/o NGL Water Solutions, LLC [2020-3648]
- 45) Approve USR20-0025 – Joel and Marcy Konig, c/o Superior Oilfield Services Company, LTD [2020-3623]

**ORDINANCES:**

- \* 1) 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*) [2020-3801]
- Legals.....[2020-3305]
- Correspondence.....[2020-3306]

**MISCELLANEOUS:**

- \* 1) Recognition of Services, Clerk and Recorder’s Office – Isabelle Brehm [2020-3804]
- \* 2) Recognition of Services, Department of Human Services – Desiree Flores [2020-3805]
- \* 3) Recognition of Services, Assessor’s Office – Lori Lovato [2020-3806]
- \* 4) Contract ID #4300 Agreement Amendment #2 for Professional Services for Medical Consultation – North Range Behavioral Health (NRBH) [2019-0591]
- \* 5) Contract ID # 4315 Agreement Amendment #1 for Professional Services for Low-Income Energy Assistance Program (LEAP) Outreach Incentive Program – United Way of Weld County [2020-3259]
- \* 6) Contract ID #4316 Agreement Amendment #1 for Memorandum of Understanding for Workforce Innovation and Opportunity Act (WIOA) Service and Delivery Agreements – Community Educational Outreach [2020-2538]

**MISCELLANEOUS (CONT'D):**

- \* 7) Contract ID #4317 Agreement Amendment #2 for Professional Services for Translation and Interpretation – Vioance Language Services, LLC [2019-3451]
- \* 8) Contract ID #4306 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – William and Shay Maxwell [2020-3807]
- \* 9) Contract ID #4320 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Ira and Erin Woodyard [2020-3808]
- \* 10) Contract ID #4260 Agreement for Professional Services for Magnesium Chloride Tanks (Kersey and Greeley – Bid #B2000189) – Patriot Petroleum Solutions, LLC [2020-3184]
- \* 11) Task Order Contract Agreement Extension/Amendment #2 for Coroner’s Office Building Remodel (Bid #B2000154) – Dohn Construction, Inc. [2020-2516]
- \* 12) Contract ID #4297 Agreement Extension/Renewal #4 for Inmate Telephone Services (Bid #B1700105) – Securus Technologies, Inc. [2017-3492]
- \* 13) Contract ID #4319 Agreement for Services for Planning Historical Document Scanning (Recorded Exemptions [REs] and Subdivision Exemptions [SEs] – Bid #B2000148) – Kanes Records Management, Inc., dba DocuTek, Inc. [2020-2450]
- \* 14) Contract ID #4322 Proposal and Agreement for Grooper Software Upgrade – Business Imaging Systems, Inc. (BIS) [2020-3809]
- \* 15) Contract ID #4325 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0081 – HighPoint Operating Corporation [2020-3810]
- \* 16) Contract ID #4326 Road Maintenance Improvements Agreement for Oil and Gas Location Assessment (1041 WOGLA) Permit, 1041WOGLA20-0082 – Nickle Road Operating, LLC [2020-3811]
- \* 17) Small Tract Oil and Gas Lease for Mineral Interests (0.984 acres – S34, T9N, R60W) – DPOC, LLC [2020-3812]
- \* 18) Small Tract Oil and Gas Lease for Mineral Interests (3.591 acres – S34, T9N, R60W) – DPOC, LLC [2020-3813]
- \* 19) Small Tract Oil and Gas Lease for Mineral Interests (3.013 acres – S34, T9N, R60W) – DPOC, LLC [2020-3814]
- \* 20) Small Tract Oil and Gas Lease for Mineral Interests (1.200 acres – S34, T9N, R60W) – DPOC, LLC [2020-3815]
- \* 21) Small Tract Oil and Gas Lease for Mineral Interests (3.094 acres – S34, T9N, R60W) – DPOC, LLC [2020-3816]
- \* 22) Small Tract Oil and Gas Lease for Mineral Interests (3.013 acres – S34, T9N, R60W) – DPOC, LLC [2020-3817]
- \* 23) Small Tract Oil and Gas Lease for Mineral Interests (0.108 acres – S34, T9N, R60W) – DPOC, LLC [2020-3818]
- \* 24) Small Tract Oil and Gas Lease for Mineral Interests (3.094 acres – S34, T9N, R60W) – DPOC, LLC [2020-3819]

\* **Signed this date**