

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
WEDNESDAY, DECEMBER 23, 2020
9:00 A.M.

2020-3854

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 21, 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) Eaton Reds Day, Boys Football Class 2A State Champions - December 23, 2020 [2020-3856]

NEW BUSINESS:

- 1) Consider Contract ID #4293 Agreement for Respite Services and authorize Chair to sign –
Melissa Knutson [2020-3858]
- 2) Consider Contract ID #4271 Individual Provider Contract for Purchase of Foster Care
Services in a Foster Care Home and authorize Chair to sign – John and Natalie McGukin
[2020-3859]
- 3) Consider Contract ID #4294 Individual Provider Contract for Purchase of Foster Care
Services in a Foster Care Home and authorize Chair to sign – Crystal Ballard and
Melissa Ballard [2020-3860]
- 4) Consider Contract ID #4313 Individual Provider Contract for Purchase of Foster Care
Services in a Foster Care Home and authorize Chair to sign – Jesse Kennedy and
Crystal McCubbin [2020-3861]

NEW BUSINESS (CONT'D):

- 5) Consider Contract ID #4314 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home and authorize Chair to sign – Coniah and Megan Grigson [2020-3862]
- 6) Consider Contract ID #4296 Americorps Education Award Service Location Agreement and authorize Director of Department of Human Services to sign [2020-3863]
- 7) Consider Contract ID #4321 Memorandum of Understanding for Special Youth Opportunities and Emergency Funding and authorize Chair to sign – Realities for Children Charities [2020-3864]
- 8) Consider Contract ID #4350 2021-2022 Crime Victim Services (CVS) Intergovernmental Grant Agreement Award Letter and Summary of Grant Award Terms and Conditions for the Victims of Crime Act (VOCA) Program for the Bilingual Advocate Unit and authorize Chair to sign and submit electronically [2020-3865]
- 9) Consider Contact ID #4337 Agreement for Bridge Improvements for Bridge 86/33A Rehabilitation and authorize Chair to sign – Water Supply and Storage Company [2020-3866]

PLANNING:

- 1) Consider Appeal of the Decision by Department of Planning Services to Rescind Site Plan Review Permit, SPR19-0008 – Jesus Vega [2020-3867]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

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) Department of Oil and Gas Energy, Cancelled 1041 WOGLA Hearing Docket for December 24, 2020

PUBLIC REVIEW:

- 1) Town of Frederick, Dreamers Ridge Phase II Annexation, Notice, Petition, Affidavit, and Resolution [2020-3715]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Wacker 10 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0951 [2020-3729]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Weideman Federal 22 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0854 [2020-3731]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Dunn 7 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 17WE0970 [2020-3732]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc., fka SRC Energy, Inc. – SRC Wiedeman Pad, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 19WE1020 and 19WE1021 [2020-3733]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – Mountain TRAX Intermodal, LLC – Mountain TRAX Terminal, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0612 [2020-3734]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Clark 14 Sec HZ and J Clark 14 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 19WE0186 and 20WE0755 [2020-3735]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – DCP Operating Company, LP – Enterprise Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 95OPWE103 and 95OPWE104 [2020-3789 and 2020-3790]

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

- 1) Approve 2021-2022 Crime Victim Services (CVS) Intergovernmental Grant Agreement Award Letter and Summary of Grant Award Terms and Conditions for Victim Witness Assistance Unit [2020-3796]
- 2) Approve Certification of Tax Levies and Revenue for 2021 [2020-3797]
- 3) Approve Contract ID #4318 Intergovernmental Agreement for Contribution to Roadway Improvements at Intersection of CRs 74 and 35 – Town of Eaton [2020-3798]
- 4) Approve Cancellation of 2020 Outstanding Accounts Receivable for Weld County Department of Public Health and Environment [2020-3799]
- 5) Approve Amendment to Purchase of Professional Services Agreement for Oil and Gas Audits and Evaluation Services – Martindale Consultants, Inc. [2020-3800]
- 6) Action of the Board Concerning 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 [2020-3802]
- 7) Approve 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]

MISCELLANEOUS:

- * 1) Eaton Reds Day, Boys Football Class 2A State Champions - December 23, 2020 [2020-3856]
- * 2) Consider Contract ID #4312 Agreement for Professional Services for Department of Public Health and Environment Painting and Flooring Replacement (Informal Bid #B2000196) – American Construction Services, LLC [2020-3868]

MISCELLANEOUS (CONT'D):

- * 3) Consider Contract ID #4323 Agreement for Professional Services for Clerk and Recorder's Office Building Signage (Informal Bid #B2000198) – DaVinci Sign Systems, Inc. [2020-3869]
- * 4) Consider Contract ID #4335 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for First Minor Amended Use by Special Review Permit, 1MUSR20-02-1343 – Ready Mixed Concrete Company [2020-3870]
- * 5) Consider Contract ID #4336 Road Maintenance Agreement According to Policy Regarding Collateral for Improvements for First Amended Site Plan Review Permit, 1AMSPR20-18-0004 – T & R Properties, LLC [2020-3871]
- * 6) Division Order to Great Western Operating Company, LLC (Schneider HD 11-179HN – API 05-123-46403; Schneider HD 11-179HNX – API 05-123-46402; Schneider HD 11-182HC – API 05-123-46407; Schneider HD 11-219HNX – API 05-123-46412; and Schneider HD 11-222HN – API 05-123-46405) [2020-3872]
- * 7) Division Order to Great Western Operating Company, LLC (Schneider HD 11-019HN – API 05-123-46404 and Schneider HD 11-019HNX – API 05-123-46413) [2020-3873]
- * 8) Division Order to Great Western Operating Company, LLC (Schneider HD 11-022HC – API 05-123-46411; Schneider HD 11-022HN – API 05-123-46416; Schneider HD 11-059HN – API 05-123-46415; Schneider HD 11-059HNX – API 05-123-46410; Schneider HD 11-099HC – API 05-123-46408; Schneider HD 11-099HN – API 05-123-46414; Schneider HD 11-102HN – API 05-123-46406; Schneider HD 11-102HNX – API 05-123-46417; Schneider HD 11-142HC – API 05-123-46409; and Schneider HD 11-142HN – API 05-123-46418) [2020-3874]

* **Signed this date**