

AGENDA
BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO
MONDAY, JANUARY 11, 2021
9:00 A.M.

2021-0064

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Steve Moreno, Chair
Commissioner Scott K. James, Pro-Tem
Commissioner Perry L. Buck
Commissioner Mike Freeman
Commissioner Lori Saine

MINUTES: Approval of Minutes of January 6, 2021

CERTIFICATION OF HEARINGS: Hearings conducted on January 6, 2021: 1) COZ20-0007 – Western Equipment and Truck, Inc., and 2) USR20-0028 – Lonnie Shoemaker

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.

COMMISSIONER COORDINATOR REPORTS:

PRESENTATIONS:

1) Recognition of Services, Sheriff's Office – Joseph Koppes [2021-0066]

WARRANTS:

1) General Warrants – January 6, and 8, 2021 [2021-0067]

NEW BUSINESS:

- 1) Consider Agreement for Partially Self-Funded Program and authorize Chair to sign – Colorado Counties Casualty and Property Pool, c/o County Technical Services, Inc. (CTSI) [2021-0068]
- 2) Consider Directing Clerk to the Board to Have Published Notices of Public Hearings for Community Development Block Grant (CDBG) Consolidated Plan and Annual Action Plan [2021-0069]

NEW BUSINESS (CONT'D):

- 3) Consider Temporary Closure of CR 39 Between SH 14 and CR 84 [2021-0070]
- 4) Consider Temporary Closure of CR 43 Between CRs 60.5 and 62 [2021-0071]
- 5) Consider Temporary Closure of CR 76 Between CRs 29 and 31 [2021-0072]
- 6) Consider Intergovernmental Agreement for Payment of Federal Mineral Lease Funds for Road Improvements Project Funding and authorize Chair to sign – Federal Mineral Lease Act District [2021-0073]
- 7) Consider Intergovernmental Agreement for Payment of Federal Mineral Lease Funds for Water Testing Program Funding and authorize Chair to sign – Federal Mineral Lease Act District [2021-0074]

PLANNING:

- 1) Consider Rescinding Resolution #2019-4345, dated October 9, 2019, Concerning Use by Special Review Permit, USR19-0053 – Patricia Nash (*Cont'd from 9/28/2020*) [2021-0075]
- 2) Consider Accepting Request of English Feedlot 2, LLC, c/o Expedition Water Solutions Colorado, LLC, to Withdraw Application for a Site Specific Development Plan and Use by Special Review Permit, USR19-0002, and Rescind Resolution #2019-1760, dated May 15, 2019 [2021-0076]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Jan 12 -	Workforce Development Board	12:00 PM
Jan 14 -	Weld Faith Partnership Council	7:30 AM
Jan 14 -	Area Agency on Aging Advisory Board	9:00 AM
Jan 15 -	Human Services Advisory Commission	8:00 AM
Jan 19 -	Board of Adjustment	10:00 AM
Jan 19 -	911 Emergency Telephone Service Authority Board	12:00 PM
Jan 19 -	Planning Commission	12:30 PM
Jan 19 -	Northern Colorado RETAC	2:00 PM
Jan 20 -	Weld County Emergency/Trauma Services Council	11:00 AM
Jan 21 -	Greeley-Weld County Airport Authority	3:30 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.

- Feb 22 - 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 - 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:

- Jan 13 - 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 Highway 66; East of and adjacent to County Road 1] (Planner – Chris Gathman) – **(TO BE CONT'D TBD)** 10:00 AM
- Jan 20 - 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

HEARINGS (CONT'D):

- Jan 27 - 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 - 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
- Feb 3 - 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 County Road 49; approximately 700 feet south of County Road 46] (Planner – Chris Gathman) – (*Cont'd from 12/30/2020*) 10:00 AM
- Mar 3 - 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 1/6/2021*) 10:00 AM
- May 5 - 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 County Road 2, south of County Road 94, east of County Road 13, and west of County Road 19] (Planner – Diana Aungst) – (*Cont'd from 9/16/2020*) 10:00 AM

REPORTS:

- 1) Department of Public Works, Road Closures for Less than 72 Hours, December 2020

COMMUNICATIONS:

- 1) Department of Planning Services, Addition to File RECX18-0150 – Barbara Kirkmeyer, c/o Caroline Maxwell
- 2) Department of Planning Services, Addition to File PL2775, USR20-0030 – Cannon Land Company, c/o L.G. Everist, Inc.
- 3) Richard and Perla Haro, Letter of Concern dated November 23, 2020, with Response from the County Attorney’s Office, dated December 29, 2020
- 4) Town of Mead, Oaths of Office for Scott Holmen and Scott Green as Police Officers

COMMUNICATIONS (CONT'D):

- 5) Colorado Department of Local Affairs, Division of Property Taxation, Notices of Forfeiture Rescinded re: Adamson Warmuth Post 6624 Veterans of Foreign Wars, South Platte Valley Historical Society, Platteville Baptist Church, Guadalupe Apartments, LLLP, and Halcyon Hospice
- 6) Colorado Department of Local Affairs, Division of Property Taxation, Final Determinations re: Twin Buttes Ministry Partners
- 7) Colorado Department of Local Affairs, Division of Property Taxation, Annual Determinations re: Guadalupe Apartments, LLLP

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Bighorn 17H-P267, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0360 [2020-3878]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating Company, LLC – North Platte K-22 Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 14WE0494 [2020-3879]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Sullivan 26H-P268, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0753 [2020-3880]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – Ash Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0253, 20WE0254, 20WE0255, 20WE0256, and 20WE0257 [2020-3881]
- 5) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Edith Ann-Duckworth 21H-O268, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0762, 20WE0763, and 15WE0905 [2020-3882]
- 6) Colorado Department of Public Health and Environment, Air Pollution Control Division – JBS Swift Beef Company – Greeley Beef, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 95WE757 [2020-3883]
- 7) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – State 1 HZ Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0625 [2020-3884]
- 8) Colorado Department of Public Health and Environment, Air Pollution Control Division – Extraction Oil and Gas, Inc. – RBF Stromberger Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 18WE0137, 18WE0139, and 18WE0140 [2020-3885]
- 9) Colorado Department of Public Health and Environment, Air Pollution Control Division – Bonanza Creek Energy Operating, LLC – Mustang 12-26 Production Facility, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0811 [2020-3886]
- 10) Colorado Department of Public Health and Environment, Air Pollution Control Division – REP Processing, LLC – Severance Compressor Station, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE1051 [2020-3887]

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

- 1) Approve Application for Transfer of Ownership from LD Crow Valley Liquors, LLC, dba Crow Valley Liquors, to Crow Valley, Ltd., dba Crow Valley Liquors, for Retail Liquor Store (County) Liquor License [2021-0040]

RESOLUTIONS (CONT'D):

- 2) Approve Contract ID #4332 Right of Entry for CRs 80 and 37 Intersection Project – City of Thornton [2021-0041]
- 3) Approve Contract ID #4364 Agreement for Purchase of Public Road Right-of-Way and Temporary Construction Easement for Bridge 86/33A Project – Stonecreek, LLC [2021-0042]
- 4) Action of the Board Concerning Petition to Vacate Road and Alley Right-of-Way in Unincorporated Historic Townsite of Wattenberg – Kenneth and Daniela Perez [2021-0043]
- 5) Approve COZ20-0007 – Western Equipment and Truck, Inc. [2021-0081]
- 6) Action of the Board Concerning USR20-0028 – Lonnie Shoemaker [2021-0049]

MISCELLANEOUS:

- * 1) Recognition of Services, Sheriff's Office – Joseph Koppes [2021-0066]
- * 2) Contract ID #4333 Memorandum of Understanding Regarding Protocols for Cooperation on Child Welfare Notification and Investigation Requirements – Fort Lupton Police Department [2021-0077]
- * 3) Change Order Contract Agreement Extension/Amendment #2 for Professional Services for Controlled Access Doors for Three (3) County Buildings (Weld County Jail – Bid #B2000177) – Long Building Technologies, Inc. [2020-2979]
- * 4) Contract ID #4361 Master Subscription Agreement for Communications Cloud – Granicus, LLC [2021-0078]
- * 5) Contract ID #4365 Weld County Guard Terminal Services Agreement – Evans Police Department [2021-0079]
- * 6) Contract ID #4366 Weld County Guard Terminal Services Agreement – Town of Hudson [2021-0080]
- * 7) Contract ID #4367 Agreement Extension/Renewal #1 to Agreement for Professional Services for Non-Project Specific On-Call Engineering Services (Bid #B1800156) – Atkins North America, Inc. [2018-3830]
- * 8) Contract ID #4368 Agreement Extension/Renewal #1 to Agreement for Professional Services for Non-Project Specific On-Call Engineering Services (Bid #B1800156) – J-U-B Engineers, Inc. [2018-3830]
- * 9) Division Order to PDC Energy, Inc. (Bost Farm 30N-11A-L – API 05-123-47659 and Bost Farm 30N-11B-L – API 05-123-47657) [2021-0110]

* **Signed this date**