

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

2020-3655

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 9, 2020

READ ORDINANCE BY AUDIO: Read Emergency Ordinances #256-B and #257 by audio

CERTIFICATION OF HEARINGS: Hearings conducted on December 9, 2020: 1) USR20-0030 – Cannon Land Company and Platte Valley Irrigation Company, c/o L.G. Everist, Inc., 2) 1MJUSR20-15-0048 – Pawnee Waste, LLC, and 3) PCSC20-0025 – Eduardo Salvador Rivera Torres

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:

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| 1) | Recognition of Services, Department of Human Services – Rita Ruyle | [2020-3657] |
| 2) | Recognition of Services, CSU Extension Office – Keith Maxey | [2020-3658] |
| 3) | 2020 Employee Service Awards – 10, 20, 30, and 40 Year Employees | [2020-3659] |

WARRANTS:

- | | | |
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| 1) | General Warrants – December 11, 2020 | [2020-3660] |
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BIDS:

- | | | |
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| 1) | Present Bid #B2000197, Legal Newspaper Service for 2021 – Clerk to the Board's Office | [2020-3661] |
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NEW BUSINESS:

- 1) Consider Extension of Temporary Closure of CR 13 Between CRs 42 and 44 [2020-3662]
- 2) Consider Reappointment to North Front Range Water Quality Board [2020-3663]
- 3) Consider 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) Consider Memorandum of Understanding for Adult Treatment Court and authorize Chair to sign [2020-3665]
- 5) Consider Memorandum of Agreement between Weld County, Colorado, and Envision as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2020-3666]
- 6) Consider 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 and authorize Chair to sign [2020-3667]
- 7) Consider 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 and authorize Chair to sign [2020-3668]
- 8) Consider Memorandum of Agreement between Weld County, Colorado, and Promises for Children as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2020-3669]
- 9) Consider Memorandum of Agreement between Weld County, Colorado, and Weld County Senior Citizen Coordinators as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2020-3670]
- 10) Consider Memorandum of Agreement between Weld County, Colorado, and East Colorado Small Business Development Center (SBDC) as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2020-3671]
- 11) Consider Memorandum of Agreement between Weld County, Colorado, and United Way of Weld County (Weld's Way Home Program) as a Recipient of Weld County General Fund Monies and authorize Chair to sign [2020-3672]
- 12) Consider Memorandum of Agreement between Weld County, Colorado, and Upstate Colorado Economic Development as a Recipient of Weld County Economic Development Trust Fund Monies and authorize Chair to sign [2020-3673]
- 13) Consider 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 and authorize Chair to sign [2020-3674]
- 14) Consider Amendment #1 to Memorandum of Agreement between Weld County, Colorado, and Upstate Colorado Economic Development as a Recipient of CARES Act Monies and authorize Chair to sign [2020-3675]
- 15) Emergency Ordinance #256-B, In the Matter of a Supplemental Appropriation for the Year 2020 [2020-3676]
- Legals.....[2020-3677]

CONSENT AGENDA

SCHEDULE OF ADVISORY BOARD MEETINGS:

Dec 15 -	Planning Commission	12:30 PM
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	12:00 PM
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 16 - 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*)
- Dec 16 - 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*)
- 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 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 14 - Docket #2020-76, Annual Meeting of the Beebe Draw Law Enforcement District Authority Board and 2021 Budget Hearing 9:00 AM
- Dec 14 - Docket #2020-77, Annual Meeting of the Pioneer Community Law Enforcement District Authority Board and 2021 Budget Hearing 9:00 AM
- Dec 14 - Docket #2020-78, Annual Meeting of the Southwestern Weld County Law Enforcement District Authority Board and 2021 Budget Hearing 9:00 AM
- Dec 14 - Docket #2020-79, 2021 Final Budget Hearing 9:00 AM
- 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 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
- 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) Planning Commission, Agenda for December 15, 2020
- 2) Department of Planning Services, Email dated December 3, 2020, re: Response to Public Input Offered at the November 25, 2020, Board of County Commissioners Meeting, by John and Marisa Bell, Concerning Abandonment of Utility Easement through Amended Recorded Exemption, AMRE-1607
- 3) Assignment of Two (2) Oil and Gas Leases from Grizzly Petroleum Company, LLC, to Verdad Resources, LLC – S10, T1N, R65W (Recorded on August 16, 2017 – Reception #4327498)
- 4) Lumin8 Transportation Technologies, LLC, Letter dated December 1, 2020, re: Merging of WL Contractors, LLC, Carlson Construction Services, LLC, and Wilburn Engineering, LLC, to form Lumin8 Transportation Technologies, LLC
- 5) Little Thompson Water District, Notice of Meeting and Filing Petitions for Exclusion and Inclusion, dated December 2, 2020
- 6) Colorado Department of Local Affairs, Division of Property Taxation, Amended Final Determination re: Banner Health System Tax Department
- 7) Colorado Department of Local Affairs, Division of Local Government, Letter dated December 4, 2020, re: Rejection of Grant Application for Energy and Mineral Impact Assistance Funds (EIAF) for County Roads 74 and 31 Intersection Roundabout Design Project (August Cycle-Tier I) – (Document #2020-2967)

PUBLIC REVIEW:

- 1) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Newnam 32H-C264 Battery, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit Nos. 20WE0471 and 20WE0472 [2020-3639]
- 2) Colorado Department of Public Health and Environment, Air Pollution Control Division – Outrigger DJ Operating, LLC – Makena Gas Plant, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 18WE0503 [2020-3640]
- 3) Colorado Department of Public Health and Environment, Air Pollution Control Division – PDC Energy, Inc. – Barr 11 Sec HZ, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 19WE0104 [2020-3641]
- 4) Colorado Department of Public Health and Environment, Air Pollution Control Division – Crestone Peak Resources Operating, LLC – Echeverria 2H-D267, Public Notice, Preliminary Analysis, Air Pollutant Emission and Draft Permit No. 20WE0565 [2020-3642]

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

- 1) Approve Temporary Permit for a Retail Liquor Store (County) Liquor License – Crow Valley, Ltd., dba Crow Valley Liquors [2020-3599]
- 2) Approve Contract ID #4259 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Ryan Rutledge and Casey Crawford [2020-3600]
- 3) Approve Contract ID #4261 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Jonathan and Lindsey Seitz [2020-3601]
- 4) Approve Contract ID #4269 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Melissa Knutson [2020-3602]
- 5) Approve Contract ID #4272 Individual Provider Contract for Purchase of Foster Care Services in a Foster Care Home – Johanna Arce [2020-3603]
- 6) Approve Contract ID #4262 Agreement for Professional Services – Live the Victory, Inc., dba The Matthews House [2020-3604]
- 7) Approve Contract ID #4264 Memorandum of Understanding for Apprenticeship State Expansion (ASE) Grant Funds – Arapahoe County [2020-3605]

RESOLUTIONS (CONT'D):

- 8) Approve Contract ID #4282 Memorandum of Understanding Amendment #2 for State Apprenticeship Expansion (SAE) Grant Funds – Arapahoe County [2020-3606]
- 9) Approve Contract ID #4266 Universal Membership / Work Number Agreement for Equifax Verification Services [2020-3607]
- 10) Approve Contract ID #4257 Work Plan Template, Annual Program Paper, and Application for 2021 Emergency Management Performance Grant (EMPG) and Local Emergency Manager Support (LEMS) Program Funding [2020-3608]
- 11) Approve Contract ID #4288 Agreement for Purchase of Private Property for Certain Improvements to Intersection at CRs 41 and 66 – Ray Hunt [2020-3609]
- 12) Approve Contract ID #4299 Mandatory Contract Provision Agreement and Equipment Rental Agreements for Two (2) 40-Ton Haul Trucks – 4 Rivers Equipment [2020-3610]
- 13) Approve Amended Recorded Exemption, RECX16-0061 – Ryan and Heather Heiland, and Anthony and Lori Sanchez [2020-3611]
- 14) Approve Recorded Exemption, RECX17-0110 – William and Adriann Wycoff [2020-3612]
- 15) Action of the Board Concerning Recorded Exemption, RECX18-0090 – Todd and Lisa Arnold [2020-3613]
- 16) Approve Recorded Exemption, RECX19-0018 – Brian and Caroline Cohoon [2020-3614]
- 17) Approve Recorded Exemption, RECX17-0173 – Robert and Candice Pittington, Jr. [2020-3615]
- 18) Approve Subdivision Exemption, SUBX17-0023 – Benjamin and Heather Erickson [2020-3616]
- 19) Approve USR20-0030 – Cannon Land Company and Platte Valley Irrigation Company, c/o L.G. Everist, Inc. [2020-3512]
- 20) Approve 1MJUSR20-15-0048 – Pawnee Waste, LLC [2020-3527]
- 21) Approve Certificate of Designation, CD20-0001 – Pawnee Waste, LLC [2020-3528]
- 22) Action of the Board Concerning PCSC20-0025 – Eduardo Salvador Rivera Torres [2020-3545]

ORDINANCES:

- * 1) Emergency Ordinance #256-B, In the Matter of a Supplemental Appropriation for the year 2020 [2020-3676]
Legals.....[2020-3677]
- * 2) Emergency Ordinance #257, In the Matter of the Annual Appropriation for the year 2021 [2020-3697]
Legals.....[2020-3698]

MISCELLANEOUS:

- * 1) Recognition of Services, Department of Human Services – Rita Ruyle [2020-3657]
- * 2) Recognition of Services, CSU Extension Office – Keith Maxey [2020-3658]
- * 3) 2020 Employee Service Awards – 10, 20, 30, and 40 Year Employees [2020-3659]
- * 4) 2021 Certification of Compliance for County Personnel and Merit System [2020-3680]
- * 5) Task Order Contract Agreement Extension/Amendment #3 for Agreement for Professional Services for Mead Grader Shed Construction (Bid #B2000109) – TCC Corporation [2020-1315]

* Signed this date