



ARAPAHOE COUNTY
COLORADO'S FIRST

**MINUTES OF THE ARAPAHOE COUNTY
 BOARD OF COUNTY COMMISSIONERS
 TUESDAY, MAY 1, 2018**

At a public meeting of the Board of County Commissioners for Arapahoe County, State of Colorado, held at 5334 South Prince Street, Littleton, Colorado 80120 there were:

Jeff Baker, Chair	Commissioner District 3	Present
Kathleen Conti, Chair Pro-Tem	Commissioner District 1	Present
Nancy Sharpe	Commissioner District 2	Present
Nancy Jackson	Commissioner District 4	Present
Bill Holen	Commissioner District 5	Present
Ron Carl	County Attorney	Present
Matt Crane	Clerk to the Board	Absent and Excused
Joleen Sanchez	Asst. Clerk to the Board	Present

when the following proceedings, among others, were had and done, to-wit:

CALL TO ORDER

Commissioner Baker called the meeting to order.

INTRODUCTIONS

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA

Pull Item 6.i. from the Consent Agenda and move to the General Business Agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Conti and duly seconded by Commissioner Jackson to adopt the Agenda as amended.

The motion passed 5-0.

CITIZEN COMMENT PERIOD

Becky Roberts – expressed concern regarding the locations of oil and gas wells. Handouts were distributed to the Commissioners.

Melissa Walcup - expressed concern regarding the locations of oil and gas wells. Handouts were distributed to the Commissioners.

Susan Danka - expressed concern regarding the locations of oil and gas wells. Handouts were distributed to the Commissioners.

Margaret Faunstalk - expressed concern regarding oil and gas wells.

APPROVAL OF THE MINUTES

The motion was made by Commissioner Holen, duly seconded by Commissioner Conti to approve the minutes from the April 3, 2018 Public Meeting.

The motion passed 5-0.

The motion was made by Commissioner Conti, duly seconded by Commissioner Holen to approve the minutes from the April 10, 2018 Public Meeting.

The motion passed 5-0.

CEREMONIES

There were no ceremonies on this date.

CONSENT AGENDA

The motion was made by Commissioner Sharpe, duly seconded by Commissioner Conti to approve the consent agenda as amended.

The motion passed 5-0.

GENERAL BUSINESS ITEMS

Item 7.a. – Resolution Nos. 180299 and 180300 – P17-005 Highline Creek Estates Final Development Plan (FDP) and P17-006 Highline Creek Estates Final Plat

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider P17-006. He explained why public notice and publication was not required for case P17-005.

Kathleen Hammer, Planner II, introduced the requests and reviewed the details of each case. She stated that the Planning Commission has recommended approval.

Scott Alpert, representing Alpert Development, presented a PowerPoint presentation, and reviewed the proposed development. He explained how the area would be cleaned up and presented a site plan of the new homes.

There was discussion regarding the traffic. Mr. Alpert explained steps that would be taken to remediate the rat problem. He also talked about the location of the ingress/egress.

The applicant's traffic engineer, Chris McGranahan, explained that ingress/egress would be a full-movement access and talked about the effect on traffic to the surrounding area.

Chuck Haskins, County Engineering, explained why the road has not been expanded. He also discussed why the County supports the location of the access to this site.

The Public Comment period was opened.

Pamela Shillam - Opposed

Ed Jennings - Supports

The Public Comment period was closed.

There was discussion regarding cash-in-lieu fees for schools, specifically incremental payments.

The following motion was made by Commissioner Jackson, duly seconded by Commissioner Holen: In the case of P17-005, Highline Creek Estates Final Development Plan, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the public hearing. I hereby move to APPROVE this application based on the findings in the staff report, subject to the following conditions:

1. The applicant must make all modifications to the Final Development Plan Amendment as requested by the Public Works & Development Department.
2. Lighting along external property lines must comply with the requirements of the Land Development Code 12-1303.3 to not exceed 0.1 foot candles.
3. The applicant agrees to address all Engineering Services Division and SEMSWA comments and conditions of approval, as identified within their reports, prior to signed mylars.
4. The applicant will enter into a Subdivision Improvement Agreement (SIA) and provide collateral to the County for all public improvements associated with the project.
5. The applicant will comply with all Tri-County Health Department referral comments.
6. The applicant will comply with all Cunningham Fire Protection District (CFPD) referral comments. CFPD has recently been incorporated into South Metro Fire Rescue. South Metro requirements will govern final design and construction for the project moving forward.
7. The applicant will comply with Cherry Creek Water and Sanitation District's Rules and Regulations and obtain necessary permits.
8. Per the approved Preliminary Development Plan condition of approval, the applicant will bury utilities and dedicate right-of-way as required by the County, subject to approval of the Final Plat.
9. The approval of the Highline Creek Estates Final Development Plan is contingent upon the approval of the Highline Creek Estates Final Plat (case number P17-006).

The motion passed 5-0.

The following motion was made by Commissioner Jackson, duly seconded by Commissioner Holen: In the case of P17-006, Highline Creek Estates - Final Plat, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the public hearing. I hereby move to APPROVE this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant must address Public Works and Development Staff comments and concerns including conditions of approval in the Engineering Services Division's Board of County Commissioners Summary Report.
2. The applicant will pay a total amount of cash-in-lieu of \$1,573,934.95, prior to recording of the plat, to be distributed, as follows: Schools: \$536,270.60; Public Parks: \$996,157.78; and Other Public Purposes: \$41,506.57.

The motion passed 5-0.

Item 7.b. – Resolution No. 180301 – ASI17-001 IREA Electrical Reliability Project 1041 Permit

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to hear this case.

Bill Skinner, Senior Planner, explained why this project requires a 1041 permit.

Commissioner Jackson asked if the line could be construction without approval from the land owner.

Mr. Skinner confirmed that the applicant has to negotiate the easements with the landowners.

Mr. Skinner said Elbert County did not respond to the referral from Arapahoe County.

Dale Murphy, representing the applicant, presented a PowerPoint presentation. He explained the purpose of the project and the need to increase connectivity. He discussed the public outreach.

There was discussion regarding what the process would be with any landowners that are in opposition.

There was discussion regarding future development and electromagnetic fields.

The Public Comment period was opened.

Jim Campbell – Opposed

Joe Friend - Opposed

The Public Comment period was closed.

Commissioner Sharpe asked if the applicant could change the route if the Board approves this case today.

Mr. Hill stated that the applicant would have to submit an amendment to the 1041 permit.

The following motion was made by Commissioner Baker, duly seconded by Commissioner Conti:

In the case of ASI17-001 IREA Electrical Reliability Upgrade 1041 Permit, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and any public comment as presented at the hearing and hereby move to approve this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant agrees to address Public Works Staff comments and concerns, including providing
2. Damage to County roads created by the applicant's construction equipment will be repaired to the preconstruction condition following construction.
3. All necessary utility easements or transmission rights-of-way must be recorded and executed prior to construction of the transmission line.
4. The applicant will need to create a Noxious Weed Management Plan and follow the Plan in order to deal with noxious weeds. The applicant will provide the County with a copy of the Noxious Weed Management Plan.

The motion passed 5-0.

Item 7.c. – Resolution No. 180302 – First Reading of Ordinance Banning Fireworks

County Attorney Ron Carl read the proposed ordinance into the record.

The following motion was made by Commissioner Holen, duly seconded by Commissioner Jackson:

I move to adopt the proposed resolution setting a public hearing before the Board of County Commissioners on the proposed Ordinance No. 2018-01 for May 22, 2018 at 9:30 a.m., and ordering that the proposed Ordinance be published in the Villager Newspaper at least ten days prior to the public hearing.

The motion passed 5-0.

COMMISSIONER COMMENTS

Commissioner Jackson noted that May is Mental Health Awareness Month. She reviewed statistics.

There being no other business before the Board, Commissioner Baker adjourned the meeting at 11:50 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

MATT CRANE, CLERK TO THE BOARD
BY JOLEEN SANCHEZ, ASSISTANT CLERK TO THE BOARD