



ARAPAHOE COUNTY
 COLORADO'S FIRST

**MINUTES OF THE ARAPAHOE COUNTY
 BOARD OF COUNTY COMMISSIONERS
 TUESDAY, MARCH 8, 2016**

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:

Nancy Doty, Chair	Commissioner District 1	Present
Nancy Jackson, Chair Pro-Tem	Commissioner District 4	Present
Nancy A. Sharpe	Commissioner District 2	Present
Rod Bockenfeld	Commissioner District 3	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 Doty called the meeting to order.

INTRODUCTIONS

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA

There were no modifications to the agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Holen and duly seconded by Commissioner Sharpe to adopt the Agenda as presented.

The motion passed 5-0.

ADOPTION OF THE MINUTES

The motion was made by Commissioner Sharpe and duly seconded by Commissioner Holen to adopt the minutes of February 9, 2016 public meeting as presented.

The motion passed 5-0.

CEREMONIES

There were no ceremonies on this date.

CITIZEN COMMENT PERIOD

There were no citizen comments on this date.

CONSENT AGENDA

The motion was made by Commissioner Jackson and duly seconded by Commissioner Sharpe to approve the items on the Consent Agenda as presented.

The motion passed 5-0.

GENERAL BUSINESS ITEMS

Item 1 – Resolution No. 160211 - U15-001, Quincy Solar Garden Use by Special Review

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

Sherman Feher, Senior Planner, introduced the request to approve a Use by Special Review (USR) for a solar garden.

Luke Rickard, representing the applicant, presented a PowerPoint presentation, and explained what a solar garden is.

Commissioner Jackson asked what a solar garden's longevity is.

Mr. Rickard said a minimum of 20 years, with an option to extend the lease.

Commissioner Sharpe asked what it costs to buy a share. She also asked about the soil and plant material under the panels and wild life in the area.

Mr. Rickard explained that subscribers pay a lump sum up front. The monthly subscription fee is locked in place based on how much of the garden the subscriber buys. He said there is minimal impact to the soil and wildlife. The area would also be fenced.

There was discussion regarding the former bombing range and what impact that would have on the solar garden. Commissioner Bockenfeld recommended that the applicant speak with Conoco Phillips.

Commissioner Doty asked about the dollar amount of the award from Excel Energy. The applicant did not know what the total award was.

Commissioner Bockenfeld recommended that the applicant also speak to the Sheriff's Office, as they use that facility when they find something that needs to be detonated.

Commissioner Sharpe suggested that the applicant make sure the facility could withstand the effects of the bombing range.

The applicant explained what the panels are made of and stated that they are quite sturdy.

Commissioner Holen acknowledged the innovation and concept of the solar gardens.

The public comment period was opened.

There were no public comments.

The motion was made by Commissioner Bockenfeld and duly seconded by Commissioner Holen in the case of U15-001 – Quincy Solar Garden, Use by Special Review, that the Board has read the staff report and received testimony at the public hearing. The Board finds itself in agreement with staff findings for the Use by Special Review application including all plans and attachments as set forth in the staff report dated February 8, 2016, and votes to approve, subject to the following conditions:

1. The applicant will modify the plans as requested by the Public Works & Development Department, prior to the signing of the mylars and before the commencement of any construction activities relating to this project.
2. The applicant agrees to address all Engineering Services Division comments and concerns, as identified within their reports, prior to signed mylars. The applicant will obtain an access permit prior to construction.
3. The applicant will strive to avoid any areas of paleontological, historic, or archaeological importance. If avoidance is not possible, further testing will be conducted, with landowner's permission, to determine the site's eligibility for historic status and a treatment plan will be developed that will be followed to protect eligible sites. The applicant will notify the County of any plans or activities to deal with historic, paleontological or archaeological sites that cannot be avoided by the construction of the solar garden.
4. The applicant will strive to avoid any Federal and/or State Threatened and Endangered Species or any State Species of Concern, that exist in areas where the solar garden will be constructed. If any Federal and/or State Threatened and Endangered Species, as well as State Species of Concern, is found to exist in areas where the solar garden will be constructed, then the applicant will collaborate with Colorado Parks and Wildlife and Arapahoe County to mitigate and minimize any potential impact to these species.
5. The applicant will provide the County with a noxious weed control plan for the site.
6. Once the solar community garden facility is no longer operational, the applicant must remove all equipment and restore the site to pre-development conditions

within one year of ceasing operations or as otherwise agreed upon within a contract with the landowner if the land is owned by others.

7. It is highly recommended that the applicant meet with the Arapahoe County Sheriff's Department, the University of Denver, and with Conoco Phillips to discuss any impact from DU's operations in that area that are permitted by the County.

The motion passed 5-0.

COMMISSIONER COMMENTS

Commissioner Jackson mentioned the two-day leadership meeting and said she is proud to work in a county where everyone works together to make it the best it can be.

Commissioner Holen acknowledged the expansion of the prescription drug abuse program.

Commissioner Doty acknowledged the passing of Nancy Reagan.

There being no other business before the Board, the public meeting was adjourned by Commissioner Doty at 10:06 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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