



ARAPAHOE COUNTY
 COLORADO'S FIRST

**MINUTES OF THE ARAPAHOE COUNTY
 BOARD OF COUNTY COMMISSIONERS
 TUESDAY, MAY 24, 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

County Attorney Ron Carl stated that General Business Item No. 3 would be moved to the beginning of the General Business agenda.

ADOPTION OF THE AGENDA

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

The motion passed 5-0.

ADOPTION OF THE MINUTES

The motion was made by Commissioner Holen and duly seconded by Commissioner Jackson to adopt the minutes of April 26, 2016 public meeting as presented.

The motion passed 4-0, Commissioner Sharpe abstained.

The motion was made by Commissioner Sharpe and duly seconded by Commissioner Holen to adopt the minutes of May 3, 2016 public meeting as presented.

The motion passed 4-0, Commissioner Doty abstained.

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

The motion passed 5-0.

GENERAL BUSINESS ITEMS

Item 3 – Resolution No. 160350 - W15-004 Land Development Code Update 12 2500 Septage and Sewage Land Use Application

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

Tammy King, Zoning Administrator, presented the information to the Board to consider this County-initiated application to add new Section 12-2500 Septage and Sewage Land Application Regulations to Chapter 12, Specific Regulations, within the Arapahoe County Land Development Code.

Commissioner Bockenfeld said the Tri-County Health Department has asked that Arapahoe County adopt these resolutions; Adams and Douglas Counties have already adopted these resolutions.

Commissioner Doty opened the Public Hearing

John Hanks-Supports

The Public Hearing was closed.

Commissioner Sharpe asked if the County knows the name of the company and what the penalty is for violating a cease and desist order.

Ms. King said staff does know the name of the company.

Mr. Hill said there is no County penalty.

Commissioner Jackson said if there isn't a penalty, what good does it do?

Ms. King explained that there would be a zoning violation and subsequent infractions would be submitted to the attorney's office for prosecution.

Commissioner Doty asked what the penalty is.

Mr. Hill said the County could proceed criminally or civilly for penalties and fines; the offender would get a notice giving them ten days to clean up, and if the County has to come back, a complaint would be filed. He said the penalty is between \$500.00 up to \$1,000.00. He said the company could also be fined up to \$100.00 per day.

Commissioner Sharpe asked what kind of notification the land owner would get if this resolution is adopted.

Mr. Hill said a letter would be sent to the land owner and the company.

Commissioner Sharpe said the County should be proactive and advise the land owner that there would be penalties.

Ms. King agreed and said if the resolution is adopted today, the I70 Scout would write an article in the local newspaper.

Commissioner Bockenfeld clarified that the current activities are permitted through Tri-County Health. He said the company does have a permit, but it is not well regulated. He said Tri-County can contact everyone that has a permit and let them know dumping is no longer allowed in Arapahoe County.

The motion was made by Commissioner Bockenfeld and duly seconded by Commissioner Sharpe in the case of W15-004 – Land Development Code Amendment, Chapter 12 Specific Regulations, addition of Section 12-2500, Septage and Sewage Land Application Regulations, that the Board of County Commissioners has read the proposed code amendment and staff report and has considered additional information presented during the public hearing. The Board finds itself in agreement with Staff findings one (1) through four (4) set forth in the Board Summary Report dated April 30, 2016, and approve the amendment as submitted, with the following two (2) conditions of approval:

1. Minor modifications to the text identified as necessary are required prior to incorporation of this Amendment into the existing Land Development Code. Staff,

in conjunction with the County Attorney's Office, is hereby authorized to make necessary modifications to the text and may relocate definitions to Chapter 19.

2. Modifications to Section 12-2500 of the Land Development Code will be effective and integrated into the existing Code upon approval by the Board of County Commissioners following a public hearing.

The motion passed 5-0.

Commissioner Holen recommended that this type of activity be banned. He recommended that the Chair notify Tri-County Health of the Board's action and let them know that the Board is concerned about their ability to actively check the safety of those areas for ground water and surface water pollution.

Item 1 – Resolution No. 160351 - Spring 2016 Open Spaces Grant Awards

John Christofferson, Deputy County Attorney, established jurisdiction for the Board to hear this case.

Josh Tenneson, Grants and Acquisitions Administrator, presented the Consideration of the County staff and OSTAB joint recommendation to fund the highest ranked and qualified Standard Grants (total of 10); the highest ranked and qualified Planning Grants (total of 5); and all qualified Small Grants (total of 3), totaling \$2,966,381 for the Spring 2016 Open Space Grant Cycle.

A PowerPoint presentation was reviewed, a copy of which has been retained for the file.

The proposed grant awards were listed and reviewed.

Commissioner Holen asked staff to elaborate on total expenditures, including the share back money for the cities.

Mr. Tenneson said the proposed grants are almost \$3 million, and \$12.5 million would be shared back to the community.

Commissioner Doty asked how much money the County collects.

Mr. Tenneson said between \$20 and \$24 million per year.

There were no public comments.

The motion was made by Commissioner Jackson and duly seconded by Commissioner Sharpe to approve and authorize a total of \$2,966,381 in grant awards from the Arapahoe County Open Spaces Sales and Use Tax fund, for the eighteen (18) Open Space grant projects listed below, as presented to the Board of County Commissioners on this date of May 24, 2016.

The motion passed 5-0.

Item 2 – Resolution Nos. 160352-160368 - Adoption of the 1st Quarter Supplemental Appropriation Resolutions

John Christofferson, Deputy County Attorney, established jurisdiction for the Board to consider the 2016 1st Quarter Supplemental Appropriation requests.

Jessica Savco, Budget Analyst, presented a PowerPoint presentation, a copy of which has been retained for the file.

The motion was made by Commissioner Sharpe and duly seconded by Commissioner Bockenfeld to move to adopt the seventeen (17) supplemental appropriation requests to the 2016 Budget that were presented to the Board at the 1st Quarter Budget Review study session on May 9, 2016 and brought forward for today’s public hearing for formal adoption including the amendment to resolution IV reducing the requested Sheriff’s Office positions from 2 to 1 and reducing the dollar amount accordingly.

The motion passed 5-0.

COMMISSIONER COMMENTS

Commissioner Jackson noted that next Monday is Memorial Day and she hopes that everyone takes a moment to think about those who have given their lives for our independence and our freedom. She also reminded everyone to vote when the time comes.

Commissioner Holen said Saturday, May 28th there would be a memorial, celebration, and concert at the Colorado Freedom Memorial in Aurora.

There being no other business before the Board, Commissioner Doty adjourned the public meeting at 10:12 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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