



ARAPAHOE COUNTY
COLORADO'S FIRST

**MINUTES OF THE ARAPAHOE COUNTY
 BOARD OF COUNTY COMMISSIONERS
 TUESDAY, MAY 22, 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	Absent and Excused
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

Commissioner Sharpe was absent and excused.

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 Conti and duly seconded by Commissioner Holen to adopt the Agenda as presented.

The motion passed 4-0, Commissioner Sharpe absent and excused.

CEREMONIES

RETIREMENT CEREMONY FOR HOLLY VICINO

Commissioner Baker read the retirement resolution into the record and moved to approve the resolution for Mrs. Vicino.

The motion was duly seconded by Commissioner Jackson.

The motion passed 4-0, Commissioner Sharpe absent and excused.

Assessor Marc Scott addressed the Board and described the service Mrs. Vicino provided to the County.

The Commissioners thanked Mrs. Vicino for her service.

Mrs. Vicino thanked the County for all the opportunities, the education, and the friendships.

RETIREMENT CEREMONY FOR RICHARD SCHROEDER

Commissioner Baker read the retirement resolution into the record and moved to approve the resolution for Mr. Schroeder.

The motion was duly seconded by Commissioner Jackson.

The motion passed 4-0, Commissioner Sharpe absent and excused.

Assessor Marc Scott addressed the Board and described the service Mr. Schroeder provided to the County.

The Commissioners thanked Mr. Schroeder for his service.

Mr. Schroeder thanked the County and said he would miss everyone.

CITIZEN COMMENT PERIOD

There were no citizen comments.

APPROVAL OF THE MINUTES

The motion was made by Commissioner Holen, duly seconded by Commissioner Conti to approve the minutes from April 24 2018 Public Meeting.

The motion passed 3-0, Commissioner Sharpe absent and excused, Commissioner Jackson abstained.

The motion was made by Commissioner Conti, duly seconded by Commissioner Holen to approve the minutes from May 1, 2018 Public Meeting.

The motion passed 4-0, Commissioner Sharpe absent and excused.

CONSENT AGENDA

The motion was made by Commissioner Jackson, duly seconded by Commissioner Holen to approve the consent agenda as presented.

The motion passed 4-0, Commissioner Sharpe absent and excused.

GENERAL BUSINESS ITEMS

Item 8.a. Resolution No. 180362 - Kiowa Creek Master Drainage Plan

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider this plan. He recommended that a decision should be continued to a date certain to provide the public notice in the I-70 Scout.

Cathleen Valencia, Engineer, presented a PowerPoint presentation, and reviewed the Master Drainage Plan (MDP).

There was discussion regarding the bridge expansion and funding.

The public comment period was opened.

There were no public comments.

The public comment period was not closed and would remain open until the next hearing.

The motion was made by Commissioner Baker, duly seconded by Commissioner Conti, in the matter of the Kiowa Creek Drainage Master Plan for Kiowa Creek and its tributaries in unincorporated Arapahoe County, Case No. C15-006, to continue consideration of the request to adopt the plan on the 26th day of June, 2018, or thereabouts, in order to allow for further and additional notice of the hearing to consider the plan by publication in the I-70 Scout.

The motion passed 4-0, Commissioner Sharpe absent and excused.

Item 8.b. Resolution No. 180363, FDP17-022 Copperleaf No 16 - Starbucks Request

Robert Hill, Senior Assistant County Attorney, said there was not a public notice requirement for this application.

Kathleen Hammer, Planner II, presented the application to the Board. She explained the recommendation from the Planning Commission regarding the proposed signage. She noted that the current plan exceeds what the County sign regulations allows. She explained the requested deviations.

There was discussion regarding adding a timer on the sign facing the residences.

The following motion was made by Commissioner Baker, duly seconded by Commissioner Conti: In the case of P17-022, Copperleaf 16/Starbucks Coffee Company 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. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.
2. Approval of application P17-022 Copperleaf No. 16/Starbuck Coffee Company FDP is conditioned on the approval of Copperleaf filing No. 16 Replat, which will establish the lot depicted in the P17-022 FDP.
3. Signage is permitted on all four elevations of the building. Letter height must not exceed 22 inches and logo height must not exceed 42 inches. Any signage that is illuminated on the south elevation must be on a timer to shut off at close of business.
4. Outdoor lighting must not exceed 0.3 footcandles as measured from the residential lot line/s to the south of the parcel
5. The applicant must follow Xcel Energy's and Public Service of Company of Colorado's standards for improvements within easements.

The motion passed 4-0, Commissioner Sharpe absent and excused.

Item 8.c. Resolution No. 180364, Ordinance No. 2018-01 Banning the Sale, Use and Possession of Fireworks

County Attorney Ron Carl established jurisdiction for the Board to consider this ordinance.

Nate Fogg, Arapahoe County Sheriff's Office, discussed the potential for increased fire danger.

There was discussion regarding the potential of the Board instituting a gradient open-burn ban, as opposed to an ordinance due to the unpredictability of the weather.

There was discussion regarding how soon vendors need to know the Board's decision.

Mr. Carl explained why staff feels it would be useful to continue this case until the beginning of June.

Public Comment

Brad Witherell spoke on behalf of Davey Jones Fireworks. He discussed weather predictions for June. He then discussed the timing vendors need for ordering product, leases, and obtaining permits from the County.

Britton Catrell spoke on behalf of TNT Fireworks. He concurred with Mr. Witherell's comments. He talked about the safe and sane fireworks that are made for areas like Colorado and promoting safety.

Commissioner Conti asked about lead time for reserving space.

Mr. Catrell talked about the tent vendors that need advanced notice as well and the possibility of losing deposits on tents. He stated that space is reserved months in advance.

Caitlyn Cahill, Zoning and Animal Control Manager, discussed the compliance regulations for fireworks stands. She stated that there is a \$500 fee plus a \$250 deposit that is returned after the site is inspected and cleaned up.

Mr. Carl stated that if the Board decides to adopt the ordinance, the ban would begin on June 12th and would run for the remainder of the year, although it could be lifted at any point. He suggested that the permits could be processed, but not issued.

It was clarified that the \$500 fee would be returned if the ordinance is adopted.

Mr. Carl stated that the Board could ban fireworks, excluding the period of May 31-July 5th, for the year without making a finding of high fire danger.

The following motion was made by Commissioner Jackson, duly seconded by Commissioner Holen: I move to continue this General Business Item regarding the consideration of the adoption of proposed Ordinance 2018-01, banning the sale, use, and possession of fireworks, to the Board's June 12th public hearing agenda at 9:30 a.m.

The motion passed 4-0, Commissioner Sharpe absent and excused.

The Board directed staff to process applications, but hold payments until after June 12th.

COMMISSIONER COMMENTS

The Commissioners commented on the recent passing of Aurora Mayor Steve Hogan.

There being no other business before the Board, Commissioner Baker adjourned the meeting at 11:01 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

MATT CRANE, CLERK TO THE BOARD

BY JOLEEN SANCHEZ, ASSISTANT CLERK TO THE BOARD