



ARAPAHOE COUNTY

Carrie Warren-Gully, Chair, District 1
Jessica Campbell-Swanson, District 2
Jeff Baker, Chair Pro Tem, District 3
Leslie Summey, District 4
Bill Holen, District 5

Arapahoe County

Board of County Commissioners Business Meeting

Meeting Minute Summaries

Tuesday, November 14, 2023
9:30 AM

Administration Building
East Hearing Room

*The public is welcome to attend Business Meetings held in the East Hearing Room at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, CO 80120. Business meetings also can be viewed online at arapahoe.legistar.com. Virtual public comment is allowed on general issues or specific agenda items by calling 1-855-436-3656 and, when prompted to, by pressing *3 on the telephone keypad to be entered in the speaking queue.*

The Board of County Commissioners typically holds Public Hearings at 9:30 a.m. the second and fourth Tuesday of each month. Items listed on the consent agenda are adopted with one vote. Items listed under regular business are considered individually.

The public may comment during designated times as directed by the Chair of the Board. Each speaker will be limited to one three-minute period of comment, unless modified by the Chair of the Board.

Meeting agendas are available at arapahoe.legistar.com. Contact the Commissioners' Office at 303 795 4630 or kdavis2@arapahoegov.com with questions about the agenda.

Arapahoe County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please contact the Commissioners' Office at 303-795-4630 or Relay Colorado 711 at least 3 days in advance to make arrangements.

1. CALL TO ORDER

Commissioner Warren-Gully called the meeting to order.

1.a. INTRODUCTION

Ron Carl, County Attorney
Cooney Sarracino, Administrator to the Board

1.b. ROLL CALL

Present: Carrie Warren-Gully
Jessica Campbell-Swanson
Jeff Baker
Leslie Summey
Bill Holen

2. **PLEDGE OF ALLEGIANCE**

3. **MOTION TO ADOPT AGENDA**

There were no modifications to the agenda.

A motion was made by Chair Pro Tem Baker, seconded by Commissioner Holen, that this be adopted. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Chair Pro Tem Baker, Commissioner Summey, and Commissioner Holen

Absent: Commissioner Campbell-Swanson

4. **PUBLIC COMMENT PERIOD**

Individuals are invited to speak to the Commissioners about any topic that is not a general business item. Each person has one, 3-minute time limit for comments, unless otherwise noted by the Chair. Individuals should state their name and address for the record prior to making remarks.

The public comment period was opened.

One person spoke virtually.

The public comment period was closed.

Commissioner Campbell-Swanson arrived at 9:41

5. **PROCLAMATIONS**

Proclamation was read.

Commissioner made comment regarding their relationship with the Arapahoe Tribe.

5.a. Proclamation establishing November 29, 2023, as Sand Creek Massacre Commemoration Day

Attachments: [Proclamation](#)

A motion was made by Commissioner Holen, seconded by Chair Pro Tem Baker, that this Proclamation be adopted. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Commissioner Campbell-Swanson, Chair Pro Tem Baker, Commissioner Summey, and Commissioner Holen

6. **CEREMONIES**

6.a. Shannon Carter Retirement

Attachments: [Resolution](#)

Shannon Carter was recognized, and the resolution was read.

Shannon Carter spoke regarding his part of Arapahoe County.

Commissioners made comments to recognize Shannon Carter for his historic work for Arapahoe County, and Shannon Carter's knowledge of Arapahoe County.

Commissioners made comment regarding Shannon Carter's character and passion for his work. Shannon Carter presented a presence that could be relied upon.

A motion was made by Chair Pro Tem Baker, seconded by Commissioner Campbell-Swanson, that this Resolution be adopted. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Commissioner Campbell-Swanson, Chair Pro Tem Baker, Commissioner Summey, and Commissioner Holen
Enactment No: RES 23-258

7. **CONSENT AGENDA**

Items on the consent agenda are generally non-controversial, do not require much, if any, discussion, and may be voted on as an entire group with a single motion. (The motion is "to approve the items on the consent agenda.") A Commissioner may request an item from the consent agenda be removed for separate discussion. This enables the item to be considered and voted upon separately.

Approval of the Consent Agenda

A motion was made by Commissioner Campbell-Swanson, seconded by Commissioner Summey, to approve items on the Consent Agenda. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Commissioner Campbell-Swanson, Chair Pro Tem Baker, Commissioner Summey, and Commissioner Holen

7.a. Application for a Renewal of the Medical Marijuana Store License re: NuVue Pharma, LLC

Attachments: [Board Summary Report](#)
[Resolution](#)

approved.

Enactment No: RES 23-259

7.b. Application for a Renewal of the Retail Marijuana Store License re: NuVue Pharma, LLC

Attachments: [Board Summary Report](#)
[Resolution](#)

approved.

Enactment No: RES 23-260

- 7.c. EE23-028 2023 Main Parking Lot and Roadway Improvements Schedules I, II, III, IV - Approval and Acceptance of the Drainage Agreement for a Drainage Easement

Attachments: [Board Summary Report](#)
[EE23-028 Uniform Easement Deed And Revocable Storm Drainage License Agreement](#)
[Resolution](#)

approved.

Enactment No: RES 23-261

- 7.d. Picadilly and Radcliff Signal Agreement

Attachments: [Board Summary Report](#)
[Picadilly-Radcliff Signal Agreement](#)
[September 18, 2023 Study Session](#)
[Resolution](#)

approved.

Enactment No: RES 23-262

- 7.e. Approval of BAA Stipulations

Attachments: [Board Summary Report](#)
[Stipulations Chart](#)
[Resolution](#)

approved.

Enactment No: RES 23-263

- 7.f. Resolution Supporting Application for a GOCO Grant by High Line Canal Conservancy

Attachments: [Board Summary Report](#)
[BOCC Study Session - October 30, 2023](#)
[Resolution](#)

approved.

Enactment No: RES 23-264

- 7.g. Resolution to approve Arapahoe County board and committee appointments and reappointments

Attachments: [Resolution](#)

approved.

Enactment No: RES 23-265

- 7.h. Sales Tax Exemption

Attachments: [Board Summary Report](#)
[Resolution](#)

approved.

Enactment No: RES 23-266

- 7.i. Warrant ACH Expense Report Oct 16 - Nov 06, 2023

Attachments: [Board Summary Report](#)
[Warrant ACH Expense Report Oct 16 - Nov 06, 2023](#)
[Resolution](#)

approved.

Enactment No: RES 23-267

- 7.j. Application for a Renewal of the Retail Marijuana Store License re: GM 2280, LLC d/b/a Golden Meds

Attachments: [Board Summary Report](#)
[Resolution](#)

approved.

Enactment No: RES 23-268

- 7.k. Appointment of Interim Open Spaces Director

Attachments: [Board Summary Report](#)
[Resolution](#)

approved.

Enactment No: RES 23-269

- 7.l. High Line Canal Purchase and Sale Agreement

Attachments: [Board Summary Report](#)
[Study Session October 30, 2023](#)
[Resolution](#)

approved.

Enactment No: RES 23-270

8. GENERAL BUSINESS ITEMS

Items on the general business agenda will include an opportunity for public comment.

8.a. PM22-004 Skylark Subdivision Filing No. 1 (District 3)

Attachments: [Board Summary Report](#)
[Staff Reports & Referral Comments](#)
[Staff Presentation](#)
[Application and Letter of Intent](#)
[Comments from the Public](#)
[Updated Letter from Division of Water Resources](#)
[Plan Set](#)
[Planning Commission Minutes 10-17-2023](#)
[Draft Motion](#)
[Resolution](#)

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider this matter.

A PowerPoint presentation was presented, a copy of which has been retained for the record.

A map of site and zoning were displayed.

Comprehensive plan and land development code were reviewed.

Staff recommendations and public comment were presented.

Commissioner asked questions regarding easements and staff recommendations.

The public comment period was opened.

No one spoke.

The public comment period was closed.

A motion was made by Chair Pro Tem Baker, seconded by Commissioner Campbell-Swanson, that this Resolution be adopted. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Commissioner Campbell-Swanson, Chair Pro Tem Baker, Commissioner Summey, and Commissioner Holen
Enactment No: RES 23-271

8.b. GDP23-001, Copperleaf Commercial General Development Plan (District 3)

Attachments: [Board Summary Report](#)
[Plan Set](#)
[Planning Commission Staff Report & Attachments](#)
[Planning Commission Minutes](#)
[Draft Motion](#)
[Resolution](#)

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider this matter.

A PowerPoint presentation was presented, a copy of which has been retained for the record.

A map of the site location was displayed.

Comprehensive plan and land development code were reviewed.

Process for public outreach was presented.

Recommendation of the planning commission was presented.

Applicant further presented.

Rendering of possible commercial usage was displayed.

Commissioner asked question about public outreach and comments about requested business.

The public comment period was opened.

No one spoke.

The public comment period was closed.

A motion was made by Chair Pro Tem Baker, seconded by Commissioner Summey, that this Resolution be adopted. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Commissioner Campbell-Swanson, Chair Pro Tem Baker, Commissioner Summey, and Commissioner Holen

Enactment No: RES 23-272

- 8.c. Amendment of the Land Development Code to Revise the Existing Oil and Gas Regulations with New Requirements and Definitions (Phase 2), Planning Case No. LDC23-004

Attachments: [Board Summary Report](#)
[Draft Oil & Gas Code Amendments](#)
[Planning Commission Staff Report & Attachments](#)
[All Stakeholder Comments](#)
[BOCC Meeting October 10, 2023](#)
[Draft Motions LDC23-004](#)
[Resolution](#)

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider this matter.

A PowerPoint presentation was presented, a copy of which has been retained for the record.

Goals and Background of phase 2A were presented.

The relationship between setbacks and public health was reviewed. The studies and articles reviewing the health data were reviewed.

Proposed code changes for setbacks and administrative review procedure were listed.

The recommendations of the Planning Commission were reviewed.

Commissioner asked questions regarding the scientific studies presented to both the Planning Commission and the BOCC.

Commissioner asked question about the procedure for use by special review.

The public comment period was opened.

Thirty-three people spoke virtually and in person.

The public comment period was closed.

The motion was made by Commissioner Campbell-Swanson, seconded by Commissioner Summey to move the board go into executive session.

The motion passed unanimously.

Board of County Commissioners exited hearing room to go into executive session.

Board of County Commissioners returned at 12:46 PM from executive session.

Commissioner made comment in response to public comments. The responses were related to stake holders, need for regulations, mineral rights, and comparing to other states and municipalities. Regulations do not ban oil and gas, but is a regulatory program backed by science.

Commissioner made comments regarding the scope of the regulations, and the importance of finances going to the community instead of lawsuits. There was further comment about the importance of mineral rights, and the perceived speed of the regulations by the constituent.

Commissioner made comment regarding hearing opinions from different sides to create a compromised regulation. Understanding the need for alternative energy, but there are global implications that would require further oil and gas.

Commissioner made comment regarding the role of collaborating with the stakeholders and partners. Arapahoe County is growing and evolving. Variances and opportunities are important for the different demographics and backgrounds of Arapahoe County.

A motion was made by Commissioner Campbell-Swanson, seconded by Commissioner Summey, that this Resolution be adopted. The motion carried by the following vote:

Aye: Chairperson Warren-Gully, Commissioner Campbell-Swanson, and
Commissioner Summey

Nay: Chair Pro Tem Baker, and Commissioner Holen

Enactment No: RES 23-273

9. COMMISSIONER COMMENTS