



ARAPAHOE COUNTY

Carrie Warren-Gully, Chair Pro Tem, District 1
Nancy Sharpe, District 2
Jeff Baker, District 3
Nancy Jackson, Chair, District 4
Bill Holen, District 5

Arapahoe County

Board of County Commissioners Business Meeting

Meeting Minute Summaries

Tuesday, October 26, 2021
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 arapahoegov.com/agendas. Contact the Commissioners' Office at 303-795-4630 or gtrost@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

1.a. INTRODUCTION

Ron Carl, County Attorney
Joleen Sanchez, Clerk to the Board Administrator

1.b. ROLL CALL

Present: Carrie Warren-Gully
Nancy Sharpe
Jeff Baker
Nancy Jackson
Bill Holen

- 2. PLEDGE OF ALLEGIANCE
- 3. MOTION TO ADOPT AGENDA
- 4. CITIZEN 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.

Seven people spoke during citizen comment. Please refer to the audio for details

- 5. 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 Baker, seconded by Commissioner Holen, to approve items on the Consent Agenda. The motion carried by the following vote:

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

Approval of Quitclaim Deed for 17’ of Right-of-Way along N. Kiowa-Bennett Rd.

Attachments: [Board Summary Report](#)
[Resolution](#)
[Quitclaim Deed](#)
[D8123468 - Muegge Farms Plat](#)

The purpose of this report is to request the Board approve a Quitclaim Deed for 17’ of right-of-way which was dedicated to Arapahoe County. The right-of-way is adjacent to 80’ of existing right-of-way belonging to the Town of Bennett. Therefore, the County has no interest or need for the right-of-way as it is not of practical use. The Public Works and Development staff recommends approval of the Quitclaim deed.

Enactment No: RES 21-326

EE19-028 Cherry Creek Drainage Easement

Attachments: [Board Summary Report](#)
[Resolution](#)
[EE19-028 Drainage Easement Agreement](#)

approved.

Enactment No: RES 21-327

EE21-031 Valley Country Club Drainage Easement

Attachments: [Board Summary Report](#)
[Resolution](#)
[EE21-031 Drainage Easement Agreement](#)

approved.

Enactment No: RES 21-328

Abatement Correction-Navtek Directional Services, Inc.

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

approved.

Enactment No: RES 21-329

Warrant ACH Expenditure Report: September 20, 2021

Attachments: [Board Summary Report](#)
[Resolution](#)
[Warrant ACH Expenditure Report: Sept 20, 2021](#)

approved.

Enactment No: RES 21-330

Warrant ACH Expenditure Report: September 27, 2021

Attachments: [Board Summary Report](#)
[Resolution](#)
[Warrant ACH Expenditure Report: Sept 27, 2021](#)

approved.

Enactment No: RES 21-331

Warrant ACH Expenditure Report: October 5, 2021

Attachments: [Board Summary Report](#)
[Resolution](#)
[DOC_Warrant ACH Expenditure Report_20211005](#)

approved.

Enactment No: RES 21-332

Warrant ACH Expenditure Report: October 11, 2021

Attachments: [Board Summary Report](#)
[Resolution](#)
[Warrant ACH Expenditure Report: October 11, 2021](#)

approved.

Enactment No: RES 21-333

C19-007 - Gun Club Widening Project - Quit Claim Deed for E470 ROW Dedication

Attachments: [Board Summary Report](#)
[RESOLUTION](#)
[BSR - E470 ROW Dedication-signed](#)

approved.

Enactment No: RES 21-334

**C15-002 ILIFF AVENUE OPERATIONAL IMPROVEMENTS (RFP 21-06),
PERMANENT EASEMENT AGREEMENT WITH CITY AND COUNTY OF
DENVER BY WAY OF BOARD OF WATER COMMISSIONERS (DENVER
WATER).**

Attachments: [Board Summary Report](#)
[Resolution](#)
[BSR - 20210914 - DW PE Memo](#)

approved.

Enactment No: RES 21-335

Certifying Prosecution Costs to the Department of Corrections

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

approved.

Enactment No: RES 21-336

C17-17, I25/Belleview - First Amendment to the IGA between Arapahoe County,
Greenwood Village, and the City and County of Denver, with no additional cost to Arapahoe
County

Attachments: [Board Summary Report](#)
[Resolution](#)
[FIRST AMENDMENT TO IGA RE I-25 AND BELLEVIEW NEPA FINAL](#)

approved.

Enactment No: RES 21-337

Approval of BAA Stipulations (1 Resolution Number)

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

approved.

Enactment No: RES 21-338

Renewal Application for a Medical Marijuana License re: GM 2280, LLC d/b/a/ Golden Meds, 2280 S. Quebec St., Unit G, Denver CO 80231

Attachments: [Board Summary Report](#)
[Resolution](#)
[MM Local License - Golden Meds.FINAL](#)

approved.

Enactment No: RES 21-339

Renewal Application for a Retail Marijuana License re: GM 2280, LLC d/b/a Golden Meds, 2280 S. Quebec St., Unit G, Denver, Colorado 80231

Attachments: [Board Summary Report](#)
[Resolution](#)
[Retail Lic Golden Meds.FINAL](#)

approved.

Enactment No: RES 21-340

SD21-003 Havana Water and Sanitation District Service Plan Amendment

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

approved.

Enactment No: RES 21-341

Resolution to Designate Fund Balances in Sheriff's Commissary Fund and Fair Fund for a Specific Purpose for Financial Reporting

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

approved.

Enactment No: RES 21-342

Approval of an Arbitration Stipulation

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

approved.

Enactment No: RES 21-343

Opioid Litigation Settlement Documents

Attachments: [Board Summary Report](#)
[Resolution](#)
[Colorado-Opioid-MOU](#)
[Presentation](#)
[MOU Website FAQs](#)
[JohnsonJohnson - Janssen Opioid Settlement Participation Form](#)
[Distributor Opioid Settlement Participation Form](#)
[Escrow Agreement](#)

approved.

Enactment No: RES 21-344

Approval of Litigation Settlement Agreement - Cherry Creek Water & Sanitation District v. Board of County Commissioners of the County of Arapahoe, *et al*

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

approved.

Enactment No: RES 21-345

6. GENERAL BUSINESS ITEMS

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

Public Hearing on the 2022 Recommended Budget

Attachments: [Board Summary Report](#)
[Resolution](#)
[Presentation](#)
[Proposed Motion_Budget Public Hearing 2022](#)

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

Finance Manager Todd Weaver reviewed the details of the proposed 2022 budget.

The motion was made by Commissioner Warren-Gully, seconded by Commissioner Holen to adopt the resolution as presented.

The motion passed 5-0.

This Resolution was adopted.

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

Enactment No: RES 21-346

Amendment of the Land Development Code to Include New Requirements for Oil & Gas Development, Case LDC19-004

Attachments: [Board Summary Report](#)
[Resolution](#)
[Draft Motions](#)
[Table 1 - Summary of Oil Gas Rules by Category](#)
[PC Staff Report-Materials](#)

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

Diane Kocis, Oil and Gas Specialist, presented a PowerPoint presentation, a copy of which has been retained for the record.

The criteria and categories for the proposed rules were listed.

Maps of potential well locations and setbacks were displayed.

Draft rules for health and safety, process improvement and operations, quality of life, wildlife, wetlands, riparian areas and streams were explained.

Recommended changes to the proposed regulations were listed.

A handout was distributed to the Commissioners, a copy of which has been retained for the record.

Commissioner Baker clarified why there would be no exemptions allowed in riparian areas and that developers are encouraged to utilize pipelines.

There was discussion regarding exceptions to the stakeholder agreements.

Ms. Kocis summarized pros and cons of feedback she has received.

The public comment period was opened.

Seven people spoke regarding this topic.

The public comment period was closed.

There was discussion regarding how the proposed rules would impact legacy wells.

Ms. Kocis explained why the County is not adopting the GOGCC state rules.

There was discussion regarding the term “extraordinary”.

Commissioner Sharpe expressed concern about having more use by special review cases (USRs) once the proposed rules are implemented. She felt that the process is more complex than it needs to be.

Jason Reynolds stated that the intention of the proposed rules is to encourage the administrative

process. He displayed a map that has 80% of land available for oil and gas operations.

Commissioner Warren-Gully expressed her thanks to Ms. Kocis and the Planning Commission for all their work on this project. She stated that Arapahoe County would continue to grow, so it is important that these issues be addressed now.

Commissioner Sharpe expressed the importance of clarity.

Mr. Hill suggested “special” conditions instead of “extraordinary” conditions.

Commissioner Baker talked about the importance of property rights and the rights of surface owners, mineral rights owners, and being a good neighbor.

The motion was made by Commissioner Holen seconded by Commissioner Baker to continue this matter to November 9, 2021.

The motion passed 5-0.

A motion was made by Commissioner Holen, seconded by Commissioner Sharpe, that this Resolution be approved. The motion carried by the following vote:

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

Enactment No: RES 21-323

Refinancing Lease Purchase Agreement - Lima Plaza

Attachments: [Board Summary Report](#)

[Motion re Approval of Authorizing Resolution Resolution](#)

[First Site Lease Amendment 10.10.21](#)

[First Amendment to Lease Purchase Agreement 10.19.21](#)

[110519 Site Lease - Lima Plaza](#)

[110519 Renewable Lease Purchase Agreement - Lima Plaza](#)

Todd Weaver, Finance Director, explained the request to refinance the lease purchase agreement.

The motion was made by Commissioner Baker, seconded by Commissioner Sharpe to adopt the resolution as presented.

The motion passed 5-0.

A motion was made by Commissioner Baker, seconded by Commissioner Sharpe, that this Resolution be approved. The motion carried by the following vote:

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

Enactment No: RES 21-324

7. COMMISSIONER COMMENTS

There were no Commissioner comments.

8. CEREMONIES

Keith Ashby Retirement Ceremony

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

Commissioner Warren-Gully read the resolution into the record.

Commissioner Warren-Gully, seconded by Commissioner Holen to adopt the resolution as presented, made the motion.

There being no other business before the Board, Commissioner Jackson adjourned the meeting at 12:22 p.m.

A motion was made by Chair Pro Tem Warren-Gully, seconded by Commissioner Holen, that this Resolution be approved. The motion carried by the following vote:

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

Enactment No: RES 21-325