

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, July 22, 2025

At the regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, 5334 South Prince Street, Littleton, Colorado on Tuesday, the 22nd day of July 2025, there were present:

Leslie Summey, Chair	Commissioner District 4	Present
Jeff Baker, Chair Pro Tem	Commissioner District 3	Present
Carrie Warren-Gully	Commissioner District 1	Present
Jessica Campbell	Commissioner District 2	Present
Rhonda Fields	Commissioner District 5	Present
Ron Carl	County Attorney	Present
Joan Lopez	Clerk to the Board	Absent and Excused
Cooney Sarracino	Clerk to the Board	Present
	Administrator	

All draft resolutions hereto presented to the Board, as may have been modified by Board review, are contained herein in final form as approved by the Board.

RESOLUTION NO. 25-163 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to approve the 2025-2029 Consolidated Plan, including the 2025 Annual Action Plan, as well as the HOME-ARP allocation, and to authorize submittal of the 2025-2029 Consolidated Plan, including the 2025 Annual Action Plan to the U.S. Department of Housing and Urban Development.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-164 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to authorize the Sheriff to sign the contract expansion between Arapahoe County and FLOCK for expanded coverage of the license plate reader camera system.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion and so ordered.

RESOLUTION NO. 25-165 It was moved by Commissioner Warren-Gully, and seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, pursuant to C.R.S. § 39-8-102, the Board, in its role as the County Board of Equalization (“CBOE”), annually reviews assessed property valuations and corrects “any errors made by the assessor, and, whenever in its judgment justice and right so require, it shall raise, lower, or adjust any valuation for assessment in the assessment roll to the end that all valuations for assessment of property are just and equalized within the county”; and

WHEREAS, agreements to settle property tax protests filed with the Board of Assessment Appeals (“BAA”) have been reached on the BAA matters noted below through discussions involving the CBOE Appeals Coordinator, the County Attorney’s Office, the Assessor’s Office, and the taxpayers’ representatives; and

WHEREAS, these agreements have been reached between the taxpayers and the County to change the valuations for assessment as noted, in an effort to further the goal of ensuring that all valuations for assessment are just and equalized within the County; and

WHEREAS, based upon the evidence submitted to the Board on this date, the Board has no reason to disagree with the proposed Stipulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The Board, hereby authorizes the Arapahoe County Attorney to settle the following property tax protest filed with the BAA, for the tax year listed below:

Docket#	Property Owner	Tax Year
2024BAA2358 & 2024BAA1473	Cuatro Cientos Amigos LLC	2023/2024
2023BAA4154	AX Inverness LP	2023/2024
2023BAA6057	Colorado McDonald Enterprises LLLP	2023
2023BAA6083	E2SG LLC	2023
2023BAA6086	5265 S Rio Grande Street LLC	2023
2023BAA6106	Norgren Inc	2023
2023BAA6109	8925 East Nichols LLC	2023
2023BAA6110	EMES 1031 LLC	2023
2023BAA6117	Margot Elena Holdings LLC	2023
2023BAA6170	6810 South Tucson Way LLC	2023
2024BAA1263	Aspen GRF2 LLC	2024
2024BAA1475	Golden Road Properties LLC	2024
2024BAA1489 &	Blue River Properties LLC	2023/2024

2025BAA159

2024BAA1492 & A13 Properties LLC

2023/2024

2025BAA147

The vote was

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-166 It was moved by Commissioner Warren-Gully and seconded by Commissioner Campbell to make the following appointments and reappointments to the following resident boards and committees representing Arapahoe County beginning July 22, 2025, for terms as prescribed below:

1. **1A Resident Advisory Committee.** Pursuant to Resolution No. 25-108:
 - a. Appoint Daniel Hutton to fill the remainder of the term vacated by Phillip Mccart, which expires April 21, 2026.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-167 It was moved by Commissioner Warren-Gully and seconded by Commissioner Campbell to authorize the Chair to execute the “Severance and Release Agreement” by and between the Board of County Commissioners and Laurie Andrews, Alyssa Groscost, Amy Guccione, Olivia Harlow, Brittany Lupinetti, Michael Riley, and Sarah Schrader, subject to approval as to form by the County Attorney’s Office.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-168 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to approve the following Resolution:

WHEREAS, the State of Colorado has authorized local government, including counties such as Arapahoe County, through C.R.S. § 34-60-105, to regulate energy and carbon management operations;

WHEREAS, the Board of County Commissioners of Arapahoe County, has exercised the authority granted to it by C.R.S § 29-20-104, to regulate energy and carbon management operations to protect and minimize adverse impacts to public health, safety, welfare and the environment;

WHEREAS, the Board of County Commissioners of Arapahoe County, is authorized pursuant to C.R.S § 29-260-104(1)(h)(VI)(2) to, *inter alia*, inspect and impose fines in association with the regulating energy and carbon management;

WHEREAS, with the adoption of oil and gas regulations, Arapahoe County authorized the creation of an oil and gas inspections program and the collection of fees for inspections on December 10, 2024 by Board of County Commissioners Resolution No. 24-367; and

WHEREAS, Section 5-3.6.L of the Land Development Code states that the "...County may require operators to pay a reasonable inspection fee for all Oil and Gas Facilities in the County. Fees for Oil and Gas Facility inspections shall be assessed according to the County's adopted fee schedule"; and

WHEREAS, the adoption of new oil and gas regulations make it necessary to adopt new inspection fees to cover reasonable and necessary costs of implementing those regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. That the imposition of new inspections fees for oil and gas facilities be approved on the grounds that the new fees will offset the costs for the oil and gas inspections program that are necessary to ensure the protection of health, safety, welfare, and the environment.
2. That the oil and gas inspections fees shall be:
 - a. Per pad site (annual inspection fee): \$3,000,
 - b. Per well (annual inspection fee): \$1,500.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-169 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to accept, upon recommendation of the County's Case Engineer and Director of the Public Works and Development Department, the Slope Easement Agreement for Slope Easements within the northeast quarter of Section 4, Township 4 South,

Range 65 West, of the Sixth Principal Meridian, County of Arapahoe, State of Colorado, dated April 18 and April 21, 2025, granted by Property 292 LLC, conveying the following real property interests to the County:

LEGAL DESCRIPTION:

EXHIBIT A – Slope Easement

A SLOPE EASEMENT, SITUATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 65 WEST, BEING MONUMENTED BY A FOUND 2-1/2 INCH DIAMETER ALUMINUM CAP, STAMPED WESTWOOD T4S R65W S4/S3/S9/S10 2024 PLS 38474, IN A RANGE BOX, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 3, BEING MONUMENTED BY A FOUND 2-1/2 INCH DIAMETER ALUMINUM CAP, STAMPED WESTWOOD T4S R65W S3/S10 2024 PLS 38474, BEARS NORTH 89°45'05" EAST, A DISTANCE OF 2649.42 FEET, IN ACCORDANCE WITH THE RECORDED PLAT OF SKY RANCH SUBDIVISION FILING NO. 7, AS RECORDED IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AT RECEPTION NO. E4078067, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°21'27" WEST, A DISTANCE OF 2915.73 FEET, TO THE WESTERLY RIGHT- OF-WAY OF NORTH MONAGHAN ROAD, AS RECORDED IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER AT RECEPTION NO. D8019672, AND THE **POINT OF BEGINNING**.

THENCE THE FOLLOWING SIXTEEN (16) COURSES

1. DEPARTING SAID RIGHT-OF-WAY, NORTH 36°25'27" WEST, A DISTANCE OF 0.75 FEET;
2. NORTH 02°20'55" WEST, A DISTANCE OF 6.96 FEET;
3. NORTH 01°26'42" WEST, A DISTANCE OF 42.50 FEET;
4. NORTH 02°40'27" WEST, A DISTANCE OF 7.93 FEET;
5. NORTH 01°12'00" WEST, A DISTANCE OF 36.51 FEET;
6. NORTH 10°34'21" WEST, A DISTANCE OF 6.99 FEET;
7. NORTH 01°37'56" WEST, A DISTANCE OF 17.53 FEET;
8. NORTH 05°13'16" WEST, A DISTANCE OF 21.00 FEET;
9. NORTH 03°27'03" EAST, A DISTANCE OF 14.14 FEET;
10. NORTH 04°42'50" WEST, A DISTANCE OF 13.31 FEET;
11. NORTH 07°45'40" WEST, A DISTANCE OF 30.64 FEET;
12. NORTH 02°04'21" WEST, A DISTANCE OF 39.33 FEET;
13. NORTH 25°06'04" EAST, A DISTANCE OF 4.96 FEET, TO THE WESTERLY LINE OF AN EXISTING SLOPE EASEMENT, AS RECORDED IN THE

RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER AT RECEPTION NO. D8068367;

14. SOUTH 05°51'54" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 19.19 FEET;
15. CONTINUING ALONG SAID WESTERLY LINE, SOUTH 06°15'03" EAST, A DISTANCE OF 67.89 FEET, TO SAID WESTERLY RIGHT-OF-WAY;
16. SOUTH 00°21'35" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 154.75 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 774 SQUARE FEET OR 0.018 ACRE, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

EXHIBIT B – Slope Easement

A SLOPE EASEMENT, SITUATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 65 WEST, BEING MONUMENTED BY A FOUND 2-1/2 INCH DIAMETER ALUMINUM CAP, STAMPED WESTWOOD T4S R65W S4/S3/S9/S10 2024 PLS 38474, IN A RANGE BOX, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 3, BEING MONUMENTED BY A FOUND 2-1/2 INCH DIAMETER ALUMINUM CAP, STAMPED WESTWOOD T4S R65W S3/S10 2024 PLS 38474, BEARS NORTH 89°45'05" EAST, A DISTANCE OF 2649.42 FEET, IN ACCORDANCE WITH THE RECORDED PLAT OF SKY RANCH SUBDIVISION FILING NO. 7, AS RECORDED IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AT RECEPTION NO. E4078067, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00°21'27" WEST, A DISTANCE OF 2634.60 FEET, TO THE POINT OF BEGINNING;

THENCE THE FOLLOWING THREE (3) COURSES;

1. SOUTH 89°25'33" WEST, A DISTANCE OF 5.43 FEET, TO A POINT OF NON-TANGENTIAL CURVATURE;
2. NORTHEASTERLY, A DISTANCE OF 8.74 FEET, ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 32.67 FEET, A CENTRAL ANGLE OF 15°19'26", A CHORD BEARING OF NORTH 38°13'37" EAST, AND A CHORD LENGTH OF 8.71 FEET, TO A POINT OF NON-TANGENCY;
3. SOUTH 00°21'35" EAST, A DISTANCE OF 6.79 FEET, TO THE POINT OF

BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 17 SQUARE FEET OR 0.000 ACRE, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

The Easements shall be used in connection with Arapahoe County Case No. ASP25-002, and known as Sky Ranch Subdivision Filing No. 9, and are accepted for the easement purposes expressed in the instrument.

Unless expressly stated in the instrument, Arapahoe County does not accept any interest in the property, including any responsibility for maintenance, repair, decontamination, cleanup, or hazardous material response on any portion of the real estate other than the improvements installed by or for Arapahoe County.

Authorization is hereby given to the Director of the Department of Public Works and Development to execute the subject easements on behalf of the Board of County Commissioners.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-170A It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the

Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The recommendation of the referee is hereby adopted, and the Petition for Refund of Taxes relating to schedule number 2073-02-3-27-013 is hereby approved for tax year 2023. The original actual value is adjusted from \$608,500 to \$601,000 and a refund in the amount of \$45.64, subject to any subsequent corrections the clerk to the Board may need to make for clerical errors, shall be allowed for the following reason:

Petitioner/agent did not appear for the hearing. I considered the evidence submitted & testimony given by the Assessor and the evidence submitted by petitioner/agent with the original petition. I find in this case that the Assessor's determination and or recommendation of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-170B It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the

Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The recommendation of the referee is hereby adopted, and the Petition for Refund of Taxes relating to schedule number 2073-10-3-19-012 is hereby denied for tax year 2024. The original actual value is \$669,500 and no refund shall be allowed for the following reason:

Petitioner/agent did not appear for the hearing. I considered the evidence submitted & testimony given by the Assessor, & the evidence submitted by petitioner/agent prior to this hearing. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-170C It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The recommendation of the referee is hereby adopted, and the Petition for Refund of Taxes relating to schedule number 1973-22-1-40-002 is hereby denied for tax year 2023. The original actual value is \$843,000 and no refund shall be allowed for the following reason:

Petitioner/agent did not appear for the hearing. I considered the evidence submitted & testimony given by the Assessor, & the evidence submitted by petitioner/agent prior to this hearing. I find in this case that the Assessor's determination of value is better supported by all of the facts presented.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-170D It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The recommendation of the referee is hereby adopted, and the Petition for Refund of Taxes relating to schedule number 2073-13-1-03-006 is hereby withdrawn for tax year 2022. The original actual value is \$410,800 and no refund shall be allowed for the following reason:

Petitioner/agent voluntarily withdrew this petition at the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for 2022 is \$410,800.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-170E It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The recommendation of the referee is hereby adopted, and the Petition for Refund of Taxes relating to schedule number 2075-32-4-06-029 is hereby withdrawn for tax year 2022. The original actual value is \$410,800 and no refund shall be allowed for the following reason:

Petitioner/agent voluntarily withdrew this petition at the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for 2022 is \$487,000.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-170F It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on July 22, 2025; and

WHEREAS, the Board at that time considered the Petition for Abatement or Refund of Taxes referenced below pursuant to C.R.S. §§ 39-1-113 and 39-10-114 as submitted by the taxpayer and as discussed in a Summary Report submitted to the Board; and

WHEREAS, pursuant to C.R.S. § 39-1-113(1), the Board may enter decisions on abatement petitions after a hearing is had thereon; and

WHEREAS, the Board, as allowed under C.R.S. § 39-1-113(1), has by resolution appointed an independent referee who recently conducted a hearing on the Board's behalf, made certain findings based on the evidence presented, and issued a recommendation on the abatement Petition noted below for entry of the Board's final decision; and

WHEREAS, the Board has reviewed the recommendation of the referee on this Petition and has determined to adopt said recommendation; and

WHEREAS, in situations where an abatement refund exceeds ten thousand dollars, the Board's approval must be submitted to the Property Tax Administrator for further review and approval under C.R.S. § 39-1-113 before the abatement can be fully administered.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

The recommendation of the referee is hereby adopted, and the Petition for Refund of Taxes relating to schedule number 1975-21-3-03-060 is hereby withdrawn for tax year 2022. The original actual value is \$348,700 and no refund shall be allowed for the following reason:

Petitioner/agent voluntarily withdrew this petition prior to the hearing. Withdrawal of the petition is hereby accepted as final action by the Board of County Commissioners. Therefore, the final actual value of this parcel for 2022 is \$348,700.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner, Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-171 It was moved by Commissioner Warren-Gulley and duly seconded by Commissioner Campbell to approve the recommended reallocation for the assignment of \$5,000,000.00 from the County's 2025 Private Activity Bonds allocation to the Colorado Housing and Finance Authority for the Star Light Development.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-172 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, the Board of County Commissioners previously authorized the County Attorney to engage in settlement negotiations in an effort to resolve civil claims asserted by Melissa Lammert arising from her civil lawsuit captioned Lammert v. Wellpath, LLC; United States District Court of Colorado, Case # 24-cv-438-CNS-CYC; and

WHEREAS, a mutually satisfactory resolution of the claims has been achieved between the parties consistent with the parameters previously designated by the Board; and

WHEREAS, the County Attorney has recommended that the Board formally approve and authorize the terms and execution of a settlement agreement reflective of the agreement negotiated between the parties; and

WHEREAS, the Board has been fully apprised of the facts, circumstances, and terms of the parties' negotiated settlement agreement and the release of all claims addressed therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for the County of Arapahoe, Colorado, that the Chair of the Board is authorized execute a settlement agreement on behalf of the Board of County Commissioners of Arapahoe County for the purpose of fully and finally resolving the civil claims asserted by Melissa Lammert arising from her civil lawsuit captioned Lammert v. Wellpath, LLC; United States District Court of Colorado, Case # 24cv-438-CNS-CYC.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gulley, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-173 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to authorize the Chair to execute the “Severance and Release Agreement” by and between the Board of County Commissioners and Jacqueline Nguyen, subject to approval as to form by the County Attorney’s Office.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gulley, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-174 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to approve the recommendations of the Arapahoe County Cultural Council for the distribution of \$2,572,863.94 in 2025/2026 Scientific and Cultural Facilities District Tier III Grant funding as noted in the funding recommendations attachment.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-175 It was moved by Commissioner Warren-Gully and duly seconded by Commissioner Campbell to approve the 2025 Open Space Grant Awards, funding eight standard grants, two small grants, and one planning grant, totaling \$4,825,280, as listed below:

Standard Grants:

- \$600,000 to South Suburban Park and Recreation District for Cornerstone Park Improvements Phase II Construction
- \$500,000 to City of Englewood for Centennial Park Trail Enhancements
- \$600,000 to South Suburban Park and Recreation District for Milliken Park Improvements
- \$600,000 to City of Littleton for Powers Park Improvements
- \$600,000 to City of Aurora for Side Creek Park Renovation
- \$600,000 to City of Littleton for Jackass Hill Park
- \$510,000 to City of Greenwood Village for Carson Park Restroom Construction
- \$600,000 to City of Aurora for Utah Park Tennis Courts and Lighting Replacement

Small Grants:

- \$24,800 to Strasburg Metropolitan Park and Recreation District for Lyons Park Trees and Trains
- \$65,480 to Strasburg Metropolitan Park and Recreation District for Comanche Crossing Museum Safety and Security

Planning Grant:

- \$125,000 to South Suburban Park and Recreation District for Ridgeview Park Redevelopment Project

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 25-176 It was moved by Commissioner Baker duly seconded by Commissioner Campbell to adopt the following Resolution:

WHEREAS, application has been made by Canyon Peak Power LLC for a Use by Special Review, Canyon Peak Power Station, Case No. UASI25-001, for certain property hereinafter described, to-wit:

5050 S. County Road 129

and

WHEREAS, after public hearing on this matter, the Arapahoe County Planning Commission recommended that the application be approved subject to certain recommended conditions of approval; and

WHEREAS, following said Planning Commission hearing, public notice of hearing before the Board of County Commissioners for Arapahoe County, Colorado was made for a hearing on such proposed Use by Special Review by publication on July 9, 2025 in The I-70 Scout, July 4, 2025 in the Eastern Colorado News, and on July 3, 2025 in the Littleton Independent, Englewood Herald, and Centennial Citizen in the newspapers of general circulation within the Arapahoe County, by posting of said property, and by mail notification of adjacent property owners in accordance with the Arapahoe County Land Development Code; and

WHEREAS, pursuant to applicable law and the Arapahoe County Land Development Code, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 22nd day of July, 2025 at 9:30 o'clock A.M., at which time evidence and testimony were presented to the Board concerning said Use by Special Review request; and

WHEREAS, by adoption of Resolution No. 25-176 the public hearing was closed on July 22, 2025, and the matter taken under advisement and deferred for decision until this same date; and

WHEREAS, pursuant to the authority vested unto the Board of County Commissioners by Article 28 of Title 30 and Article 20 of Title 29, C.R.S. as amended, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting the Use by Special Review of the hereinafter described property subject to the conditions precedent and/or stipulations as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Board of County Commissioners for Arapahoe County hereby grants and approves the application for Use by Special Review, Case No. UASI25-001, Canyon Peak Power Station, for the property described in this Resolution, subject to the stipulations and/or conditions precedent as hereinafter delineated.
2. Approval of this Use by Special Review is based upon the following understandings, agreements, and/or representations:
 - a) The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b) The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such representations made at hearing and statements contained in materials submitted to the Board by the applicant and County staff.
3. Approval of this Use by Special Review shall be and is subject to the following stipulations and/or conditions precedent, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chair of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:
 - a) The applicant's compliance with the stipulations of the Arapahoe County Planning Commission as set forth in the record of its proceedings, except as modified in this Resolution.
 - b) The applicant's compliance with all conditions of approval recommended by the staff case managers in the written staff reports presented to the Board, and any conditions stated by staff on the record.

- c) The applicant's compliance with all additional conditions of approval stated by the Board, including:
- 1) Prior to the signature of the final copy of these plans, the applicant must address Public Works and Development staff's comments and concerns.
 - 2) Prior to the signature of the final copy of these plans, the applicant shall dedicate the proposed drainage easement to the County and vacate the existing drainage easement.
 - 3) The applicant shall develop a wildfire mitigation plan acceptable to the local fire district before the issuance of a building permit.
 - 4) The applicant shall obtain approval of the firefighting water supply plans from Bennett Watkins Fire Rescue before the issuance of a building permit.
 - 5) The Decommissioning Plan Agreement shall be signed and financial assurance provided before the issuance of a Certificate of Completion by the County. The Decommissioning Plan cost estimate shall be reviewed every five years by the Planning and Building Divisions, commencing from the year of the issuance of the Certificate of Completion. This cost estimate shall be submitted by December 31st every five years.
 - 6) The applicant shall comply with an inadvertent discovery clause and conduct archaeological monitoring during construction of the facility and pipeline.
 - 7) The applicant shall sign a County Agreement to repair any county roads that may be damaged during construction.
 - 8) The facility shall comply with the lighting standards of the Land Development Code. The lighting for the gas facility shall be directed inward, downward, and shielded. The height of the light poles shall be a maximum of 25 feet in the parking area and 20 feet elsewhere on-site.
 - 9) If grading and/or construction is to occur on the project (facility site, pipeline alignment area, and lease areas) between April 1 through August 30, the applicant shall conduct a survey to determine if any ground-nesting birds are present during the migratory bird nesting season. The results of the survey shall be submitted to Colorado Parks and Wildlife (CPW) and the Planning Division for their review and approval. If nesting birds are present, no construction/grading is permitted during those dates without prior CPW authorization.
 - 10) If grading and/or construction is to occur on the project (facility site, pipeline alignment area, and lease areas) between January 1 through April 30, the applicant shall conduct a survey to determine if Pronghorn are present. The

results of the survey shall be submitted to CPW and the Planning Division for their review and approval. If Pronghorn are present, no construction/grading is permitted during those dates without prior CPW authorization.

- 11) Prior to the signature of the final copy of these plans, the applicant shall provide Planning Staff with the lease agreements for the three lease areas.
- d) The applicant's performance of all commitments and promises made by the applicant or its representatives and stated to the Board on the record, or contained within the materials submitted to the Board.
4. Upon the applicant's completion of any and all changes to the revised Use by Special Review mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.
5. That the Zoning Map of Arapahoe County shall be and the same is hereby amended to conform to and reflect said change.
6. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.
7. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to the resolution and plan documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.

The vote was:

Commissioner Baker, Yes; Commissioner Campbell, Yes; Commissioner Fields, Yes; Commissioner Summey, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

The foregoing Resolutions from the meeting of July 22, 2025 have been reviewed and approved.

BOARD OF COUNTY COMMISSIONERS

COUNTY ATTORNEY'S OFFICE



The image shows two handwritten signatures in blue ink. The signature on the left is for Lestie Summey, and the signature on the right is for the County Attorney. Both signatures are written over horizontal lines.

CLERK TO THE BOARD

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned below the text 'CLERK TO THE BOARD'.