

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, NOVEMBER 24, 2020**

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 Sharpe, Chair	Commissioner District 2	Present
Bill Holen, Chair Pro Tem	Commissioner District 5	Present
Kathleen Conti	Commissioner District 1	Present
Jeff Baker	Commissioner District 3	Present
Nancy Jackson	Commissioner District 4	Present
Ron Carl	County Attorney	Present
Joan Lopez	Clerk to the Board	Absent and Excused
Joleen Sanchez	Clerk to the Board	Present
	Administrator	

when the following proceedings, among others, were had and done, to-wit:

***Due to technical difficulties the first five minutes of this meeting were not recorded.**

CALL TO ORDER

Commissioner Sharpe called the meeting to order.

INTRODUCTIONS

ROLL CALL

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

The motion passed unanimously.

CITIZEN COMMENT PERIOD

Molly Lamar expressed concern regarding business and school closures.

Kelly Bigby expressed concern regarding business and school closures.

Rosalina Lombardi expressed concern regarding business and school closures and the mental health of the children.

Brenda King expressed concern regarding business and school closures.

Erica Fisher expressed concern regarding business and school closures.

Amy Thomas expressed concern regarding business and school closures and financial issues.

Chris Lamar expressed concern regarding business and school closures and health issues for children.

Debra Baden expressed concern regarding business and school closures.

Kate Murphy expressed concern regarding business and school closures.

Commissioner Conti asked if callers are aware of who's decision it was to close down schools and businesses.

Jennifer Hulan, business owner, expressed concern regarding restrictions related to COVID-19 and the impact it has had on her business.

Katie _____, (last name not picked up on recording), expressed concern regarding her children's health and school closures.

Dawn Hollis expressed concern regarding business and school closures.

Kim Thomason expressed concern regarding business and school closures.

CEREMONIES

Retirement Ceremony for Don Klemme

The retirement resolution for Don Klemme was read into the record by Commissioner Holen.

The motion to approve the retirement resolution for Don Klemme was made by Commissioner Holen, duly seconded by Commissioner Jackson.

The motion passed unanimously.

Commissioner Holen said he has had a strong relationship on many projects with Mr. Klemme, such as Veteran's Services. He said he is sad to see Mr. Klemme leave but happy Mr. Klemme's career has been appreciated by the citizens of Arapahoe County.

Commissioner Jackson quoted AA Mill and thanked Mr. Klemme for his support and good will, support and encouragement. She said he will be remembered and he will continue to have an impact on the County through the years. She further stated that his leadership has impacted

countless lives that will never meet him, and she thanked him on their behalf. She wished Mr. Klemme great health and good adventures.

Commissioner Baker thanked Mr. Klemme for his many years of service to the County.

Commissioner Conti said it has been an honor and privilege to work with Mr. Klemme. She thanked him for all he has done for the County over the years and wished him the best.

Commissioner Sharpe echoed the Commissioner's comments. She said it has been a real pleasure and that Mr. Klemme is an outstanding person. She said he has exhibited professionalism, integrity, grace, and strength, and has collaborated with other directors to work to make the county the best it can be. She said Mr. Klemme has had an incredible career and the County has been fortunate to have Mr. Klemme in Arapahoe county. She wished him the best in his retirement.

Kelly Folks stated that staff will greatly miss Mr. Klemme. She said he would be hard to replace but they were glad to have his leadership and coaching over the years. She thanked him for his time and for all he has done for the community and department. She wished him the best.

Mr. Klemme thanked the Board. He said his family is on the call today and he thanked the Board for trusting him and allowing him the flexibility to do his job. He said he has worked for many commissioners. He thanked his colleagues, division managers and the hundreds of employees that have worked for him and done their jobs the best of their ability. He said he has been an honor to serve.

APPROVAL OF THE MINUTES

The motion to approve the minutes from the October 27, 2020 Public Meeting was made by Commissioner Conti, duly seconded by Commissioner Holen.

The motion passed unanimously.

CONSENT AGENDA

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

The motion passed unanimously.

GENERAL BUSINESS ITEMS

8.a. Resolution No. 200839 - Oil and Gas Transportation Impact Fee

Robert Hill, Senior Assistant County Attorney, stated that this is not a public hearing but the issue has been published as required.

Chuck Haskins, PE, Division Manager, Engineering Services Division, explained the request to impose transportation fees on new oil and gas projects.

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

The oil and gas study process was reviewed.

Well and pad assumptions used for this analysis were explained.

Existing road conditions were described.

An explanation was given regarding the fee calculation method.

The recommendation based on the study was reviewed.

Fee options for horizontal wells were listed.

It was stated that staff has met with the Board on numerous occasions and has continued to look at options to bring the fees down.

There was discussion regarding fees for other types of wells and other energy uses.

Staff proposed a 40% reduction to the base fee. Solar interests and wind interests have not been contacted regarding these fees, but staff is willing to do so if the Board desires.

Commissioner Holen asked how many wells are currently in production. Staff would provide that information to Board.

Commissioner Baker clarified that if the fees were approved today, they would only apply to new pads and wells.

Mr. Hill agreed and said the fee would be charged at the time of the application. He stated that a resolution has not been drafted for other energy uses. He stated that the proposed resolution directs staff to come back to Board with fees proposals for other energy uses.

Commissioner Baker asked if this resolution has a clause that would allow for exceptions.

Mr. Hill said no, there are no exceptions. He explained the directives in the resolution.

Commissioner Baker clarified that he wanted to ask about modifications, not exceptions.

Mr. Hill confirmed that modifications are allowed.

It was stated that the Board could re-examine fee changes in the future.

Bryan Weimer, Public Works and Development director, stated that there are currently 65 (approximately) producing wells in unincorporated Arapahoe County.

Commissioner Sharpe asked if there were any comments from the public.

Ashly Campbell, Crestone Government Advisor, thanked the Board for the collaborative approach regarding the fees and said the fees are a reasonable compromise. She discussed the transportation impact fee replaces the current agreement. Asked where leftover funds would be utilized.

Chris McGowan, American Petroleum Institute (API), expressed support for the proposed change in fees.

Ryan Seastrom, Colorado Oil and Gas Association (COGA), explained COGA's support of the updated fees.

Commissioner Baker talked about the process to update the fees and the communication with industry leaders and thanked staff for their work on this proposal. He especially thanked Diane Kocis for her hard work.

Commissioner Holen explained why he supports this resolution.

Commissioner Sharpe expressed her support for the fee changes and stated that wind and solar are also important industries.

The following motion was made by Commissioner Baker, duly seconded by Commissioner Conti: In the matter of the request and recommendation in Case Number C18-025 from the Department of Public Works and Development to adopt and approve the imposition of impact fees for new oil and gas facilities, after having reviewed the request and recommendations for impact fee schedules set forth in the Board Summary Reports, the FHU Study, and the proposed Resolution contained in the record for this item, and having considered all comments received, I hereby move to approve the adoption of impact fees to be imposed on all new oil and gas facilities in the areas of unincorporated Arapahoe County and at the amounts recommended in the FHU Study, with roto-paved roads treated as asphalt and the fee amounts reduced by 40%, as provided in the proposed Resolution.

The motion passed 4-1, Commissioner Jackson opposed.

Commissioner Jackson explained why she voted against the updated impact fees.

8.b. Resolution No. 200840 - Building Division Fee Updates

Robert Hill, Senior Assistant County Attorney, stated that this is not a public hearing but the issue has been published as required.

Mr. Weimer presented a PowerPoint presentation, a copy of which has been retained for the record. He reviewed the recommendation and the reasons behind the proposed fee change.

The Building Division workload was discussed.

Data related to costs versus revenue was explained.

Arapahoe County Land Development Services (LDS) fees compared to other jurisdictions were reviewed.

Mr. Weimer explained why a comparison was not done with Denver.

The recommendation was reviewed and compared to other jurisdictions.

Details regarding the re-inspection fees were reviewed, as were revenue projections.

Public outreach related to the proposed increases was listed.

Mr. Weimer stated that two FTE (full time employees) have been requested for 2021, and would be additional resources for the division. It was stated that the Executive Budget Committee has made a positive recommendation for the FTE requests.

Commissioner Jackson thanked staff for their hard work and thoroughness. She said the fees should have been increased a long time ago.

Commissioner Holen concurred.

The following motion was made by Commissioner Jackson, duly seconded by Commissioner Conti: In the matter of the request from the Department of Public Works and Development, Building Division to amend and adopt a new fee schedule for building permit, plan review, inspection and re-inspection fees as set forth in the proposed Resolution and Board Summary Report, I move to approve the Building Division request and adopt the proposed fee schedule as set forth therein.

The motion passed 5-0.

COMMISSIONER COMMENTS

Commissioner Jackson wished everyone a happy and healthy thanksgiving.

There being no other business before the Board, Commissioner Sharpe adjourned the meeting at 12:05 p.m.

**JOAN LOPEZ, CLERK TO THE BOARD
BY JOLEEN SANCHEZ, CLERK TO THE BOARD ADMINISTRATOR**