

**MINUTES OF THE ARAPAHOE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
MAY 10, 2005**

State of Colorado, County of Arapahoe. At a public hearing of the Board of County Commissioners for Arapahoe County, Colorado held at 5334 S Prince St. Littleton CO 80166 there were:

<b>Lynn Myers, Chair</b>	<b>Present</b>
<b>Bernard L. Zimmer, Chair Pro Tem</b>	<b>Present</b>
<b>Susan Beckman, Commissioner</b>	<b>Present</b>
<b>Rodney Bockenfeld, Commissioner</b>	<b>Present</b>
<b>Frank Weddig, Commissioner</b>	<b>Present</b>
<b>Kathryn Schroeder, County Attorney</b>	<b>Present</b>
<b>Nancy A. Doty, Clerk to the Board</b>	<b>Absent &amp; Excused</b>
<b>Jennifer Gayer, Deputy Clerk</b>	<b>Present</b>

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

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF THE AGENDA**

Deputy County Attorney Jack Bush asked to have an item added to the Consent Agenda as Consent Agenda Item 7 as Authorization for the Chair of the Board of County Commissioners to sign the Sellers' Counter Proposal dated May 2, 2005 to the April 26, 2005 Contract to Buy and Sell Real Estate between Arapahoe County and Larry C. and Helen F. Toft for the purchase of 71.549 plus or minus acres of real property located in East Arapahoe County, for a County highway facility.

**The motion was made by Commissioner Beckman and duly seconded by Commissioner Zimmer to adopt the Agenda as amended with the addition of Consent Agenda Item 7 as Authorization for the Chair of the Board of County Commissioners to sign the Sellers' Counter Proposal dated May 2, 2005 to the April 26, 2005 Contract to Buy and Sell Real Estate between Arapahoe County and Larry C. and Helen F. Toft for the purchase of 71.549 plus or minus acres of real property located in East Arapahoe County, for a County highway facility.**

**The motion passed unanimously.**

**ADOPTION OF THE MINUTES**

**The motion was made by Commissioner Zimmer and duly seconded by Commissioner Bockenfeld to adopt the minutes of the April 26, 2005 Public Hearing.**

**The motion passed unanimously.**

## **CEREMONIES**

There were no ceremonies.

## **CITIZEN COMMENTS**

There were no citizen comments.

## **CONSENT AGENDA**

**The motion was made by Commissioner Beckman and duly seconded by Commissioner Weddig to approve the Consent Agenda as amended with the addition of Consent Agenda Item 7 as Authorization for the Chair of the Board of County Commissioners to sign the Sellers' Counter Proposal dated May 2, 2005 to the April 26, 2005 Contract to Buy and Sell Real Estate between Arapahoe County and Larry C. and Helen F. Toft for the purchase of 71.549 plus or minus acres of real property located in East Arapahoe County, for a County highway facility.**

**The motion passed unanimously.**

Bill Howard of Plan West representing Cherry Creek Presbyterian Church (Consent Agenda Item 6) said he would like to thank Arapahoe County. He said this project lies across jurisdictional lines between Arapahoe County and Greenwood Village and required considerable cooperation with a variety of partners including the planning, building, Sheriff. He said there has been a great deal of cooperation by the County departments and the applicant appreciated it very much.

Commissioner Weddig wondered if the applicant has approached Greenwood Village regarding annexation or de-annexation.

Mr. Howard said yes. He said the applicant approached Greenwood Village about both Annexation and de-annexation. He said it has worked out for the better this way. He said the part of the building that was overlying is a non-habital part of the building, a pedestrian passageway. He said this way has worked out well. He said it is unusual.

## **GENERAL BUSINESS AGENDA**

### **Item A – Resolution No. 050267 – Public Hearing, Case No. E02-109, Arapahoe County Infrastructure Design and Construction Standards**

Assistant County Attorney Tom McNish established jurisdiction for the Board to consider this Item.

Chuck Haskins of the Public Works and Development Department said Item A is the Adoption of the new Infrastructure and Design Construction Standards. He said the County has been working on this for the better part of a year and staff is recommending approval. He said he would like to acknowledge the people who worked countless hours, above their normal duties including Scott Wiggs, Sue Liu, Dan Salina, Stacey Thompson, Ashley Byerly, Jeff Scott and staff. He said he would like to also thank the Technical Review Committee including Jim Pankonin, Brian Weimer, and Steve Gardner. He also thanked Jerry Martinez of the HBA, who worked well with the public process. He thanked the utility company representative, the construction community and the consultant community. He said there was good participation with tough issues that were all worked through. He introduced Scott Wiggs who would give a brief overview.

Scott Wiggs presented a power point presentation, a copy of which has been retained for the file (see presentation).

Mr. Wiggs concluded his presentation and said staff is requesting adoption of the Infrastructure and Design and Construction Standards.

Commissioner Myers Thanked Mr. Wiggs for his very nice presentation.

JJ Martinez, Director of Public Affairs for the Home Builders Association of Metro Denver, 1400 S. Emerson Street, said she wanted to recognize staff and thank them for their work in reaching out to the HBA and its members in letting them know about the proposed changes in regulations and having dialogue with them about their concerns. She said even though there is not always agreement in the beginning, the end result is a mutually agreeable end result.

Commissioner Weddig said regarding rural road access and right of way standards and the discussion for 35-acre lots and streets. He said the interior lots do not meet particular standards with regard to access. He wondered if the local fire districts were aware of the lack of standards.

Mr. Wiggs said generally the fire districts out east are notified when an applicant comes in to pull a building permit. He said one of the requirements that the building department has is that the overseeing Fire District signs off on the building permits. He said at that point in time the Fire District understands it is their responsibility to ensure that there is adequate fire access for the District to service that site.

Commissioner Weddig wondered if the Fire Districts have ever said it is inadequate.

Mr. Wiggs answered not to his knowledge.

Commissioner Weddig wondered if the Fire District routinely check what type of road service is being put on and how houses are being accessed.

Mr. Wiggs said specified material is identified in the Uniform Fire Code. He said he is not certain if the Fire Districts know the construction specifications. He said the reason County staff does not look at code for 35-acre parcels is because those parcels fall outside the County's subdivision process, which restricts that County's ability to review and require them to meet the County's subdivision regulations.

Commissioner Weddig understood a private lane could access 5-6 separate homes and that access is not dedicated to anyone.

Mr. Wiggs said that typically there is an easement that is conveyed.

Commissioner Bockenfeld wondered if he could answer that question. He explained that he recently took a tour of the I-70 Corridor Fire Department /Districts. He said that was told that on a regular basis that they inspect the properties in their district to make sure there is accessibility.

Commissioner Weddig wondered if the District is using the power granted to them on a daily basis.

Mr. Wiggs said the County staff does not look at those 35-acre parcels because they fall outside the County's subdivision process, which restricts the County's ability to require them to meet the County's subdivision regulations.

Commissioner Weddig said the private lanes that could actually access 2,3,4,5,or 6 homes.

Mr. Wiggs said that typically there is an easement conveyed between the joint landowners.

Commissioner Bockenfeld suggested he might be able to answer some of that. He said that recently on his tour of the 1-70 corridor fire districts he was informed that they do regularly inspect the properties in their district to ensure there is accessibility.

Commissioner Weddig wondered if the fire districts use the power given to them to have people to "beef up" these access roads.

Chuck Haskins said the County is working the rural fire protection districts through the County's building department to improve. He acknowledged there have been instances where the County has sub-standard, private access roads into these developments. He said the County is trying to work closely with them. He said the standards being presented this morning do not address those roadways because the County does not have jurisdiction. He said the County is working with the Fire Districts to have a referral process to ensure the fire district have time to give the information to the 35-acre developer so the roads are constructed to an adequate standard so the site is served from a fire district level. He said the only interaction that the County would have would be when these roads intersect a County Road. He said the County is working closer with the fire protection districts. He said there is a mechanism and the County is working with the fire Districts. He said he would like to make it clear this is not part of the standards being presented today.

Commissioner Myers said the Tom Ashburn of Xcel took her aside to thank staff for their efforts.

**The motion was made by Commissioner Zimmer to adopt the Case No. E02-109, Arapahoe County Infrastructure Design and Construction Standards subject to the condition that all minor modifications and technical editing revision to the text are completed prior to finalizing the document.**

**Seconded by Commissioner Weddig.**

**The motion passed unanimously.**

## **COMMISSIONER COMMENTS**

Commissioner Myers said that there were two recent resignations of long time servants of Arapahoe County on Boards and Commissions. She said she would like to acknowledge John Dawson who has been on the Tri-County Health Board for 20 years or more. She said John is retiring due to some health issues. She said she would like to also thank Jeff Smith, who has been Arapahoe County's representative to the SCFD Board and has served as Chairman for the Metro Area and he will be relocating to Arizona.

**There being no other business before the Board, the Chair adjourned the hearing at 9:58 AM.**

**ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS**

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**NANCY A. DOTY, CLERK TO THE BOARD**  
**BY JENNIFER GAYER, DEPUTY**