

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
June 28, 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:

Lynn Myers, Chair	Absent & Excused
Bernard L. Zimmer, Chair Pro Tem	Present
Susan Beckman, Commissioner	Present
Rodney Bockenfeld, Commissioner	Present
Frank Weddig, Commissioner	Absent & Excused
Kathryn Schroeder, County Attorney	Present
Nancy A. Doty, Clerk to the Board	Absent & Excused
Joleen Sanchez, Recording Secretary	Present

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

The motion was made by Commissioner Beckman and duly seconded by Commissioner Bockenfeld to adopt the Agenda as presented.

The motion passed 3-0, Commissioner Myers and Commissioner Weddig absent and excused.

ADOPTION OF THE MINUTES

There were no minutes to approve.

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 Bockenfeld to approve the Consent Agenda as presented.

The motion passed 3-0, Commissioner Myers and Commissioner Weddig absent and excused.

GENERAL BUSINESS AGENDA

Item A – Resolution No. – General Business Item, Uniform Exemption of Business Personal Property (\$10,000)

Deputy County Attorney Jack Bush explained that the Board of County Commissioners has adopted a resolution for the past several years, which granted an increased exemption amount for business personal property tax. He said this is allowed pursuant to the provisions of the TABOR amendment. He said this is one of the areas where there is the ability to provide tax relief for some businesses. He said there is an existing exemption for any business that has \$2,500 or less in personal property. He said this increases that amount for every business that is located in the County. Mr. Bush further stated that other municipalities have adopted this for their jurisdiction.

The motion was made by Commissioner Bockenfeld to maintain the \$10,000 business personal property tax exemption, the level it has been at for the past seven years.

Second by Commissioner Beckman.

Commissioner Beckman commented that this is something that has been going on for many years. She said when she was on the Littleton City Council, it also followed suite with the County to give small businesses a little bit of a tax break. She said this is an incentive for businesses. She qualified that the amount is not much, but saves a lot of paperwork for small businesses and is positive.

The motion passed 3-0, Commissioner Myers and Commissioner Weddig absent and excused.

Item B – Resolution No. – Public Hearing: Case No. W05-001, Land Development Code Revision/Airport Influence Area (Front Range Airport)

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

Melissa Kendrick, Planner, explained that this is a revision to the Land Development Code, specifically the zoning regulations. She said the primary purpose is to acknowledge an update regarding the Front Range Airport Master Plan and the corresponding changes that are needed within the LDC text and the Airport Influence Area map. She said the secondary purpose for the revision is to acknowledge that there has been a change within the DIA noise

contour boundaries. The second change is the change to the DIA noise contour boundary. She presented a map of the area. She pointed out where new residential is prohibited and where mitigation would be required for new residential construction. She said the projections are until 2021. She said there were two public meetings at Front Range Airport. The primary concern was the loss of property value as a result of the increase in noise or the Airport Influence Area boundary. Front Range Airport has attempted to minimize the impacts. She said staff wondered if residential should be prohibited within the 55 DNL. She said per the BOCC, residential was not prohibited at this time. She said after the Comprehensive Plan amendment is complete for this area that could be revisited. She said currently, some people are being told that they cannot build residential in an area where the zoning is A1 and is a primary use, and the County does not wish to expand that. She said generally, people understand that this is a Comprehensive Plan issue and not an airport issue. She said she did receive a few calls and letters were sent to all the property owners within the 55 DNL, which was also done for the Planning Commission hearing. She further stated that the Planning Commission made a favorable recommendation based on three findings. She pointed out one finding that relates to the Comp Plan and the fact that it must be amended to allow other uses in this area other. She said based on the changes to the Front Range Airport, the changes to transport, the industrial development that will happen around the airport and the incorporation of the town of Watkins, a Comp Plan amendment is warranted. Staff is recommending this case favorably as does the Planning Commission.

Commissioner Bockenfeld understood that there is only one residential property under construction in the restricted area would be grand fathered in. He asked if there had been any contact with that owner.

Ms. Kendrick said the County has received no feedback. She was unsure if the owner has been notified and would follow up. She said the purchase of that property just happened and was unsure if the owner of record had been notified. She said if someone has a home in the area, the home would remain.

Commissioner Bockenfeld asked if that house is a modular home.

Ms. Kendrick said she doesn't know what type of house is being built. She said the Board felt it was important to have the noise contours established now so that there are not more people moving in and building houses at a later time where the County feels it is inappropriate.

Terese Chesnis, Assessor's Office, said the home is a modular home. She said she doesn't know if the buyer's name was on the notification list at the time of distribution, but offered to research that.

The motion was made by Commissioner Beckman in the case of W05-001 – Land Development Code Revision / Front Range Airport, the Board of County Commissioners finds itself in agreement with staff findings one (1) through three (3) including all plans and attachments as set forth in the staff report dated June 10, 2005 and approve t his case with one condition of approval.

- 1. All minor modifications to the text are required prior to incorporation into the original documents.**

Commissioner Beckman commented that staff did a wonderful job looking into the future and trying to protect people who are currently living in the area as well as future residents.

Second by Commissioner Bockenfeld.

The motion passed 3-0, Commissioners Myers and Weddig absent and excused.

Commissioner Beckman stated that it seems that the Board of County Commissioners has brief discussions in the Public Hearing when making decisions, but there was a very comprehensive study session where the Board looked long-range at how this area would be developed out. She said good decisions were made.

COMMISSISONER COMMENTS

Commissioner Beckman noted that today's Executive Session would begin immediately after Public Hearing, not 11 AM.

Commissioner Beckman further commented that the Board started the day very early at a wonderful project in Englewood: Habitat for Humanity. She said that is the County's first partnership with that organization and she was quite impressed with what Habitat for Humanity did with the house. She said it was nearly falling down. She said Habitat for Humanity has built over 200,000 homes across the world. She said what makes this different from many other housing projects is that the owners of this house must be committed to the project and must volunteer hundreds of hours into restoring the house. She said the community must also be very committed because Habitat for Humanity works on a volunteer basis. She said it was fun watching this family get ready to move into the house. She said it was a very exciting time for the family. She added that this would be the first of many partnerships with Habitat for Humanity. She said one of the workers was talking about hurricane Andrew in Florida and all the devastation it caused. She said there was a picture of five houses in the middle of a neighborhood that had been completely wiped out except for these five houses. These homes, she stated, were Habitat for Humanity houses. She said because volunteers work on the homes, there might be extra nails compared to a contractor's one nail. She said the volunteers are very vested in the homes and make a very nice living situation for each family. She mentioned that Commissioner Zimmer's son is going to be working on a house for Habitat for Humanity in Bulgaria.

There being no other business before the Board, the Chair adjourned the hearing at 9:50 AM.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

**NANCY A. DOTY, CLERK TO THE BOARD
BY JOLEEN SANCHEZ, RECORDING SECRETARY**