

**MINUTES OF C4 GENERAL MEMBERSHIP MEETING, MARCH 25, 2008**  
**7:00 p.m., Cliff Lanes**

**Welcome and introduction (Joe Arbuckle).** Opened the meeting at 7:05 p.m. and welcomed those attending. Explained purpose of meeting to update members of C4 activities since December.

**Conflict of interest/county board selection process/C4 (Joe).** Gave complete story of recent county board application and selection process for Associates, when C4 board members had been denied appointment due to perceived conflict of interest and excused absences and which could affect future appointments. Included review of March 4 public meeting for presentation of individual positions by C4 candidates and Commissioners, which revealed opposing interpretations of the meaning of conflict of interest and intent of published C4 position papers. Explained that C4 addresses policies and procedures for the Planning Commission (PC) and Board of Commissioners (BOCC) to consider, not quasi-judicial cases that the BOCC and Board of Zoning Adjustment may address.

Reported that the PC is currently preparing in public workshops, written policies/procedures for the future selection process and that C4 is drafting a conflict of interest policy paper, including a code of ethics, which will be submitted to all members for C4 acceptance. A letter from Joe Arbuckle and Lockett Pitman, as citizens and not C4 representatives, has also been sent to the BOCC (and posted on the C4 website) reiterating their particular positions on the selection process and discounting the reasoning that Commissioners and PC members should not attend citizen meetings because they would need to recuse themselves from subsequent board discussions of similar issues. Joe also stated that, as elected officials, the Commissioners have the right to select Associates of their choice, but suggested that it would be better for the County to have proportional representation on county boards as a goal for representative government.

A comment from the floor suggested that an early labeling of C4 as “watchdogs” had led to an unfair opinion of C4.

**Meet the candidates C4-sponsored forums (Joe/Bob Dreher).** Joe announced that two candidates for the November 2008 County Commissioner elections had asked to address C4 regarding their positions on land use. C4 Board discussion raised the idea of holding a series of forums to provide a platform for all the candidates to individually represent their positions on specific questions regarding, e.g., land use, water, sustainable ways, ethics/conflict of interest/disclosure, etc. Bob described how other groups, including, to date, the Chamber of Commerce, Sustainable Ways, Wet Mountain Tribune and the American Legion, are interested in co-sponsoring the forums. The intent would be to collect broad topics and a list of questions to be delivered to each candidate well in advance to give time for him/her to do research and prepare solid answers. After all the candidates had spoken, other questions from the audience could be presented. A committee comprised of representatives from sponsoring groups will be formed to organize the forums. The C4 Board will ensure that C4 maintains its non-partisan status by not supporting any candidate or party throughout this process.

**Writing various public information papers for the Wet Mountain Tribune and C4 website (Joe).** C4 intends to prepare general information articles to help stimulate broader public awareness and understanding of certain land use and other issues. For example, a paper has been drafted that addresses cluster development, a topic that may be discussed by the PC as it prepares revised subdivision regulations. After it is reviewed by the Board, the final draft will be submitted to the C4 membership for comment before being published in the *Trib* and on the C4 website.

**PC subdivision regulations update (Joe in Dorothy Nepa's absence).** Reported that regular public workshops to revise current county subdivision regulations are being held, with the next workshop to be April 10, 2:00-4:00 p.m., at the Courthouse. One person attending the workshops remarked that the PC is very open to comments. One regulation being discussed regards water, which C4 would like to have cover all rules, requirements, and control regulations for subdivisions. At present no particular Model Land Use Code for Colorado is being looked at, though C4 has made available the draft Model Land Use Code prepared by the Colorado Office of Smart Growth, prepared free of charge and optional for all counties to use. C4 recommends that the County look at the Model Land Use Code to see if it has utility in Custer County.

**Planned Unit Development (PUD) discussion from C4 December 11, 2007 meeting, revisited; petition (Joe).** While not opening further discussion during this meeting, Joe described the topic of PUDs as “the hot button,” needing more attention from C4 members. Reviewed the content of PUD regulations adopted in March 2002 (allowing for 2 homes on 80 acres, including open space) and amended in November 2002 (allowing for up to 10 homes on 80 acres, including open space).

Clarified that a statement made at the December meeting regarding a “survey” in June 2002 of landowner attitudes on PUDS was, in fact, a petition. Read the petition, which is filed at the Courthouse. The petition wording did not specifically address the 1-10 homes per 80 acres allowance found in the Nov 2002 Zoning Resolution Amendment.

Brief discussion included comments that 1) greater expertise would be required in the Planning and Zoning Office in our county to adequately review PUD applications entirely on an individual basis and 2) strong enforcement of water requirements would need to be guaranteed.

**Water Committee update (Paul Snyder for Wiley Larson).** Reported that the Custer County water augmentation plan of the Upper Arkansas Water Conservancy District (UAWCD) is expected to be presented sometime toward the end of 2008. At a meeting with the BOCC the Commissioners made clear they would like to review the plan before UAWCD files it in court. UAWCD agreed to provide time for that, and Bob Senderhauf, of the UAWCD Board, confirmed that agreement. Paul asked if enough time would be provided for the County and its citizens to “contemplate, analyze, understand, and give input to” the proposed plan, and Bob estimated that a 3-6 month period of time would be given. He also stated the plan would likely be patterned after the UAWCD Augmentation Plan, which is available at his office for review and could be made available online.

A concern for water quality in the County was expressed. Dorothy Nepa offered to contact the U.S. Geological Survey to request results of their monitoring of water in the County. She also urged everyone to “never forget” the entire picture of water in the Colorado Basin, where water is also being heavily claimed in other states.

**Membership and voting procedures (Lockett Pitman).** Reminded everyone that membership is not restricted and that anyone can participate by providing their contact information. Stated that email is the only practical way to reach all participants quickly, e.g., to vote and approve position papers. Distributed a C4 E-Vote Sample that would be sent to C4 Participants to determine if the format is what C4 wants to use in the future. If people have suggestions for the ballot or more information is needed, contact Bob or Lockett.

**Open discussion.** Joe reopened discussion of **mineral rights**, which was briefly raised at the previous general membership meeting due to current rekindled interest in exploration and possible concern for its impact on Custer County. Explained the 1916 law regarding surface rights and subsurface rights and “reasonable access for those with subsurface rights.” Lockett and Cindy Howard are monitoring the need for C4 review, but Paul stated that through his experience working on conservation easements with geologists required to report on the probability of drilling for oil, gas, silver, or gold, that probability is negligible in our region.

Sue Pitman described the need to support local farmers in the region and described a cooperative program with a farm in Canon City that is willing to bring in fresh produce to subscribers. Distributed a flyer on **Community Supported Agriculture** and offered to be the contact person for potential subscribers.

Bob mentioned that the upcoming BOCC Joint Session with PC on April 1 will include a presentation for **Humboldt Peak Partners and Application for Final Plan for a PUD** at 2:30 p.m. in the Commissioners Room. It will not include public input.

Bob made a public service announcement that a guest speaker from Fort Carson will give a **multi-media presentation on the current situation in Iraq** on April 10, at 7:00 p.m. in the school multi-purpose room.

Paul was asked to share insight on **IRS auditing of certain Colorado conservation easements**. He explained that two land trusts, which are not members of the Colorado Coalition of Land Trusts, are being investigated for scam involving inflated appraisals and are responsible for 190 out of 290 audits being made. The other 100 audits, some chosen at random, appear to involve good easements. Legislation is being drawn up to prevent scams and to make certain new requirements of land trusts.

**Bob Senderhauf** stated he would like to be included in any future water update when water is an agenda item at future C4 general membership meetings.

**Adjournment.** The meeting adjourned at 8:40 p.m.

Respectfully submitted,  
Margaret Karsten, Secretary