

MINUTES OF C4 BOARD MEETING, NOVEMBER 19, 2008
1:00 p.m., Library Community Room

Present: Joe Arbuckle, Dorothy Nepa, Christy Veltrie, Jim Jones, John Brandenburg, Bob Dreher, Lockett Pitman, Paul Snyder, and Margaret Karsten.

Opening and welcome (Joe). Opened the meeting at 1:00, welcomed those attending, and described it as a strategy session for 2009.

New C4 Board members and action officers for projects (Joe). Reported that Patty O'Brien will not be able to take a lead on projects in 2009 but that Wiley Larson hopes to be active again. Board members offered several names as prospective new Board members and will be contacting each person.

Discuss C4 direction for 2009 and action officers (All).

- **New Board of Commissioners (BOCC) impacts.** Board reviewed some of the specific interests voiced by candidates during the campaign that C4 might address.
- **Potential and/or likely areas of action.**
 - **For BOCC involvement:**
 - 1) Updating the Master Plan. Action officers: Bob and Lockett.
 - 2) Addressing possible updating of the Zoning Resolution regarding PUDs in the 80-acre Zone. Action officer: Joe.
 - 3) Cluster development may or may not arise as a project area.
 - 4) Minor subdivision is also not a current topic for consideration. (In May 2007 the BOCC approved excluding cluster development and minor subdivision in Zones 1 and 2.)
 - **For Planning Commission involvement:**
 - 1) Continuing to update the Subdivision Regulations.
 - 2) Receiving new Commission appointments early in 2009.
 - **For C4 involvement:**
 - 1) Advocating for changing the current Zoning Resolution regarding PUDs in Zone 1. Action officer: Joe.
 - 2) Briefing the BOCC on Colorado's Model Land Use Code and providing them with the finished CD, now available, for their information and possible use. Action officers: John and Joe.
 - 3) Researching 1041 powers regarding water and development for possible relevance to Custer County. Action officer: Jerry Lacey.
 - 4) Continuing to address county water issues (*see also below*): H2O Ranch; Upper Arkansas Water Conservancy District (Upper Ark) proposed augmentation plan; Round Mountain Water & Sanitation District (Round Mountain) use of Johnson Ranch water rights; and 1041 powers). Action officer: Paul and water committee.
 - 5) Monitoring County Building Code discussions. Action officer: Bob.

- 6) Seeking clarification of boundaries for all county Zones. This should be a County project.
- 7) Asking the BOCC to give attention to citizen concerns about Round Mountain activities.
- 8) Continuing focus on County conflict of interest and ethics standards.
- 9) Coordinating communication between the BOCC and community non-profits and other organizations. Action officer: Lockett. Lockett proposed structuring a group of 10 to 15 representatives of all the groups to meet regularly for interactive communication with the Commissioners.

Water (Joe/Paul/Christie).

- Upper Ark proposed water augmentation plan.

Joe reported information he and Paul received at a meeting with Terry Scanga, Upper Ark Director. In part,

- the plan would intend to keep the water in the County, would not be County-wide, and would be completed in two phases over many years;
- Upper Ark does not control where or for what use the water is used in the county;
- any use would depend on existing (or non-existing) County land use policies;
- without priorities and/or conditions set in land use policy, use of the water might go on a first-come basis (which happened in Salida/Chaffee County, and where out-of-compliance water use was red-tagged by State water engineers and generally corrected before water was released to development); and
- Terry agreed to do a water forum for Custer County citizens to discuss the proposed plan, after the Upper Ark engineering study is completed (around March 2009).

Joe stated he and Paul will meet with the BOCC to point out the need for a clear land use policy covering water use.

- H20 Ranch sale; Fountain and Widefield officials.

Joe and Paul also learned from Terry that Upper Ark is discussing the possibility of water exchanges from the H20 sale to Upper Ark. This might keep all the water in Custer County, but it would still be separated from the land. Paul and Joe will meet again with Larry Patterson, Utilities Director in Fountain, to try to learn more and plan for his attendance at a C4 forum on the H20 sale as soon as possible. Paul stated he believes the two cities care about what Custer County citizens want as an outcome of the H20 sale.

- Round Mountain Water & Sanitation District.

Paul and Christie presented copies of the agenda for the November 17, 2008 regular Round Mountain meeting and a letter to Mr. Chris Haga, Chairman, also dated November 17, 2008, "Re: Letter of Agreement Regarding Upper Arkansas Water Conservancy District's Lease of Certain Water Rights From Round Mountain Water & Sanitation District." While not specifically placed on the agenda nor discussed

previously with the citizens of Westcliffe and Silver Cliff, who acquire all their water from Round Mountain, the Letter was signed at the meeting by the Chairman. In that Letter, the two parties agree that Round Mountain “will lease a portion of the Johnson Ranch Water Rights to UAWCD.” It further agrees that those rights may be listed as a source of augmentation water in the forthcoming Upper Ark application for approval of its proposed water augmentation plan for Custer County.

The Board discussed an appropriate role for C4 to take in objecting to the manner of approval of the agreement without citizen input and in violation of the State Sunshine Law. Paul will write a draft C4 letter to the BOCC to that effect. The letter will be submitted for C4 membership for comments and recommendations.

Christie, a trustee on the Westcliffe Town Board, requested C4 support of Westcliffe citizens’ concerns about Round Mountain activities, and Bob offered to notify C4 members of the situation and solicit their support by attending the next Westcliffe Town Board meeting on December 2, at 5:30 p.m. Lockett will also notify Don Bishop, a trustee on the Silver Cliff Town Board, of the situation. It was noted that the next Round Mountain regular meeting is scheduled for December 4. Joe stated that the towns must lead in the matter, but C4 can support them.

Date of next C4 Board meeting; Adjournment.

The next Board meeting was scheduled for January 12, 2009 at 1:30p.m.; Bob will confirm the location.

The meeting adjourned at 3:00 p.m.

Respectfully submitted,

Margaret Karsten, Secretary