

CONCERNED CITIZENS FOR CUSTER COUNTY (C4)
Minutes of General Membership Meeting, May 30, 2007, Cliff Lanes, 7:00 p.m.

Welcome remarks and financial report. Joe Arbuckle opened the meeting at 7:00 pm. John Brandenburg presented the Treasurer's report*: current balance to date \$676.76; donations received last month \$198; expenses last month \$171.24. Mentioned that contributions are welcome. Expenses were mainly supplies and meeting room rentals.

Update on C4 interests at the Board of County Commissioners (BOCC) meeting, May 2, 2007 (Joe Arbuckle).

1. Several C4 members attended.
2. County attorney John Naylor recommended delaying consideration of cluster developments (CDs) until a case regarding mandated open space and water currently being reviewed before the State Attorney General is settled. Also recommended waiver authority for minor subdivisions (MSDs) in Custer County (CC).
3. BOCC voted unanimously, as previously intended, to exempt MSDs, along with CDs, from Zones I and II.
4. BOCC had passed the C4 written request to also exempt Planned Unit Developments (PUDs) from Zones I and II (following the same logic for CDs and MSDs) to the Planning Commission to consider when the CC Zoning Resolution Regulation is updated this year.
5. C4 verbal request to BOCC for access to reports from Pueblo experts Headley and Raso and County Attorney John Naylor comments on proposed Revised Subdivision Regulations (RSRs) was denied.

Open public records request and summary of Headley and Raso reviews of RSRs (Joe Arbuckle).

1. Written C4 request citing Colorado Revised Statutes provision for open public documents resulted in release of Headley and Raso documents (Naylor comments had not yet been submitted to BOCC).
2. Headley recommended that MSDs not be included in the RSRs. Instead, he recommended streamlining the subdivision processes in cases where that is warranted (presumably through some kind of waiver authority).
3. BOCC meeting on June 5 may address the reviews and comments on proposed RSRs.
4. C4 will monitor the process of review.

Joe asked for any comments. From the floor: Had the BOCC been open-minded about C4 interests? Joe replied that nothing had been adversarial.

Operating rules for C4 (Joe Arbuckle).

The C4 Board had discussed operating rules and had decided on the following:

1. voting to be decided by simple majority;
2. no personal attacks but rather courtesy and respect to govern behavior;
3. public input to be sought;
4. differing views to be welcomed and significant dissenting views recorded on papers;

5. all official C4 positions to be approved by the Board and/or membership.

Joe asked for any comments. From the floor, individuals remarked, as follows:

1. Who votes? If there are any abstentions, how are they counted? Joe responded that so far no votes had been taken on issues nor details regarding voting and abstentions been considered. Possible by-laws could include those details, but for now C4 intends to keep the process simple.
2. It was suggested that whenever a group discusses issues concerning the ranching community that may result in value being taken away from them, that the ranching community be consulted. Joe responded that C4's positions regarding land use have been in harmony with stated land use tenants found in the CC Master Plan and Zoning Resolution.
3. Subdivision regulations have been under discussion for about 5 years, before 2005. Joe affirmed that was correct and that review by experts and legal counsel began in January 2006, with their results provided in the County by February 2006.
4. There is confusion about exemption for PUDs in Zone I. How many ranchers were part of C4's written request to the BOCC requesting that? Joe asked how many participated in creating the land use policy found in the Master Plan and Zoning Resolutions and added that if anything is wrong with that policy, it should be considered.
5. Issues "that big," e.g., land use policy, need to be put up for a vote by the entire community, and it is the job of elected officials to know what the majority of citizens want.
6. Why should the regulations go to Pueblo? Joe replied it was his understanding that the County Attorney had recommended sending them to two outside experts for advice.

Potential and/or real action areas (Joe Arbuckle).

Reminded the membership that C4 is listing ideas that people have suggested for the organization. Cautioned against allowing the focus to get too disbursed and recommended prioritizing. Referring to posted papers, commented on the current list, as follows:

1. *Get involved with CC economic development and the Community Assessment Process.* C4 members had attended the recent forum and reported to the board.
2. *Get involved with town planning efforts (subdivisions, and CDs).* CDs and MSDs are being considered in the two townships because they fit well with municipal areas. Town trustees are considering sending representatives to C4 board meetings to share information.
3. *Poll county citizens to learn what they want in key areas.* County officials ought to know citizens' interests, and C4 could assist the County with such efforts. The economic development polling effort regarding tourism and business was offered as a current polling effort that may yield useful information for other polls of public opinion.
4. *Form a Water Committee.* Committee has been formed, headed by Wiley Larson. More committee volunteers are welcome. It was suggested that the Water Committee contact all water-related groups to gain as much information as possible
5. *Draft a CC conflict of interest policy.* It is possible for C4 to do this and send it to the BOCC, with a recommendation for the County to adopt such a policy.

6. *Coordinate and network with other organizations (MOA).* C4 plans to draft a Memorandum of Agreement that will list common areas of interest among several organizations and attempt to get signatures from organizations like Sustainable Ways, San Isabel Land Protection Trust, etc.
7. *Form group to analyze Raso and Headley papers.* A focus group to carefully review and analyze the comments and recommendations from the two experts.
8. *Open a C4 web page.* C4 will do this.
9. *Draft public policy formation and CC government expectations papers.* The intent is to offer a standardized format to the BOCC regarding how to formulate public policy according to standard procedures commonly used at all levels of government.
10. *Ideas to increase CC revenue.* The board recognizes that a major problem in CC is the lack of revenue to keep basic services and county government operations going at needed levels. C4 may offer support and ideas to CC regarding ways to increase revenue, such as impact fees for development.

Joe asked for comments. From the floor:

1. The idea of cluster development in CC came initially from the Sonoran Institute, not from the BOCC, Planning Commission or Zoning Board. Joe replied that “the jury is still out” to figure out where CDs fit or don’t fit.
2. Explain conflict of interest in relation to C4. Conflict of interest policies are designed to protect the interest of all citizens by insuring that public decision making processes are not improperly influenced by financial or other interest. Conflicts of interest do arise, and when they occur the proper thing for the involved official to do is to recuse him/herself from the discussion and voting on the issue. Colorado statutes recommend but do not mandate conflict of interest policies at the county level.

At Bob Dreher’s suggestion, for newcomers at the meeting, Joe introduced the C4 board.

Committee reports (Patty O’Brien and Committee Chairs).

Speaking for Dorothy Nepa, who is heading the work of committees on PUDs, MSDs, Zoning, and CDs, Patty explained that each committee would report on its initial research. After finishing the research, the committees will prepare an analysis as the subject relates to CC, including pros and cons, and present the analysis to the C4 board and membership for consideration. They will then finalize a position paper that represents C4 objectives. Five-minute reports** were presented by: Carol Larson (PUDs); Sue Pitman (MSDs); Jim Jones (Zoning); and Patty O’Brien (CDs). They covered such topics as background, purpose, definitions, application to CC, examples from other counties, websites, current county regulations, current examples, and possible areas of concern for CC. Carol stated that Don Paul had been very helpful in providing information on PUDs and referred questions to him. Sue, in describing many different approaches to MSDs, stated that the CC Zoning Office would like to see guidelines in writing once any BOCC decision is made. Jim mentioned that a “non-scientific” survey he is conducting on why people move to CC reveals three common factors: views, open

space and the agricultural area, which demonstrates the value of existing special zoning, and of C4 objectives, to help keep CC special.

Question from the floor: Why had a new subdivision with 5-acre parcels located south of Westcliffe been allowed without a guarantee of adequate water? It was explained that water could be purchased, but that until the water issue is resolved the subdivision is on hold. The questioner again asked why the subdivision was approved without the water issue being resolved.

Water discussion (Wiley Larson, Paul Snyder & Bob Senderhauf).

Introducing himself as a Colorado native, biased toward keeping water in the region after seeing things change in another Colorado area where water had been sold away, Wiley suggested that, strategically, we need to educate ourselves, think about and get engaged regarding the longer term water issues, and make sure that decisions made at the county level are fair to those affected. The C4 Water Committee would endeavor to be participants in current and pending actions regarding water.

Wiley introduced speakers Paul Snyder and Bob Senderhauf , the two local candidates running for appointment to the board of the Upper Arkansas Water Conservancy District (UAWCD), which makes key decisions for the region regarding water. Their remarks were recorded, with their approval.

Paul addressed concerns about the availability of water for both long-time residents and newcomers if proper controls are not put in place for CC. He referred to the county-wide Water Augmentation Plan sponsored by the UAWCD that will make water available where it is not now available, but he asked, How it will be used-- to foster new development beyond the townships or to support development of the towns themselves? He asked, Would the plan guarantee the plans for subdivisions made many years ago, where water could run out, or would it go to other development? He concluded that we need dialogue with UAWCD to guarantee what CC residents deserve.

Bob described his experience of 36 years and service to CC and the ranching community, including 10 or 12 water issues, during his 24 years on the UAWCD board. He believes there is no contention between UAWCD and Round Mountain water district. He stated that under the Water Augmentation Plan, water will be there for CC if needed. It will help small-acreage landowners receive water legally and stabilize the economy.

Open discussion/questions from the floor:

1. Does Bob's being on the board of UAWCD while owning a real estate business represent a conflict of interest? Bob replied that in his entire career here, not one issue was ever described as a conflict of interest.

2. A critical congressional meeting, to be held in Pueblo on June 1 with U.S. Representative John Salazar, will challenge a move to sell water out of the Arkansas River to Aurora.

3. The C4 Water Committee should have a representative from the Wet Mountain Valley Water Association.

4. Paul Snyder stated that UAWCD is supporting a move into El Paso County, which does not help CC. Bob Senderhauf described it as intended for a school district, affecting 175 people. A speaker from the floor said that whoever it affects, if sets a precedent, for possible similar moves to follow.

5. How can individuals participate in the UAWCD board appointment? It was stated that letters of support for a candidate may be written, particularly as the deadline has been ongoing.

Joe thanked the volunteers for doing research. Bob Dreher announced that the next general membership meeting will be held June 27 at 7:00 p.m. at Cliff Lanes.

The meeting ended at 8:30.

* A copy of the Treasurer's report accompanies the official Minutes.

**Copies of the Larson, Pitman, and O'Brien reports accompany the official Minutes.

Respectfully submitted,
Margaret Karsten, Secretary