

Study group minutes for July 9, 2008

Those present included: Keith Meinert, Heidi Albritton, Ted Collin, John Clark, Sara Coulter, Ken Lipton, Don Bathchelder, Connie Hunt, Karen Risch, Chris Pike and Patrick Davarn

Ken called the meeting to order at 4:04pm. Sara had a correction on the minutes, Andy Seidl was misspelled (that will be corrected). She also discussed the statement 'Theobald needed more information' and she wasn't sure what that referred to. It was agreed that it was in reference to vehicle miles traveled, and should be left to Theobald's discretion as to whether or not to use the info or not. Apart from those comments, the minutes were approved.

Since Ken wasn't present at the last meeting, he is depending on the action items listed in the minutes. Sara discussed her action items, and had accomplished them. She was able to forward the copy of Andy Seidl's items to Don and to Theobald. She was intending to summarize all three correspondences, but had not been able to complete them yet (technical issues). Both Andy and Dave believe that the vmt's would be a good surrogate for what we are trying to get at. Sara read an e-mail from Seidl that elaborated on this. It is hard to derive County level results from a State level survey or model. Sara felt that Andy's model would be available to the group if desired. They were trying to improve on the methodology of the American Farmland Trust's model, and Sara expects that their model will be better. Keith discussed that the main interest in that previous model were Ag interests. Keith would like to see the use of that kind of data in a more substantial way; as to him it is even more impressive than the way that Theobald presents his data. He also felt that the American Farmland Trust was a more trusted source for the Ag community, and would like to see that model and data to continued to be utilized. Ken suggested that it could be a part of the group's final recommendation to the BOCC.

Don suggested taking the different services (sheriff, EMS, road and bridge, etc.), looking at where the services are centralized, and then allocate costs emanating outward from there. Ken stressed that the County needs some sort of model to accomplish that. Don agreed with Keith that the American Farmland studies provide evidence that residential growth does not pay for itself. In the municipalities that is not so much the case, however the farther away the development from the municipalities and services, the greater the cost of services. No one is aware of any studies done on behalf of a County entity that can quantify these costs. The process that analyzes this would be lengthy, but potentially important. Keith stressed that the Farmland trust study is not 'anti-development', but rather, 'pro-agricultural'. Ken discussed the uneven collection of impact fees, and the fact that there needs to be some way to address these inequities, and to ensure that development is paying appropriate fees. Ken would like for the group to consider such issues, and make some sort of recommendation to the BOCC on this issue. He is concerned that property tax increases are not viable ways to fund these issues. Ted brought up the fact that people may end up seeing a reduction in services, and that they will have to accept that possibility. Ken is concerned that people don't understand that by not backing other funding venues, they are by default voting for lower level of services.

Keith brought up the fact that services are not guaranteed in all instances. Heidi discussed the mining industry, and the new demands for services on roads such as the Camp Bird. If industry is accommodated, but not the residential community, that will create some huge issues. Ken asked that the BOCC ask the County attorney to look at what sort of impact fees can be assessed by the county. Ted and Don both felt that because it is more of a policy decision as to where to go with this, then the attorney can only help to a certain extent, beyond that it is up to the BOCC. Ken just wanted to give the BOCC as much help as possible in that discussion. Ted brought up the fact that impact fees are designed to maintain services, and perhaps the discussion needs to focus more on the concept of service levels, and whether or not the County needs or wants to maintain current service levels. Ken stressed the importance of understanding the true cost of services, and the concept of charging fees appropriate to cover such costs. The BOCC will have the County Attorney at the next meeting to have a discussion on this issue. Ted stated that it is clear that other areas are experiencing the same thing; the problem is certainly there. It would appear to be a fact of life, but he does not see where this group will be able to solve these issues any differently than other areas have been able to do. Chris Pike discussed the fact that impact fees do not address ongoing maintenance, merely the initial impact.

Ted stressed the fact that while government has tried to take on additional services and tasks, and perhaps it should be looking at what it should or should not be providing. Karen suggested that the group look at what services are mandated, versus what services are optional. Heidi discussed how difficult it can be for the County to turn down public requests, and that the BOCC always errs on the side of trying to accommodate the public and the community's needs. Perhaps the county needs to better articulate what it can and cannot do so that the public can better appreciate and understand what should fall under the County's purview. Sara stressed that the level of expectations are very high in terms of what the public thinks their government ought to be doing. She agreed that there should be better communication of what is and is not feasible. She suggested that if the facts were out there, than the public would be able to effectively lower expectations to a more realistic level.

Don handed out a white paper on the RPI findings, which discussed the anomalies in the study, and the relative affects of each of them. He concurred that "while the study group has determined that although the conclusions of the RPI study may not be completely accurate in terms of quantities, the trend of an overall decrease in the level of services is indeed accurate. He added a couple of recommendations just to get people's attention, and get some dialogue going. Discussion ensued as to the lowering of County service levels, and the concept of focusing development along established corridors. Given the funding realities that the County is facing, there needs to be some significant education and discussion with the community at large. Some of Don's suggestions are controversial, but would perhaps encourage participation and dialogue. While some of the suggestions are not currently allowed by either the LUC or the IGA's, they are good starting points for dialogue that may lead to ideas from 'outside the box'. It was agreed that these points would be discussed, and fully vetted, but not necessarily included into a final recommendation. Ted asked if it was possible to have a different impact fee for

different areas of the County. Don explained his idea of a distance-based impact fee. John stressed that the more data that you have to back an idea like that, the more likely it is to be successful. He agreed that we should be looking at such things. Ted discussed the clustering scenario, and the fact there are so many good things about that scenario, he has some ideas that he would like to put out there in terms of the clustering scenario.

Keith understood that this study team and the two studies were intended to provide a resource to the BOCC, not to be a policy-discussion think-tank. He wondered if the group should be going in that direction. Ken suggested that the group should be making recommendations to the BOCC regarding the need for specific policy discussions, without making specific policy recommendations. Sara discussed tradeoffs. People need to make some choices as to what they are willing to pay, and then to expect in terms of values and services. Sara suggested pulling it into the master plan, and evaluating whether or not that document is still valid. Some things are much more easily preserved than other things. The master plan was discussed, and incentives for clustering, and other concepts.

The status of the Theobald visit was discussed. Sara went over the new plan that Theobald had submitted. The impact of development on the mining claims was discussed, and it is clear that it is potentially a very significant impact. The group has not yet had time to digest the revised study, Ken recommended tabling the discussion to a later date. Pinning down a specific date has been a challenge so far. Sara will go back to e-mail to see what can be worked out. The group agreed to meet on the 16th to discuss the various items in the action items. Ken suggested that the group wait until after the meeting on the 16th to decide whether or not to pursue having Theobald visit in person.

The final report and public meetings were discussed. Ken suggested that he would like to skip the interim report to the public if the BOCC would allow that. He also felt that by the end of August, members of the group needed to begin writing the final report. He felt that the effort would be better spent on the final report. Don suggested that the BOCC interpret the resolution to acknowledge the current publicly noticed meetings as satisfying the initial public meeting. The BOCC members agreed. There will be a final report, and the anticipation is that it will take place in early fall as planned. Ken suggested that a couple members of the group should commit to meeting in order to begin working on the final draft of the report sometime at the end of August. Ken thought that around the first of October would be a good target date for the final report. He also suggested that the final presentation be as well noticed as possible. It is a very good opportunity to involve the public. Keith suggested that the group wait until the first draft of the final report is presented to discuss the format of the final. If the report lends itself to doing so, he would like to see the report out there in the public for a period in order for the public to have time to digest the material. Sara asked that the overlays and charts be included into the first draft so that it can be discussed prior to the final recommendation.

ACTION ITEMS:

1. The BOCC will ask the County Attorney to attend the next meeting to discuss the topic of impact fees, and what may or may not be possible or practical to implement.
2. The group will have a discussion at the next meeting on the Clustering scenarios; members should come prepared to participate.
3. The group will discuss the July 2008 revision of the scenarios and indicators at the next meeting.

The next meeting will be on July 16th, at 4pm at the Ouray County Land Use Facility.