



Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Mary Hodge - District #5

**STUDY SESSION AGENDA
TUESDAY
July 23, 2019**

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

10:00 A.M.	ATTENDEE(S):	Zoe Ocampo / Adams County Cultural Council Members
	ITEM:	SCFD Funding Allocation
10:30 A.M.	ATTENDEE(S):	Alisha Reis / Ben Dahlman / Terri Lutt
	ITEM:	457(b) Plan
11:00 A.M.	ATTENDEE(S):	Monica Broncucia-Jordan / Sherronda Appleberry
	ITEM:	Coroner Building Update
11:30 A.M.	ATTENDEE(S):	Mike Holub / Sean Braden
	ITEM:	Capital Project Cost Escalations
12:00 P.M.	ATTENDEE(S):	Jill Jennings Golich / Andrea Berg / Brandan Slattery / Christy Fitch
	ITEM:	New Marijuana Legislation Update
12:30 P.M.	ATTENDEE(S):	Jill Jennings Golich / Jen Rutter / Katie Keefe / Keith Huck / Christy Fitch
	ITEM:	Oil and Gas Regulation Amendments
12:30 P.M.	ATTENDEE(S):	Raymond Gonzales
	ITEM:	Administrative Item Review / Commissioners Communication

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

AGENDA IS SUBJECT TO CHANGE



STUDY SESSION AGENDA ITEM

DATE: July 23, 2019
SUBJECT: Scientific and Cultural Facilities District (SCFD) Funding Allocation for 2019-20
FROM: Bryon Fanning Zoe Ocampo
AGENCY/DEPARTMENT: Parks, Open Space and Cultural Arts
ATTENDEES: Adams County Cultural Council (ACCC)
PURPOSE OF ITEM: To provide the funding recommendations to the Board of County Commissioners
STAFF RECOMMENDATION: To fund the SCFD funding allocation for 2019-20 as requested by the Adams County Cultural Council

BACKGROUND:

SCFD has distributed funds from a 1/10 of 1% sales and use tax to qualified cultural organizations throughout the seven-county Denver, Colorado metropolitan area. The funds support cultural facilities whose primary purpose is to enlighten and entertain the public through the production, presentation, exhibition, advancement and preservation of art, music, theatre, dance, zoology, botany, natural history and cultural history.

ACCC interviews and evaluates the qualified organizations each year to provide the recommendations to the Board of County Commissioners on how to distribute the 2019-20 SCFD allocation. The SCFD district board provided Adams County with \$1,757,482.19 for the 2019-20 funding allocation. ACCC provided funding to 107 projects, 4 visual art projects, and fund 19 general operating support organizations within Adams County.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

None

ATTACHED DOCUMENTS:

SCFD Funding Allocations 2019-20
Power Point on SCFD Allocation and Funding for 2019-20

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:**Cost Center:**

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note:

SCFD provides all the funding through the 1/10 of 1% sales tax revenue each year.

APPROVAL SIGNATURES:



Raymond E. Gonzales, County Manager

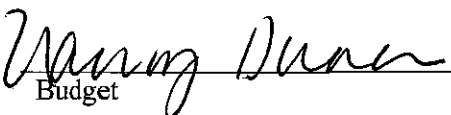
Alisha Reis, Deputy County Manager



Bryan Ostler, Deputy County Manager

Chris Kline, Deputy County Manager

APPROVAL OF FISCAL IMPACT:



Budget

SCFD Allocation and Funding for 2019 - 2020

Adams County Cultural Council
And
Parks, Open Space and Cultural Arts



2019-20 SCFD Funding Allocation

- \$1,757,482.19 allocated for Adams County
 - \$321,905.01 increase from last year
- 110 projects submitted by 77 Organizations
- 4 Visual Arts projects submitted
- 19 Organizations for General Operating Support

General Operating Support

- 19 GOS request – Adams County Only
- Funding guidelines – 18% funding awarded based on amount raised
 - A Child's Song
 - Adams County Historical Society
 - Adams County Visual Arts Commission
 - Brightonmusic Choir and Orchestra
 - Colorado Educational Theatre
 - Commerce City Cultural Council
 - Inside the Orchestra
 - Kim Robards Dance
 - Life/Art Dance Ensemble
 - Northglenn Arts and Humanities
 - Northland Fine Arts
 - Paletteers Art Club
 - Platte Valley Players
 - South Westminster Arts Group
 - Thornton Arts, Sciences and Humanities
 - Thornton Community Band
 - Thornton Community Chorus
 - Westminster Area Historical and Museum Society
 - Westminster Community Artist Series
- Total amount awarded to GOS
\$220,001.72

Visual Arts Program

- 4 project request - Adams County Only
- Funding guidelines
 - Brighton Cultural Arts Commission at \$21,950.00
 - Sculpture Walk/Art on Loan
 - Commerce City Cultural Council at \$14,323.00
 - The Path to Vitality
 - Northglenn Arts & Humanities Foundation at \$100,000.00
 - Parsons Theatre Lobby Sculpture Project
 - Thornton Arts, Science and Humanities \$34,500
 - Outside the Box: Traffic Mural
- Total amount awarded to Visual Art
 - \$170,773.00

Small Program Funding

- 29 project requests
- Funding guidelines
 - Superior, 10 projects totaling \$38,704
 - Excellent, 12 projects totaling \$25,897.21
 - Good, 6 projects totaling \$13,044.85
 - 1 No fund project request
 - South Westminster Arts Group
- Total amount awarded to Small Programs
 - \$77,646.06

Large Programs

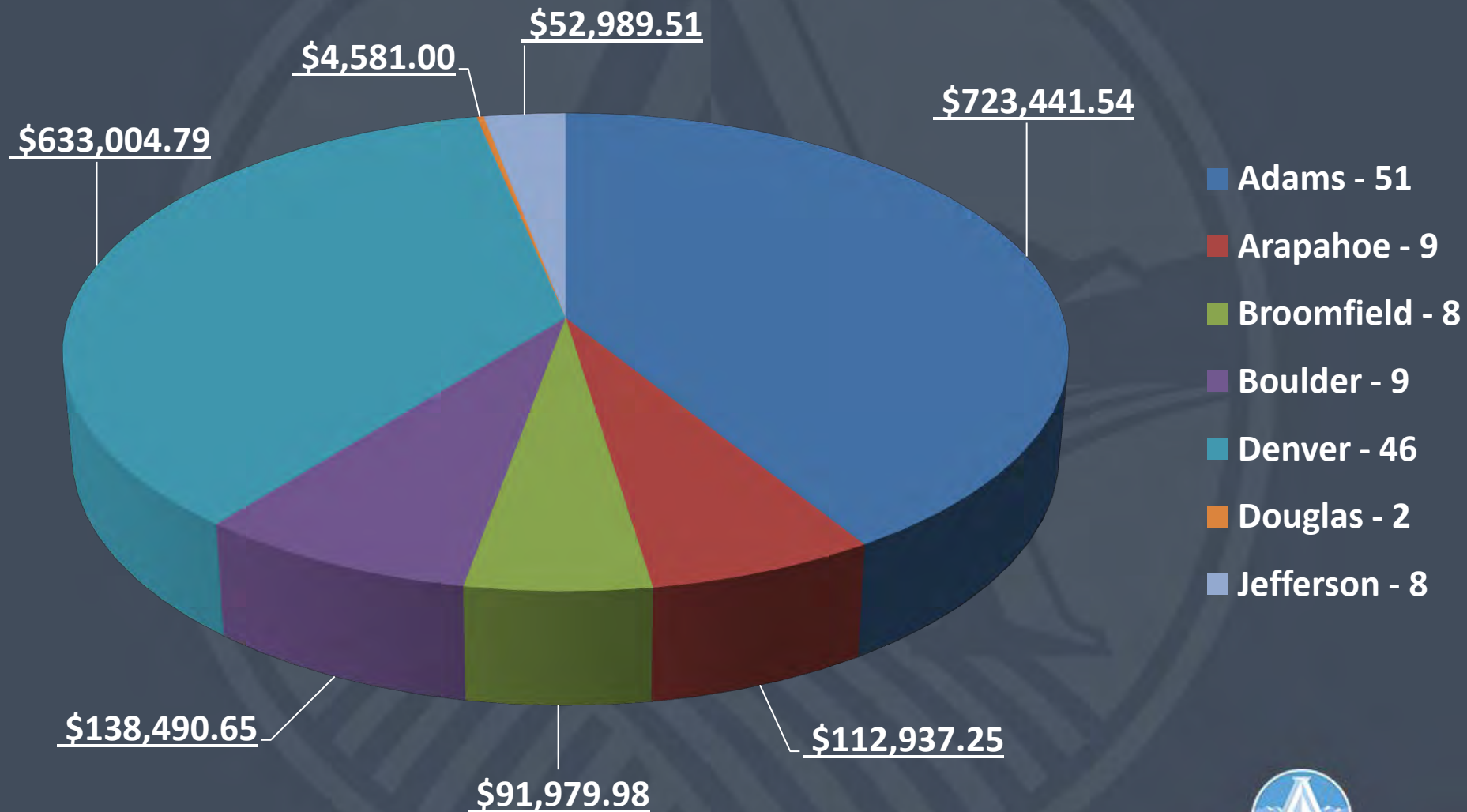
- 81 project request
- Funding guidelines
 - Superior, 10 projects totaling \$345,087.31
 - Excellent, 24 projects totaling \$286,386.60
 - Enterprising, 24 projects totaling \$343,068.05
 - Good, 21 projects totaling \$314,461.99
 - 1 Not funded
 - Colorado United Irish Societies, Inc
 - 1 Pulled Request
 - Control Group Productions

Total amount awarded to Large Programs

•\$1,289,003.95



SCFD 2019-20 Funding Recommendations by County



Staff and Council recommendation

Amount awarded

- GOS - \$220,001.72
- Visual Arts - \$170,773.00
- Small program - \$77,646.06
- Large program - \$1,289,003.94
- Carrying over \$57.46 for 2020-21

Questions



ADAMS COUNTY
COLORADO

SCFD 2019 Tier III Funding Plan - Adams County

<i>From District Office</i>		
	Previously Committed Funds	Available for 2019 Distribution
2019 Funds Available		\$ 1,749,855.98
Uncommitted/Returned Funds from Previous Years		\$ 7,626.21
Committed Visual Arts Yet To Be Distributed:		
Adams County Visual Arts Commission (Human Service Building)	\$ 25,650.00	
Commerce City Cultural Council (Rec Center)	\$ 12,566.00	
Commerce City Cultural Council (Public Art for Fronterra Park)	\$ 7,500.00	
Northglenn Arts and Humanities Foundation (Arts on Parade 2017)	\$ 3,086.88	
Northglenn Arts and Humanities Foundation (Arts on Parade 2018)	\$ 5,051.25	
Northglenn Arts and Humanities Foundaiton (Arts on Parade 2019)	\$ 5,612.50	
South Westminster Arts Group (Sculpture on 73rd 2016)	\$ 1,125.00	
South Westminster Arts Group (Sculpture on 73rd 2017)	\$ 725.00	
South Westminster Arts Group (Sculpture on 73rd 2018)	\$ 562.50	
Thornton Arts, Sciences, and Humanities Council (Outside the Box: Traffic Box Mural Project)	\$ 8,456.25	
Total Available from District Office	\$ 70,335.38	\$ 1,757,482.19

Organization	General Operating Support	Recommended
A Child's Song	GOS	\$ 30,000.00
Adams County Historical Society	GOS	\$ 20,656.20
Adams County Visual Arts Commission	GOS	\$ 30,000.00
Brighton Cultural Arts Commission	GOS	\$ -
Brightonmusic Choir and Orchestra Inc.	GOS	\$ 2,065.50
Colorado Educational Theatre	GOS	\$ 3,006.29
Commerce City Cultural Council	GOS	\$ 5,445.73
Inside the Orchestra	GOS	\$ 30,000.00
Kim Robards Dance, Inc.	GOS	\$ 30,000.00
Life/Art Dance Ensemble	GOS	\$ 2,357.79
Northglenn Arts and Humanities Foundation	GOS	\$ 30,000.00
Northland Fine Arts Association	GOS	\$ 3,263.34
Paletteers Art Club	GOS	\$ 981.12
Platte Valley Players	GOS	\$ 6,808.34
South Westminster Arts Group	GOS	\$ 3,576.87
Thornton Arts, Sciences and Humanities Council	GOS	\$ 7,981.92
Thornton Community Band	GOS	\$ 4,015.26
Thornton Community Chorus	GOS	\$ 1,062.18
Westminster Area Historical And Museum Society	GOS	\$ 1,111.67
Westminster Community Artist Series	GOS	\$ 7,669.52
	GOS TOTAL	\$ 220,001.72

Organization	Project	Requested	Recommended
A Child's Song	Musical Experiences for Educational Achievement (MEEA)	\$ 25,000.00	\$ 19,500.00
A Child's Song	Reach and Teach (R&T)	\$ 15,000.00	\$ 12,150.00
Adams County Historical Society	School & Organized Youth Heritage Tours	\$ 8,775.00	\$ 7,634.25
Adams County Historical Society	Historic Holidays	\$ 28,000.00	\$ 24,360.00
Art as Action	Reconnect with your Body	\$ 1,100.00	\$ 1,001.00
Art from Ashes Inc	Creative Youth Empowerment Program Through Poetry and Art	\$ 15,500.00	\$ 13,485.00
Augustana Arts Inc	City Strings and Stratus in Adams County	\$ 20,000.00	\$ 16,200.00
Aurora Symphony Orchestra	Three (3) Free Bi-lingual Family & Children's Concerts	\$ 10,000.00	\$ 8,700.00
Aurora Symphony Orchestra	Ode to Joy!	\$ 7,500.00	\$ 6,525.00

BackStory Theatre	Theatre Education for Gifted & Talented Youth	\$ 550.00	\$ 517.00
Ballet Ariel	Sleeping Beauty Prologue and Peter and the Wolf	\$ 5,000.00	\$ 3,900.00
Ballet Ariel	Mother Goose Fairy Tales	\$ 2,000.00	\$ 1,560.00
Bluff Lake Nature Center	Elementary STEM Education Programs	\$ 23,500.00	\$ 21,150.00
Boulder Ballet	Educational Outreach	\$ 7,500.00	\$ 6,075.00
Boulder Museum of Contemporary Art	Contemporary Classroom	\$ 27,000.00	\$ 23,490.00
Boulder Museum of Contemporary Art	Art Stop on the Go	\$ 12,000.00	\$ 10,440.00
Boulder Philharmonic Orchestra	Boulder Phil at Pinnacle Arts Center	\$ 70,000.00	\$ 54,600.00
Boulder Philharmonic Orchestra	2019-2020 Discovery Concert Education Program	\$ 9,500.00	\$ 7,410.00
Brighton Cultural Arts Commission	Sights and Sounds 2020	\$ 90,856.80	\$ 73,594.01
Brighton Cultural Arts Commission	Brighton Bee Skep	\$ 5,700.00	\$ 5,700.00
Brightonmusic Choir and Orchestra Inc.	Brightonmusic 2020 Concert Season	\$ 6,276.00	\$ 5,083.56
Brightonmusic Choir and Orchestra Inc.	Homespun - A Local Celebration	\$ 2,015.00	\$ 1,894.10
Celebrate the Beat	Celebrate the Beat-Adams County Performance and Program Project	\$ 20,000.00	\$ 15,600.00
Colorado Celebration of African American Arts and Culture	History of African American Music	\$ 4,395.00	\$ 4,395.00
Colorado Celebration of African American Arts and Culture	Colorado Black Arts Festival	\$ 9,800.00	\$ 8,820.00
Colorado Chamber Players	Incessant Hum in Adams County: Beethoven 2020	\$ 3,000.00	\$ 3,000.00
Colorado Chamber Players	Border Crossings in Adams County	\$ 2,000.00	\$ 2,000.00
Colorado Conservatory of Dance	Colorado Conservatory of Dance Adams County Community Education	\$ 24,270.00	\$ 18,930.60
Colorado Conservatory of Dance	Colorado Conservatory of Dance Performance Series at Pinnacle	\$ 60,000.00	\$ 46,800.00
Colorado Educational Theatre	Theatre in the Schools 2020	\$ 20,000.00	\$ 15,600.00
Colorado Fine Arts Association	A Showcase of South Asian Classical Dance in the USA - Small Project	\$ 10,000.00	\$ 8,100.00
Colorado Fine Arts Association	Eastern Classical Music Project - Large Project	\$ 17,000.00	\$ 13,260.00
Colorado Hebrew Chorale	Colorado Hebrew Chorale Outreach Project	\$ 1,000.00	\$ 940.00
Colorado Repertory Singers	Missa in Angustiis ("Lord Nelson Mass") Franz Joseph Hayden Education	\$ 2,000.00	\$ 1,560.00
Colorado United Irish Societies, Inc.	Irish in Latin America Exhibit	\$ 8,000.00	\$ -
Colorado Youth Symphony Orchestras	Pinnacle Charter School Concert	\$ 10,000.00	\$ 8,700.00
Colorado Youth Symphony Orchestras	CYSO Guitar Outreach	\$ 6,480.00	\$ 5,637.60
Commerce City Cultural Council	Commerce City Cultural Council Adult Art Show	\$ 1,650.00	\$ 1,501.50
Commerce City Cultural Council	Music in the Park	\$ 4,000.00	\$ 3,240.00
Community Minded Dance	CMD 2020 Vintage Dance and Music Showcase	\$ 9,950.00	\$ 7,761.00
Community Minded Dance	Rocky Mountain Balboa Blowout	\$ 24,000.00	\$ 18,720.00
Control Group Productions	THE END (Adams County)	\$ 10,000.00	\$ 8,100.00
Control Group Productions	Sempervirens - a dance and science experiment by Observer Collective	\$ 9,700.00	\$ -
Curious Theatre Company	The Thanksgiving Play by Larissa FastHorse: An Eye-Opening Satire	\$ 5,000.00	\$ 3,900.00
David Taylor's Zikr Dance Ensemble	Lifting the Veil	\$ 4,500.00	\$ 3,645.00
Denver Firefighters Museum	Fire Safety for All	\$ 6,500.00	\$ 5,070.00
Denver Municipal Band	Educational Services & Public Concert	\$ 6,500.00	\$ 5,655.00
Denver Municipal Band	Westminster Latino Festival	\$ 2,600.00	\$ 2,600.00
Denver Urban Gardens	Community Gardening and Horticultural Education in Adams County	\$ 45,000.00	\$ 36,450.00
Downtown Aurora Visual Arts	DAVA Young Artists: Taking Flight	\$ 50,000.00	\$ 45,000.00
Downtown Aurora Visual Arts	DAVA Outreach	\$ 18,000.00	\$ 14,580.00
Dragon 5280	Cultural Edutainment Programs	\$ 13,180.34	\$ 11,862.31
Environmental Learning for Kids (ELK)	Commerce City Youth Naturally	\$ 25,000.00	\$ 21,750.00
Fiesta Colorado Inc.	El Dia de Los Muertos	\$ 3,000.00	\$ 2,820.00
Fiesta Colorado Inc.	Fiesta Colorado Celebration	\$ 3,000.00	\$ 2,820.00
Flamenco Fantasy Theatre, Incorporated	Flamenco Fantasy Dance Theater	\$ 3,000.00	\$ 2,820.00
Four Mile Historic Park	Field Trips for Adams County Schools	\$ 27,386.40	\$ 21,361.39
Four Mile Historic Park	The Outreach Impact Project	\$ 18,135.00	\$ 14,145.30
Friends of Dinosaur Ridge	Educational Programs at Dinosaur Ridge	\$ 30,088.00	\$ 24,371.28
Golden Eagle Concert Band	Concerts in Adams County	\$ 1,038.22	\$ 975.93
Grand Design, Inc.	Sing, Step, Dance and Act Program	\$ 9,000.00	\$ 7,830.00
Historic Denver/ Molly Brown House Museum	Education Programs to Adams County Learners	\$ 3,750.00	\$ 3,750.00
Inside the Orchestra	Inside the Orchestra for Schools and Families	\$ 10,000.00	\$ 8,100.00
Inside the Orchestra	Tiny Tots	\$ 10,000.00	\$ 8,700.00
Kim Robards Dance, Inc.	An Ode To Joy	\$ 25,000.00	\$ 20,250.00
Life/Art Dance Ensemble	The Dance Suites	\$ 2,200.00	\$ 2,068.00
Mirror Image	Your Voice	\$ 13,000.00	\$ 10,530.00
Museo de las Americas	Exhibit & Education Programs	\$ 26,000.00	\$ 20,280.00
New Dance Theatre, Inc.	CPRDE Performances	\$ 45,000.00	\$ 40,500.00

New Dance Theatre, Inc.	Arts-in-Education	\$ 47,000.00	\$ 40,890.00
Northglenn Arts and Humanities Foundation	Performance Theatre	\$ 51,250.00	\$ 46,125.00
Northglenn Arts and Humanities Foundation	Summer Concert and Movie Series	\$ 11,000.00	\$ 9,900.00
Northland Fine Arts Association	50th Anniversary Show!	\$ 7,950.00	\$ 6,916.50
Northland Fine Arts Association	A Spooky Halloween!	\$ 7,500.00	\$ 6,075.00
Paideia School	Adams City High School Project	\$ 2,500.00	\$ 2,350.00
Paletteers Art Club	Art From the Heart Show	\$ 3,600.00	\$ 3,276.00
Paletteers Art Club	North Metro Artists Studio Tour	\$ 4,200.00	\$ 3,822.00
Phamaly Theatre Company	Phamaly Theatre Company Video Series	\$ 19,800.00	\$ 15,444.00
Platte Valley Players	Urinetown The Musical	\$ 7,500.00	\$ 6,525.00
Platte Valley Players	The Importance of Being Earnest	\$ 6,700.00	\$ 6,030.00
PlatteForum	ArtLab: Arts-education programming for under-resourced high youth	\$ 5,896.00	\$ 5,896.00
RedLine	RedLine/Anythink Libraries Collaborative Programming	\$ 3,120.00	\$ 2,932.80
Rocky Mountain Arts Association	The Denver Women's Chorus Presents "Make Them Hear You 2020"	\$ 4,200.00	\$ 3,948.00
Rocky Mountain Arts Association	The Denver Gay Men's Chorus 2020 Spring Concert	\$ 4,500.00	\$ 3,645.00
Rocky Mountain Brassworks-A British Brass Band	Joint Concerts with school bands.	\$ 1,927.00	\$ 1,811.38
South Westminster Arts Group	Free Children's Art Clinic	\$ 896.00	\$ -
St. Andrew Society of Colorado	Colorado Scottish Festival	\$ 1,200.00	\$ 936.00
Stories on Stage	Stories on Stage Season Programming & "Cuentame un Cuentito"	\$ 6,000.00	\$ 4,860.00
Su Teatro	War of the Flowers: Tercera Parte	\$ 19,000.00	\$ 15,390.00
Su Teatro	Education Outreach	\$ 10,000.00	\$ 8,100.00
Tesoro Foundation	19th Annual Indian Market and Powwow	\$ 7,000.00	\$ 6,090.00
Tesoro Foundation	1840s Rendezvous and Spanish Colonial Art Market	\$ 5,000.00	\$ 4,050.00
The Denver Brass, Inc.	Denver Brass Reaching Out	\$ 15,000.00	\$ 13,050.00
The Urban Farm at Stapleton	Aurora Public Schools After-School and Summer Programs	\$ 10,415.00	\$ 8,123.70
Think 360 Arts for Learning	Arts for All: Schools, Communities and Beyond	\$ 20,000.00	\$ 16,200.00
Thorne Ecological Institute	Thorne Nature Experience - In-School Program	\$ 13,435.00	\$ 11,688.45
Thornton Arts, Sciences and Humanities Council	Acoustic Tuesdays	\$ 4,700.00	\$ 4,700.00
Thornton Arts, Sciences and Humanities Council	The Beat Goes On	\$ 17,435.00	\$ 15,168.45
Vintage Theatre Productions, Inc	Bennett County Performances	\$ 4,450.00	\$ 3,871.50
Vintage Theatre Productions, Inc	Engaging Adams County-Arts Pass	\$ 20,000.00	\$ 16,200.00
Westminster Area Historical And Museum Society	Hometown Christmas- Victorian Open House	\$ 2,600.00	\$ 2,366.00
Westminster Area Historical And Museum Society	Vintage Baseball & Ice Cream Social	\$ 1,185.00	\$ 1,078.35
Westminster Community Artist Series	Education in the Arts	\$ 15,550.00	\$ 13,528.50
Westminster Community Artist Series	Arts in the Community	\$ 11,880.00	\$ 10,335.60
Wonderbound	Adams County 2019-20 Performance Series	\$ 136,000.00	\$ 122,400.00
Wonderbound	Adams County 2019-20 Community Education Programs	\$ 37,000.00	\$ 33,300.00
WOW! Children's Museum World of Wonder LTD	WOW! Children's Museum Serving Adams County Residents	\$ 22,320.00	\$ 18,079.20
WOW! Children's Museum World of Wonder LTD	Adams County Education Outreach Programs for Low-income Students	\$ 1,848.00	\$ 1,848.00
YOUNG VOICES OF COLORADO	East Adams County PrairieVoices	\$ 4,815.00	\$ 4,815.00
YOUNG VOICES OF COLORADO	West Adams County WinterSong	\$ 6,225.00	\$ 5,415.75
	PROJECT TOTAL	\$ 1,638,492.76	\$ 1,366,650.00

Organization	Visual Art	Requested	Recommended	75% Disbursed Oct 2019	25% Disbursed Upon Completion
Brighton Cultural Arts Commission	Sculpture Walk/Art on Loan	\$ 21,950.00	\$ 21,950.00	\$ 16,462.50	\$ 5,487.50
Commerce City Cultural Council	The Path to Vitality	\$ 14,323.00	\$ 14,323.00	\$ 10,742.25	\$ 3,580.75
Northglenn Arts and Humanities Foundation	Parsons TheatreLobby Sculpture Project	\$ 100,000.00	\$ 100,000.00	\$ 75,000.00	\$ 25,000.00
Thornton Arts, Sciences and Humanities Council	Outside the Box:Traffic Box Mural Project	\$ 34,500.00	\$ 34,500.00	\$ 25,875.00	\$ 8,625.00
	TOTAL VISUAL ART	\$ 170,773.00	\$ 170,773.00	\$ 128,079.75	\$ 42,693.25

Adams County Requests		Adams County Allocation		Recommended for Future Disbursement
GOS	\$ 220,001.72	GOS	\$ 220,001.72	
Project	\$ 1,638,492.76	Project	\$ 1,366,650.00	
Visual Art	\$ 170,773.00	Visual Art	\$ 170,773.00	\$ 42,693.25
TOTAL REQUESTED/ RECOMMENDED	\$ 2,029,267.48		\$ 1,757,424.73	



STUDY SESSION AGENDA ITEM

DATE:	July 23, 2019
SUBJECT:	Adams County 457(b) Deferred Compensation Plan
FROM:	Ben Dahlman, Chair, Alisha Reis, Vice Chair, Terri Lauth, Secretary
AGENCY/DEPARTMENT:	Finance
ATTENDEES:	Ben Dahlman, Finance Director, Alisha Reis, Deputy County Manager, Terri Lauth, People & Culture Director
PURPOSE OF ITEM:	Adopt New Bylaws, Approve Investment Policy Statement, Review & Recommend Investment Menu Options for the Adams County 457(b) Deferred Compensation Plan
STAFF RECOMMENDATION:	Adopt New Bylaws, Approve Investment Policy Statement, Review & Recommend Investment Menu Options for the Adams County 457(b) Deferred Compensation Plan

BACKGROUND:

The Plan permits eligible employees of Adams County to defer a portion of their compensation in order to provide for themselves and their beneficiaries supplemental retirement and death benefits.

The Plan is intended to meet the requirements for an eligible deferred compensation plan under the IRS Code section 457(b). The benefit under the Plan shall at all times be limited to the payable from each participant's individual investment accounts not from Adams County. This is a voluntary deferred compensation plan separate from the Adams County Retirement Plan that is our Defined Benefit Pension Plan.

The Plan Advisory Committee (PAC) reviewed the current Bylaws, Investment Policy Statement and the Investment Menu Design. The PAC is recommending changes and BOCC adoption of those changes.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Finance
County Manager
People & Culture

ATTACHED DOCUMENTS:

Adams County 457(b) Deferred Compensation Plan Power Point
Investment Policy Statement
Committee Bylaws

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:**Cost Center:**

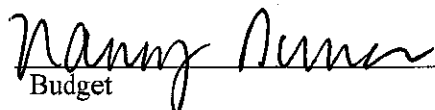
	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note:**APPROVAL SIGNATURES:**

Raymond H. Gonzales, County Manager_____
Alisha Reis, Deputy County Manager_____
Bryan Ostler, Deputy County Manager_____
Chris Kline, Deputy County Manager**APPROVAL OF FISCAL IMPACT:**

Budget

Adams County 457(b) Deferred Compensation Plan

UPDATES AND RECOMMENDATIONS FROM THE PLAN ADVISORY
COMMITTEE

JULY 23, 2019



Agenda

Review of Plan and purpose

Bylaws - recommended revisions

Investment Policy Statement

Investment fund menu and line up

- Recommended investment structure
- Recommended investment options
- Recommended money manager changes

RFP update and next steps

Deferred Compensation Plan 457(b)

The Plan permits eligible employees of Adams County to defer a portion of their compensation in order to provide for themselves and their beneficiaries supplemental retirement and death benefits.

The Plan is intended to meet the requirements for an eligible deferred compensation plan under the IRS Code section 457(b). The benefit under the Plan shall at all times be limited to those payable from each participant's individual investment accounts not from Adams County.

This is a voluntary deferred compensation plan separate from the Adams County Retirement Plan that is our Defined Benefit Pension Plan.

Plan Advisory Committee (PAC)

Ben Dahlman, Chair

Alisha Reis, Vice Chair

Terri Lautt, Secretary

Bylaws

The Plan Advisory Committee (PAC) reviewed the current Bylaws and is recommending changes and BOCC adoption:

- Cleaned up terminology and defined terms such as “Ex-Officio”, Plan, Member and added the ability to have certain staff cover certain tasks such as coordinating meetings and taking minutes
- Changed Human Resources to People Services
- Adding up to two additional members recommended by the County Manager and appointed by the BOCC
- Other small clarifications (see proposed Bylaws document in the packet)

Recommend adoption by the BOCC via resolution in Public Hearing in August

Investment Policy Statement

The purpose of an Investment Policy Statement (IPS) is intended to assist the PAC in effectively supervising, monitoring and evaluating the investment options to be made available to Plan participants and set forth responsibilities with respect to the investment program for the Plan. The investment program in the IPS includes:

- PAC's expectations, objectives, and guidelines with respect to the investment of Plan assets
- Guidelines for assembling various investment options into an overall structure that includes various asset classes, investment management styles and model portfolios so that allows a participant to achieve a sufficient level of diversification
- A formalized criteria to monitor, evaluate and compare performance results achieved by the fund managers on a regular basis and a method by which changes are made
- Outlining fiduciary responsibility, prudence and due diligence requirements that experienced fund managers and other fiduciaries would utilize in managing and overseeing retirement Plan assets

Investment Policy Statement

The overall objective of this policy is to establish an investment structure that will meet a broad range and diverse set of current and projected financial needs of the Plan participants. Within this overall objective, the Plan Advisory Committee has identified the following additional objectives:

To design a prudent process for vendor selection following Adams County's Purchasing Policies and Procedures and ongoing monitoring.

To maintain flexibility in meeting the future needs of the participants.

To maximize return within reasonable and prudent levels of risk by providing investment options which that cover a broad range of risk and return characteristics.

To control costs of the administration and investments of the Plan.

To undertake all transactions solely in the interest of the participants and beneficiaries.

To enable participants to exercise investment control over their individual investments.

To make investment education available to participants.

In general, the IPS' reflect current and foreseeable economic and market conditions, as well as applicable accounting and statutory requirements. It is intended that this IPS be reviewed periodically and updated as necessary and made available to participants upon request. It is not expected that the IPS will change frequently. In particular, short term changes in the financial markets should not require adjustments to the IPS.

Investment Policy Statement

Responsibilities of PAC and BOCC

- The PAC acts in an advisory capacity for the BOCC who remain fiduciarily responsible and aids in providing the investment framework and monitoring the investment management of the Plan. The PAC is authorized to delegate certain responsibilities to professional experts in various fields including, but not be limited to:
 - Investment Management Consultant, Fund and Fund Managers, Third Party Administrator (TPA)/Recordkeeper/Administrative Services Provider, Custodian Bank, Additional Specialists as needed (for example: attorney's, auditors, actuaries)

Responsibilities of Participants

- The Plan grants to each participant the right and responsibility to choose how his/her account is to be allocated among the investment options. Each participant is responsible to seek education and training to be prepared to select a combination of investment options based on the participant's unique time horizon, risk tolerance, return expectation and asset class preferences.

Conflicts of Interest

- All PAC members and the investment management consultant will refrain from business activity that could create the appearance of impropriety that could conflict with the proper execution and management of the Plan program or could impair the ability to make impartial Plan decisions.

Investment Policy Statement

Investment Policies and Guidelines

- Asset Classes and Investment Style Groups
- Self-Directed Brokerage Accounts
- Performance Expectations
- Selection of Fund Managers and Options
- Ongoing Review
 - Performance Objectives and Review
 - Monitoring and Selecting Target-Date Retirement Portfolios

Investment Policy Statement

Fee Policies and Guidelines

- Monitoring Costs
 - Fund Managers, Investment Management Consultant, Custodian Bank, Record Keeper/Third Party Administrator/Administrative Services Provider
- Plan Fees Overview
 - The PAC and the BOCC acknowledge that any decision to have Plan fees paid from Plan assets constitutes a fiduciary action
 - Fees need to be reasonable and transparent
 - The PAC will retain the discretion and authority to determine the manner in which plan fees will be paid, including the extent to which the County will subsidize the cost of the Plan by directly paying Plan expenses and/or the extent to which Plan expenses will be paid from the Plan participant accounts.
- Fee Benchmarking
 - The PAC is obligated to determine the reasonableness of the Plan fees incurred by participants in the Plan in relationship to the services received by the Plan. Accordingly the PAC will periodically conduct a fee benchmarking analysis.

Recommended Investment Menu Design

Best Practices in Investment Menu Design include:

- A balanced, well-diversified choice of available investments
- Maintaining sensitivity to highly utilized investment options
- Implement with low cost investment alternative where fees are reasonable
- Simplify where possible

Streamlined (Best Practice) Investment Menu Design

TIER 1

Target Date/Model Portfolios		
Target Date Suite (Income-2065)/Risk-Based Models (Conservative, Moderate, Aggressive)		

TIER 2

Fixed Income	
Core Fixed Income (Active)	Core Fixed Income (Passive)

Stable Value
Stable Value

	Domestic Equity		
	Value	Core	Growth
	Large Cap Value (Active)	Large Cap Core (Passive)	Large Cap Growth (Active)
	Mid Cap Value (Active)	Mid Cap Core (Passive)	Mid Cap Growth (Active)
Small	Small Cap Value (Active)	Small Cap Core (Passive)	Small Cap Growth (Active)

International Equity		
Value	Core	Growth
International Value (Active)	International Core (Passive)	International Growth (Active)

TIER 3

 If requested

Brokerage Window
Self-Directed Brokerage Window

Current Investment Menu

TIER 1

Menu Coverage

Target Date

Nationwide Destination Target Date Series (2015-2060) 2.81%

Balanced/Models

Fidelity Puritan 2.15%

Nationwide Investor Destinations Aggressive 2.33%

Nationwide Investor Destinations Mod Aggr 3.22%

Nationwide Investor Destinations Moderate 4.05%

Nationwide Investor Destinations Mod Cnsvr 1.24%

Nationwide Investor Destinations Conservative 0.34%

Domestic Equity

Value

Core

Growth

Large

Mid

Small

American Century Val 2.72%
Edgar Lomax Val 0.37%
Invesco Growth and Inc 2.15%

AmFunds Invmt Co of Amer 1.85%
Nationwide Fund 2.26%
Nationwide S&P 500 Idx 0.87%
SEI S&P 500 Idx 0.83%

Nationwide Loomis All Cap Growth 0.00%

Fidelity Contrafund 6.72%
Fidelity OTC 3.08%
Nationwide LCG 2.34%
TRowe Price Gr Stk 2.67%

JPMorgan Mid Cap Val 0.50%

Nationwide Mid Cap Market Idx 0.53%

Wells Fargo Discovery 0.44%

Nationwide US Small Cap Val 1.04%

Nationwide NVIT Multi Mngr Small Co 0.16%
Nationwide Small Cap Idx 0.67%

Nationwide Small Co Gro 1.18%
Neuberger Berman Genesis 0.94%

International Equity

Value

Core

Growth

MFS® International Value 2.87%

Nationwide International Idx 0.18%

Invesco International Growth 1.63%

Self-Directed Brokerage

Schwab Personal Choice Retirement Account 1.53%

Fixed Income

Nationwide Bond Idx 1.17%

Nationwide Loomis Core Bond 2.65%

Federated U.S. Govt 2-5 Yr 0.04%

Lord Abbett High Yield 1.44%

Global Fixed Income

PIMCO International Bond (USD-Hdg) 0.52%

Fixed Account

Fixed Assets 35.85%

Money Market

Invesco Short-Term Investment Treasury 0.01%

Nationwide Govt Money Market 0.70%

Specialty

Cohen & Steers Real Estate Securities 0.42%

Neuberger Berman Sustainable Eq 1.35%

Global Equity

Oppenheimer Global 1.04%

Emerging Markets

American Funds New World Fund 1.17%

TIER 2

TIER 3

Proposed Investment Menu

Adams County Proposed Menu

Menu Coverage

TIER 1

Target Date		
Nationwide Destination Target Date Series (2015-2060) 2.81%		
Balanced/Models		
Fidelity Puritan 2.15%	Nationwide Investor Destinations Aggressive 2.33%	Nationwide Investor Destinations Mod Aggr 3.22%
Nationwide Investor Destinations Moderate 4.05%	Nationwide Investor Destinations Mod Cnsv 1.24%	Nationwide Investor Destinations Conservative 0.34%

Fixed Income	
Vanguard Total Bond Market Index	MANAGER SEARCH

MANAGER SEARCH

Fixed Account

Nationwide Fixed Account 35.85%

Money Market

Invesco Short-Term Investment Treasury (0.01%)

Domestic Equity			
	Value	Core	Growth
Large	American Century Value 2.72%	Vanguard 500 Index	Fidelity® Contrafund® 6.72%
Mid	JPMorgan Mid Cap Value 0.50%	Vanguard Mid Cap Index	Wells Fargo Discovery 0.44%
Small	MANAGER SEARCH	Vanguard Small Cap Index	Nationwide Small Company Growth 1.18%
International Equity			
	Value	Core	Growth
	MFS® International Value 2.87%	Vanguard Total International Stock Index	MANAGER SEARCH

Specialty

Neuberger Berman Sustainable Equity 1.35%

Emerging Markets

American Funds New World Fund® 1.10%

TIER 2

TIER 3

Self-Directed Brokerage

Schwab Personal Choice Retirement Account 1.53%

Replace Option
Committee Reevaluate
New Fund Addition

Recommend Changes to Investment Menu

Remove Edgar Lomax Value – Remove Option Due to Overlap

Invesco Growth & Income – Remove Option Due to Performance and Overlap

Fidelity OTC – Remove Option Due to Recent Manager Change and Overlap

Nationwide Large Cap Growth – Remove Annuity Option

T. Rowe Price Growth Stock – Remove Option Due to Performance and Overlap

Vanguard 500 Index – Add Option Index Fund Low Expense Ratio

American Funds Investment Company of America – Remove Option Due to Overlap

Nationwide Fund Large Cap Core – Remove Option Due to Overlap

Nationwide S&P 500 Index – Remove Option Due to Expense

SEI S&P 500 Index – Remove Option Due to Expense

Nationwide Loomis All Cap Growth – Eliminate Option

Vanguard Mid Cap Index – Add Due to Performance and Low Expense Ratio

Nationwide Mid-Cap Market Index Remove Option Due to Expense

Nationwide U.S. Small Cap Value – Replace with New Option Due to Performance

Recommend Changes to Investment Menu

SEI S&P 500 Index – Remove Option Due to Expense

Nationwide Loomis All Cap Growth – Eliminate Option

Vanguard Mid Cap Index – Add Due to Performance and Low Expense Ratio

Nationwide Mid-Cap Market Index Remove Option Due to Expense

Nationwide U.S. Small Cap Value – Replace with New Option Due to Performance

Neuberger Berman Genesis – Remove Option Due to Performance and Overlap

Vanguard Small Cap Index – Add Option

Invesco International Growth – Replace Option Due to Performance

Vanguard Total International Stock Index – Add Option

Nationwide International Index – Remove Option Due to Expense

Oppenheimer Global – Eliminate Option

Recommend Changes to Investment Menu

Vanguard Total Bond Market Index – Add Option

Nationwide Bond Index – Remove Option Due to Expense

Nationwide Loomis Core Bond – Replace Option Due to Performance

Federated U.S. Government 2-5 Year Bond – Remove Option Due to Overlap

Lord Abbett High Yield – Eliminate Option Due to this Asset Class not being Recommended as a Stand Alone Option for the Plan and Expense

PIMCO International Bond (USD-Hedged) – Eliminate Option Due this Asset Class not being recommended for Core Bond Exposure for Participants and Low Participation

Nationwide Government Money Market – Remove Option Due to Overlap

Recommended Changes To Investment Menu

Manager Search Process

- 5 Characteristics a fiduciary (for Adams County the BOCC) should consider in examining a contemplated investment:
 - Degree and nature of risks, and relationship of volatility to diversification needs of a portfolio
 - Marketability
 - Transaction costs
 - Expected total return
 - Special characteristics affecting risk-reward tradeoffs

Recommended Changes To Investment Menu

Investment Management Consultant Recommended a Manager Search for the Following Asset Classes:

- Fixed Income – Core Fixed Income – 1 Manager (Evaluated Dodge & Cox Income Fund Metropolitan West Total Return Bond Fund and Vanguard Total Bond Market Index Fund)
 - Metropolitan West Total Return Bond Fund – Recommended
- Fixed Income – Unconstrained Fixed Income – 1 Manager (Evaluated Metropolitan West Unconstrained Bond Fund and Loomis Sayles Core Plus Bond Fund)
 - Loomis Sayles Core Plus Bond Fund- Recommended
- Domestic Equity Small Cap Value – 1 Manager (Evaluated Boston Partners Small Cap Value II and DFA U.S. Small Cap Value)
 - Boston Partners Small Cap Value II - Recommended
- International Equity Growth – 1 Manager (Evaluated American Funds Europacific Growth and Vanguard International Growth)
 - Vanguard International Growth – Recommended

Next Steps

Adopt Updated Bylaws - August

Adopt Investment Policy Statement August

Finalize and Adopt Investment Menu August

Approve Record Keeper/Administrator Selection September

Determine Participant/Education Rollout January 1, 2020

INVESTMENT POLICY STATEMENT

Adams County Colorado
Deferred Compensation Plan for Public Employees
457 Governmental Plan and Trust

Adopted: ~~May~~ July 31, 2019



CONTENTS

I. Basic Information

- A. Purpose of this Investment Policy Statement
- B. Policy Objectives

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- A. Monitoring Costs
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- A. Key Information
- B. Investment Options and Benchmarks

I. BASIC INFORMATION

This investment policy, which was adopted by Adams County, Colorado, acting by and through its Deferred Compensation [Plan](#) Advisory Committee (“Advisory Committee”), applies to the 457(b) Deferred Compensation Plan (“Plan”) sponsored by Adams County Colorado.

This Plan, is designed to permit eligible employees of Adams County to defer a portion of their compensation in order to provide for themselves and their beneficiaries supplemental retirement and death benefits. The Plan is intended to meet the requirements for an eligible deferred compensation plan under the IRS Code section 457(b). The benefit under the Plan shall at all times be limited to those payable from each participant’s [individual](#) investment accounts [not from Adams County](#).

Adams County established a Plan whereby County employees could voluntarily authorize deferral of a portion of their wages to be invested in an approved deferred compensation plan authorized by the Adams County Board of Commissioners (“Board”) and regulated by applicable state and federal law. Both the authority and the responsibility for investing and retirement planning belong to the employees. To oversee this Plan, the Board established the [Plan](#) Advisory Committee.

The Board has given the [Plan](#) Advisory Committee oversight to establish rules and processes consistent with fiduciary laws and regulations, County policy and best practices. The [Plan](#) Advisory Committee has the oversight and provides recommendations to the Board of the Plan investments, selection of investment menu, monitoring of fees, reviewing investment performance, monitoring of investment managers, approving and amending the [Investment Policy Statement \(IPS\)](#), and other administrative tasks.

Exhibit A details key Plan information.

A. Purpose of this Investment Policy Statement

The purpose of this Investment Policy Statement (IPS) is to assist the [Plan](#) Advisory Committee in effectively supervising, monitoring and evaluating the investment options to be made available to participants in the Plan, and setting forth responsibilities of various parties with respect to the investment program for the Plan. The investment program for the Plan is defined in various sections of this IPS by:

- Stating in this document the [Plan](#) Advisory Committee’s expectations, objectives, and guidelines with respect to the investment of Plan assets.
- Providing guidelines for assembling the various investment options into an overall structure to include various asset classes, investment management styles and model portfolios so that, when viewed as a whole, the investment options are expected to allow a participant to achieve a sufficient level of overall diversification.

- Establishing formalized criteria to monitor, evaluate and compare the performance results achieved by the fund managers on a regular basis- ~~and~~ and a method by which changes are made.

Outlining fiduciary responsibility, prudence and due diligence requirements that experienced fund managers and other fiduciaries would utilize in managing and overseeing ~~retirement p~~ Plan assets.

B. Policy Objectives

The overall objective of this policy is to establish an investment structure that will meet a broad range and diverse set of current and projected financial needs of the Plan participants.

Within this overall objective, the Plan Advisory Committee has identified the following additional objectives:

1. To design a prudent process for vendor selection following Adams County's Purchasing Policies and Procedures and ongoing monitoring.
2. To maintain flexibility in meeting the future needs of the participants.
3. To maximize return within reasonable and prudent levels of risk by providing investment options ~~which~~ that cover a broad range of risk and return characteristics.
4. To control costs of the administration and investments of the Plan.
5. To undertake all transactions solely in the interest of the participants and beneficiaries.
6. To enable participants to exercise investment control over their individual investments.
7. To make investment education available to participants.

In general, the investment policies reflect current and foreseeable economic and market conditions, as well as applicable accounting and statutory requirements. It is intended that this investment policy statement be reviewed periodically and updated as necessary and made available to participants upon request. It is not expected that the IPS will change frequently. In particular, short-term changes in the financial markets should not require adjustments to the IPS.

II. RESPONSIBILITIES

The Plan Advisory Committee has been given responsibility for the prudent administration of this IPS with specific responsibilities that include design of the Plan investment options; establishing investment policy objectives and guidelines; prudent selection of funds to be offered; and ongoing monitoring. The County may contract with a consultant to assist the Plan Advisory Committee in these responsibilities.

A. Delegation of Authority by the Plan Advisory Committee

The Plan Advisory Committee acting in an advisory capacity for the Board of County Commissioners who remain as a fiduciary is responsible for providing the investment framework and for monitoring the investment management of the Plan. As such, the Plan Advisory Committee is authorized to delegate certain responsibilities to professional experts in various fields. These may include, but shall not be limited to:

1. **Investment Management Consultant.** This consultant may assist the Plan Advisory Committee in establishing and recommending revisions to investment policy, objectives, and guidelines; selecting funds and fund managers; reviewing such funds and fund managers over time; measuring and evaluating investment performance; and other tasks as deemed appropriate. The Investment Management Consultant is required to be a co-fiduciary.

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2. **Funds and Fund Managers.** Each fund manager will have discretion to purchase, sell, or hold specific securities or products that will be used to meet the investment objectives. The Plan Advisory Committee, with the assistance of the Investment Management Consultant, will monitor and review each fund's achievement of the objectives for which it was selected.

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~~2. **Investment Management Consultant.** This consultant may assist the Advisory Committee in establishing investment policy, objectives, and guidelines; selecting funds and fund managers; reviewing such funds and fund managers over time; measuring and evaluating investment performance; and other tasks as deemed appropriate. The Investment Management Consultant is required to be a co-fiduciary.~~

3. **Third Party Administrator (TPA) / Recordkeeper / Administrative Services Provider / Third Party Administrator (TPA).** A recordkeeper will track individual participant balances and process participant contributions, disbursements and transfers. The recordkeeper will reconcile participant balances with trust account balances to maintain alignment. The recordkeeper/TPA will also perform testing and produce management reports that ensure the Plan's compliance with applicable laws and regulations. These services may be bundled with those of the custodian bank.

4. **Custodian Bank.** A custodian bank will physically (or through agreement with a sub-custodian) maintain possession of securities owned by the Plan, collect dividends and interest payments, redeem maturing securities, and effect receipt and delivery following

purchases and sales. The custodian may also perform regular accounting of all assets owned, purchased or sold, as well as movement of assets into and out of the Plan's accounts. These services may be bundled with those of the ~~third-party record keeper / administrative services provider or / third party administrator~~ record keeper.

5. **Additional specialists.** Additional specialists such as attorneys, auditors, actuaries and others may be employed by the [Plan](#) Advisory Committee to assist in meeting its responsibilities and obligations to administer the Plan assets prudently. Such experts may also be deemed to be fiduciaries; they must acknowledge such in writing either by contract or prospectus. All expenses for such experts must be customary and reasonable, and may be borne by the Plan as deemed appropriate and necessary.

B. Responsibility of Participants

The Plan grants to each participant the right and responsibility to choose how his/her account is to be allocated among the investment options. Each participant is responsible to seek education and training to be prepared to select a combination of investment options based on the participant's unique time horizon, risk tolerance, return expectation and asset class preferences.

C. Conflicts of Interest

All [Plan](#) Advisory Committee members and the investment management consultant will refrain from personal business activity that could create an appearance of impropriety, that could conflict with the proper execution and management of the ~~retirement P~~ plan program, or that could impair their ability to make impartial Plan decisions.

III. INVESTMENT POLICIES AND GUIDELINES

A. Asset Classes and Investment Style Groups

Asset classes are chosen because of their long-term return histories that are reasonably useful in evaluating probable future standard deviation and correlation. They are selected to balance the risk and rewards of market behavior. Within each of the broad asset classes, options will be diversified to allow participants to choose from a range of equity capitalization and fixed income maturities. To facilitate diversification within asset classes, various style groups will be made available.

The [Plan](#) Advisory Committee may [recommend to the Board to](#) add, delete, or replace a particular asset class or style of investment management if the [Plan](#) Advisory Committee deems it appropriate to do so.

Exhibit B details the current investment lineup and benchmarks for the Plan.

B. Self-Directed Brokerage Accounts

The self-directed brokerage option is designed for a sophisticated, experienced and knowledgeable investor. The Plan, [Plan](#) Advisory Committee, Investment Management Consultant, [if one is retained for the benefit of the Plan and its participants](#), and [the County's TPA](#) have no expressed or implied responsibility for the evaluation, selection and/or monitoring of the continued offering of the investment options in any self-directed brokerage account program by the Plan, including no duty to supervise or monitor the Participants' or Beneficiaries' investment experience in the self-directed brokerage account program(s).

C. Performance Expectations

Over time, each investment option's overall annualized total return should perform [at or](#) above their benchmark and at or above the median of portfolios of similar style. The [Plan](#) Advisory Committee will continually monitor and review funds against this expectation.

D. Selection of Fund Managers and Options

The [Plan](#) Advisory Committee, with the assistance of the Investment Management Consultant, [if retained for the benefit of the Plan and its participants, or with analysis provided by the TPA](#), will [recommend the selection of](#) appropriate fund managers to manage Plan assets. The following minimum criteria must be met:

1. The fund options will be managed by a bank, insurance company, investment management company or investment adviser as defined by the Registered Investment Advisers Act of 1940.

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2. Historical quarterly performance numbers, calculated on a time-weighted basis based on a composite of all fully discretionary accounts of similar investment style, will be utilized for performance screening.
3. Performance evaluation reports that illustrate the risk/return profile of the manager relative to other managers of like investment style will be utilized.
4. Detailed information on the history of the fund management firm, its key personnel, and associated costs will be analyzed.
5. Each fund's investment strategy must be described, and successful adherence to that strategy over time must be documented.
6. Fund managers must compare favorably against a comparable peer group for selection.
7. Each fund manager will acknowledge, through the fund prospectus, the following duties and responsibilities:
 - a. Exercise investment discretion, including holding cash equivalents as an alternative, within stated investment constraints, objectives and guidelines.
 - b. Promptly inform, by prospectus, all significant and/or material matters and changes pertaining to the investment of assets, especially as they relate to its stated investment philosophy and investment management decision process. These factors include, but are not limited to:
 - Investment strategy
 - Portfolio structure
 - Tactical approaches
 - Ownership
 - Organizational structure
 - Financial condition
 - Professional staff
 - Recommendations for guideline changes
 - Internal expenses and management costs
 - All legal material, SEC and other regulatory agency proceedings affecting the firm
 - c. Utilize the same care, skill, prudence and due diligence under the circumstances then prevailing that experienced investment professionals acting in a like capacity and fully familiar with such matters would use in like activities with like aims in accordance and compliance with IRS regulations and all applicable laws, rules and regulations from local, state, federal and international political entities pertaining to fiduciary duties and responsibilities.

8. The Plan Advisory Committee and its consultant(s) will determine the appropriateness of each mutual fund manager based on the objectives and guidelines stated in the IPS.

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9. Target-Date Retirement portfolios are subject to additional criteria detailed in Section E.

E. Ongoing Review

1. Performance Objectives and Review. Investment performance will be reviewed quarterly to determine the continued feasibility of achieving the investment objectives and the continued appropriateness of the IPS for achieving those objectives. Progress toward attainment of the performance expectations of the IPS will be examined; emphasis will be placed on peer group comparisons with managers employing similar styles. It is understood that there are likely to be short-term periods during which performance deviates from appropriate indices and peer comparisons. The Plan Advisory Committee will exercise its prerogative to take corrective action by replacing a manager as timely as possible and at the appropriate time, if so determined.

At the Plan Advisory Committee's quarterly meeting, the Plan Advisory Committee will consider:

- a. Manager's consistency with the style mandate expressed in the IPS;
- b. Material changes in the manager's organization, investment philosophy and/or personnel;
- c. Comparison of the manager's results to the appropriate benchmark outlined in Exhibit B;
- d. The risk associated with each manager's portfolio, as measured by the variability of quarterly returns (standard deviation), compared with the benchmark index;
- e. The manager's performance relative to its peers (managers of like investment style or strategy outlined in Exhibit B).

As the Plan Advisory Committee becomes aware of major organizational changes, it may warrant immediate review of the fund manager. These include, but are not necessarily limited to, the following events:

- Change in management structure
- Significant account losses
- Significant growth of new business
- Change in ownership
- Change in process/philosophy/style
- Change in cost

2. **Monitoring and Selecting Target-Date Retirement Portfolios.** Target-Date Retirement Portfolios, also known as lifecycle or age based funds, are designed to provide a simple investment solution through a portfolio whose asset allocation mix becomes more conservative over time. Because of the nature of how such portfolios are designed and allocated, they are not only subject to the selection and monitoring criteria listed in other sections of this IPS, but also the additional criteria listed below.
- a. **Glidepath** Evaluation will include an understanding of the Target-Date Retirement Portfolio glidepath, including when the glidepath will reach its most conservative asset allocation and whether that will occur at or after the target date.
 - b. **Asset Allocation** Evaluation will include understanding the fund's investments – the allocation in different asset classes and sub-asset classes and how these will change over time.
 - c. **Underlying Investments** Consideration will be given to the stability and continuity of the underlying investments included in the Target-Date Retirement Portfolio.

IV. FEE POLICIES AND GUIDELINES

A. Monitoring Costs

The [Plan](#) Advisory Committee will review the service contracts and costs associated with the Plan on an annual basis. Areas to be reviewed include:

- Fund Managers
- Investment Management Consultant
- Custodian Bank
- Recordkeeper / Third Party Administrator

B. Plan Fees Overview

The [Plan](#) Advisory Committee [and the Board of County Commissioners](#) acknowledges that any decision to have Plan fees paid from Plan assets constitutes a fiduciary action. The [Plan](#) Advisory Committee [nor the Board of County Commissioners](#) will ~~not~~ engage in any prohibited transactions or create any conflicts of interest as defined under applicable law by virtue of the actions it takes with respect to the allocation and payment of Plan fees and expenses. Additionally, it is the [Plan](#) Advisory Committee's [and the Board of County Commissioner's](#) intention to ensure that any fees paid from Plan assets are reasonable and transparent. The [Plan](#) Advisory Committee retains all discretion and authority necessary to determine the manner in which Plan fees will be paid, including the extent to which the ~~Plan Sponsor~~[County](#) will subsidize the cost of the Plan by directly paying Plan expenses and/or the extent to which Plan expenses will be paid from the Plan participant accounts.

C. Fee Benchmarking

Pursuant to fiduciary standards, the [Plan](#) Advisory Committee is obligated to determine the reasonableness of the Plan fees incurred by participants in the Plan in relationship to the services received by the Plan.

Accordingly, the [Plan](#) Advisory Committee will periodically conduct a fee benchmarking analysis to determine:

1. The current total amount of fees paid under the Plan;
2. The expenses of the investments made available in the Plan, including any revenue sharing provided by the investments such as 12(b)1, Sub TA or Service fees;
3. How current Plan fees compare to the marketplace at large relative to the services being provided to the Plan.

The [Plan](#) Advisory Committee will use the results of its fee benchmarking analysis to determine fee reasonableness, understanding that the goal is not simply to achieve the lowest possible Plan cost relative to the marketplace as a whole.

V. ADOPTION OF THE INVESTMENT POLICY STATEMENT

This policy is hereby adopted by action of the Advisory Committee at on ~~October~~ July 31, 2019~~8~~.

Adams County Colorado

Date

Date

Date

~~Innovest Portfolio Solutions~~

Innovest Portfolio Solutions, LLC

Investment Management Consultant

Date

EXHIBIT A: KEY INFORMATION

Plan Name(s)	Adams County Colorado Deferred Compensation Plan
Plan Sponsor	Adams County Colorado
Plan Type(s)	457(b)
Participant Directed Investment Options	Yes
Frequency to Change Investment Options	Generally no restrictions; however, some funds may charge short-term redemption fees.
Investment Management Consultant	
Third Party Administrator	Nationwide Retirement Solutions
Names and Titles of Advisory Committee Members	Alisha Reis, Deputy County Manager Ben Dahlman, Finance Director Terri Lautt, Human Resources People Services Director

EXHIBIT B: INVESTMENT OPTIONS AND BENCHMARKS

Asset Class	Style Group	Benchmark	Peer Group/Style Universe	Mutual Fund Name
Equity	Large Cap Value Equity	S&P 500 Value Index	U.S. Large Cap Value Equity	
Equity	Large Cap Core Passive Equity	CRSP U.S. Large Cap TR Index S&P 500 Index	U.S. Large Cap Core Equity	
Equity	Large Cap Growth Equity	S&P 500 Growth Index	U.S. Large Cap Growth Equity	
Equity	Mid Cap Value Equity	Russell Mid Cap Value Index	U.S. Mid Cap Value Equity	
Equity	Mid Cap Core Passive Equity	S&P 400 Index CRSP U.S. Mid Cap TR Index Russell Mid-Cap Index	U.S. Mid Cap Core Equity	
Equity	Mid Cap Growth Equity	Russell Mid Cap Growth Index	U.S. Mid Cap Growth Equity	
Equity	Small Cap Value Equity	Russell 2000 Value Index	U.S. Small Cap Value Equity	
Equity	Small Cap Core Passive Equity	Russell 2000 Index CRSP U.S. Small Cap TR Index S&P 600 Index	U.S. Small Cap Core Equity	
Equity	Small Cap Growth Equity	Russell 2000 Growth Index	U.S. Small Cap Growth Equity	
Equity	International Value Equity	MSCI EAFE Value Index (Net)	Non-U.S. Equity	
Equity	International Core Equity	MSCI EAFE Index (Net)	Non-U.S. Equity	
Equity	International Growth Equity	MSCI EAFE Growth Index (Net)	Non-U.S. Equity	
Equity	Emerging Market Equity	MSCI Emerging Markets Index (Net)	Emerging Markets Equity	
Fixed Income	Core Fixed Income	Bloomberg Barclay's U.S. Aggregate Bond Index	U.S. Broad Market Core Fixed Income	
Fixed Income	High Yield Fixed Income	Bloomberg Barclay's U.S. Corporate High Yield Index	High Yield	
Stable Value	Stable Value	Ryan 3 Year GIC Master Index	U.S. GIC/Stable Value	
Cash and Equivalents	Cash/Money Market	90 Day U.S. Treasury Bill	Cash and Equivalents	
Target-Date Retirement Portfolios	Target-Date Retirement Portfolios	Primary Prospectus Benchmark	Mixed Asset Target	

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Deferred Compensation
Plan Advisory Committee of Adams County

COMMITTEE BYLAWS

July 31, 2019

COMMITTEE BY-LAWS

I. Introduction

The purpose of the Adams County Deferred Compensation Plan Advisory Committee By-Laws is to serve as a guide for the Adams County Deferred Compensation Plan Advisory Committee (the "Committee") members and others. It is intended to assist the Plan Advisory Committee in meeting fiduciary obligations by effectively constructing, supervising, and evaluating the Deferred Compensation benefit. The purpose of the Plan Advisory Committee is to ensure that the County meets its responsibility as a fiduciary for the Plan by overseeing the activities of the Plan and working to obtain appropriate and valuable options for Plan participants that is consistent with other governmental deferred compensation plans of like size.

The Power and Authority of the Plan Advisory Committee shall rest in the Plan Advisory Committee as a whole, and shall not be exercised by any person or persons without the prior approval of the majority of the Plan Advisory Committee.

II. Definition of Terms

For purposes of these Bylaws:

- a. The term "457(b) Plan" shall mean the County sponsored 457(b) Deferred Compensation Plan and Trust for Public Employees which is intended to be an "eligible deferred compensation plan" as defined in Code §457(b) of the Internal Revenue Code of 1986.
- ~~a-b.~~ The term "Plan Advisory Committee" shall mean the Deferred Compensation Plan Advisory Committee of Adams County, Colorado, which shall consist of at least three Members.
- c. The term "Ex-Officio" Member, as used in these By-Laws, shall mean: a designated representative of the County Manager's Office, Finance Director and People Services Director.
- d. The term "Member" shall mean any of the three (3) Members of the Plan Advisory Committee noted as an Ex Officio Member or designee, and may have up to two additional members- which will be formally recommended duly appointed by the County Manager and appointed by the Board of County Commissioners. If a Member fails to attend three Regular meetings within any one year period of time, the Plan Advisory Committee may recommend to the appointing authority (Board of County Commissioners) that such Members be replaced.
- ~~b.~~
- e. The term "Ex-Officio" Member, as used in these Bylaws, shall mean
 - 1. The designated representative of the County Manager's Office, Finance Director, and Human Resources Director,

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The County Attorney's Office and any third party recordkeeper(s) or administrator(s) of the Plan shall provide the Secretary of the Plan Advisory Committee with the name, address, and telephone number of a person from its office who shall be designated as its liaison with the Plan Advisory Committee. The Plan Advisory Committee may assign County staff to take minutes and coordinate meetings.

III. Purpose and Responsibilities

This Deferred Compensation Plan, commonly referred to by Internal Revenue Code section 457(b), is designed to permit eEligible employees of Adams County to defer a portion of their compensation in order to provide for themselves and their beneficiaries supplemental retirement and death benefits. The 457(b) Plan is intended to meet the requirements for an eligible deferred compensation plan under the IRS Code section 457(b). The benefit under the 457(b) Plan shall at all times be limited to those payable from each participant's investment accounts.

Adams County established a program whereby County employees could voluntarily authorize deferral of a portion of their wages to be invested in an approved deferred compensation plan authorized by the Adams County Board of Commissioners and regulated by applicable state and federal law. To oversee this benefit program, the Board established the Plan Advisory Committee in January 2016.

The Board has given the Plan Advisory Committee advisory oversight to establish rules and processes consistent with fiduciary laws and regulations, County policy and best practices. The Plan Advisory Committee ~~has the oversight and~~ provides recommendations to the Board of County Commissioners related to the Plan investments, selection of investment fund line up, monitoring of fees, reviewing investment performance, monitoring of investment service providers, approving and amending the investment policy statement, and other administrative tasks. The Plan Advisory Committee may form sub-committees to review and research particular matters that make recommendations to the Plan Advisory Committee for decision. These sub-committees may include alternate designees and will abide by the same rules as the Plan Advisory Committee.

In accordance with fiduciary responsibility assigned under state law, decisions made by both the Board and Plan Advisory Committee will be made for the sole interest of the participants and beneficiaries of the Deferred Compensation Plan.

IV. Principal Office

The principal office of the Plan and the Plan Advisory Committee~~Plan Committee~~ shall be: c/o Adams County People Services~~Human Resources~~ Department 4430 S. Adams County Parkway, 4th floor, Suite C4000B, Brighton, CO 80601-8213.

V. Committee Composition

The Plan Advisory Committee shall consist of three (3) Ex Officio members and will include:

- Finance Director (or his/her designated alternate) ;

- ~~Human Resources~~ People Services Director (or his/her designated alternate);
- County Manager (or his/her designated alternate); and,
- Up to two additional members.

The County Manager or designee, Finance and ~~HR~~ People Services Directors are ~~E~~-ex ~~O~~-officio positions on the Plan Advisory Committee. In the event a member is no longer an Adams County employee, that Member's term on the Plan Advisory Committee shall immediately terminate and shall be filled by the persons ~~hired~~ appointed for that office.

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VI. Committee Officers

The Plan Advisory Committee shall be comprised of a Chair, Vice-Chair, and Secretary elected during the first scheduled meeting of the calendar year from among the serving Plan Advisory Committee members. All members will have equal voting status and a Member's alternate will also have equal voting status when specifically acting on behalf of their designating Plan Advisory Committee member. All formal documentation, executed on behalf of the Plan Advisory Committee, will require the signatures of the Chair or in his/her absence, the Vice-Chair and the Secretary to be valid.

The Chair~~man~~ shall preside at all meetings at which he or she is present, shall have the final authority with respect to the items that shall appear on the agenda for any Plan Advisory Committee meeting, shall see that all decisions of the Plan Advisory Committee are carried into effect, and shall have such other duties as are delegated to the Chair~~man~~ by the m~~A~~Members.

The Vice Chair~~man~~ shall preside at any meeting, or portion thereof, at which the Chair~~man~~ is absent, and shall have such other duties as are delegated by the Chair~~man~~.

The Secretary shall record, or cause to be recorded, all the proceedings of the meetings of the Plan Advisory Committee in minutes. The Secretary shall give, or cause to be given, notice of all meetings of the Plan Advisory Committee, shall, in consultation with the Chair~~man~~, prepare an agenda for each Plan Advisory Committee meeting, and shall perform such other duties as may be prescribed by the Chair~~man~~, under whose supervision the Secretary shall be.

VII. Meetings

Meetings of the Plan Advisory Committee shall be held quarterly. The Deferred Compensation Plan Advisory Committee meeting notice shall be posted at least twenty-four (24) hours before each regular meeting in a location that is freely accessible to members of the Plan which may be an electronic posting.

VIII. Indemnification

In the absence of other coverage, Adams County shall indemnify and reimburse to the fullest extent permitted by law, members of the Plan Advisory Committee and other employees and former employees acting for and on behalf of the Plan, for any and all expenses, liabilities or losses arising out of any act or omission relating to membership on the Plan Advisory Committee or for the management and administration of the Plan, except in instances of fraud, corruption or actual malice.

IX. Amendments

| The Plan Advisory Committee may, from time to time, suggest amendments to these [By-Laws](#) to Board of County Commissioners by majority vote. All amendments must be approved by the Board of County Commissioners.

|



STUDY SESSION AGENDA ITEM

DATE:	July 23, 2019
SUBJECT:	Coroner's Office – Facility Study
FROM:	Monica Broncucia-Jordan, Coroner Seán Braden, Mgr. Planning, Design & Construction, Facilities & Fleet Management
AGENCY/DEPARTMENT:	Office of the Coroner
ATTENDEES:	Sherronda Appleberry, Chief Deputy Coroner; Mike Holub, Director, Fleet & Facilities Management
PURPOSE OF ITEM:	Review of Programming Study, Next Steps, and Potential Financial Impact
STAFF RECOMMENDATION:	Next Steps on Coroner's Facility

BACKGROUND:

In December 2017, funding was approved for a review and assessment of the existing Coroner's facility, as well as potential solutions to address identified issues. Roth Sheppard Architects, with MWL as a specialty consultant, conducted a Programming and Needs Assessment in 2018/2019. A Study Session review was conducted on April 9, 2019 to review the program findings/needs and direction was received for additional review of options.

This Study Session is intended to provide the additional research, identify options, financial impacts and determine a direction to proceed.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Facilities and Fleet Management – Planning, Design, and Construction
Budget Office
Finance Department

ATTACHED DOCUMENTS:

Power Point

FISCAL IMPACT:

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

Fund: TBD**Cost Center:** 1112

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:	9055	1906	\$500,000.00
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$500,000.00</u>

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☒ YES ☐ NO

Additional Note:

Programming Study only completed. Financial Impact depends on the direction chosen for renovation and/or new construction.

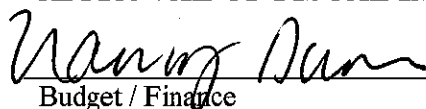
APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager

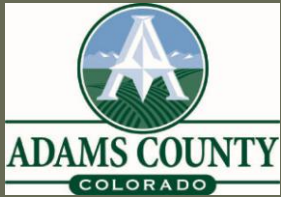
Alisha Reis, Deputy County Manager

Bryan Ostler, Deputy County Manager

Chris Kline, Deputy County Manager

APPROVAL OF FISCAL IMPACT:

Budget / Finance



CORONER FACILITY REVIEW

PROGRAMMING STUDY 2018/2019

July 23, 2019

Study Session Review

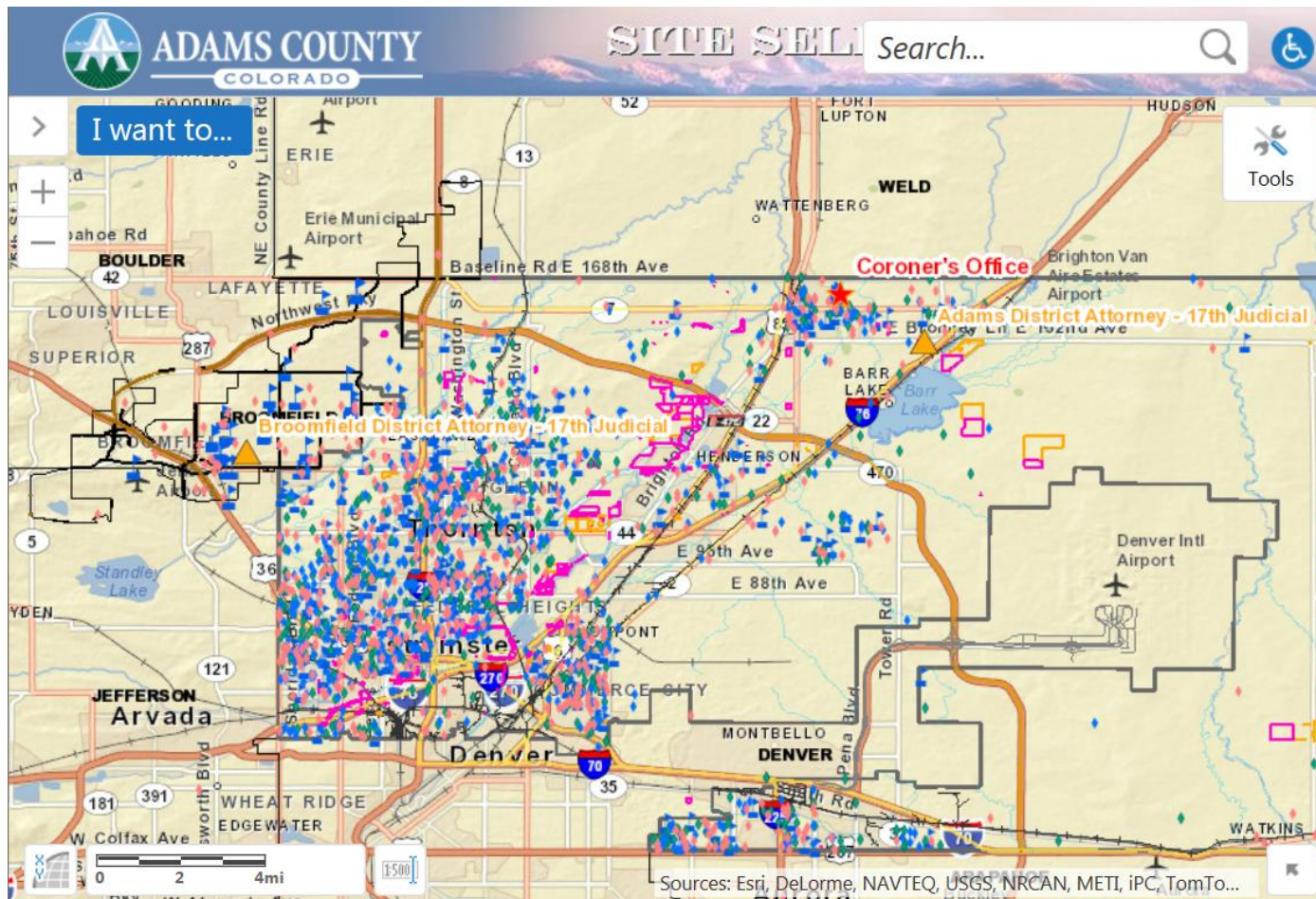
Overview

- Previous Study Session Review on April 9, 2019
 - Specific Direction for Additional Review
- Review of Programming Study (2018/2019)
 - Office of the Coroner
 - Cases / Response Scenes
 - County Growth / Projections
 - Programming / Needs Study
- Review of Additional Items (per SS on 4/9/19)
 - Option 'A': Renovation of Existing Facility
 - Option 'B': New Facility
 - Option 'C': Adaptive Re-Use of Existing Facility

Office of the Coroner

- ❑ Statutorily mandated to investigate unexpected, unexplained, and/or unnatural deaths
- ❑ All deaths reported
- ❑ Service Adams and Broomfield Counties
- ❑ Major hospitals include UCHealth University of Colorado Hospital, Children's Hospital Colorado, Veterans Affairs Eastern Colorado Health Care System, North Suburban Medical Center, St. Anthony Health North Campus

Response Scenes (Map) – 3 Year



Impact of Population Growth

Year	Adams County	Broomfield	Total
1990	265,038	25,058	290,096
2000	351,734	38,545	390,279
2004 <i>(estimated)</i> <i>Current Facility planned in 2004</i>	385,945	46,406	432,351
2010	443,711	56,107	499,818
2019 <i>(estimated)</i> <i>2018/2019 Programming Study</i>	521,339	71,940	593,279
2040	753,667	95,660	849,327
2050	857,884	93,952	951,836

Design Ratios / Best Practices

- National Association of Medical Examiners (NAME) and Industry Best Practices
 - 1 Autopsy per 1,000 population (0.001%)
 - Local average is higher (0.0012% to 0.0015%)
 - Average Autopsy is 2 to 4 Hours + Prep & Clean
 - 1,000 Hours (50% of 2,000) for Autopsies equals:
 - 250 Autopsies at 4 hours average (NAME Preferred)
 - 325 Autopsies at 3 hours average (maximum)
 - Each Table requires at least One (1):
 - Pathologist, Technician, and Support Staff
 - Storage Capacity based on Autopsies
 - Use 8 Day Average Hold per individual

Program Ratios *(per NAME)*

Building Function	Existing Space	2019 Need <i>(Today)</i>	2050 Projection
Year Programmed	2004	2019	2050
Estimated Population <i>(Adams & Broomfield Counties)</i>	432,351	593,279	951,836
Estimated Autopsies	432 for NAME	593 for NAME 640± Estimated	952 for NAME 1,142 Estimated
Autopsy Tables	2 Available <i>(1.73 @ 250 / 1.33 @ 325)</i>	2.37 @ 250 ea. <i>(1.82 @ 325)</i>	4.56 @ 250 ea. <i>(3.51 @ 325)</i>
Dissecting Stations	None	1 Required	1 Required
Cooler Storage	20 Available	23 Standard 3 Bariatric	44 Standard 4 Bariatric
Decomp. Storage	2 Available	7 Standard 1 Bariatric	12 Standard 2 Bariatric
Long Term Storage <i>(Freezer)</i>	20 Available	6 Freezer	10 Freezer

Programming / Needs

- Primary Functions of Coroner's Facility
 - Public Areas:
 - Entry, Training Rooms, Grieving Rooms, Viewing Room, etc.
 - Administrative Areas:
 - Law Enforcement access
 - Offices, Break Rooms, After Hours Suite, etc.
 - Autopsy Suite & Body Storage:
 - Autopsy, Coolers, Freezer, Lab Space, etc.
 - Sallyport & Storage
 - Delivery & Pickup, Specimen Storage, etc.
 - Mass Disaster Staging Areas (Site & Internal)
 - Capacity for Triage, Cooler Trucks, etc.

Programming / Needs

- Identified Programming not in Current Building:
 - Sufficient Viewing Space
 - Sufficient Body Storage
 - Sufficient capacity of Autopsy Suite
 - Sufficient Workspace for Staff
 - Existing cubicles at 5' x 5' (25 sq. ft.) / Min. is 42 – 64 sq. ft.
 - Sufficient Break room / Decompression Space
 - Sufficient & appropriate specimen storage (personal possessions, drugs, evidence, etc.)
 - Public and Law Enforcement Separate Entry
 - Honor Room
 - After-Hours Suite (24/7 On Call)

Existing Facility: Staff Space



Existing Facility: Viewing Room



Programming / Needs

Building Function	Existing Space	Program Need
Existing Site Size Needed	13.2 acres (8 usable)	5 acres minimum
Entry / Public Areas / Training	0 sq. ft. (dedicated) <i>Access to 4,227 sq. ft. shared</i>	3,715 sq. ft.
Administration / Offices	5,661 sq. ft.	10,963 sq. ft.
Autopsy Complex	2,695 sq. ft.	13,949 sq. ft.
Sally Port & Storage	2,446 sq. ft.	8,339 sq. ft.
Total Building Area	10,802 sq. ft. Coroner 28,393 sq. ft. Total Bldg.	36,966 sq. ft.

Estimates based on:

- Current Staff Levels = 21 / Future Staff Level of 42
- 25% to 30% Circulation, 10% Wall/Structure, & 18% MEP

Options Explored

- Option 'A': Renovation of Existing
 - Requires Addition (8,600 sq. ft. \pm)
 - Requires 30 \pm Month Construction Phasing:
- Option 'B': New Facility (on County Owned Land)
 - Anticipated 12-18 \pm Month Construction
 - Response Times / Site Constraints improved
- Option 'C': Adaptive Reuse of Existing
 - Small Addition (approximately 4,000 sq. ft.)
 - Focus on X-ray, Cooler, Freezer, and outdoor amenities
 - Staff Space in Current SO locations

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

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CONSULTANT:



ADAMS COUNTY
CORONER FACILITY
330 N 19TH AVENUE
BRIGHTON, CO 80601
PROJECT | 1821

ISSUANCE:

DATE:

STAMP:

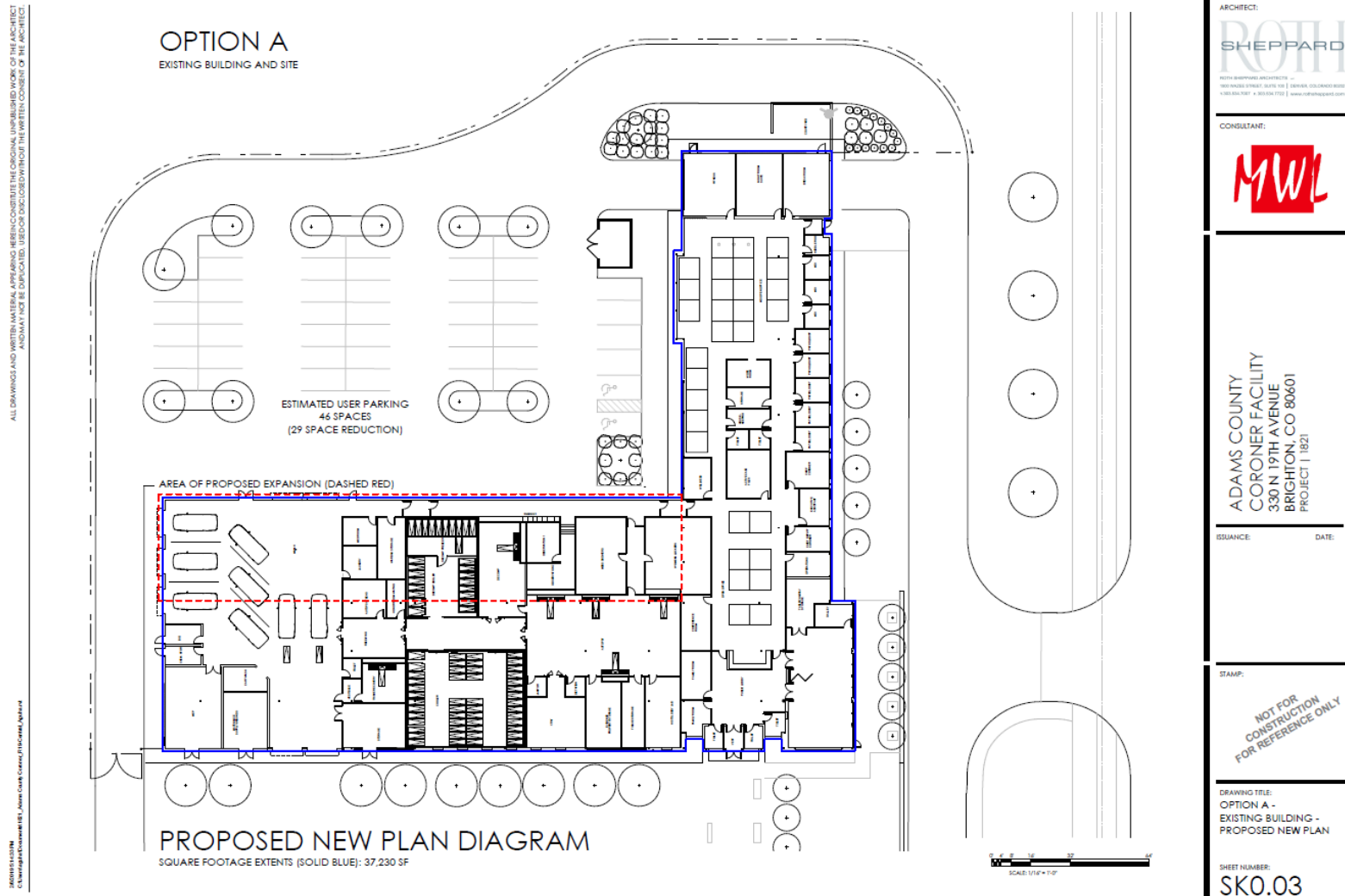
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CONSTRUCTION
FOR REFERENCE ONLY

DRAWING TITLE:
OPTION A -
EXISTING BUILDING -
SEQUENCING PLAN

SHEET NUMBER:

SK0.02

Option 'A': Renovation of Existing



Option 'B': New Facility

OPTION B NEW BUILDING



PROPOSED NEW PLAN DIAGRAM
SQUARE FOOTAGE EXTENTS (SOLID BLUE): 36,906 SF

0' 6" 12" 18" 24"
SCALE: 1/16" = 1'-0"

ARCHITECT:

ROTH
SHEPPARD
ROTH SHEPPARD ARCHITECTS, P.C.
400 HANCOCK STREET, SUITE 100 | BRIGHTON, COLORADO 80601
(303) 655-7337 • (303) 654-1700 | www.rotehsheppard.com

CONSULTANT:



ADAMS COUNTY
CORONER FACILITY
330 N 19TH AVENUE
BRIGHTON, CO 80601
PROJECT | 1921

ISSUANCE:

DATE:

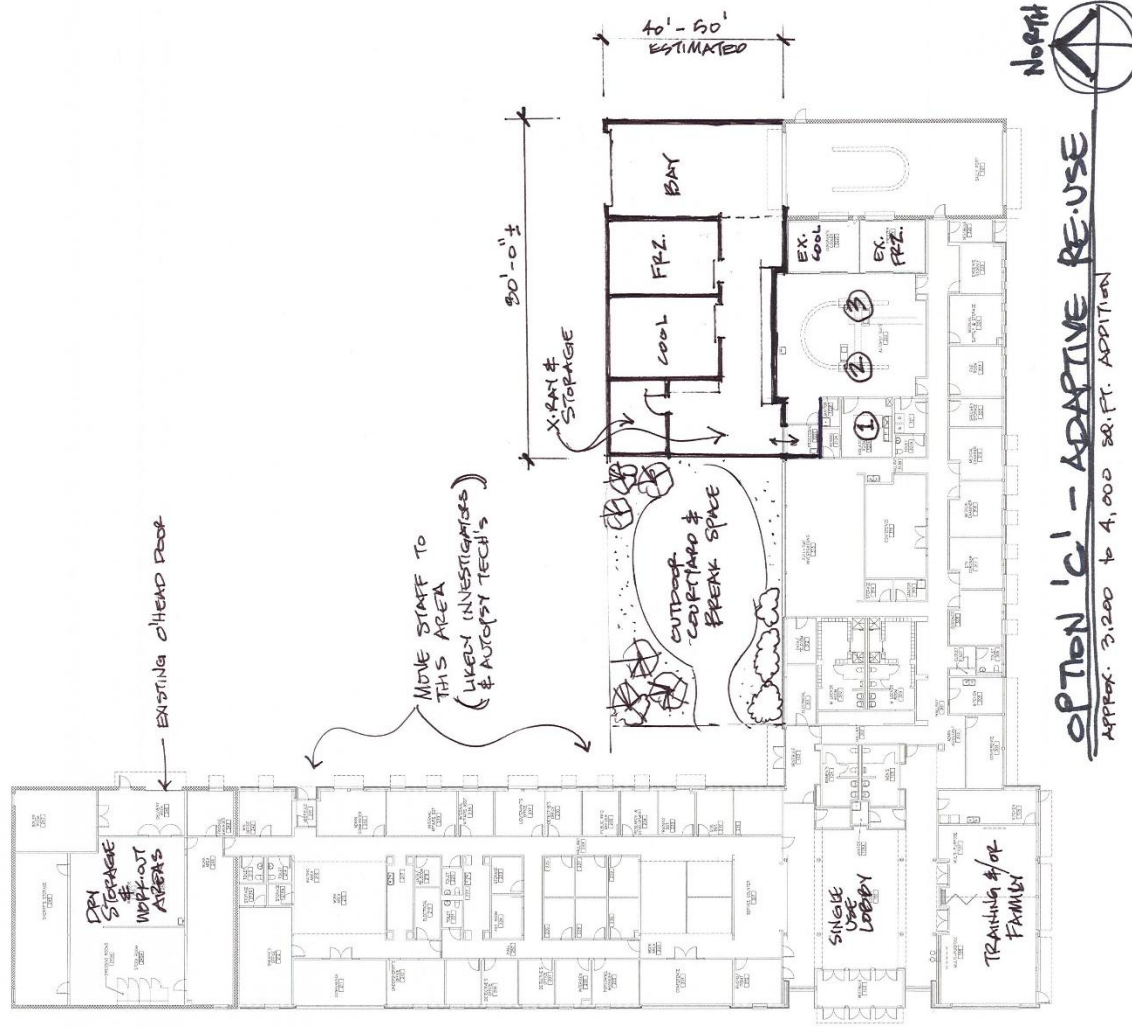
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CONSTRUCTION
FOR REFERENCE ONLY

DRAWING TITLE:
OPTION B -
NEW BUILDING -
PROPOSED NEW PLAN

SHEET NUMBER: SK0.04

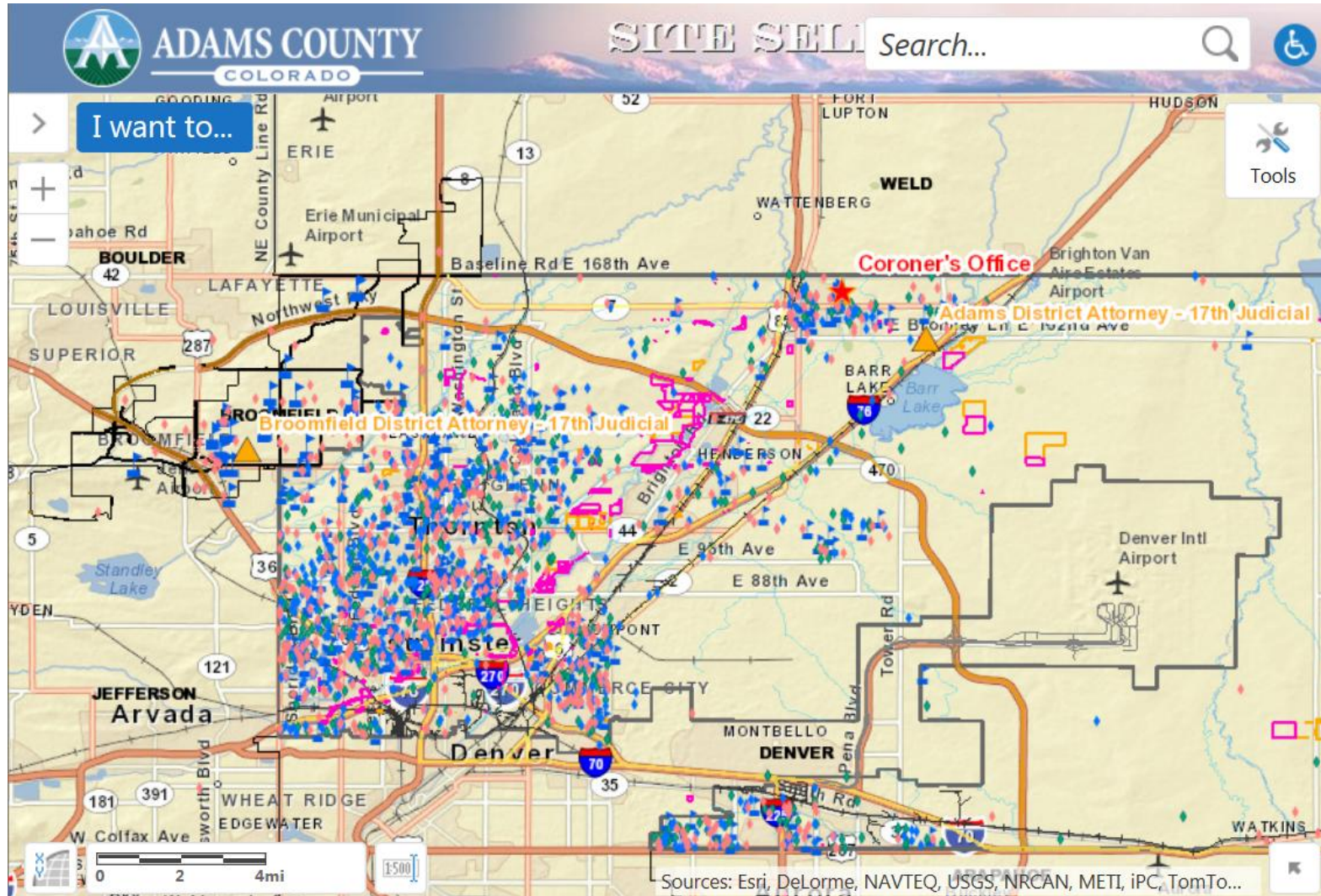
Option 'C': Adaptive Re-Use



Site Location / Options

- In parallel with Programming efforts, also reviewed Critical Site Constraints & access:
 - Access to Main & Major Thoroughfares
 - Includes Ingress/Egress (exits & on-ramps)
 - Remote from Railways & Schools
 - Access by Stakeholders (Law Enforcement)
 - Includes access by Police, Sheriff, 17th Judicial District and Broomfield County
 - Access to Service Providers (Medical / Hospital)

Site Location Study



Example Routes / Access (Google Maps)

Location	Coroner HQ			GC			WSC		
<i>Time / Distance / Obstacles</i>	<i>Time</i>	<i>Dist.</i>	<i>Obst.</i>	<i>Time</i>	<i>Dist.</i>	<i>Obst.</i>	<i>Time</i>	<i>Dist.</i>	<i>Obst.</i>
Highway 36 & Federal	0:25	20.9	3	0:16	14.5	0	0:13	6.7	0
Washington & Thornton Parkway	0:27	15.8	1	0:19	11.0	0	0:10	4.9	0
Peoria & Montview	0:37	23.6	3	0:26	19.8	0	0:29	17.4	0
64 th Avenue & Monaco	0:26	16.2	2	0:18	10.2	1	0:21	12.4	3
4 th Avenue & Bridge Street	0:05	1.4	1	0:09	4.6	1	0:24	14.7	4

Note: Drive times are considered MINIMUM. “Obstacles” are defined as Railroad Crossings, School Zones, or similar traffic impediments preventing continuous vehicular traffic

ROM Cost Estimates

Work Scope	Option 'A': Renovation	Option 'B': New Facility	Option 'C': Adaptive Reuse
Building Construction	\$ 15,250,000	\$ 17,250,000	\$2,000,000
Specialty FF&E for Coroner	\$ 2,000,000	\$ 2,000,000	\$500,000
FF&E (Office, A/V, etc.)	\$ 550,000	\$ 700,000	\$250,000
Design Consultants	\$ 2,250,000	\$ 2,500,000	\$300,000
Permits, Testing, Misc. Items	\$ 700,000	\$ 800,000	\$200,000
Contingency (7%)	\$ 1,500,000	\$ 1,750,000	\$250,000
Total ROM Building Estimate	\$ 22,250,000	\$ 25,000,000	\$3,500,000

Site Cost Notes:

- Cost Comparisons do not include Land Acquisition or Site Development Costs
- Expected capacity of Option 'A' and 'B' is through 2050; Expected capacity of Option 'C' is 2032

General ROI on Capital Investment

- Option 'A' & 'B':
 - Effectively renders existing facility use at 15 years
 - Initial \$6.25M investment = \$405,000 / year
 - New investment of \$25M = \$806,000 / year (30 yrs)
- Option 'C':
 - Extends current facility use (*near 30 year capacity of 2035*)
 - Estimated needs will exceed 3 autopsy tables in 2032
 - Investment of \$3.5M (\$9.75M total) = \$325,000/year
 - Allows further review of Capital Facilities Fund and prioritization of Capital Project Requests
 - Any option is likely to have FTE/Contractor growth

Wrap up & Recommendation

- Review of Coroner Function, Growth, and Need
- Coroner Recommendation for:
 - New Facility in a New Location
 - Current capacity needs
 - Significant population growth
 - Accreditation by NAME
 - Correction of Needs / Not Delaying to the Future

The End

- Open Discussion
- Direction to Proceed



STUDY SESSION AGENDA ITEM

DATE:	July 23, 2019
SUBJECT:	Capital Projects Update
FROM:	Seán Braden, Mgr. Planning, Design & Construction, Facilities & Fleet Management
AGENCY/DEPARTMENT:	Facilities & Fleet Management
ATTENDEES:	Mike Holub, Director, Fleet & Facilities Management
PURPOSE OF ITEM:	Review of Capital Project Status, Schedule and Budgets
STAFF RECOMMENDATION:	Adjust Project Scope or Budget based on Market Impacts

BACKGROUND:

The state of Colorado, and more specifically the Front Range, has had a robust construction market for several years following leaner markets in 2009 through 2011. Additional county population growth, economic stability, demand for services, etc. have created one of the quickest escalating markets in the County in Adams County and other Front Range communities.

This Study Session is intended to provide an update on currently active projects, scope of work, anticipated schedule, and the impacts the current construction market is having to the current projects. Intent is to update progress and resolve scope vs. budget concerns.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Facilities and Fleet Management – Planning, Design, and Construction
Budget Office
Finance Department

ATTACHED DOCUMENTS:

Power Point

FISCAL IMPACT:

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

Fund: Varies per project

Cost Center: Varies per project

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

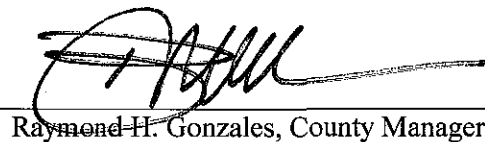
	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☒ YES ☐ NO

Additional Note:

Result of the study may provide direction on additional Capital funds, which may result in future Budget requests, amendments, or similar.

APPROVAL SIGNATURES:

Raymond H. Gonzales, County Manager

Alisha Reis, Deputy County Manager

Bryan Ostler, Deputy County Manager

Chris Kline, Deputy County Manager

APPROVAL OF FISCAL IMPACT:

Budget / Finance



CAPITAL PROJECTS UPDATES

***BUDGET, SCHEDULE & SCOPE
MANAGEMENT***

Facilities & Fleet Management

July 23, 2019



Presentation Overview

- **Status of Active Facilities Projects**
- **Construction Budgeting**
 - *Current Market Indices / Impacts to Projects (Cost & Schedule)*
 - *Current Market Escalation*
 - *Estimating / Budgeting Practices*
- **Current Projects & Options**
- **Discussion**

Active Projects - Status

Project Types	Total Quantity	Completion	Total Value/Budget
Work Orders <i>(All Locations through June 2019)</i>			n/a
Business Cases <i>(Large or One Time Maintenance)</i>	46	9.75%	\$7,902,578
Capital Projects <i>(Often Multiple Year Duration/Funding)</i>	30	15.69%	\$123,584,762
Other / Miscellaneous <i>(Land or Partner Department Proj.)</i>	5	52.5%	\$3,350,000

Capital Projects (Major) - Status

Project	Planned Budget	Current Estimate	Orig. Planned Completion	Current Estimate
Animal Shelter*	\$27.5M	\$27.5M	Q2 2020	June 2020
Parks Infrastructure*	\$9.5M	\$9.5M	Q2 2020	June 2020
Fleet / PW*	\$38.25M	\$42.25M <i>(need \$4M)</i>	Q4 2023	Q1 2022
Leader Blade Station	\$1.2M	\$1.8M <i>(need \$600K)</i>	Sept. 2019	March 2020
Strasburg Wash Bay	\$1.25M est. <i>(\$500K in 2019)</i>	\$1.1M <i>(need \$600K)</i>	Sept. 2019	March 2020
RRP Multi-Use Arena*	\$12.5M <i>(Scope in Review)</i>	\$20M - \$30M <i>(TBD on Scope)</i>	By Fair 2020	By Fair 2021
Former Shooting Range*	\$5M	\$5M	Q4 2019	Q3 2020
RRP Sewage Lagoon*	\$800K	\$1M <i>(now bidding)</i>	Q1 2019	Q1 2020

Market Data References *(through March 2019)*

■ Industry Leaders:

- *Engineering News Record*
 - Relies also on data from Turner and Rider Levitt Bucknall
- *Vermuelens (including Stock Market & Consumer Price Index)*
- *Associated General Contractors (AGC)*
- *Turner Construction*

■ Major Partners / Contractors through ‘Best Value’ procurement process:

- *Saunders & FCI*

■ Peer Owners:

- *CDOT, School Districts, etc.*

■ Adams County Experience

- *Internal Staff & Design Professionals (Stantec, G Squared, D2C)*

Current Market Impacts *(through March 2019)*

■ Robust Local Construction Market Impacts to Cost/Schedule:

- *Sustained, Robust construction market (Increased Demand)*
 - Strong Local Economy (Tourism, Banking, Federal Functions, etc.)
- *Shortage of Skilled Trades (Limited Supply)*
 - Increased Labor Costs and/or Extended Schedules
- *Population Growth in Adams County and the Front Range*
 - Increased Demand for Services

■ National and International Impacts

- *OSHA Safety Changes (Silica – impacts to masonry, tile, etc.)*
- *Trade Tariffs (Steel, Concrete, Lighting, etc.)*
- *Stock Market Increases and associated Materials Costs*

Current Market Escalation Rates

Reference	2017	2018	2019	2020
ENR - National	5.2%	2.9%	tbd	tbd
ENR - Denver	1.5% to 4.3%	0.7% to 5.2%	4.67% Q1&2	tbd
Turner - National	5.0%	5.6%	> 5%	tbd
RS Means - Denver	n/a	n/a	3.56% Q1 alone	tbd
Vermuelens - National	3.8%	4%	3.4% (32 yr avg)	3.4% (32 yr avg)
CDOT	0.6% to 4.54%	-0.05% to 19.65%	tbd	tbd
CPI – Mountain Plains	2.6%	2.5%	1.4% Q1 along	tbd

Estimating / Budgeting Practices

■ Previous Practice

- *Estimate, generally based on square footage*
- *No programming, studies, or test-fits conducted*

■ Current Practice

- *Programming and/or pre-design conducted to determine scope*
- *Preliminary Scope informs the budget estimate: “**Scope = Budget**”*
- *CM/GC approach (Best Value) allows for cost controls during design*

■ Recommended Practice

- *Continue ‘Current Practice’*
- *Estimates to be generated at “average” cost models / Budgets slightly higher*
- *Update ELT and BoCC as projects develop on current market conditions*
 - Prevents “over-budgeting” & excess contingency
 - Periodic Audit of projects on policy / process compliance (similar to RAS)

Current Project Options

■ Fleet / PW Facility

- *We CAN complete the project on budget*
 - Option 'A': Eliminate Automated Wash Building (last phase)
 - Option 'B': Partial additional funding and eliminate all covered parking
- *We CAN complete ALL desired scope/amenities*
 - Option 'C': Full additional funding (\$4M) – part of future year allocations

■ Leader Blade Station

- *We continue to value-engineer and look for cost savings*
- *We need additional funding to complete the Base Scope: \$600,000 (or more)*
 - Recommended as current year Amendment to complete work ASAP
 - Requested added scope of Fuel Station is additional \$175,000

■ Strasburg Wash Bay

- *Original Estimate was \$1.25M – 2019 Budget was \$500,000*
- *We need additional funding to complete the Base Scope: \$600,000*
 - Option 'A': Recommended as current year Amendment to complete work ASAP
 - Option 'B': Defer the project for master planning of entire Strasburg campus currently planned in 2020 – Reuse project funds for Leader

The End

- **Open Discussion**
- **Questions ?**



STUDY SESSION AGENDA ITEM

DATE: July 23, 2019
SUBJECT: New Marijuana Legislation Update
FROM: Jill Jennings Golich, Director
AGENCY/DEPARTMENT: Community & Economic Development
ATTENDEES: Jill Jennings Golich – Director Christy Fitch – Assistant County Attorney Andrea Berg – Customer & Process Development Manager Brandan Slattery – Licensing Administrator
PURPOSE OF ITEM: To provide an update and staff recommendations regarding new marijuana legislation as well as the open Marijuana Testing License
STAFF RECOMMENDATION: Informational

BACKGROUND:

On May 29, 2019 HB19-1230 Marijuana Hospitality Establishments was signed into law. The bill authorizes marijuana hospitality spaces in which marijuana may be consumed at a stand-alone business and retail marijuana hospitality and sales establishments in which retail marijuana, retail marijuana concentrate, and retail marijuana products may be sold and consumed on site in the establishment's hospitality space.

On May 29, 2019 HB19-1234 Regulated Marijuana Delivery was signed into law. The bill creates marijuana delivery permits for licensed retail marijuana stores that will allow the stores to deliver retail marijuana and reatail marijuana products to customers. A one dollar surcharge is added to each delivery. That money is given to the local municipality where the store is located for local law enforcement costs related to marijuana enforcement.

In this study session, staff will present information on the new state legislation regarding marijuana and provide recommendations for local licensing changes. Staff will also provide an update regarding the open marijuana testing license.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community & Economic Development, County Attorney

ATTACHED DOCUMENTS:

PowerPoint presentation

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:**Cost Center:**

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☒ NO

Future Amendment Needed: ☐ YES ☒ NO

Additional Note:**APPROVAL SIGNATURES:**

Raymond H. Gonzales, County Manager

Alisha Reis, Deputy County Manager



Bryan Ostler, Deputy County Manager

Chris Kline, Deputy County Manager

APPROVAL OF FISCAL IMPACT:
Budget

Marijuana Legislation Update

Community and Economic Development

07.23.19



Overview

- HB19-1230 Marijuana Hospitality Establishments
- HB19-1234 Regulated Marijuana Delivery
- Update regarding open Marijuana Testing License

Marijuana Hospitality Establishments

- HB19-1230 Signed into law on May 29, 2019, Effective January 1, 2020
- Creates two new licenses for Marijuana Establishments
 - Marijuana Hospitality Establishments: stand-alone business for consumption of marijuana
 - Retail Marijuana Hospitality Establishment: business for consumption of marijuana located in a retail marijuana facility

Marijuana Hospitality Establishments

- Local Control

- A local jurisdiction may authorize the operation of marijuana hospitality establishments within its jurisdiction through the enactment of an ordinance or through a referred or initiated measure
 - The local jurisdiction may require more stringent requirements than those provided by the state

- Effect on Current Businesses

- An applicant is prohibited from operating a marijuana hospitality establishment without a state and local license to operate
- A business operating prior to December 31, 2019, may continue to operate until a state license is approved or denied if they apply for a license prior to December 31, 2019. Any such business that has not applied for a license shall cease operation

Regulated Marijuana Delivery

- HB19-1234 Signed into law on May 29, 2019. Medical Delivery Effective January 2, 2020, Retail Delivery Effective January 2, 2021.
- The law creates marijuana delivery permits for *licensed* marijuana stores and medical marijuana centers
- Sets forth qualifications to be determined through the rulemaking process:
 - Training requirements for marijuana transporters
 - Security requirements
 - Delivery vehicle requirements, including surveillance
 - Record keeping requirements
 - Limits on the amount of product that can be carried in a vehicle
 - Inventory tracking
 - Permitted hours of delivery

Regulated Marijuana Delivery

- Local Licensing Authority and Approval:
 - Allows for issuance of a Medical Marijuana Delivery Permit and a Retail Marijuana Delivery Permit by the local jurisdiction
 - ***Delivery is only allowed from a store in a jurisdiction if the jurisdiction allows delivery***
 - Can be done by vote or by decision of the Board of County Commissioners
 - A local government may prohibit delivery of marijuana products from an establishment outside its boundaries by ordinance
 - The act provides for a one dollar surcharge on each delivery. The surcharge remitted to the County on a monthly basis to pay for local law enforcement costs related to marijuana enforcement

Regulated Marijuana Delivery

- Limitations on Delivery
 - Can only deliver to private residences
 - Cannot deliver more than once per day to the same residence or individual
 - Cannot deliver to college campuses
 - Permit is good for one year, the permittee must reapply after the one year expiration

Marijuana Hospitality Establishments Regulated Marijuana Delivery Adams County



Current ADCO Marijuana Hospitality Establishments

- 2 Marijuana Hospitality Establishments exist in ADCO
 - iBAKE – 6121 Washington Street (I-1)
 - Studio 420 – 808 E. 78th Avenue (I-1)
- 3-07-01 Adams County Development Standards & Regulations, a Membership Organization is allowed in all commercial & industrial zone districts
- Consumption only; no sale of any cannabis products

Marijuana Hospitality Establishments Recommendation Option #1

- Do nothing
 - Dual license (State and ADCO) is required for operation
 - Existing establishments would be required to no longer allow the smoking of marijuana or close before 1/1/2020

Allow for Marijuana Hospitality Establishments

- Only within existing licensed marijuana retail stores?
- Allow within existing licensed marijuana retail stores and stand-alone establishments?
- Recommendation options?

Marijuana Hospitality Establishments

Recommendation Option #2

- Allow existing marijuana retail store licensees to obtain a consumption license and add a consumption area
 - 4 currently licensed marijuana retail stores, 1 in progress, total of 5
 - Possible 6th location if testing license is converted to retail store license
 - Additional licensing fee of \$15,000 for a consumption license

Marijuana Hospitality Establishments

Recommendation Option #3

- Allow for 3 new marijuana retail consumption licenses
- Application submittal via E – Permit Center email, time/date stamped
- First 3 complete applications moved into review process
- Must obtain an approved Building/Change In Use Permit within 6 months of notification.

Zone Districts and Setbacks

Facility Type	Zone District	School/ Daycare	Community Facilities	Residential Uses
Retail Store*	C-3, C-4, C5 I-1, I-2, I-3	1,000 ft	100 ft	50 ft
Consumption*	C-3, C-4, C-5 I-1, I-2, I-3	1,000 ft	100 ft	50 ft
Manufacturing	I-1, I-2, I-3	1,000 ft	100 ft	50 ft
Cultivation	A-3 C-3, C-4, C-5 I-1, I-2, I-3	1,000 ft	100 ft	50 ft
Testing	I-1, I-2, I-3	1,000 ft	100 ft	50 ft

- 750 ft minimum separation between stores
- 750ft minimum separation between consumption

Regulated Marijuana Delivery Recommendation Option #1

- Do nothing

Regulated Marijuana Delivery Recommendation Option #2

- Allow existing marijuana retail store licensees to obtain a delivery permit.
 - 5 retail stores
 - 1 additional potential retail store
- Permit Fee Options
 - \$15,000
 - \$7,500

Regulated Marijuana Delivery Recommendation Option #3

- Wait
 - Rulemaking for the permit has not started (August 29)
 - Specific details of the permit at the State level are unknown
- Present all information after the rules are determined in a later Study Session

Recommendation Recap

- Marijuana Hospitality Establishments
 - Option #1: Do nothing
 - Option #2: Allow existing marijuana retail store licensees to obtain a marijuana consumption license and add a consumption area
 - Option #3: Allow for 3 - 5 new marijuana retail consumption licenses
- Regulated Marijuana Delivery
 - Option #1: Do nothing
 - Option #2: Allow existing marijuana retail store licensees to obtain a delivery permit
 - Option #3: Wait, present more information later

Marijuana Testing License Update

- Public Hearing on December 11, 2018
 - During public comment, a potential applicant requested the marijuana testing license remain available
 - BoCC voted to leave the marijuana testing license open for application for an additional year
- Potential applicant has officially withdrawn his application for the open marijuana testing license
- Staff recommends converting the open marijuana testing license to a marijuana retail store license



STUDY SESSION AGENDA ITEM

DATE:	July 23, 2019
SUBJECT:	Oil & Gas Regulation Amendments
FROM:	Jill Jennings Golich, Director
AGENCY/DEPARTMENT:	Community & Economic Development
ATTENDEES:	Katie Keefe, Jen Rutter, Keith Huck, Christy Fitch
PURPOSE OF ITEM:	Update on oil and gas regulation amendments resulting from SB19-181.
STAFF RECOMMENDATION:	That Staff continue to work on the regulation amendments and perform public and stakeholder outreach.

BACKGROUND:

On March 1, 2019, Senate Bill 181 was introduced, which clarifies, reinforces, and establishes the regulatory authority of local governments over the surface impacts of oil and gas development. The Adams County Board of County Commissioners approved a six-month moratorium on all new oil and gas facility applications within unincorporated areas on March 20, 2019. Governor Polis signed SB-181 into law on April 16, 2019.

Staff is working to develop draft regulations that implement the broader authority over oil and gas surface impacts afforded by SB-181. Stakeholder meetings were held during the last two weeks in June to obtain feedback on the draft regulations. Staff met with groups such as Emergency Management and Fire Districts, School Districts, Oil & Gas Operators, Developers, Adjacent Local Governments, and resident organizations. With the input from the stakeholders, staff and the outside legal counsel for oil and gas have developed a preliminary draft of the regulations. A final draft will be brought before the Planning Commission and the Board of County Commissioners in a public hearing.

A Study Session was held on Tuesday, July 16, 2019 at which Staff and outside counsel presented the first draft of regulation amendments. The Commissioners directed staff to perform an analysis on options for potential setback distances to be evaluated as part of the alternative site analysis. These setbacks would be measured from homes, schools, licensed daycare centers, and other types of occupied dwellings.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Attorney
Elizabeth Paranhos, Outside counsel for oil and gas issues

ATTACHED DOCUMENTS:

Draft Regulations

FISCAL IMPACT:

Please check if there is no fiscal impact ☒. If there is fiscal impact, please fully complete the section below.

Fund:**Cost Center:**

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☐ NO

Future Amendment Needed: ☐ YES ☐ NO

Additional Note:**APPROVAL SIGNATURES:**

Raymond H. Gonzales, County Manager

Alisha Reis, Deputy County Manager

Bryan Ostler, Deputy County Manager

Chris Kline, Deputy County Manager**APPROVAL OF FISCAL IMPACT:**

Budget

2-02-12-07 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Director of Community and Economic Development, the Director of Community and Economic Development shall issue a temporary use permit. The temporary use permit shall describe in detail the temporary use allowed by the permit, include all specific conditions applied by the permit issuing authority, and be accompanied by an official site plan modified by the applicant to reflect the conditions of the permit.

2-02-12-08 EFFECT OF APPROVAL

Issuance of a temporary use permit shall be deemed to authorize only the particular use and activity for which it is issued. The temporary use permit is nontransferable. The applicant shall be subject to all other permits required by these standards and regulations to use the land in accordance with the temporary use permit.

2-02-14

OIL AND GAS FACILITY (OGF) PERMIT

2-02-14-01 PURPOSE

The purpose of the oil and gas facility regulation is to allow for reasonable development of oil and gas in unincorporated Adams County while ensuring that facilities are sited in appropriate areas and utilize best practices to protect the health, safety, and welfare of our residents.

The purpose of an OGF Permit is to regulate the surface land use of oil and gas production in order to protect the public safety, health, welfare and the environment of Adams County and its residents by ensuring that facilities are constructed and operated in accordance with best practices, to provide for sound environmental practices to protect the County's natural resources, to provide for the orderly siting and development of oil and gas operations, as well as to prevent damage to County roads and bridges.

The Colorado Oil and Gas Conservation Commission (COGCC) and the federal government have authority to regulate certain aspects of oil and gas mineral extraction. Requirements contained in this section shall not exempt the owner or operator of an oil and gas facility from compliance with the requirements of the COGCC or any other regulatory authority.

The provisions of these standards and regulations shall apply to the construction, installation, alteration, repair, erection, location, maintenance, and abandonment

of all new or substantially modified oil and gas facilities within the unincorporated areas of the County.

2-02-14-02 APPLICABILITY

All uses that require an OGF must be processed in accordance with this Section. The Director of Community and Economic Development is the permit issuing authority for OGF Permits that do not require any waiver from approval criteria or performance standards. OGF Permits requiring waivers from approval criteria or performance standards must be approved by the Board of County Commissioners through the designated Waiver process.

2-02-14-03 WHO CAN INITIATE AN OGF PERMIT

An OGF Permit may be requested, without limitation, by any owner of, or person demonstrating a legal interest in property on which the OGF use is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-14-04 OGF PERMIT REVIEW PROCEDURES

An OGF Permit may be approved by the Director of Community and Economic Development if the application does not require waiver or modification from any approval criteria or performance standards. An OGF Permit requiring a waiver or modification from any of the approval criteria or performance standards must be approved by the Board of County Commissioners and requires a public hearing. The Director of Community and Economic Development or the Board of County Commissioners shall approve, approve with conditions, or deny the OGF Permit based on consideration of the staff report, the evidence from the public hearing (if applicable), and compliance with the criteria for approval.

2-02-14-05 OGF PERMIT REVIEW STEPS

The processing of a proposed OGF permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures (although not necessarily conducted in the following order) as follows:

1. Conceptual review. Operator shall identify three proposed locations for the oil and gas facility for the Alternative Site Analysis process outlined below. For each location, operator shall identify, and visually depict the same on a map, the following items that are located within a half-mile radius of the parcel boundary of the proposed facility: existing or platted residences, occupied buildings, parks, open space,

schools, state licensed daycares, known areas of environmental contamination such as superfund sites, hospitals, water bodies, floodplains, floodways, existing active and decommissioned wells, and roadways. Proposed access routes to the site should also be provided. This information must be submitted to Community and Economic Development for review. Following that, a conceptual review meeting shall be held with the operator. Operators are encouraged to schedule a conceptual review prior to entering into any surface use agreements.

- a. **Alternative Site Analysis:** Prior to submittal of any spacing application or Form 2 or 2A to the COGCC and during the conceptual review, the applicant must consult with the County on an Alternative Site Analysis as outlined below:

1. In General. The County seeks to site OGFs in areas that have the least off-site impact possible in order to protect the health, safety, and welfare of its residents and to protect the environment and wildlife. In order to determine whether proposed siting is appropriate, CED staff must evaluate alternative sites.
2. Description of potential sites. Applicant must submit descriptions of at least three (3) potential sites for the OGF that were considered by applicant. Description must include description of site locations considered, whether mineral extraction is possible and reasonable from those sites, the off-site impacts associated with those sites, and why a particular site is proposed, if any.
3. Evaluation materials. CED staff will evaluate the potential sites to determine which site is likely to have the least off-site impacts. The CED Director will determine whether applicant is required to provide traffic impact studies, engineering studies, Environmental Impact Analysis as defined in these standards and regulations~~environmental assessment~~, or other evaluation tools in order to adequately evaluate site options. If not required by CED Director as part of alternative site analysis, these site-specific evaluation tools can be submitted by applicant after site selection has occurred.
4. Evaluation criteria. In determining which sites are likely to have the least off-site impact, CED may consider the following:

- ~~i.~~ i. Distance from existing or platted residences, schools, state licensed daycares, occupied buildings, active open spaces, environmentally sensitive areas, or other areas likely to be adversely impacted;
- ~~i.~~;
- ii. Traffic impacts and impact to roads, bridges, and other infrastructure;
- iii. Access to water and other operational necessities;
- ~~iv.~~ iv. Whether the site allows for utilization of impact mitigation, such as use of proximate pipelines;
- ~~iv-v.~~ v. Noise impacts;
- ~~v-vi.~~ vi. The impact on the surrounding land;
- ~~vii.~~ vii. The impact on wildlife; and
- ~~vi-viii.~~ viii. Impact on nearby environmental resources such as water bodies.

5. Site Selection. The county shall review all proposed locations in order to determine which location(s) best protects public health, safety, welfare, and the environment and will choose the location that best satisfies this goal. The Director of Community and Economic Development will determine if any proposed sites meet this goal. If no location satisfies this goal, Operator shall submit three new proposed locations. Alternatively, the County may suggest alternative location(s) or may recommend denial of the OGF Permit if it does not believe that any of the proposed sites meet the siting goal.

2. Neighborhood Meeting: Applicable, unless waived by the Director of Community and Economic Development. Director of Community and Economic Development will determine whether neighborhood meetings are required for all or some of the proposed alternative sites. At the neighborhood meeting, the applicant shall provide an overview of its proposed oil and gas operation and allow those in attendance to provide input as to the proposed operation, including, but not limited to, issues that arise from application of these regulations to the proposed operation, and suggested mitigation to adequately ensure compliance with these regulations.
3. Development Application Submittal: Community and Economic Development has developed a check list of required submittals for OGF Permits that may change from time to time. At a minimum, the following items are required as part of an OGF application submittal:
 - a. **Application Form**: a completed OGF Permit application form.
 - b. **Application Fee**: OGF application fee

c. Operations Plan:

1. Plan Format: Two hard copies of all plans shall be provided and one copy of the plans shall be provided in digital format, on either a thumb drive or CD. No plans shall contain copyright restrictions or public use restrictions.
2. Cover Sheet: The cover sheet shall have a title block with the reference to an Administrative Use by Special Review, project name, and location by section, township and range. The cover sheet shall also include a legal description of the area, date of the drawing, existing zoning of the site, a sheet key, a vicinity map with north arrow (scale of 1" = 2,000' preferred) with an emphasis on the major roadway network within two (2) miles of the proposal, and all applicable County notes, an approval signature block and a block to insert the COGCC Permit number when approved. Upon approval, the first sheet will be signed by the Director.
3. Impact Area Map: The second sheet shall contain an Impact Area Map that shows the proposed location of the Oil and Gas Facility, locations of all existing oil and gas wells within the one-mile impact area, locations of all producing, closed, abandoned, and shut-in wells and other oil and gas operations within one (1) mile of the site, locations of all water wells within ½ mile of the proposed Oil and Gas Operation, Existing improvements within 1,500 feet of the location on which the operation is proposed, and all existing and proposed roads within the one-mile impact area.
4. Drilling Operations Plan: The third sheet shall provide a site plan of drilling operations with drilling equipment with existing and proposed finished-grade topography at two-foot (2') contours or less tied to a datum acceptable to the County. The applicant shall verify current information regarding what datum is acceptable to the County, prior to submitting the application for the Administrative Use by Special Review. The layout of the drilling equipment may be shown as a typical plan, if the County deems it appropriate for the extent of development of the proposed Oil and Gas Facility.
5. Production Plan: The fourth sheet shall provide a site plan of production operations with production equipment such as tanks and compressor stations with

existing and proposed finished-grade topography at two-foot (2') contours or less tied to a datum acceptable to the County. The production plan shall also identify proposed drilling and completion schedules. A seed mix shall be provided for reseeding the well pad. Equipment layout may be a typical plan appropriate to the degree of development for the Oil and Gas Facility, if the County deems it appropriate for the extent of development of the proposed Oil and Gas Facility.

6. **Signage Plan/Sign Detail:** A dimensioned Signage Plan or Sign Detail shall be included on one of the sheets describing and illustrating the appearance, size, location, type, color, material, and illumination of all signs. Directional signs for emergency responders and inspectors shall be included, along with a 24-hour, 7-days per week contact information to deal with all noise complaints.
 7. **Final Plan:** Once the review process is complete and staff has determined that all outstanding issues have been resolved, staff will request a final copy of the Oil and Gas Operations Plan. The final copy of the Plan shall be paper. The final Oil and Gas Operations Plan shall contain the information listed above unless otherwise specified by the County staff.
- d. **Emergency Preparedness and Response:** in accordance with the Emergency Preparedness and Response requirements in Section 4-10-02-03-03-03(8).
1. **Emergency Service Providers:** The applicant must provide a commitment to serve ("will serve") letter from the authority having jurisdiction for providing emergency services (fire protection and emergency medical services) for that facility, or, where no authority has jurisdiction, from an emergency services provider with the ability to provide such emergency services.
- e. **Engineering Documents:** The following technical Engineering documents are required by the CED staff unless otherwise waived:
1. **Construction Plans:** If applicable, Construction Plans for the proposed Oil and Gas Operation's public improvements including road plan and profile sheets, storm drainage improvements plans and other public

improvements, prepared in accordance with the latest version of the Adams County Development Standards and Regulations (Chapter 9).

2. Pavement Design Report: If applicable, a Pavement Design Report prepared in accordance with the latest version of the Adams County Development Standards and Regulations (Chapter 7).
3. Grading Erosion and Sediment Control: If applicable, a Grading, Erosion, Sediment Control Report and Plan as defined in the latest version of the Adams County Development Standards and Regulations (Chapter 9).
4. Transportation, roads, access standards, and fees:
 - a. The applicant's transportation plan must be designed and implemented to ensure public safety and maintain quality of life for other users of the county transportation system, adjacent residents, and affected property owners.
 - b. Where available, existing private roads shall be used to minimize land disturbance unless traffic safety, visual or noise concerns, or other adverse surface impacts clearly dictate otherwise.
 - c. Access roads on the site and access points to public roads as identified in the application materials shall be reviewed by the CED department and shall be built and maintained in accordance with the engineering specifications and access road standards defined in the Adams County Development Standards and Regulations (Chapter 8).
 - d. All applicable transportation fees shall be paid prior to issuance of a development plan review construction permit, including without limitation:
 - i. Access permit fees
 - ii. Oversize/overweight permit fees
 - iii. Right of way construction permit fees; and
 - iv. Traffic impact and road maintenance fees.

- e. Oil and gas operations must minimize impacts to the physical infrastructure of the county transportation system. Any costs to improve county transportation system infrastructure necessitated by the proposed oil and gas operation shall be the responsibility of the Applicant. All transportation system infrastructure improvements and associated costs shall be determined by the CED department. The County shall perform the work or arrange for it to be performed. If the Applicant disagrees with the infrastructure improvements or associated costs as assessed by CED, it may request that the department approve a different route for its proposed oil and gas operation that avoids the need for such improvements. Alternatively, the Applicant may engage a licensed civil engineering firm to perform a traffic impact study in accordance with Chapter 8 of the Development Standards and Regulations to independently evaluate county transportation system infrastructure improvements necessitated by the proposed oil and gas operation.
- f. Drainage study/technical drainage letter/plan: If applicable, a Drainage Study/Technical Drainage Letter/Plan prepared in accordance with the latest version of the Adams County Development Standards and Regulations (Chapter 9).
- g. Floodplain Use Permit: The applicant must obtain a Floodplain Use Permit, in accordance with the latest version of the Adams County Development Standards and Regulations, if the proposed Oil and Gas construction disturbance or operation encroaches into the 100-year floodplain, or the access is crossing a major drainage way, as defined by the latest version of the Adams County Development Standards and Regulations (Chapter 9).
- f. **Water Supply:** the applicant must provide proof of adequate water supply. Operator shall identify a water resource lawfully available for industrial use, including oil and gas development,

close to the facility location, to be utilized by Operator and its suppliers.

- g. **Surface Owner Documentation:** Documentation as to whether the surface owner and others with interest in the property have authorized the proposed OGF.
 - h. **Additional Information:** Community and Economic Development will develop an application check list that may require additional information to process an OGF Permit application. In addition to the items required on the check list, the Director of Community and Economic Development may require additional information deemed necessary to evaluate particular applications.
4. Determination of Sufficiency: Applicable. No application shall be processed if taxes due on the requested property(ies) are not paid, if inspection fees are not paid, or if fines assessed against the applicant have not been paid.
5. Staff Report: Applicable.
- a. Concurrent Referral and Review. County staff may refer the complete application for review by the various County Departments and the County Attorney's Office, as deemed appropriate. An application may require review by outside experts or agencies such as the U.S. Army Corps of Engineers, if the project impacts a floodplain, life-safety providers, adjacent jurisdictions, local public health departments, and others as may be deemed appropriate. Operator shall reimburse the County for reasonable costs incurred in connection with the use of third-party expert reviewers.
- ~~5.6.~~ Notice: Applicable, except notice shall be sent by the applicant to all property owners and current residents within a half mile at a minimum, or greater, as determined by the Director of Community and Economic Development. The Notice shall meet the format prescribed by the County. The notice shall contain a statement informing the recipients of the notice that they may request written notification by the Applicant of the commencement of construction and commencement of drilling operations. The applicant shall provide written notification by U.S. Mail, which shall include an offer to consult, to any municipality or county whose boundaries are within ½ mile of the proposed parcel where an application for an Oil and Gas Facility has been filed with the County.
- ~~6.7.~~ Public Hearing. Applicable if the OGF Permit requires waiver from any approval criteria or performance standards. In cases requiring a

waiver, a public hearing shall be held in front of the Board of County Commissioners.

7.8. Standards: Applicable.

8.9. Conditions of Approval: Applicable. The Director of Community and Economic Development in approving a permit for an OGF may attach any conditions necessary to implement the Adams County Comprehensive Plan and to ensure the compatibility with adjacent uses. Conditions may include a requirement of an Access Permit or Oversize Load Permit prior to development of the Oil and Gas Facility, a Floodplain Use Permit prior to any work within the floodplain, or a building permit prior to construction of certain structures within the Oil and Gas Facility. In addition, the approving authority shall specify the term of the OGF Permit. An OGF Permit may be renewed following the same procedure used in granting the initial permit.

9.10. Amendments: Applicable.

2-02-14-06 CRITERIA FOR APPROVAL

The Board of County Commissioners or Director of Community and Economic Development, in approving an OGF Permit, shall consider:

1. The OGF is consistent with the purposes of these standards and regulations.
2. The OGF will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards, unless specifically waived or modified by the Board of County Commissioners after public hearing.
3. The siting of the OGF, after evaluation of alternative sites, is the most compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, welfare, the environment and wildlife of the County.
4. The siting of the OGF does not create any site specific conditions that present significant or material impacts to nearby land uses.
5. The OGF has addressed off-site impacts and complies with all applicable performance standards, unless specifically waived or modified by the Board of County Commissioners after public hearing.
6. The site is suitable for the use, including adequate usable space, adequate access, and absence of environmental constraints.

7. The site plan for the proposed use will provide adequate parking, traffic circulation, fencing, screening, and landscaping.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are available and adequate to serve the needs of the OGF as designed and proposed.
9. Cultural and Historical Resources: the OGF does not cause significant degradation of cultural, historic, or archaeological sites eligible for County landmarking, or the National Historic Register.
10. Water Bodies and Water Quality: the OGF does not⁵ cause adverse impacts to surface or ground waters within Adams County. The operator shall comply with all applicable water quality standards.
11. Emergency Preparedness and Response: the oil and gas facility does not cause unreasonable risks of emergency situations such as explosions, fires, gas, oil or water pipeline leaks, ruptures, hydrogen sulfide or other toxic gas or fluid emissions, and hazardous material vehicle accidents or spills.
- 11.12. Air Quality: The OGF does not cause significant degradation to air quality.

2-02-14-07

OIL AND GAS FACILITY PERMIT WAIVER

2-02-14-07-01

PURPOSE

The purpose of this section is to establish criteria and detail the steps whereby the Board of County Commissioners, at public meeting, may grant waivers or modifications from approval criteria or performance standards normally required for OGF Permits, allow the OGF use in an area not zoned for OGFs, or allow applicant to develop an OGF site not selected by Community and Economic Development.

2-02-14-07-02

APPLICABILITY

If the OGF permit application is denied based on noncompliance with the approval criteria or performance standards, if the applicant seeks to develop in an area not zoned for OGF development, or if an applicant seeks to develop on a site not approved by CED staff, an applicant may apply for an Oil and Gas Facility Permit Waiver.

2-02-14-07-03 *WHO CAN INITIATE A WAIVER*

A waiver may be proposed by any applicant that may apply for an OGF.

The applicant has the burden of proof to demonstrate that the waiver or proposed site selection meets the criteria for approval.

2-02-14-07-04 *WAIVER REVIEW PROCEDURES*

Any waiver shall be processed through a public hearing before the Board of County Commissioners (See Steps 1 through 10 below). Waiver applications will be heard by the Board of County Commissioners at a public hearing. At such public hearing, the Board of County Commissioners may waive or modify specific regulations or standards requested by the applicant and approve the application, may approve with conditions, or may deny the application.

Applicants may only seek a waiver after submitting a complete application for an OGF Permit and participating in a conceptual review meeting with Community and Economic Development staff. If applicant is unable to meet all approval criteria and comply with all performance standards required for an OGF Permit, applicant may choose to seek a waiver from the Board of County Commissioners. The processing of a waiver shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Must be completed prior to application for waiver as part of OGF Permit process.
2. Neighborhood Meeting: Director of Community and Economic Development will determine whether neighborhood meetings are required after evaluating steps taken as part of OGF process.
3. Development Application Submittal: In addition to all requirements for an OGF Permit, applicant must provide a request for waiver that articulates the specific waivers sought and explains why waivers are necessary.
4. Determination of Sufficiency: Applicable. No application shall be processed if taxes due on the requested property(ies) are not paid, if inspection fees are not paid, or if fines assessed against the applicant have not been paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of County Commissioners. Any requested waiver shall be reviewed and acted upon by the Board of County Commissioners prior to issuance of an OGF Permit. The Board of County Commissioners may take testimony from the public at the public meeting.

8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners, in approving a waiver for an OGF Permit, may attach any conditions necessary to implement the Adams County Comprehensive Plan and to ensure the compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-14-07-05 *CRITERIA FOR APPROVAL*

The Board of County Commissioners, in approving a waiver, shall find:

1. Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations
2. The purpose of these standards and regulations are served to a greater extent by the alternative proposal.
3. The waiver does not have the effect of nullifying the purpose of these standards and regulations.

2-02-14-07-06 *ADDITIONAL CRITERIA FOR A ZONE DISTRICT WAIVER*

The Board of County Commissioners, in approving zone district waiver, in addition to the criteria outlined above, shall find:

1. The proposed Oil and Gas Facility is consistent with the Adams County Comprehensive Plan.
2. The proposed Oil and Gas Facility is compatible with the surrounding area, harmonious with the character of the neighborhood, and not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, welfare or the environment of the inhabitants of the area and the County.

2-02-15 *AMENDMENT TO TEXT OF THE STANDARDS AND REGULATIONS AND/OR ZONING MAP (REZONING) AND/OR COMPREHENSIVE PLAN*

2-02-15-01 *PURPOSE*

The purpose of this section is to detail the steps to follow for changing the text of these standards and regulations, or the boundaries of the zone districts shown on the Zoning Map (Rezoning), or the Comprehensive Plan.

- d. **Truck Washing:** All trucks shall be washed at least once a week with a detergent and disinfectant to minimize nuisance conditions, unless spills or leaks are detected which must be disinfected immediately. All wash water shall be properly controlled to prevent runoff.
 - e. **Waste Incineration:** Infectious waste incineration facilities shall be permitted to burn infectious waste only. Incineration of waste paper, contraband, or other materials is not permitted unless specifically approved as part of the wastestream.
7. *Hazardous Waste Disposal Site and Facility Standards:* All hazardous waste disposal sites and facilities shall meet the standards established by State and Federal regulatory requirements.

4-10-02-03-03

OIL AND GAS FACILITY

4-10-02-03-03-01

Purpose

This Section is enacted to protect and promote the health, safety, values, convenience, order, prosperity and general welfare of the current and future residents of the County. It is the County's intent by enacting this Section to facilitate the development of oil and gas resources within the unincorporated area of the County while avoiding or mitigating potential land use conflicts between such development and existing, as well as planned, land uses. It is recognized that under state law the surface and mineral estates are separate and distinct interests in land and that one may be severed from the other. Owners of subsurface mineral interests have certain legal rights and privileges, including the right to use that part of the surface estate reasonably required to extract and develop their subsurface mineral interests from a consenting surface owner, subject to compliance with the provisions of this Section and any other applicable statutory and regulatory requirements. Similarly, owners of the surface estate have certain legal rights and privileges, including the right to have the mineral estate developed in a reasonable manner and to have adverse impacts upon their property, associated with the development of the mineral estate, avoided or mitigated through compliance with this Section.

4-10-02-03-03-02

Definitions

Oil and Gas Facilities:

1. The site and associated equipment used for the production, treatment, and/or storage of oil and gas and waste products; or
2. An individual well pad built with one or more wells and operated to produce liquid petroleum and/or natural gas, including associated equipment required for such production; or

3. Temporary storage and construction staging of oil and gas; or
4. Any other oil and gas operation which may cause significant degradation.

For any other definition not listed in this section, the definitions listed in Chapter 11 of the Adams County Development Standards and Regulations and the Colorado Oil and Gas Conservation Commission's regulations shall govern. If there is a conflict between the definitions in Chapter 11 and the COGCC's definitions, the COGCC's definitions shall prevail. If the term is not found in the COGCC's definitions or in Chapter 11, the term shall have its common meaning along with the spirit and intent of the Development Standards and Regulations and may be subject to interpretation by the Director of Community and Economic Development or his or her designee.

4-10-02-03-03

General Provisions

1. Access: Oil and gas well installation shall be located to provide convenient access, shall accommodate the traffic and equipment related to the oil and gas operations and emergency vehicles, and shall comply with COGCC rules and Adams County Development Standards and Regulations. Oil and gas operations must avoid or minimize impacts to the physical infrastructure of the county transportation system.
2. Building Permit Required: For all new or substantially modified wells, a building permit is required for the installation of permanent electrical, pumps, tank batteries, and all other above-ground structures as well as any other applicable permits including, but not limited to, culvert permits, oversized-load permits, and floodplain use permit.
- 2.3. Setbacks: Oil and Gas Facilities shall be at least _____ feet from the property line of any existing or platted residences, schools, state licensed daycares, or occupied buildings.
- 3.4. Fees and Permits: All applicable County fees adopted by the County, including postage fees and inspection fees, must be paid at time of application and prior to issuance of a building permit, including for all applicable permits required by the Adams County Development Standards and Regulations.
- 4.5. Oil and Gas Road Impact and Maintenance Fees:
 - a. Operators must pay oil and gas road impact and maintenance fees, as approved by the Board of County Commissioners, for all proposed oil and gas wells and pads. This fee shall be paid at the time of issuance of an Oil and Gas Facilities Permit Any person or entity required to pay the oil and gas road impact fee may elect to submit an independent study and fee calculation to demonstrate that the nature, timing, or location of the proposed oil and gas development is likely to generate impacts costing less to mitigate than the amount of the fee that would be generated by the use of the fee schedule. Any independent fee study

for oil and gas development shall generally follow the methodology established in the Adams County Oil & Gas Traffic Impact Study.

- i. The preparation of the independent fee calculation study shall be the sole responsibility of the electing party.
- ii. Any person or entity who requests to perform an independent fee calculation study shall pay an application fee for administrative review. An administrative decision related to the independent study may be appealed to the Board of County Commissioners. The appeal shall be filed within 14 days of staff decision and shall follow the appeal process established for OGF Permit Waivers .

5. Safety Standards:

- a. Operator shall implement a safety management plan and maintain a safety management system applicable to all covered processes at the facility. The safety management system shall provide for employees and systems to oversee implementation and periodic revision of the plan. The plan shall include the following elements and describe the manner in which each of the following elements will be applied to the covered processes:
 - i. Process safety information. Compilation of written process safety information needed to conduct process hazard analysis. Process safety information shall include information pertaining to hazards of substances and chemicals used by the process, information pertaining to the technology of the process, information pertaining to the equipment used in the process, and information pertaining to the hazards of the substances or chemicals in the process. Documentation that equipment used in the process complies with recognized and generally accepted good engineering practices;
 - ii. Operating procedures. Written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information, and at least annual review of operating procedures to ensure they reflect current operating practices;
 - iii. Employee participation. Plan for ensuring employee participation in conduct and development of process hazards analysis and access to process hazards analysis;
 - iv. Training. Written procedures detailing initial and refresher employee training requirements and documentation of employee training;

- v. Mechanical integrity. Written procedures designed to maintain the on-going integrity of process equipment, ensure employees involved in maintenance are properly trained to ensure the ongoing integrity of process equipment, ensure that process equipment is tested and inspected in accordance with manufacturer specifications, correct deficiencies in equipment in a safe and timely manner, and ensure that new equipment is installed or constructed properly;
- vi. Management of change. Written procedures to manage changes to covered processes, technologies, equipment and procedures;
- vii. Pre-startup reviews. Written procedures regarding pre-startup safety reviews;
- viii. Compliance audits. Written procedures requiring an audit every three years to verify compliance with the procedures and practices developed under the safety management plan, and procedures requiring correction of any deficiencies identified in audit; operator will make results of audit available to inspector upon request;
- ix. Incident investigation. Written procedures requiring investigations of all near-misses and incidents, including root cause analysis of all incidents resulting in fatalities or serious environmental harm, establishing a system to promptly address and resolve the incident, and requiring that all employees and contractors whose job tasks are relevant to the investigation of the near miss or incident review the investigation report.
- x. Hot work. The facility shall ensure that all hot work complies with city and state fire prevention and protection requirements.
- xi. Contractors. Written procedures describing how operator screens, oversees, shares process safety and emergency response and preparedness information with contractors;
- xii. Process hazard analysis. Process hazard analysis for each covered process;
- xiii. Incident history. List of all incidents that have occurred at the operator's facilities within the last ten years, along with any investigation reports, root cause analysis and operational or process changes that resulted from the investigation of the accident;
- xiv. Safety culture assessment. Written procedures requiring operator periodically review safety culture, and at a minimum conduct such review after each major accident; and

- xv. Inherently safer systems analysis. Require analysis at least every 5 years, whenever a change is proposed at the facility that could result in an incident, after an incident if recommended by the investigation report or root cause analysis, and during the design of new processes, equipment or facilities.
 - xvi. Operator shall make available safety management plan to Adams County at the County's request. Adams County may retain outside consultants to review safety management plan and may request modifications to safety management plan based on its review. Operator must reimburse County for any costs associated with retaining outside consultants.
- b. Automatic safety protective systems and surface safety valves. Operator is required to install automated safety system prior to commencement of production. Automated safety system shall include the installation, monitoring and remote control of a subsurface safety valve and shall be able to remotely shut in wells on demand. Subsurface safety valve shall be equipped to operate remotely via the automated safety protective system. Operator shall test automated safety system quarterly to ensure functionality and provide results of testing to County quarterly.
- c. Incident and accident reporting.
- i. Incidents. Within a week of any safety incident, operator shall submit a report to the County including the following, to the extent available:
 - 1. Fuel source, location, proximity to residences and other occupied buildings, cause, duration, intensity, volume, specifics and degree of damage to properties, if any beyond the facility, injuries to persons, emergency response, and remedial and preventative measures to be taken within a specified amount of time.
 - ii. County may require operator to conduct root cause analysis of any incidents or Grade 1 gas leaks, as defined by the COGCC.
 - iii. Operator shall keep a daily incident log that shall be made available to Adams County upon request. Any spill or release that is reportable to the COGCC shall be simultaneously reported to the County's LGD and applicable fire district.
 - iv. Notification to the County's LGD of all spills of a gallon or more that leaves the facility, all spills of any material on permeable ground at the facility that has a reportable spill quantity under any law and copies of any self-reporting submissions that operator provides to the COGCC.

~~iv-v.~~ Notification of the surface owner or the surface owner's tenant of spills and releases in conformance with COGCC Rules.

6. Spill Prevention and Containment. Oil and gas operations shall be in compliance with COGCC safety and spill and release requirements.
 - a. Requirements for reporting of spills and releases and rules to minimize liquid spills and releases include the following:
 - i. Berms or other secondary containment devices around crude oil, condensate, and produced water storage tanks enclosing an area sufficient to contain and provide secondary containment for 150% of the largest single tank.
 - ii. Berms or other secondary containment devices shall be sufficiently impervious to contain any spilled or released material.
 - iii. Inspection of all berms and containment devices at regular intervals, but not less than monthly. Berms shall be inspected within forty-eight (48) hours of a precipitation event of 1.0" or more, and Operator shall make necessary repairs as soon as possible, but not more than seventy-two (72) hours after the event.
 - iv. Maintenance of all berms and containment devices in good condition.
 - v. A prohibition on the storage of ignition sources inside the secondary containment area unless the containment area encloses a fired vessel.
 - vi. Construction of containment berms using steel rings, designed and installed to prevent leakage and resist degradation from erosion or routine operation.
 - vii. Construction of secondary containment areas with a synthetic or engineered liner that contains all primary containment vessels and flowlines and is mechanically connected to the steel ring to prevent leakage.
 - viii. A prohibition on more than two crude oil or condensate storage tanks within a single berm.
 - ix. For locations within 500 feet and upgradient of a surface water body, tertiary containment, such as an earthen berm, around oil and gas facilities.
 - x. Discharge valves shall be secured, inaccessible to the public and located within the secondary containment area. Open-ended discharge valves shall be placed within the interior of the tank secondary containment.

- b. Anchoring. Anchoring is required within floodplain or geological hazard areas, as needed to resist flotation, collapse, lateral movement, sinking, or subsidence, and in compliance with Federal Emergency Management Agency (FEMA). All guy line anchors left buried for future use shall be identified by a marker of bright color not less than four feet in height and not greater than one foot east of the guy line anchor.

7. Chemical Handling and Requirements

- a. The owner or operator of any installation that is required to prepare or have available a material safety data sheet for a hazardous chemical under the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq., and regulations promulgated under that Act, shall submit both a ~~material~~ safety data sheet (~~MSDS~~) for each such chemical and an annual emergency and hazardous chemical inventory form to the LEPC and the local fire district. A comprehensive and universal listing of all hazardous chemicals shall be organized based on the various phases of operation including test wells and drilling and other construction activities submitted prior to construction and with the necessary building permit applications for a Rig and Move Permit. In addition, operator shall have current ~~MSDS~~ and quantities on site at all times or available upon request.
- b. Operator shall not store onsite waste in excess of thirty days.
- c. Drilling and completion chemicals shall be removed at most sixty days after completion.
- d. Operator shall not use toxic, including orally toxic, chemicals in hydraulic fracturing fluids including ~~but not limited to~~, the following:
 - 1. Benzene
 - 2. Lead
 - 3. Mercury
 - 4. Arsenic
 - 5. Cadmium
 - 6. Chromium
 - 7. Ethylbenzene
 - 8. Xylenesf
 - 9. 1,3,5-trimethylbenzene
 - 10. 1,4-dioxane
 - 11. 1-butanol
 - 12. 2-butoxyethanol

13. N,N-dimethylformamide
14. 2-ethylhexanol
15. 2-mercaptoethanol
16. Benzene, 1, 1'-oxybis-,tetrapropylene derivatives, sulfonated, sodium salts
17. Butyl glycidyl ether
18. Polysorbate 80
19. Quaternary ammonium compounds, dicoco alkyldimethyl, chlorides
20. Bis hexamethylene triamine penta methylene phosphonic acid
21. Diethylenetriamine penta
22. FD&C blue no 1.
23. Tetrakis (triethanolaminate) zirconium (IV) (TTZ)

8. Emergency Preparedness and Response

- a. In General. Oil and gas operations shall not cause unreasonable risks of emergency situations such as explosions, fires, gas, oil or water pipeline leaks, ruptures, hydrogen sulfide or other toxic gas or fluid emissions, and hazardous material vehicle accidents or spills.
- b. Emergency Preparedness Plan. Each Applicant with an operation in the County is required to implement an emergency preparedness plan for each specific oil and gas facility. The plan shall be referred to by the the Office of Emergency Management, and the applicable fire district and filed with the County and updated on an annual basis or as conditions change (responsible field personnel change, ownership changes, etc.). The emergency preparedness plan shall consist of at least the following information:
 - i. Name, address and phone number, including 24-hour emergency numbers for at least two persons located in or near Adams County who are responsible for emergency field operations.
 - ii. An as-built facilities map in a format suitable for input into the County's GIS system depicting the locations and type of above and below ground facilities including sizes, and depths below grade of all oil and gas gathering and transmission lines and associated equipment, isolation valves, surface operations and their functions, as well as transportation routes to and from exploration and development sites, for emergency response and management purposes. The information concerning pipelines

and isolation valves shall be held confidentially by the County's Office of Emergency Management, and shall only be disclosed in the event of an emergency. The County shall deny the right of inspection of the as-built facilities maps to the public pursuant to C.R.S. § 24-72-204.

- iii. Detailed information addressing each potential emergency that may be associated with the operation. This may include any or all of the following: explosions, fires, gas, oil or water pipeline leaks or ruptures, hydrogen sulfide or other toxic gas emissions, or hazardous material vehicle accidents or spills. For each potential emergency, threshold / trigger levels shall be pre-identified that govern when an emergency state is declared by the Applicant.
- iv. The plan shall include a provision that any spill outside of the containment area or which has the potential to leave the facility or to threaten a water body shall be reported to the emergency dispatch and the Director immediately.
- v. Detailed information identifying access or evacuation routes, zone of influence for each emergency scenario identifying impacted facilities and buildings and health care facilities anticipated to be used.
- vi. Project specific emergency preparedness plans are required for any project that involves drilling or penetrating through known zones of hydrogen sulfide gas.
- vii. The plan shall include a provision that obligates the Applicant to reimburse the appropriate emergency response service providers for costs incurred in connection with any emergency.
- viii. Detailed information that the Applicant has adequate personnel, supplies, and funding to implement the emergency response plan immediately at all times during construction and operations.
- ix. The plan shall include provisions that obligate the Applicant to keep onsite and make immediately available to any emergency responders the identification and corresponding ~~Material~~ Safety Data Sheets (~~M~~SDS) of all products used, stored or transported to the site. The ~~M~~SDS sheets shall be provided immediately upon request to the Director, a public safety officer, or a health professional. In cases of spills or other emergency events, the plan shall include provisions establishing a notification process to emergency responders of potential products they may encounter, including the products used in the hydraulic fracturing fluids.

- x. The plan shall include a provision establishing a process by which the Applicant engages with the surrounding neighbors and schools to educate them on the risks and benefits of the on-site operations and to establish a process for surrounding neighbors and schools within a half mile radius, unless determined otherwise by the Director of Community and Economic Development, to communicate with the Applicant.
- xi. Operator shall maintain ~~onsite~~ storage of aqueous film forming foam (which shall not contain PFAS), absorption boom and granulated materials for ready deployment in case of leaks or other emergencies. Operator shall notify first responders of the location of said materials.

9. Recycle, Reuse and Disposal of Fluids:

- a. Operator shall recycle drilling, completion, flowback and produced fluids unless technically infeasible.
- b. Waste may be temporarily stored in tanks while awaiting transportation to licensed disposal or recycling sites.
- c. Waste must be transported by pipelines unless technically infeasible.

10. Stormwater Controls:

- a. Oil and gas operations shall be in compliance with COGCC rules related to stormwater management regulations and Adams County Stormwater Quality Regulations as contained in the Adams County Development Standards and Regulations / Ordinances and other applicable federal, state, and county requirements.
- b. The Owner or Operator must provide a stormwater management plan that identifies possible pollutant sources that may contribute pollutants to stormwater, best management practices, sampling procedures (if required), and inspections that, when implemented, will reduce or eliminate any possible water quality impacts.

11. Water Bodies and Water Quality:

- a. General. Oil and gas operations shall not cause adverse impacts to surface or ground waters within Adams County. Operators shall comply with all Adams County rules, COGCC Rules, specifically with respect to spills and releases in floodplains and/or water bodies, and applicable water quality standards set by the Colorado Department of Public Health and Environment.
- b. Water quality plan. Operators shall implement a water quality plan and make available to Adams County upon request, such plan shall include details such as operator's plans for water quality testing, prevention of illicit or inadvertent discharges, stormwater discharge management,

containment of pollutants, and spill notification and response as required by federal and state agencies. The owner or operator shall provide the County with the information it provides to the COGCC ensuring compliance with the water quality protection standards contained in COGCC Rules. The owner or operator shall provide all water source test results to the county and maintain records of such results. The owner or operator shall provide its plans concerning downhole construction details and installation practices, including casing and cementing design, and shall inform the county how the plans establish that the facility does not create significant degradation to surface waters or drinking water aquifers.

c. Wastewater Injection Wells are prohibited in Adams County.

e.d. Floodplain. Disturbance within a 100-year floodplain will be allowed if the Operator has obtained a Floodplain Use Permit from the County and has complied with all of the County's legally adopted floodplain and engineering regulations. A "100-year floodplain" shall be, for purposes of this Section, a "Special Flood Hazard Area" as identified and mapped by the Federal Emergency Management Agency's National Flood Insurance Program and adopted by the County.

12. Well Plugging and Abandonment:

a. An operator shall comply with all COGCC rules regarding well abandonment and reclamation, including, but not limited to, removal of all equipment from the location and restoring the surface of the land to its original state. Notice of well plugging and abandonment shall be submitted by the operator to the Community and Economic Development Department within forty-eight (48) hours. Notice shall include surveyed coordinates of the decommissioned well.

b. Decommissioned oil and gas well assessment. Prior to any hydraulic fracturing, and at periods following hydraulic fracturing, the operator must perform assessment and monitoring of plugged and decommissioned or removed from use, and dry and removed from use oil and gas wells (abandoned wells) within one-quarter mile of the projected track of the borehole of a proposed well. The assessment and monitoring includes:

i. Identification of all abandoned wells located within one-quarter mile of the projected track of the borehole of a proposed well based upon examination of COGCC and other publicly available records,

ii. A Risk assessment of leaking gas or water to the ground surface or into subsurface water resources, taking into account plugging and cementing procedures described in any

- recompletion or plugged and abandoned (P&A) report filed with the COGCC.
- iii. Notification to the County and COGCC of the results of the risk assessment of the plugging and cementing procedures.
- iv. Permission from each surface owner who has an abandoned well on the surface owner's property to access the property in order to test the abandoned well. If a surface owner has not provided permission to access after thirty days from receiving notice, the applicant shall not be required to test the abandoned well.
- v. Soil gas surveys from various depths and at various distances, depending on results of risk assessment, of the abandoned well prior to hydraulic fracturing
- vi. Soil gas surveys from various depths and at various distances, depending on results of risk assessment, of the abandoned well within one year and then every three years after production has commenced.
- vii. Notification of the results of the soil gas survey to the County and the COGCC within three weeks of conducting the survey or advising the County that access to the abandoned wells could not be obtained from the surface owner.
- viii. In the event that contamination is detected during any soils testing, no further operations may continue until the cause of the contamination is detected and resolved and the county has given its approval for additional operations to continue.
- c. Marking of plugged and abandoned wells. The operator shall permanently mark by a brass plaque set in concrete, similar to a permanent bench mark to monument the plugged and abandoned well's existence and location. Such plaque shall contain all information required on a dry hole marker by the COGCC and the County.

13. Noise. The Operator shall control noise levels as follows:

- a. Prior to operations operator will obtain a baseline noise study that encompasses at least three days, one of those days being a weekend.
- b. Beginning with construction and up to production, the County may require continuous noise monitoring and may require that this be conducted by an approved third party consultant.
- c. The Operator must follow COGCC Regulations for noise level.

e-d. The Operator shall post 24-hour, 7 days per week contact information to deal with all noise complaints arising from Operator's oil and gas facility.

d-e. To ensure the Operator controls noise to the allowable levels set forth above, one or more of the following may be required:

- i. Acoustically insulated housing or cover enclosing the motor or engine;
- ii. Noise management plan identifying hours of maximum noise emissions, type, frequency, and level of noise to be emitted, and proposed mitigation measures;
- iii. Obtain all power from utility line power or renewable sources;
- iv. Utilize the most current equipment to minimize noise impact during drilling, completions, and all phases of operation including the use of "Quiet Fleet" noise mitigation measures for completions;
- v. Sound walls around well drilling and completion activities to mitigate noise impacts;
- vi. Restrictions on the unloading of pipe or other tubular goods between 6:00 p.m. and 8:00 a.m.;
- vii. Any abatement measures required by COGCC for high-density areas, if applicable.

14. Air Emissions: Air contaminant emission sources shall comply with the permit and control provisions of the state air quality control program (C.R.S. § 25-7-101 et seq.) and the rules and regulations promulgated by the State Air Quality Control Commission. The Operator shall employ the following control measures and operating procedures to avoid or minimize all emissions into the atmosphere.

- a. Air quality action days. Operator shall respond to air quality action day advisories posted by the CDPHE for the front range area by implementing suggested air emission reduction measures as feasible. Emissions reduction measures shall be implemented for the duration of an air quality action day advisory and may include measures such as:
 - i. Minimize vehicle and engine idling;
 - ii. Reduce truck traffic and worker traffic;
 - iii. Delay vehicle refueling;
 - iv. Suspend or delay use of fossil fuel powered ancillary equipment; and
 - v. Postpone construction or maintenance activities, if feasible.

- b. Leak Detection and Repair. Operator shall develop and maintain an LDAR program using modern leak detection technologies for equipment used at the facility that complies with the following requirements:
 - i. Inspections must occur at least semi-annually; more frequent inspections may be required based on the design, location and size of the facility.
 - ii. If an infrared (IR) camera is used, operator shall retain an infrared image or video of all leaking components before and after repair. Such records shall be maintained for two years and shall be made available to the county upon request.
 - iii. Any leaks discovered by operator, including any verified leaks that are reported to operator by a member of the public, shall be reported to the County no later than twenty-four hours after immediately upon discovery. The operator shall maintain a weekly log of all reported leaks and shall make that log available upon request from the County.
 - iv. Operator shall repair leaks as soon as possible, but at least within seventy-two hours, unless technically or operationally infeasible. immediately. If the County determines that the leak presents an imminent immediate hazard to persons or property, the operator may not operate the affected component, equipment or pipeline segment until the operator has corrected the problem and the County agrees that the affected component, equipment or pipeline segment no longer poses a hazard to persons or property. In the event of leaks that the County believes do not pose an imminent immediate hazard to persons or property, if more than 48 hours repair time is needed after a leak is discovered, operator shall contact the County and provide an explanation of why more time is required.
 - v. Plan shall include detailed recordkeeping of the inspections for leaking components.
 - vi. At least once per year, the operator shall notify the County five business days prior to an LDAR inspection of its facilities to provide the County the opportunity to observe the inspection.
- c. Well Completions and Emissions Control
 - i. Operators shall utilize EPA Reduced Emission Completions for oil wells and gas wells.
 - ii. Operators must utilize closed loop, pitless drilling, completions and production systems without permanent on-site storage tanks for containment and/or recycling of all drilling,

completion, flowback and produced fluids and any required venting routed to at least 98% effective emissions control devices.

d. Combustion Devices

- i. For any flares or combustion devices used, manufacture test or other data demonstrating hydrocarbon destruction or control efficiency with a design destruction efficiency of at least 98% ~~or better~~.
- ii. Flaring shall be eliminated other than during emergencies or upset conditions; all flaring shall be reported to the county
- iii. To the extent used, all flares, thermal oxidizers, or combustion devices shall be designed and operated as follows:
 1. The flare and or combustor shall be fired with natural gas.
 2. The flare and or combustor shall be designed and operated in a manner that will ensure no visible emissions during normal operation. Visible emissions means observations of smoke for any period or periods of duration greater than or equal to one minute in any fifteen minute period during normal operation, pursuant to EPA Method 22. Visible emissions do not include radiant energy or water vapor.
 3. The flare and or combustor shall be operated with a flame present at all times when emissions may be vented to it.
 4. All combustion devices shall be equipped with an operating auto-igniter.
 5. If using a pilot flame ignition system, the presence of a pilot flame shall be monitored using a thermocouple or other equivalent device to detect the presence of a flame. A pilot flame shall be maintained at all times in the flare's pilot light burner. A telemetry system shall be in place to monitor pilot flame and shall activate a visible and audible alarm in the case that the pilot goes out.
 6. If using an electric arc ignition system, the arcing of the electric arc ignition system shall pulse continually and a device shall be installed and used to continuously monitor the electric arc ignition system.

e. Liquids Unloading

- i. Best management practices during liquids unloading activities are required including the installation of artificial lift, automated plunger lifts and at least 90% emissions reductions when utilizing combustion to control any venting.
 - ii. If manual unloading is permitted, operator shall remain onsite.
- f. General air quality protection measures.
 - i. Operators should work to limit truck traffic to and from the site.
 - ii. Hydrocarbon control of at least 989% or better for crude oil, condensate, and produced water tanks with uncontrolled actual emissions of VOCs greater than two TPY VOCs.
 - iii. No venting other than if necessary for safety or during an emergency
 - iv. Operators should consolidate product treatment and storage facilities within a facility.
 - v. Operators should centralize compression facilities within a facility.
 - vi. For operators with existing oil and gas facilities in Adams County, demonstration that the facility will not result in any increase of VOCs from operator's existing and planned development in the County. Operator may include anticipated reductions from plugging and abandoning existing wells located in the County when modeling total VOCs from existing and future development and related activities.
- g. Site-specific air quality protection measures. To eliminate or minimize air emissions, the County may require any or all of the following depending on the size, location and nature of the facility:
 - i. Ambient Air Monitoring. An air monitoring plan that describes how the operator will conduct baseline monitoring within 500 feet of a proposed facility prior to construction and conduct monitoring during the drilling, completion and production phases of development. The plan shall include monitoring for all potential emissions, including but not limited to, methane, VOCs, Hazardous Air Pollutants (HAPs), Oxides of Nitrogen (NOx), Particulate Matter (PM), Fine Particulate Matter (PM 2.5), and Carbon Monoxide (CO). Operator shall pay for the baseline and ongoing monitoring. Baseline and continuous monitoring shall be done by a consultant approved of by the County. Any continuous monitoring system shall be able to alert the operator of increases in monitored air pollutant concentrations.

- ii. The use of electric drill rigs.
- iii. Tier 4 or better diesel engines, diesel and natural gas co-fired Tier 2 or Tier 3 engines, natural gas fired spark ignition engines, or electric line power for hydraulic fracturing pumps.
- iv. The use of liquefied natural gas dual fuel hydraulic fracturing pumps.
- v. Implementation of tankless production techniques.
- vi. Use of quiet design mufflers (also referred to as hospital grade or dual dissipative) or equivalent.
- vii. The use of zero emission dehydrators.
- viii. Use of a pressure-suitable separator and vapor recovery unit (VRU) where applicable.
- ix. Pipeline infrastructure for produced water, natural gas, crude oil and condensate constructed and placed into service prior to the start of any fluid flow from any wellbore.
- x. The use of no-bleed continuous and intermittent pneumatic devices. This requirement can be met by replacing natural gas with electricity or instrument air, or routing the discharge emissions to a closed loop-system or process.
- xi. Automated tank gauging.

15. Odors:

- a. Operator must implement and maintain and make available to the County upon request, an odor mitigation plan that demonstrates how operator will minimize odors from its operations and comply with Colorado Department of Public Health and Environment, Air Quality Control Commission, Regulation No. 2 Odor Emissions, 5 CCR 1001-4, Regulation No. 3, 5 CCR 1001-5, and Regulation No. 7, 5 CCR 1001-9 sections VII and VIII. The plan shall also provide a plan for timely responding to odor complaints from the community, and for identifying and implementing additional odor control measures to control odors emanating from the oil and gas facility.
- b. Operator must notify the County's LGD no later than 24 hours after receiving odor complaint.
- c. Operator must prevent odors from oil and gas facilities from affecting the health and welfare of the public by proactively addressing and, to the fullest extent, resolving complaints filed by members of the community, in coordination with County and Tri-County Health Department staff.

- d. To ensure compliance with the odor mitigation plan, the County may require the Operator to implement any of the following measures depending on the size, location and nature of the facility:
 - i. Adding an odorant which is not a masking agent or adding chillers to the muds.
 - ii. Using filtration systems or additives to minimize odors from drilling and fracturing fluids except that operator shall not mask odors by using masking fragrances.
 - iii. Enclose shale shaker to contain fumes from exposed mud, where safe and feasible
 - iv. Wipe down drill pipe each time drilling operation “trips” out of hole
 - v. Increasing additive concentration during peak hours.
- 16. Water source sampling and testing: ~~Using~~ records of the Colorado Division of Water Resources, the applicant will be required to identify and offer to sample all available water sources located within one-half mile of the proposed well or facility. All sampling must be conducted by third-party consultant approved of by the County. Sampling requirements include:
 - a. Initial baseline samples and subsequent monitoring samples.
 - b. Initial collection and testing of baseline samples from available water sources shall occur within twelve months prior to the commencement of drilling a well, or within twelve months prior to the re-stimulation of an existing well for which no samples were collected and tested during the previous twelve months.
 - c. Post-stimulation samples of available water sources shall be collected and tested pursuant to the following time frame:
 - 1. One sample within six months after completion;
 - 2. One sample between twelve and eighteen months after completion; and
 - 3. One sample between sixty and seventy-two months after completion.
 - 4. For multi-well pads, collection shall occur annually during active drilling and completion.
 - d. Operator shall collect a sample from at least one up-gradient and two down-gradient water sources within a one-half mile radius of the facility. If no such water sources are available, operator shall collect samples from additional water sources within a radius of up to one mile from the facility until samples from a total of at least one up-gradient and two down-gradient water sources are collected. Operators

should give priority to the selection of water sources closest to the facility.

- e. An operator may rely on existing groundwater sampling data collected from any water source within the radii described above, provided the data was collected within the twelve months preceding the commencement of drilling the well, the data includes measurement of all of the constituents measured in Table 1, and there has been no significant oil and gas activity within a one-mile radius in the time period between the original sampling and the commencement of drilling the well.
- f. The operator shall make reasonable efforts to obtain the consent of the owner of the water source. If the operator is unable to locate and obtain permission from the surface owner of the Water Source, the operator shall advise the CED Director that the applicant could not obtain access to the water source from the surface owner.
- g. Testing for the analytes listed in Table 1, and subsequent testing as necessary or appropriate.
- h. Standard industry procedures in collecting samples, consistent with the COGCC model Sampling and Analysis Plan, shall be followed.
- i. Reporting the location of the water source using a GPS with sub-meter resolution.
- j. Field observations. Reporting on damaged or unsanitary well conditions, adjacent potential pollution sources, odor, water color, sediment, bubbles, and effervescence.
- k. Test results. Provide copies of all test results described above to the County, the COGCC, and the water source owners within three months after collecting the samples.
- l. Subsequent sampling. If sampling shows water contamination, additional measures may be required including the following:
 - 1. If free gas or a dissolved methane concentration level greater than one milligram per liter (mg/l) is detected in a water source, determination of the gas type using gas compositional analysis and stable isotope analysis of the methane (carbon and hydrogen).
 - 2. If the test results indicate thermogenic or a mixture of thermogenic and biogenic gas, an action plan to determine the source of the gas.
 - 3. Immediate notification to the the County , the COGCC, and the owner of the water source if the methane concentration

- increases by more than five mg/l between sampling periods, or increases to more than ten mg/l.
4. Immediate notification to the County , the COGCC and the owner of the water source if BTEX and/or TPH are detected as a result of testing. Such detections may result in required subsequent sampling for additional analytes.
 5. Further water source sampling in response to complaints from water source owners.
 6. Timely production and distribution of test results, well location, and analytical data in electronic deliverable format to the CED Director, the COGCC and the water source owners.

Table 1. Water Quality Analytes

GENERAL WATER QUALITY	Alkalinity Conductivity & TDS Ph Dissolved Organic Carbon (or Total Organic Carbon)Bacteria Hydrogen Sulphide
MAJOR IONS	Bromide Chloride Fluoride Magnesium Potassium Sodium Sulfate Nitrate + Nitrite as N (total)
METALS	Arsenic Barium Boron Chromium Copper Iron Lead Manganese Selenium Strontium
DISSOLVED GASES AND VOLATILE ORGANIC COMPOUNDS	Methane Ethane Propane BTEX as

	Benzene, Toluene, Ethylbenzene, Xylenes Total Petroleum Hydrocarbons (TPH)
OTHER	Water Level Stable isotopes of water (Oxygen, Hydrogen, Carbon) Phosphorus

17. Dust:

- a. Operator shall minimize dust pollution associated with onsite activities and traffic.
- b. No untreated produced water or other process fluids shall be used for dust suppression.
- c. The operator will avoid creating dust or dust suppression activities within 300 feet of the ordinary high-water mark of any water body, unless the dust suppressant is water.
 - i. ~~Material~~-Safety Data Sheets (~~MSDS~~) for any chemical-based dust suppressant shall be submitted to the County prior to use.

18. Visual Aesthetics.

- a. Operator shall submit a visual mitigation plan in compliance with COGCC Rules, including but not limited to, a list of the proposed colors for the Facilities, regardless of construction date, which are observable from any public highway, providing for paint that is uniform, noncontrasting, nonreflective color tones (similar to the Munsell Soil Color Coding System), and with colors matched to but slightly darker than the surrounding landscape, a listing of the operations' equipment, proposed fencing, and screening. Plan shall indicate the location of all outdoor lighting on the site and any structures and include cut sheets of all proposed fixtures. Fencing shall be required around all well site equipment, including, but not limited to, storage tanks, well heads, and meters if the well site is visible from a subdivision west of Imboden Road. Such fencing shall screen equipment, provide safety precautions, and be compatible with the surrounding environment. Should fencing apply to a well site, the design and construction of such fencing shall be approved by the Community and Economic Development Department prior to the construction of any site. If a chain link fence is required to achieve safety requirements set by the COGCC, then landscaping and other screening mechanisms shall be required that comply with the County's Development Standards and Regulations and the Operator's safety requirements. Operator shall be responsible for obtaining consent by surface owner allowing any required fencing.

- b. Operator shall submit landscaping and berming plan that includes maintenance and irrigation requirements for planted vegetation throughout the duration of operations, including production. Operator shall be required to provide maintenance funding through bonding to ensure funds are available for upkeep. Weed control is required at the facility and along access roads until final reclamation and abandonment. Required sound walls shall be included in the visual mitigation plan and shall comply with the color scheme approved by the County, blending with natural background. All landscaping shall be in compliance with County requirements and in compliance with the safety requirements of the Operator. Existing vegetation shall be minimally impacted. Motorized equipment shall be restricted to the well sites and access roads to the well sites. Operator is responsible for obtaining consent by surface owner allowing landscaping as well as automatic irrigation for landscaping in urban mitigation areas and/or parks/recreation areas. All plant materials shall be kept in a healthy growing condition at all times.
 - c. Operator shall submit lighting mitigation plan for all phases of development and operation, which adheres to best management practices to minimize light escaping the facility including making all lighting downward-facing and fully shielding bulbs to prevent light emissions above a horizontal plane drawn from the bottom of the fixture. Operator shall conduct a photometric study prior to start of construction to indicate impact on surrounding properties and measure the lumens emitted from the facility outside of the walls.
 - d. Sight access and security. Site shall be properly secured, including, but not limited to, security fencing or barriers to prevent unauthorized access to site. Site shall be properly secured prior to the start of drilling. Proposed fencing, barriers, and screening shall be included in the visual mitigation plan.
19. Flammable material. The area twenty-five feet around anything flammable shall be kept free of dry grass or weeds, conform to COGCC safety standards and applicable fire code. The operator's pre-application and application shall be reviewed by the serving fire district.
20. Mud tracking. Operator shall take all practical measures to prevent mud and dirt tracking onto public right of ways and shall remove tracked mud and dirt within a reasonable time not to exceed two hours.
21. Trailers. A construction trailer is permitted during active drilling and completions only. No residential trailers will be allowed. Only equipment needed for project should be on site.
22. Private Roads. The Operator shall construct (unless already constructed) and maintain an access road designed to meet County and fire district standards and support an imposed load of 75,000 pounds that will accommodate

emergency response vehicles such as, but not limited to, law enforcement, emergency command vehicles (cars/SUVs), ambulances, hazardous materials response vehicles, water tenders, and fire apparatus during construction and operation of new tank batteries, new drilling activity and reworks or recompletions of existing wells, unless a local fire department or fire district agrees to a different or lesser standard or waived by the County. With respect to new roads to new tank batteries, the Operator agrees to construct access roads at least twenty (20') feet wide (unless waived by the local fire district and the County's Public Works Department) with a Class 6 road base, or as approved by the local fire district, at least nine inches (9") thick. Best efforts will be made to improve inadequate access to existing tank battery sites identified by the fire district or County, based on service calls and demonstrated problems of accessing the site. Operator and County agree that spot inspections of access roads may be done by the County and/or appropriate emergency response agency, at such County or agency's sole risk and expense, to ensure that emergency access in accordance with this section is maintained. Operator is required to maintain and repair any damaged roads within ten (10) days of County notice.~~Temporary access roads.~~ Operator will assure that temporary access roads are reclaimed and revegetated within sixty days of discontinued use. Erosion shall be controlled in accordance with the Erosion and Sediment Control Plan while the roads are in use.

22-23. Public Roads. Operator shall utilize existing roads and access points where practical and apply for and obtain access permits for its oil and gas facilities from the County's Public Works Department. Requirements for the access permit may include the following: a) access location providing for a safe entrance/exit and utilization of main roadways to minimize impact /conflict with residents on local roadways; b) haul route and traffic data; c) pre/post inspection of roadways used by the Operator; d) collateral or bond to insure that road damage caused by the Operator is repaired; e) dust control (material used for dust control must be pre-approved by the County); f) road maintenance agreement during drilling phase; and g) payment of all applicable fees. Operator shall exercise reasonable efforts to minimize heavy truck traffic on local roads within residential neighborhoods between the hours of 9 p.m. and 6 a.m., and shall work with and show written evidence that the applicable school district(s) has been consulted to minimize traffic conflicts with school buses when schools are in session. Operator shall obtain any legally valid and applicable oversize and/or over weight moving permit from the County's Public Works Department. for all vehicles that exceed legal vehicle dimensions or weights as specified by the Colorado Department of Transportation and the County's Development Standards and Regulations.

23-24. Removal of debris. All excess debris shall be removed during construction activities. Site shall remain free of debris and excess materials at all times during operations. Burning of debris and other materials is strictly prohibited at all times. .

24.25. Removal of equipment. No permanent storage of equipment. When no longer used, equipment shall be removed within thirty days unless a Temporary Use Permit for said storage is obtained from the County.

25.26. Maintenance of machinery. Routine field maintenance of equipment involving hazardous materials within 300 feet of any water body is prohibited. All fueling shall occur over impervious material and shall not be done during storm events. Operator shall operate and maintain all equipment in accordance with manufacturer specifications. Regular maintenance checks are required for all equipment.

26.27. Burning. No open burning of trash, debris or other flammable materials.

27.28. Chains. Traction chains shall be removed from heavy equipment on public streets.

28.29. Off-location flow lines and crude oil transfer lines

- a. Off-location flow lines and crude oil transfer lines regulated by the COGCC shall be sited to avoid areas containing existing or proposed residential, commercial, and industrial buildings; places of public assembly; surface water bodies; and city open space.
- b. Without compromising pipeline integrity and safety, applicant shall share existing pipeline rights-of-way and consolidate new corridors for pipeline rights-of-way to minimize impact.
- c. Setbacks from residential, commercial, or industrial buildings, places of public assembly, the high-water mark of any surface water body and sensitive environmental features will be determined on a case-by-case basis in consideration of the size and type of pipeline proposed and features of the proposed site.
- d. Operator must conduct leak detection inspections or pressure testing in order to identify flowline leaks or integrity issues.
- e. Operator must make available to County upon request all records required to be kept by COGCC
- f. Buried pipelines shall have a minimum of four feet cover.

29.30. Gathering Lines

- a. Gathering lines shall be sited to avoid areas containing existing or proposed residential, commercial, and industrial buildings; places of public assembly; surface water bodies; and city open space.
- b. Without compromising pipeline integrity and safety, Operator shall share existing pipeline rights-of-way and consolidate new corridors for pipeline rights-of-way to minimize impact.
- c. Setbacks from residential, commercial, or industrial buildings, places of public assembly, the high-water mark of any surface water body and

sensitive environmental features will be determined on a case-by-case basis in consideration of the size and type of pipeline proposed and features of the proposed site.

- d. Operator must make available to County upon request all records submitted to PHMSA or the PUC including those related to inspections, pressure testing, pipeline accidents and other safety incidents.
- e. Well Connects. Well connects do not require permits. Well connects are defined as a pipeline, 10” or less inside diameter and 2 miles or less in length, laid running from the custody transfer point or production facility for a new well(s) to an existing gathering line connection point.

31. Temporary surface water lines

- a. Operator shall use temporary surface water lines, unless infeasible.
- b. Operator shall use County Road Right-of-Way, and County drainage culverts for the laying and operation of temporary water lines on the surface and in accordance with Adams County Standards and Regulations, unless infeasible.
- c. Operator will bury temporary water lines at existing driveway and gravel road crossings, or utilize existing culverts, if available, with County approval.

30.32. Financial Assurance.

- a. Operators shall be required to maintain environmental liability insurance to cover gradual pollution events.
- b. Operator shall be required to file and maintain financial assurance as determined on a site specific basis prior to commencing operations, and thereafter during the active life of the facility, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. Should any corrective actions be required by the County in order to protect the health, safety, welfare, and the environment which result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including staff time expended by Adams County involved in such corrective actions.

30.33. Mapping Information. Operator shall agree to provide coordinates and/or exact location of well sites to the County's GIS Department within forty-eight

(48) hours of final completion of a well site in a format acceptable to the County. Any subsequent changes to a well site location shall also be provided to the County within forty-eight (48) hours of such changes.

4-10-02-03-03-04

INSPECTION AND ENFORCEMENT

1. Inspection: In recognition of the potential impacts associated with oil and gas facilities, all wells and accessory equipment and structures may be examined by the inspectors of the county at reasonable times to determine compliance with applicable provisions of this chapter, the International Fire Code, the International Building Code, and all other applicable standards in this title. The County reserves the right in its discretion to make spot inspections or to inspect without notice in the event of an issue potentially involving an immediate risk to public health, safety, welfare, the environment, or wildlife, or damage to the property of another. For the purpose of implementing and enforcing the provisions of this chapter, the inspector and other authorized personnel have the right to enter upon private property. The county may use the information collected on the inspections to enforce the requirements of this chapter. The county may also report this information to appropriate state and federal officials, including but not limited to information regarding alleged violations of state and federal rules. Operator shall make available to Ceounty, upon request, all records required to be maintained by these regulations rules or to show compliance with these regulations, and the rules and regulations promulgated by and by the COGCC and the CDPHE, including permits, Air Pollutant Emission Notices (APENs) and other documents required to be maintained by the COGCC, CDPHE and these regulationsrules. The County shall charge a yearly inspection fee for all Oil and Gas Facilities in the County. Fees for Oil and Gas Facility inspections shall be assessed according to the Oil and Gas Fee Schedule County's adopted fee schedule. located in Appendix A of these Development Standards and Regulations.
2. State Notification of Violations: Adams County will cooperate fully with the State of Colorado by notifying the Oil and Gas Conservation Commission of any and all violations of the Colorado Laws and Regulations.
3. Delinquent Taxes: One condition of any oil and gas well building permit is that all taxes as provided by statute, shall be paid.
4. Penalties and Fines: The County has authority under C.R.S. § 29-20-104, as amended, to impose fines for leaks, spills, and emissions. The following table summarizes the fine schedule for violations of these Development Standards and Regulations:

		<i>Rule Classification</i>		
		Class 1: Paperwork other ministerial regulations, a violation of which presents no direct risk of harm to public health, safety, welfare, and the environment.	Class 2: Regulations related at least indirectly to promoting the public health, safety, welfare, and the environment and wildlife resources, a violation of which presents a possibility of distinct, identifiable actual or threatened adverse impacts to those interests	Class 3: Regulations directly related to protecting public health, safety, welfare, the environment, and wildlife resources, a violation of which presents a significant probability of actual or threatened adverse impacts to those interests.
<i>Degree of threatened or actual impact to public health, safety, welfare, the environment, or wildlife</i>	<u>Major:</u> Actual significant adverse impacts	\$5,000	\$10,000	\$15,000
	<u>Moderate:</u> Threat of significant adverse impacts, or moderate actual adverse impacts	\$1,500	\$5,000	\$10,000
	<u>Minor:</u> No actual adverse impact and little or no threat of adverse impacts	\$200	\$2,500	\$5,000

6. County Violations: In addition to the fines outlined above, the County has authority to cite violations under its control pursuant to Section 1-05-06 Criminal Remedies and Enforcement.
7. Legal Non-conforming: Adams County recognizes that there are oil and gas operations that were legally established prior to the effective date of these regulations that may or

may not conform to these regulations. These operations may continue, provided the operation is not extended, expanded, or altered in a manner that changes and/or alters the nature, character, or extent of the previously approved permit

4-10-02-03-03-05

RESIDENTIAL CONSTRUCTION Standards

1. **Residential Construction Standards:** The Director of Community and Economic Development may impose any one (1) or more of the following standards on a specific site basis as a condition of subdivision approval and/or building permits on platted or unplatted land:
 - a. The oil and gas well location shall include a two-hundred-fifty (250) foot buffer in the form of an easement on the Final Plat. No structures may be constructed within the buffer area.
 - b. Access to the oil and gas well location shall be provided by a public street or recorded easement for private access.
 - c. The Final Plat shall include notice to prospective buyers of the location of the oil and gas well and associated easements.
 - d. All oil and gas well flow lines and/or easements shall be graphically depicted on the Final Plat.
 - e. All surface and subsurface agreements shall be noted on the Final Plat by the recorded book and page number.
 - f. Pursuant to Section 4-06-01-02-01-12, where a new home and/or other permanent structure with plumbing is constructed within three hundred (300) feet of an existing oil and gas well, the property owner shall submit a signed waiver acknowledging the existence of the facility.
2. **Plugged and Abandoned, and Former Oil and Gas Production Sites:** This Section is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the County. These regulations are based upon the land use authority of the County.
 - a. Prior to submittal of a final plat or site specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent bench mark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.

- b. As a condition of review of any final plat or site specific development plan which contains a plugged and abandoned well or former oil and gas production site or is within 200 feet of such well or site, the owner shall submit a location diagram of the location of the well.
- c. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet.
- d. Every final plat and site specific development plan which contains a plugged and abandoned well or a site specific development that includes a property that is less than 200 feet from a plugged and abandon well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."
- e. As a condition of building permit review, no dwelling shall be constructed within fifty (50) feet of a plugged and abandoned well.
- f. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the International Building Code.
- g. No utility lines shall be installed within ten feet of any plugged and abandoned well.

4-10-02-03-03-06

COGCC AND COUNTY APPROVALS REQUIRED

Development of the OGF shall not commence unless and until applicant receives an approved OGF Permit, including any approved waiver(s), and receives all required approvals and permits from COGCC.