



~ Minutes ~  
Draft  
For a Regular Meeting of the  
PLANNING COMMISSION

1101 East 2nd Ave  
Durango, CO 81301  
<http://co.laplata.co.us>

Thursday, February 25, 2016

6:00 PM

County Board Room

These are abbreviated minutes. The official record of this meeting is the audio file, available via the La Plata County web site <http://co.laplata.co.us> . For a CD of the audio file for a specific meeting, please contact the Clerk to the Board Allison Kardas, at (970) 382.6263 or via e-mail at [Allison.kardas@co.laplata.co.us](mailto:Allison.kardas@co.laplata.co.us). There may be a charge for the recording.

I. Call to Order

Attendee Name	Present	Absent	Late	Arrived
Tom Gorton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jim Tencza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lucy Baizel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Charly Minkler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. Approval of Agenda

*Community Development Director Damian Peduto stated there are only four commissioners available to hear the meeting tonight, it would not be fair to hold a continuation hearing tonight. The staff is requesting a continuance to the date certain of March 2, 2016 when there will be a commission of five members. He said the applicant is aware of the request and does not object. A large portion of the concerned public has also been informed of the continuation.*

*Chairman Tenzca said one of the reasons the staff is requesting a full commission is because a tied commission would be a denial. Mr. Peduto said a full commission provides for a more balanced and fair approach.*

*Chairman Tenzca asked the Commissioners if they agreed to the request for a continuance and they agreed.*

*Chairman Tenzca said the public will have the opportunity to make comment tonight if they cannot make the March 2, 2016.*

**Public Hearing of the following requests:**

**III. Reports**

1. REPORT ON GCC'S INTERIM ROAD MITIGATION MEASURES

Report on GCC's interim road mitigation measures during continuation period from Oct 8, 2016 to February 25, 2016.  
Staff: Daniel Murray and Damian Peduto

*La Plata County Council Sheryl Rodgers asked to Commission to vote on the continuance of the Report on GCC's Interim Road Mitigation Measures before opening public comment on the GCC project.*

*Commissioner Gorton moved to continue the report on GCC's Interim Road Mitigation Measures to a date certain of March 2, 2016, Commissioner Bailzel seconded the motion and the question was called.*

<b>RESULT:</b>	<b>CONTINUED TO DATE CERTAIN</b>
	<b>Next: 3/2/2016 6:00 PM</b>

**IV. Action Items**

1. PROJECT #2012-0089, GCC ENERGY KING II COAL MINE CLASS II, CONTINUANCE

Owner/Applicant: GCC Energy, LLC / Trent Peterson  
Agent: Brian Kimmel, Southwest Land Services

As continued from the October 8, 2015 Planning Commission hearing, consideration of the GCC Energy Class II land use permit for an existing coal mine operation comprised of surface facilities, underground mining, and coal hauling. Address is 6473 CR 120 located on APN 5653-362-00-077.

Staff: Daniel Murray, Victoria Schmitt, Damian Peduto

*Mrs. Rodgers asked that the applicant put on record that they consent to the continuance because of the lack of a full commission.*

*Land Use Council to the applicant, Carolyn White, said the County is correct, the applicant did not request the continuance but they do consent to it.*

*Chairman Tenzca opened the project to public comment. Mrs. Rodgers informed the public they are limited to three (3) minutes.*

**Allen C. Harper, 265 County Road 264, Durango Colorado.** As the owner of the Durango and Silverton Railroad, he discussed the importance of the railroad to the community. He said the railroad makes an economic contribution of \$170 million a year and they depend on coal. He said if the railroad cannot get coal locally the cost of coal is doubled, that increase would have a significant impact on train riders and the economy. The Railroad operators appreciate the trouble of the La Plata County citizens and the challenges of GCC energy but thinks there is a solution that works for everybody.

**Kirk Crowley, 703 Colby Drive, Mansfield Texas.** As an owner of High Country Transportation, he has been hauling coal from the GCC coal mine for 14 years. Mr. Crowley spoke to the character of the GCC people. He said their business has a significant impact on the local economy and this is a hard situation for all of the people involved. He went over the changes GCC has made to improve the situation for the neighbors of the mine. He said the Commission should support GCC to keep people employed.

**Milo Gonzalez, 505 Hickory Ridge, Bayfield Colorado.** Mr. Gonzalez said that he has been mining for 9 years, the conditions at his former mine were horrible. He said the conditions at GCC are unbelievably good. He noted the company has made improvements to the road. He said GCC changed his life and he is very grateful for the company. If the GCC coal mine closes the employees will have to find a job in an industry that is not hiring.

Mr. Gonzalez introduced a letter for Karen Henderson, which he read aloud for the record. The letter was entered into the record as Exhibit #1.

**Patrick Hauser, 617 CR 207, Durango Colorado.** Mr. Hauser is in support of the mine where he has worked for over 6 years. The mine has a great safety program and safety record. His job has allowed them to finish school and buy a new car and they are trying to buy a home.

Chairman Tenzca closed public comment.

Chairman Tenzca apologized there was not a full hearing tonight and asked the Commissioners for comments, there were none.

*Commissioner Gorton motioned to continue Project 2012-0089 GCC Energy King II Coal Class II to a date certain of March 2, 2016, Commissioner Minkler seconded the motion and the question was called.*

*Commissioner Baizel moved to adjourn at 6:25 and the meeting was adjourned.*

<b>RESULT:</b>	<b>CONTINUED TO DATE CERTAIN [UNANIMOUS]</b>
<b>MOVER:</b>	<b>Next: 3/2/2016 6:00 PM</b>
<b>SECONDER:</b>	Tom Gorton, Commissioner
<b>AYES:</b>	Charly Minkler, Commissioner
	Tom Gorton, Jim Tencza, Lucy Baizel, Charly Minkler

**V. Other Business**

**VI. Adjournment**

The meeting was closed at 6:25 AM