

Kiowa Cabal - Part 3 Metli's Culture of Secrecy At Work



Just when you thought there would be no more information forthcoming on the Kiowa Cabal, someone shows a little initiative and the flood gates open. No pun intended.

Interestingly enough, today I spent the afternoon with Patty Sward (Democratic District #1 BOCC candidate) and Barbara Fillmore, Co- Chair of the Elbert County Water Advisory Board (ECWAB). We attended a meeting with the director of Arapahoe County Water & Wastewater Authority (ACWWA).

Since the Elbert BOCC has openly refused to answer any questions of any sort about secret meetings with ACWWA from numerous citizens, including me, I decided to take matters into my own hands. I guess I have grown cynical since the BOCC refuses to answer any questions I might have to my satisfaction either through the Colorado Open Records Act (CORA) or from the podium at any of their regularly scheduled meetings. I reasoned that, if the Elbert County BOCC will not answer questions concerning an overlay water district, then perhaps the folks at ACWWA would be transparent. It turns out that they both welcome and answer questions in Arapahoe County Government.

I had a list of questions regarding the meeting, not the least of which included: a) Who was in attendance? b) Who called it? and c) Where was it held? My instinct was correct. Arapahoe County is much less likely to throw caution to the wind and stonewall on matters affecting open meetings laws, etc. That being said, I told their director, Gary Atkin, that I was prepared to submit a CORA request on them for the information. This was an unnecessary step as Mr. Atkin offered to meet with us immediately.

Earlier this year, Commissioner John Metli set up a meeting with ACWWA to discuss something that he felt needed to be done outside of the public's notice. He requested Planning Director Richard Miller to attend. Rumor has it that Richard had no

choice in this decision to participate but also advised Mr. Metli that he did not think that this meeting was proper or perhaps even legal. Metli asked Planning Commissioner Grant Thayer to attend. He also asked Tom Maroney who is the wildly successful developers' agent on the vast majority of the the applications submitted for approval to the Elbert County Planning Commission. In addition, Metli invited Jim Marshall, the developer behind both Spring Valley Vista and the Spring Valley Ranch projects. In fact, Metli invited what Mr. Atkin recalled was about twelve or so developers to be in attendance.

Nobody was invited from the the ECWAB or any citizens groups. I guess all of those pesky impeccable educational and experiential credentials of the ECWAB might have proved to be an annoyance when weighing the rights of the developers against the concerns of the public. Excluding the public from the future of their water resources was probably the only prudent decision Metli thought he could have made.

There was another special guest, Robert Lembke, who could not attend. Lembke is the gentleman who many consider to be the county's foremost water speculator, in charge of both the tiny Elk Horn and United Water districts. Mr. Lembke's inability to attend was unfortunate because I am sure someone was just dying to ask him if he thought anybody would be upset about the fact that his water districts, according to the Department of Local Affairs (DOLA) and the Colorado Secretary of State's web site, are managed by Ray Wells' company...the same Ray tied to Clifton Gunderson which is the firm that does our county's budget and the original creator of the Prairie Falcon Parkway Express.

For years now, any time that a citizen has asked for asked a question about a county

issue regarding development, the Elbert BOCC, usually Commissioner Metli, has told the public that they (the BOCC) can't discuss the issues because a sitting commissioner can't have improper contact with a developer. The reason given was that it might skew his decision or give the impression of impropriety. Metli has said that on numerous occasions regarding Ray Wells and the toll road issues. This would also be consistent with the reasoning behind the use of a planning commission.

So why would the commissioner set up a meeting that was unadvertised to the public with local developers? Was the invitation to Mr. Thayer because he is the Chairperson of our Planning Commission or simply because he is a developer with huge swaths of land with adjudicated water rights? Why would there be no advertised agenda or minutes to such an important meeting that had so many important people in attendance? At a recent meeting of the BOCC, Commissioner Metli publicly denied such a meeting ever occurred and then later, to a smaller group of citizens, said that it had taken place. This after the press was out of the chambers.

Are the people who I have spoken to about this meeting lying to me when they say they were there? Did John Metli believe that it was perfectly okay to hold such private meetings with developers, speculators and ACWWA? I have now spoken directly with several people who were at that meeting. At least one person confided that the meeting was a huge mistake. It is unlikely we will ever know any of these answers. Why? The BOCC, on numerous occasions, has publicly announced that it takes comments but does not answer questions. This is recorded on the tapes. Citizens cannot participate freely in open meetings despite State laws saying that they are entitled.

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I saved the best for last. ACWWA does not want Elbert County's water. In fact, they are trying to get out of the business of using any underground wells, opting instead for Platte River water that is renewable. Mr. Atkin reported that the pipeline was too expensive to build and that ACWWA was unsure if the investment would be worth the risk. Nobody knows just how much water is under Elbert County. As a result, ACWWA is trying to sell the rights that it currently holds within Elbert County. Atkin said ACWWA paid Rick Hunt \$12 million for his water rights, and I am guessing they would sell it for the same price.

So why all of the secrecy? I can't say for sure, but it is probably about the fact that these developers want to get in on the ground floor of what will one day be a water rush inside the county. The new owner of the water rights under Hunt's land was probably sitting in that private meeting. This was how ACWWA was formed. A bunch of developers got together and took water issues into their own hands so that they could do their business on terms that they could understand because they were in charge. Maybe it is just that Mr. Metli did not want to be viewed as a man who says one thing and then clearly does the opposite.

One thing is for sure, nobody trusts Elbert County government because of just this sort of behavior. Since the BOCC will not answer questions, we can only speculate on what other kinds of antics are going on behind the scenes.