

Cemex Public Hearing comment - Sept 12, 2022

Greetings.

My name is Jean Kuehl and my husband Dennis and I have resided at 13191 N. 75th St, Longmont since 1995.

We moved to Boulder County from an adjoining county because of the environmentally friendly leadership of this county. Not only have the commissioners preserved our beautiful open spaces for decades, they have made their best efforts to maintain enjoyable spaces for its citizens to live.

When we first moved into our small home, I noticed a noise that I wondered about - a humming, sometimes a roar, often in the background. Since our new property is approximately 5 miles from the Cemex Plant, it took me a while to figure out the source of this noise. It has been a nearly daily irritation ever since.

Since we do not live close to the plant, we are not as affected by the fugitive dust pollution incidents, but noise is also a pollutant to our community. I was so excited when I learned that the Cemex permit would expire in 2022, thinking I might live long enough to experience a truly quiet back yard during my lifetime; therefore, I hope you will reject this application renewal.

At the very least, hours of operation for this plant should be 8-5 on weekdays, so residents can enjoy leisure peace & quiet on evenings & weekends.

From: [LU Land Use Planner](#)
To: [L'Orange, Pete](#)
Subject: FW: [EXTERNAL] Now many errors edited! Fwd: Comments for today's meeting re CEMEX extension
Date: Wednesday, September 14, 2022 3:51:16 PM

[@L'Orange, Pete](#)

From: Donnie <tiwiwas@aol.com>
Sent: Wednesday, September 14, 2022 3:07 PM
To: LU Land Use Planner <planner@bouldercounty.org>
Subject: [EXTERNAL] Now many errors edited! Fwd: Comments for today's meeting re CEMEX extension

-----Original Message-----

From: Donnie <tiwiwas@aol.com>
To: planner@bouldercounty.org <planner@bouldercounty.org>
Sent: Wed, Sep 14, 2022 1:36 pm
Subject: Comments for today's meeting re CEMEX extension

Hello:

My name is Donnie Shelton. My late husband was Fred Shelton (1924-2006). He bought Fred's Columbine Cafe, 1308 Pearl St, BOCO in May, 1954. When friends Ed and June Howard rescued the Boulderado from the City's wrecking ball due to no sprinkler system, they updated the then clapboard building and included a new restaurant for Fred, whose food and person they loved. It became Fred's Steakhouse. When the Howard's sold the hotel to have money to rescue other properties, such as the Sunshine School, Fred bought 1308 Pearl, where he operated as Fred's Steakhouse - and then Fred's Restaurant - 1965 to Nov, 1985. While still in the Cafe, his was the first eatery in town to allow Blacks to sit anywhere they wished - even the front window - rather than at designated out-of-sight tables, as in the other restaurants. He learned the business at his family's restaurant in Highland Park, IL, a very integrated upscale town. Though they were Republicans, Fred's father worked for 30 yrs for Swift, the meat company, but was laid off just before retirement, denying his family of his pension! Dad taught his sons to never work for a large corporation. That lesson gave Boulder a premier restaurant, where Fred helped thousands of people - employees, clients, family and friends - over the years.

I was fortunate to meet him in the final location of Fred's - introduced by 2 co-workers at the long gone

Joslins Dept. Store, which backed to the same alley, in the same block, as Fred's. That was Oct 15, 1974.

He was just beginning to sing/play guitar in the front dining room. His voice was him - warm, loving and wonderful. It was love at first sound for me - and he loved having an appreciative audience! We were seldom apart in the 32 years we had together after that. He was the best thing that ever happened to me!

I should have become manager at Joslins - had a knack for retail. I was responsible for one of the biggest sales days ever at the Boulder store when I ran a huge ad in the Daily Camera - for throw pillows!

I'll never forget that response! But being a woman, I was not allowed that position, per the stipulations in the regs in the NYC home of the large corporation, Mercantile Stores, which owned the 5 Joslins Colorado chain and 83 other stores in the US and Canada. Nor was I allowed the pay, though I was a single mom of two. Even trained many male assistant managers who were already making more than I was. The damn glass ceiling!

With no meaningful future there, I went to work at Fred's. And I resumed working for my BA (Geology 1980, CU-Boulder), while working full time at Fred's. Can't believe it was that long ago! The economy was tanked - experienced geologists were taking what beginners' jobs there were. And our assistant manager moved home to Boston to help her Mom. We

couldn't afford to replace her, so I did her job, and also did advertising and bookkeeping - for roughly 25 cents/hr. We were also taking a reduced rent for the building. It was important to keep employees in a job and lovers of Fred's fed and entertained in their fave restaurant! We couldn't do a computer - at \$25k just to have the program we needed written, the equipment purchased and users trained - it was way beyond our finances. We were doomed by the extensive from-scratch menu that people loved - but pricing couldn't keep up with inflation. And Fred's health was going downhill. We weren't up to moving or other major changes. And the Pearl St Mall backers kept saying, "The more restaurants the better for business." Meanwhile the City was leasing the popcorn and ice cream stands for \$400/mo - when they were operating! But we weren't allowed a tax deduction for the special mall fee of \$9k/yr because it wasn't considered a tax! And our evening customers who used to come for Brown Rice and Veggies and homemade pie were now on the mall with popcorn and ice cream in their hands.

When we were forced to close, everybody mourned the loss of an iconic Boulder institution. It had even helped put many CU students through school! And fed high school students after school snacks. And was a great place for families - and politicians with their ears to the ground - and a.m. coffee clubs of all genres! But we couldn't fight the tides of change - or

the drug money - or the government that didn't know how much their uneducated decisions necessitated our closing! Many customers met or dated at Fred's - even had Fred play at their weddings. Then they brought their babies in. Fred should have been able to keep on being Fred until he couldn't any more!

On our June 11, 2005 wedding anniversary, a Friday, Fred became very ill. He was performing at Andrea's in Lyons. We had moved nearby in 1992, to a ranch with walkout basement on the east wall of the valley below the Lyons Sandstone ridge. We thought it was flu. But by Tue, we took him to doc, who sent him for tests at hospital. He had cancer - too late to do anything except chemo. The word "productivity" had become the password of the world. Many docs and hospitals in town thought Medicare paid them too little, so they opened a Medicare clinic. If you wanted a good full-time doc, you had to go to that clinic. But they hired an 80 yo retired doc out of Denver to head it! Fred was anemic. We kept doing what Doc said, but it didn't help. Finally the nurse, who happened to be a customer of Fred's we didn't know, took us aside and told Fred to get a colonoscopy. We made appointment with best internist in town- and loved him. He was sweet, loving and had years of experience. When we showed up for test, the huge waiting area was stuffed! Only 3 seats open, 2 next to each other. After quite a wait,

Fred went in for test - and returned to his seat. After another long wait, Doc came out. He was too busy to take us to his office, as is normal - for the results. We had to stand in the middle of all those people to be shown the pictures and be told the small lesions were only pre-ulcerous. And he had gone all the way up to the secum! He would prescribe Prilosec and Fred would be fine in no time. The next day, as he napped, I sat at desk and picked up the prints. To my horror, they had the female patient's name on them! I've always wondered if it was she - or someone else - who got Fred's pix - and death sentence! They put Fred on chemo - a horrible experience, but he lived another 16 months. I was - still am - devastated. Lost the best of my life to greed and lack of knowledge! And they knew. They closed the clinic - and I never got even an apology from any of them!

My point is that people in positions where they must make decisions must think about the people who will be affected, and decide the best for all. Here are more examples:

I was the eldest of 11 children. Nine were boys, my only sister 5 yo when I married. I was second Mama! Loved school and was good at it - IQ 138, determined when Russia beat us into space and US tested good students so their educations could be directed to help US beat the Russians! That helped me get through our awful childhood. Of the 9 boys, only 4 are living.

Every death was a tragedy that could have been softened by government policies and funds! They were:

1. Buddy was closest of all to me, died of polio at 5, I was 6. Salk was ~4 yrs down the road. Good on them!
2. Dennis, 3rd child. 5 yr Marine in Nam, 30 yr cop in Traverse City, shot 50+ times with AR15 type gun by crazy MI militia man who was known to cops. Had even sprayed epithets on Chief's driveway! Turned out he had 260 guns, 600k rounds of ammo and a plastics explosive bomb in basement of his huge Victorian home. TCPD building was in process of being rebuilt. They say he was the best cop they ever had, so named it after my bro. You won't find weapon info in any paper. Chief forbade release of that. I'm family or wouldn't know. Den was second Papa after our Dad died of heart attack at age of 44! He even wrote letters to bros from Nam, urging them to behave, help Ma, and do their homework.
3rd and 4th bros- David and Tom - alive, in Fl and UP of MI. Both in reserves during Nam.
5. Super religious Doug - because of our horrid childhoods. 5th bro, had diabetes- half our family does, me included. He let God "heal" him - waited too long. Was in 50s. Was great tennis player but no support.
6. Poor Marvin. 6th bro Super smart, and funny, hearing problems when child. No help for ears. Joined Air Force after school, during Nam, most of 8 years

in Roswell doing electronics. VA didn't catch that he came down with Schizophrenia while there - and they (whole country, really) still doesn't have decent mental health care. He ended up, like so many Schizos, going off meds many times and traveling all over the country. Had stroke, was in wheel chair, got stuck in Redding, CA on RR tracks - struck and killed by train coming too fast (a friend went to scene later and saw it's speed). He had no ID or meds - we found out a month later - VA tracked him by his fingerprints. He was 65.

7. Julie 8th of our 11. Lives in S Dakota with husband. Losing sight - we had 3 ancestors who were blind. Her 2 boys still live in CO, where Julie lived from early 1970s until about a year ago. She was only 5 when I married first time.

9th sibling. Chuck - was borderline retarded (69 IQ) and had emotional problems, but was hard worker. Was 28(?), had 2 yo son he adored, but wife was leaving him and he was losing house his bros and govt helped him buy. Killed self with his hunting rifle - he loved hunting! His wife was poorly brought up by her Grandma - who then raised her 2 boys - who ended up on drugs. At 19, the one Chuck knew, was shot by 16 yo drug dealer as he was heading out of Houston to get help from his Ma in FL - even tho she told him not to come. Didn't want to freak out her new boyfriend! The boy Chuck didn't know was also Chuck's. He lives in Chicago area, is in construction and has long time lady partner. And many bad memories! He is named

Ken, after our next younger bro. The two of them were hunting buddies and very close, so Tammy named her 2nd after him.

10th was Ken. Is about 66, retired to UP of MI with his long time lady, Donna. Donna's Dad worked with our Grandpa Luke. Together they invented the first hot water heater - grandpa was the electrician, the other fella a mechanic. Somehow Grandpa never got any money from what became the White heater - and later appliance company. Ken worked for bro David in his long time TC store, Leathers by David. Dave kept the store until Ken retired. Ken stayed another year to help new owners. He and Donna always loved UP - had bought a cabin up there, where they now live, hunt and fish. Ken had one son.

11th. Lou. Actually named Preston after an uncle of Ma's. He hated name, fellas he worked with at an auto shop in high school, renamed him and it stuck.

He was only 2 when our dad died. Ma later remarried - a mean man who drank hard liquor - lots. Our dad, a house painter, drank beer - lots. Turns out the paints had chemicals that made painters prone to alcoholism.

They even attached paint can openers to each can - that were also designed to open beer bottles! That didn't help! And yes, I go back that far! On the side, my dad learned to fix radios -and the first tiny, round TVs that came out. He gave one, with no cabinet, to my first husband and I as a wedding gift! Hey, it was better than nothing. Anyway, Lou and wife live at Lake Leelenau, near TC, where their electronics biz is

located. Started as antennae and satellite dishes.

They decided to never have children. Lou was born 9 mo after my daughter and 7.5 mo before my son. I was lucky - the pill was out by the time my son was born! Ma had 11 kids, and 18 - I think - grandkids. I never got to see much of my nieces or nephews- some of them never. The family moved upstate after I got married - too far to drive often. And I moved to CO 52 yrs ago! A few of us do coms online now.

Well, I should have started numbering with me at # one. Am writing in response to the possible 15 yr extension of the license for a local cement company to keep working. That even tho they are the largest polluter in Boulder County, which is also having big increases in pollution due to more ppl moving here - and the many wildfires we've been having. I'll send this to my family, too, but will write the rest of my own family story later, for them. Right now I need to do part of my story to the County Commissioners - hopefully before they vote re CEMEX license! So later, family and friends, for the rest of my story.

Now - The rest of my Colorado story:

As I've said, I went to work at my Fred's restaurant after graduating CU - in geology. Fred's health was declining - our 2.5 story home in S Boulder had too many stairs for him. I became a realtor so I could hopefully find a ranch we could afford. Took a while, but then found my current home, which I've now lived

in for 30 years. It was perfect: foothills - both Fred and I loved country feel but close to town. Beautiful scenery and wildlife like most of my many childhood homes - minus the lakes. Even lots of birds, and Fred's elementary tracked the birds in Highland Park the whole time he was there. I hope I can find the booklet they published with all the data! The birds here have declined greatly since 1992!

Especially after Fred died, I became a birdwatcher in earnest, and joined the Audubon Society. Learned my early knowledge about Climate Change and Conservation online, through them. Wrote lots of letters. Audubon liked them - twice sent me to DC for workshops re various aspects of bird conservation - and then to Congress ppl to educate them and get specific bills passed. All for naught- anti-conservers were majority. But I learned a lot and have kept learning - and working online - ever since. And the Climate Change Crisis (CCC) has all but destroyed me - both my health and finances!

in 2012, it was smoke most of the year from the long-lasting wildfire in Rocky Mountain National Park. I didn't realize until the next year when my cough took me to doc and lung testing. Turns out the smoke gave me Chronic Bronchitis! I've been on O2 machines ever since. Then I broke right femur - had to quit job. Got another I could do from wheelchair/pc combo. Then came our 1000yr flood in Sept, 2013. My house had only minor damage, as it is on the side of the valley

below the Lyons Sandstone Ridge. However you may recall that Hwy 36 was very badly damaged in 2 places - one on either side of where my road joins it - and that was the only way in and out. We could sometimes use Apple Valley Rd, but that was very erratic because of all the big equipment and trash there - so I could no longer work my seasonal job (scoring student achievement tests) or get good tenants after the first ones moved, because of the difficult access. That left me with only SS for income. I had always had excellent credit, but now I had to use up my retirement, all savings - and even sell Fred's guitar and piano just to keep my house. My credit score plummeted - and nobody would refi me because now my assets and score were too low! My math smarts and lifetime of reliability meant nothing!

I've managed to stay here because an expert in reverse mortgages finally got one for me. And once the contaminated well and washed out driveway were fixed - after the US36 access was restored - I could finally rent out the furnished downstairs walkout again. But then I took a second very strange fall - broke the same femur again - and very badly.

Required a plate and 9 pins and long stay at rehab to repair. I had to return home, tho it was too early.

Inactivity caused full leg blood clot, then kidney stones, then heart stent - over the next couple of years. Then it was the year of the then 3 largest fires in CO - I could see flames from 3 directions

from my house! And ubiquitous smoke from CA and other parts west. It made my CB much worse. Then of course, it was Covid. My daughter came to stay with me - helping each other - but too much for her to do. She must find job and move - sooner the better. Now - don't know why - pipe from cistern to house broke and I have to turn pump on and off to use the water. No money to fix, and just as interest rates are spiraling and home sales slowing! And Louisville and Superior fire victims need much of government and volunteer help available!

Now I hear County may very well extend the CEMEX license - which will increase pollution even more.

Hopefully you understand why I am begging not to do so. Find other clean and green jobs for their employees - and keep our air as clean and green as possible!

Thank you for "listening" to my tale of woe! And know I'm not the only one who needs clean and green. And know that FEMA refused to help me after the flood because my house wasn't much damaged! And I couldn't get a loan - anywhere! Like I said, policies that affect ppl must be carefully and thoroughly studied and chosen. Even those that affected my family as I was growing up - making me panic if I have to ask for the help I so badly need now - and tho I've helped others all my life!

PLEASE, say no to CEMEX!

Sincerely,
Donnie Shelton
On Messenger
or Tiwiwas@aol.com

I only have phone over local WiFi since flood. And hearing is going - so can't hear on phone anyway.
Sorry, No time to edit!
And need to rest. Will eat breakfast and hopefully watch ceremonies for the World's Grandma.

PPS: Had to edit - too many errors in first go around.

From: [Loachamin, Marta](#)
To: [Boulder County Board of Commissioners](#)
Cc: [L"Orange. Pete](#)
Subject: FW: [EXTERNAL] Gravel mining etc
Date: Wednesday, September 14, 2022 4:24:34 PM

Marta Loachamin (she/her/ella)
Boulder County Commissioner
1325 Pearl Street, Boulder CO 80302

Cel. 303.579.1825
MLoachamin@BoulderCounty.org

New: Boulder County has a new website: BoulderCounty.gov! Bookmark it today. Email addresses will transition at a later date.

Nuevo: ¡El condado de Boulder tiene un nuevo sitio web: BoulderCounty.gov! Márcalo hoy. Los correos electrónicos harán la transición en una fecha posterior.

-----Original Message-----

From: dana bove <danajbove@gmail.com>
Sent: Wednesday, September 14, 2022 4:11 PM
To: Loachamin, Marta <mloachamin@bouldercounty.org>
Subject: [EXTERNAL] Gravel mining etc

Commissioner:

This is not, nor was it ever a gravel mine.

Also, you continue to frame this as a reference or baseline to pre-mining. This permit ends next week ish.

County residents were promised through the original terms of this permits that reclamation would be done—all completed by 2025.

That is the baseline and reference point, not 1965.

Dana Bove

From: [LU Land Use Planner](#)
To: [L'Orange, Pete](#)
Subject: FW: [EXTERNAL] Ask a Planner - Lani Dolifka - SU-22-0003 - 13280 North 75th Street, Longmont, CO 80503
Date: Wednesday, September 14, 2022 5:19:33 PM

@L'Orange, Pete

-----Original Message-----

From: Ask A Planner <no-reply@wufoo.com>
Sent: Wednesday, September 14, 2022 5:16 PM
To: LU Land Use Planner <planner@bouldercounty.org>
Subject: [EXTERNAL] Ask a Planner - Lani Dolifka - SU-22-0003 - 13280 North 75th Street, Longmont, CO 80503

Boulder County Property Address : 13280 North 75th Street, Longmont, CO 80503 If your comments are regarding a specific Docket, please enter the Docket number: SU-22-0003

Name: Lani Dolifka

Email Address: lanicleanwater@gmail.com

Phone Number: (303) 775-7005

Please enter your question or comment: I respectfully ask Boulder County not approve CEMEX's special use permit. The county should not be pressured to approve such permit without proper submittals by the applicant. It is clear CEMEX is not concerned about their impact on the county. They made it clear they will not invest in carbon reduction or plant improvement during the next 15 years. This is not the position of a "good neighbor". The county needs to re-negotiate to keep the county's best interest in mind.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.

From: [LU Land Use Planner](#)
To: [L'Orange, Pete](#)
Subject: FW: [EXTERNAL] DENY CEMEX permit extension
Date: Thursday, September 15, 2022 7:12:25 AM

@L'Orange, Pete

-----Original Message-----

From: Barbara Marcus-Mckenna <marcusmckenna@mac.com>
Sent: Wednesday, September 14, 2022 11:09 PM
To: LU Land Use Planner <planner@bouldercounty.org>
Cc: Daniel McKenna <marcusmckenna@mac.com>
Subject: [EXTERNAL] DENY CEMEX permit extension

To whom it may concern,

Please PLEASE DENY CEMEX the extension to continue their operations!!

Highway 66 is the only eastern roadway into Lyons and Estes Park, the main thoroughfare into both towns. Estes Park and Rocky Mountain Park are nationwide tourist destinations, and giving in to Cemex operations will only interfere with tourism and the recreation activities in our beloved communities!

This is not an acceptable location for industrial mining operations! There is too many risks for the health and well-being for the residents of Boulder County, and surrounding areas, including dangers of toxic air quality and dangers of density causing more unwanted traffic accidents!

The significant 5,000 % increase in our residential community, since the 1960's, makes this location for industrial manufacturing the absolutely WRONG location for their operations to continue!

It is common sense to deny this permit extension! Once again its the profits of big corporations against the good of the people and community! Cemex has the funds to move their operations elsewhere. The denial of this permit will hardly hurt Cemex's pocketbook, yet has much overwhelming negative impact on the health and well being of our people, families, animal life, and overall community.

PEOPLE FIRST! PLEASE!! PLEASE! PLEASE!! PLEASE DENY CEMEX PERMIT EXTENSION!!

Please do what is morally Right! Please follow your heart,

Sincerely,
Barbara Marcus-McKenna
Daniel McKenna

Lyons Residents since 1993
Colorado Residents since 1978