

Commissioners Meeting  
January 5, 2010

The regular meeting of the Board of Commissioners was held on Tuesday, January 5, 2010 at the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Tim Glenn. Others present were Director of Finance Dan Short, Director of General Administration Robert Christiansen, County Attorney Jenny Davis, County Development Services Director Don Reimer and Deputy County Clerk Kathleen Bach.

At 9:03 a.m., the Board of Commissioners convened as the Board of Health.

County Environmental Health Specialist Victor Crocco gave his monthly report.

County Health Nurse Susan Ellis presented an overview of her monthly report.

Being no further business Chairman Holman closed the meeting of the Board of Health at 9:27 a.m.

Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:30 a.m.

Chairman Holman asked Deputy Clerk Bach for verification regarding the distribution of the Board of Commissioners' Agendas. Deputy Clerk Bach stated that the agendas were properly distributed.

The Board were presented the Commissioners Minutes of the August 18, September 1, 8, and 15, 2009 meetings for review.

Commissioner Glenn gave Deputy County Clerk Bach changes he felt were needed on the August 18, 2009 meeting minutes. Commissioner Giese stated that beginning September 1<sup>st</sup> the minutes would be action minutes. Therefore, the September 1, 8, and 15, 2009 minutes would be changed to action minutes.

The Board was presented the minutes of the August 4 and 11, 2009 meetings for approval.

Commissioner Giese made a motion to approve the minutes of August 4 and 11, 2009 meetings. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Chairman Holman asked for public comment on any items not currently listed on the agenda. There were none.

The Board was presented the 2010 Reorganization of meeting appointments made by the Board of Commissioners.

Commissioner Giese made a motion to approve the 2010 Reorganization of meeting appointments with the one change of April Prout instead of Mr. Mallett to the Steam Plant. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was to consider reaffirming Resolution 2007-56 regarding procedure for executing County contracts.

County Attorney Davis presented an overview of the County contract procedure. She presented resolution 2010-02, authorizing the Chairman to execute certain county contracts.

Commissioner Glenn made a motion to approve Resolution 2010-02, authorizing the Chairman to execute certain county contracts. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was to consider Resolution 2010-1, designating the public places for posting meeting notices and adopting the schedule for regular meetings in 2010.

County Attorney Davis presented an overview of the resolution.

Commissioner Giese made a motion to approve Resolution 2010-01, designating the public places for posting meeting notices and adopting the schedule for regular meetings in 2010. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The next item was to consider a resolution providing for an increase in the Emergency Telephone Charge.

Annette Stolba gave an overview of the request for the communications center.

County Attorney Davis presented history of the Emergency Telephone Charge.

Commissioner Giese made a motion to table this item until the January 12, 2009 meeting. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was to consider participation agreement for the Upper Arkansas Recycling Program and appoint a Director to the Advisory Board of the Upper Arkansas Recycling Program.

Director of Administration Christiansen presented an overview of the agreement and the need for a director.

Commissioner Giese made a motion to authorize the Chairman of the Board to sign the Participation Agreement with the Upper Arkansas Recycling Program and appoint Robert Christiansen as member to the Advisory Board of the Upper Arkansas Recycling Program. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was to consider a Local Coordinating Council Grant Award.

Director of Administration Christiansen gave the Board an overview of the request.

Lori Isenberger, 9355 County Road 178, Salida, explained that the grant had been accepted and how the money would be used.

Commissioner Glenn made a motion to accept the Local Coordinating Council Grant Award from CDOT (Colorado Department of Transportation) in the amount of \$44,000 and have the County administer the award. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was for the Board to formalize membership and role of Land Use Advisory Committee. This item had been tabled from the December 15, 2009 Commissioners Meeting.

County Planner Antonucci presented an update of the item. Jeannie Foster, Salida, commented on this item.

Commissioner Giese made a motion to approve the members as presented by the list and allow the two members of the water group to decide as to who would be their main spokesmen and to who would be their alternate. Commissioner Glenn seconded the motion. On the question, the motion carried 2 – 1. Chairman Holman voted no.

The next agenda item was the consideration of a request from Nestle Waters for a license to install a pipeline through property owned by Chaffee County. This item had been continued from the December 15, 2009 Commissioners Meeting.

County Attorney Davis presented an update on the item.

Nestle Waters Attorney Holly Strablizky, Denver, commented on the request.

Commissioner Giese made a motion to approve the lease agreement presented by the County Attorney. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Attorney Strablizky asked for time to review the document.

The Board directed County Attorney Davis to review the items and report back to the Board.

The Board moved to the next agenda item which was the monthly report from the County Clerk for November 2009 for acknowledgement.

Commissioner Glenn made a motion to acknowledge the November 2009 report from the County Clerk. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented the following Consent Agenda items for approval:

- ❖ 2010 Ambulance licensing
- ❖ Accept and sign HUTF report
- ❖ Pay bills

Commissioner Glenn made a motion to approve to the Consent Agenda as presented. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

County Attorney Davis stated that Attorney Strablizky and she had agreed to some simple changes to the agreement. She would recommend approval of the license agreement with the agreed changes.

Commissioner Giese made a motion to approve the license agreement for installation of a pipeline with Nestle Waters with the changes outlined by County Attorney Davis. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was to review staff and consultant reimbursement request from the Nestle Water Reimbursement Fund.

County Finance Director Short gave an overview of the costs that were being asked for reimbursement.

Commissioner Glenn made a motion to approve the reimbursement as outlined by County Finance Director Short. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The next agenda item was added during the work session on January 4, 2010, concerning a building code issue to amend Resolution 2007-01.

Director of General Administration Christiansen presented an overview of the item.

County Attorney Davis summarized a draft of a temporary permit for inspections for permits that were up to 3 years old that would allow inspections in the interim.

Commissioner Giese made a motion to approve the memorandum as presented and advised the County Attorney Davis to continue working on the County building codes. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

County Attorney Davis County Attorney Davis stated C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice on legal questions concerning the Nestle Waters purposed easement on Chaffee County property.

Commissioner Glenn made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (b). Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

*I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held on January 5, 2010 during which the recorder was directed to take no minutes constituted a privileged attorney-client communication.*

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*Jennifer A. Davis, Chaffee County Attorney*

*I, Frank Holman, Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the portion of the executive session held on, January 5, 2010, during which no minutes were taken was confined to a topic authorized for discussion in an executive session.*

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*Frank Holman, Chairman*

Chairman Holman reconvened the meeting at 11:36 a.m. He stated that no decision had been made during the Executive Session.

Commissioner Glenn made a motion to approve to close the January 5, 2010 Board of Commissioners meeting. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0. The meeting adjourned at 12:08 p.m.

Attest:

Joyce M. Reno  
Chaffee County Clerk