

Commissioners Meeting  
February 1, 2011

The regular meeting of the Board of Commissioners was held on Tuesday, February 1, 2011 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Dave Potts. Others present were Director of General Administration Robert Christiansen, Director of Finance Dan Short, County Attorney Jenny Davis, County Development Services Director Don Reimer and Deputy County Clerk Kathleen Bach.

Regular Meeting

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

Verification of distribution of the Board of Commissioners Agenda's

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.

Review minutes of the January 18, 2011

Commissioner Potts motioned to approve the minutes of January 18, 2011 as presented. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Approve minutes of the January 4, 2011

Commissioner Giese made a motion to approve the minutes of January 4, 2011 as presented. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Public Comment

There was none.

Agenda Item A

Consider a request from Quiznos Pro Challenge to use County Roads for the America's Pro Tour Bicycle Race to be held on August 23 and 24, 2011.

April Prout, Chaffee County Visitors Bureau Director, presented an overview of Quiznos Pro Challenge update. She stated that both Salida and Buena Vista would share from the advantages of the race.

Discussion on the requested road closures was held.

It was the consensus of the Board that they were in support of this activity and further information would be needed in the future.

### Agenda Item B

Consider lease with the Upper Arkansas Water Conservancy District for 1.0 acre-feet of consumable water to be used for the County's dust control operations and firefighting purposes.

County Road and Bridge Supervisor Joe Nelson stated the Chairman's signature was needed on the Water Lease Agreement.

Commissioner Giese made a motion to approve the lease with the Upper Arkansas Water Conservancy District for 1.0 acre-feet of consumable water to be used for the County's dust control operations and firefighting purposes. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

### Agenda Item C

Appoint an "ad-hoc" representative as part of the Citizens Task Force (CTF) of the Arkansas Headwaters Recreation Area.

Director of Administration Christiansen gave an overview of the request.

Commissioner Giese made a motion to approve to nominate Commissioner Potts as an "ad-hoc" representative to the Citizens Task Force of the Arkansas Headwaters Recreation Area. Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

### Agenda Item D

Consider appointment of Jim Osborne to Action 22 Board.

Director of Administration Christiansen presented an overview of the Action 22 Board. He stated that former Chaffee County Commissioner Osborne was currently the Chairman of the Action 22 Board and had relayed his desire to remain active on the Board.

Commissioner Giese requested an update from Mr. Osborne two or three times a year on Action 22 activities.

Commissioner Giese made a motion to appoint Jim Osborne as the Chaffee County representative to the Action 22 Board. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

### Agenda Item E

Consider appointments to the following boards:

- ❖ 3 members to the Chaffee County Heritage Area Advisory Board.

Commissioner Giese made a motion to approve Resolution 2011-07, filling vacancy on the Heritage Area Advisory Board with Melanie Roth and John

Nahomenuk with terms to expire on January 31, 2014. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

❖ 5 members to the Chaffee County Fair Board.

Commissioner Giese made a motion to approve Resolution 2011-08, filling Vacancies on the Fair Board by Harold DeWalt, Karen Peeples, Barbara Wind, Rachel A. Walke and new member Jim LaRue with terms to expire on January 31, 2014. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

❖ 1 member to the Agricultural Land Use Conflict Resolution Program (Right to Ranch Panel).

County Attorney Davis stated that this panel had not yet worked together. Hugh Young had resigned. The Board felt that applicant Bernie Post should continue to serve as a member.

Commissioner Potts made a motion to adopt Resolution 2011-09, reappointing Bernie Post to the Mediation Panel-Member Pool for an additional two year term. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

❖ 1 member to the Chaffee County Board of Review.

Commissioner Giese made a motion to adopt Resolution 2011-10, filling vacancies on the Board of Review appointing Lawrence Kersting for a term to expiring on January 31, 2013. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

❖ 2 members to the Chaffee County Visitors Bureau.

Commissioner Giese made a motion to approve Resolution 2011-11, filling vacancies on the Visitors Bureau with Scott Person, Michael Varnum and Koby Vidakovich with terms to expire January 31, 2014. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

❖ 1 member to the Board of Adjustment.

Commissioner Potts made a motion to approve Resolution 2011-12, filling a vacancy on the Board of Adjustment reappointing Dick Isenberger with a term that would expire January 31, 2014. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

❖ 3 members to the Transportation Advisory Board

Commissioner Potts made a motion to approve Resolution 2011-13, filling vacancies on the Transportation Advisory Board with Frank Holman serving as a County Commissioner's seat and the Planning Commission member to be appointed at a later date. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

❖ 4 members to the Chaffee County Planning Commission.  
Commissioner Giese made a motion to approve Resolution 2011-14 appointing Rob Treat, Tyler Hansen to terms that would expire January 1, 2013, Sig Jaasted, Ted Richardson, Catherine Wadsworth with terms expiring January 31, 2014 and Rick Shovald with a term that expires January 31, 2012. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

#### Agenda Item F

Consider approval of airport hangar lease agreement.

Director of Administration Christiansen gave an overview of the agreement.

Commissioner Potts made a motion to approve Resolution 2011-15, establishing a Fee Schedule for Grounds Leases at the Harriet Alexander Field Airport. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

#### Consent Agenda

❖ Pay bills.

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

#### Roundtable items

- ✚ February 14 Work Session
- ✚ Upper Arkansas Water District presentation
- ✚ Ed Schlatter letter concerning space at judicial building
- ✚ State Aeronautical Grant Agreement had been received
- ✚ Update on Salassa Case
- ✚ Event Permitting Process discussion

#### Agenda Item G

Executive Session with County Attorney to obtain legal advice pertaining to pending Equal Employment Opportunity Commission (EEOC) Claim before the County, pursuant to CRS 24-6-402(4) (b), to hear details of investigations into such claims pursuant to CRS 24-6-402(4) (d) and to consider certain documents relating to such claim protected by the mandatory nondisclosure provisions of the “Colorado Open Records Act” pursuant to CRS 24-6-402(4) (g).

County Attorney Davis stated C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice on a pending EEOC claim before the County, CRS 24-6-402(4)(d) to hear details of investigations into such claims, and legal issues and nondisclosure provisions of the “Colorado Open Records Act” under CRS 24-6-402(4)(g).

Commissioner Giese made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (b), C.R.S. 24-6-402(4) (d), C.R.S. 24-6-402(4) (g). Chairman Holman seconded the motion. On the question the motion carried 3 - 0. The Board went into Executive Session at 11:52 a.m.

*I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held February 1, 2011, 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 February 1, 2011, 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.*

Commissioner Giese made a motion to reopen the Board Meeting at 1:55 p.m. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Discussion on the 1041 Regulations and Potential Revisions

County Land Use Attorney Barbara Green presented an update on the 1041 Regulations and potential revisions that she had worked on.

Discussion was held on what the Board expected and when they would like to see the final product.

Commissioner Potts made a motion to close the Board of Commissioners February 1, 2011 Meeting. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0. The meeting was adjourned at 3:59 p.m.

Attest:

Joyce M. Reno  
Chaffee County Clerk