

Commissioners Meeting
February 2, 2010

The regular meeting of the Board of Commissioners was held on Tuesday, February 2, 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 Merrilou Cicerelli.

At 9:00 a.m., the Board of Commissioners convened as the Board of Health.

County Nurse Zack Zeiset presented an overview of County Public Nurse Director Susan Ellis' monthly report.

County Environmental Health Specialist Victor Crocco gave his monthly report.

Being no further business, Chairman Holman closed the meeting of the Board of Health at 9:30 a.m.

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

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

The Board were presented the Agenda for the February 2, 2010 Board of Commissioners Meeting for review and the public notices for February.

The Board was presented the corrected minutes of August 18, September 1, 8 and 15, 2010 for approval.

Commissioner Giese made a motion to approve the corrected minutes of August 18, September 1, 8 and 15, 2010. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented the minutes of the October 6, 13, 20, 2009 meetings and the February 2 and 12, 2010 for review.

Commissioner Glenn presented Deputy Clerk Cicerelli the corrections needed on these meeting. He asked that the changes be made and sent to the other two Commissioners for review. He stated that as of September 1, 2009 all meeting minutes would be changed to action meeting format.

Chairman Holman asked for public comment on any item not on the agenda.

Stu Brown, 14080 County Road 261H, Nathrop, commented that he wanted the Board to know that the County Fair Grounds kitchen facilities had been completed and everything was wonderful.

Syd Schieren, 202 North F Street, Salida, commented on wanting the Board to ask staff to review the code and regulations that would be used to permit any geothermal permit in the Nathrop area.

The Board was presented the January report from the County Road Supervisor Joe Nelson.

The Board was asked for ratification of an emergency meeting on January 25, 2010 that had been called for the purpose of an Executive Session with County Attorney Davis to discuss a settlement offer in connection with litigation involving the County.

County Attorney Davis presented an overview of what was needed for ratification.

Commissioner Giese made a motion to acknowledge the reason and outcome of the special meeting. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented a request from the Town of Buena Vista to waive all building permit fees for the Terminal Renovation Project at Central Colorado Regional Airport.

Director of Administration Christiansen presented an overview of the request.

Commissioner Glenn made a motion to waive the building permit fees for the Terminal Renovation Project at Central Colorado Regional Airport. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented a request for support of legislation to authorize a feasibility study for the creation of the Pike National Historic Trail.

Stu Brown, Nathrop, presented an overview of the request.

The Board held a discussion on this item.

Commissioner Glenn made a motion to offer support for a feasibility study. Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented a request from Arkansas Headwaters Recreation Area to appoint a county representative on an “ad-hoc” Agency group as part of the Citizens Task Force for the AHRA (Arkansas Headwaters Recreation Area).

Director of Administrator Christiansen presented an overview of the request.

Commissioner Glenn made a motion to nominate Commissioner Giese for appointment to the “ad-hoc” Agency group as part of the Citizens Task Force for the AHRA (Arkansas Headwaters Recreation Area). Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented a presentation regarding Public Opinion Research Proposal. The proposal was presented by: Dee Frankfouth, The Trust for Public Lands, Tim Wohlgenant, Colorado State Director for the Trust for Public Land and Lori Weigel, Partner, Public Opinion Strategies.

This item will be placed on next week’s agenda for an update and decision on whether to go ahead with the proposal.

The next agenda item was an update on Neighbor to Neighbor for 2009.




Connie Cole, Executive Director, presented the update.

The Board congratulated Ms Cole on Neighbor to Neighbor being named the Chamber of Commerce Business of the year.


The Board was presented for considerations the appointments to the following boards:

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

The Board was presented a letter from the Heritage Board with seat recommendations as:

-  Cheryl Brown-Kovacic
-  Katy Grether
-  Diana Heeney

- ❖ 1 member to the Chaffee County Heritage Area Advisory Board Ranching Seat.

-  Nancy Roberts

In the letter, it was noted that Ann Ewing had sent a letter of resignation leaving an open seat on the Heritage Board.

Commissioner Giese made motion to approve the above members to the Chaffee County Heritage Board. Commissioner Glenn seconded the motion. On the question, the motion carried 3 - 0.

County Attorney Davis presented the Board the draft resolution, filling vacancy on the Heritage Area Advisory Board.

Commissioner Giese made a motion to approve Resolution 2010-05, approving four members to the Chaffee County Heritage Board. Commissioner Glenn seconded the motion. On the question, the motion carried 3 - 0.

- ❖ 5 members to the Chaffee County Fair Board.

The Board was presented a letter from the Fair Board Chairman Harold DeWalt nominating the following names:

- ✚ Norm Denoyer
- ✚ Nancy Pallaro
- ✚ Tate Scanga

County Attorney Davis presented a draft resolution, filling vacancies on the Fair Board.

Commissioner Glenn made a motion to approve Resolution 2010-06 filing vacancies on the Chaffee County Fair Board. Commissioner Giese 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.

The Board was presented a letter from Jim LaRue stating he would like to serve another term on this Board.

County Attorney Davis presented a draft resolution filling, the vacancy on the Right to Ranch Panel – Member Pool.

Commissioner Glenn made a motion to approve Resolution 2010-07 appointing Jim LaRue to fill the vacancy o the Agricultural Land Use Conflict Resolution Program, Right to Ranch Panel. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

- ❖ 1 member to the Chaffee County Board of Review

The Board was presented letters from the following indicating interest in the position on the Chaffee County Board of Review:

- ✚ Richard Edgington
- ✚ Gary L. Bolte
- ✚ Chris Schirmer
- ✚ Chris Cooper

Chairman Holman made a motion to expand the Chaffee County Board of Review to 5 members. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

County Attorney Davis presented the Board a draft resolution, filling vacancies on the Board of Review.

Commissioner Giese made a motion to approve Resolution 2010-08 appointing Richard Edgington, Chris Schirmer and Chris Cooper to fill vacancies on the Chaffee County Board of Review. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

❖ 1 members to the Airport Board

The Board was presented a letter from Carl Hasselbrink, Secretary for the Chaffee County Airport Board, stating their recommendation to fill the vacancy of the Board. There had been two applicants who applied:

- ✚ David Grover
- ✚ R. Don Taylor

County Attorney Davis presented the Board a draft resolution, filling a vacancy on the Airport Board.

Commissioner Giese made a motion to approve Resolution 2010-09 appointing David Grover to fill the vacancy on the Chaffee County Airport Board. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

❖ 3 members to the Chaffee County Visitors Bureau

- ✚ Michael Varnum
- ✚ Dan Jones
- ✚ Dick Ziminski
- ✚ Tommy Martin
- ✚ Patty Turner

County Attorney Davis stated that the Tourist Board had asked for Patty Turner to become a voting member of this Board.

County Attorney Davis presented the Board a draft resolution, filling a vacancy on the Visitors Bureau.

Commissioner Giese made a motion to approve Resolution 2010-10 filling vacancies on the Visitors Bureau appointing Tommy Martin, Dick Zimenski and Patty Turner to the Visitors Bureau. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

- ❖ 1 member to the Chaffee County Planning Commission
 - ✚ Dave Williams
 - ✚ Dick Scar

County Attorney Davis presented the Board with a draft resolution, filling vacancies on the Planning Commission.

Commissioner Giese made a motion to approve Resolution 2010-11 filling a vacancy on the Chaffee County Planning Commission appointing Dave Williams to the Planning Commission. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

- ❖ 1 member to the Board of Adjustment
 - ✚ Bill McCormick

County Attorney Davis presented the Board a draft resolution filling the vacancy on the Board of Adjustment.

Commissioner Glenn made a motion to approve Resolution 2010-12 filling a vacancy on the Board of Adjustment and appointing Bill McCormick to the Board of Adjustment. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

- ❖ 3 members to the Transportation Advisory Board
 - ✚ Jim Osborne

There was only one letter of interest.

County Attorney Davis presented the Board a draft resolution, filling vacancies on Transportation Advisory Board.

Commissioner Glenn made a motion to approve Resolution 2010-13 filling a vacancy on the Chaffee County Transportation Advisory Board appointing Jim Osborne to that position. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

- ❖ 3 members of the Planning Commission to Salida Regional Planning Commission
 - ✚ Ted Richardson
 - ✚ Greg Bayne
 - ✚ Dave Potts

County Attorney Davis presented the Board with a draft resolution, filling vacancies on the Salida Regional Planning Commission.

Commissioner Giese made a motion to approve Resolution 2010-14 filling vacancies on the Salida Regional Planning Commission and appointing Ted

Richardson, Greg Bayne and Dave Potts. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented for review, staff and consultant reimbursement requests from the Nestle Water Reimbursement Fund.

Director of Finance Short stated that there were no requests for funds for this month.

The Board was presented the monthly report from the County Clerk for December 2009 for acknowledgement.

Commissioner Glenn made a motion to acknowledge the County Clerk Report for December 2009. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented the Semi-Annual Report from the County Treasurer for July 1, 2009 thru December 31, 2009 for acknowledgement.

Commissioner Glenn made a motion to acknowledge the Semi-Annual Report from the County Treasurer for July 1, 2009 thru December 31, 2009. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

The Board was presented the Consent Agenda for approval. Items listed were:

- Addendum to Subdivision Improvements Agreement for the Gibbons Minor Tract Division Tract 1.
- Pay bills

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

Commissioner Glenn made a motion to appoint Commissioner Giese to the Southern Colorado Economic Development District. Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

Round Table items:

- Transmission lines over Poncha Pass for power from the solar farms in the San Luis Valley.

Commissioner Giese made a motion to appoint Commissioner Glenn to work on this item. Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

Attorney Pete Cordova, 1604 H Street, Salida, commented on request to abandon the Railroad Spur at Hancock and County Road 295.

Attorney Ernie Marques, 102 N I Street, Salida, commented on the request.

Survey Mike Henderson, 203 G Street, Salida, commented on the request.

County Road Supervisor Joe Nelson commented on the request.

Discussion was held on the request.

Chairman Holman stated that this request should be discussed during the Executive Session to receive legal advice on the request and a possible road trip to the area would help.

County Attorney Davis commented to the Board that she had received word from County Water Counsel Steve Monson concerning the statements of opposition on two water cases that concern the County that needed to be ratified.

Commissioner Glenn made a motion to ratify the County's Attorney statements of opposition on the two Upper Arkansas Water Conservancy District Cases concerning the Chaffee County Reservoirs. Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

Additional round table items:

- Bill Dvorak had sent a letter asking for a support letter for House Bill 1188 for commercial boaters.
- Letters of commendation for the three Planning Commission Board members that are leaving.
- County wide sales tax directive update.
- GOCO planning grant update.
- Department of Social Services vacancy
- Update on Building Department and building permits.

County Attorney Davis stated C.R.S. 24-6-402(4) (b) for the purpose of a discussion on a legal issue on litigation and C.R.S. 24-6-402(4) (a) possible lease or sale on County property.

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

The Board went into Executive session at 1:24 p.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held on February 2, 2010, during which the recorder was directed to take no minutes constituted a privileged attorney-client communication.

