

Commissioners Meeting
March 1, 2011

The regular meeting of the Board of County Commissioners was held on Tuesday, March 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 Finance Dan Short, County Attorney Jenny Davis, County Development Services Director Don Reimer and Deputy County Clerk Merrilou Cicerelli.

Regular Board of Commissioners Meeting

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.

Review public meeting list:

Minutes of the February 1 and 8, 2011 meetings

Commissioner Potts made a motion to approve the minutes of the February 1 and 8, 2011 meetings. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Public Comment

There was none.

Agenda Item A

To consider proposed changes to the Zoning Resolution related to Medical Marijuana. This item was continued from the February 22, 2011 Special Meeting.

County Attorney Davis presented an overview of the draft resolution 2011-19, amending the Chaffee County Zoning Resolution to clarify that Medical Marijuana Centers are prohibited in unincorporated Chaffee County and to allow for Medical Marijuana Cultivation Premises and Infused Products Manufacturing in unincorporated Chaffee County and extending the moratorium on (A) permits or licenses related to the operation of a business that cultivates, processes or dispenses marijuana and (B) the establishment of any business, occupation or operation relating thereto.

The Board held discussion on the subject. They continued this agenda item until later in the meeting for a revised resolution.

Agenda Item E

Plan for Development of Wayside Interpretive Media: Collegiate Peaks Scenic and History Byway.

Biff Baird, Exhibit Design Associates, presented an overview of the program and grant possibilities.

Alison Ramsey, Executive Director GARNA (Greater Arkansas River Nature Association), added comments on the procedures that might be used.

No action was taken.

Continuation of Agenda Item A

County Attorney Davis provided the revised draft resolution for the zoning regulation related to Medical Marijuana.

Commissioner Giese made a motion to approve Resolution 2011-19, amending the Chaffee County Zoning Resolution to clarify that Medical Marijuana Centers are prohibited in unincorporated Chaffee County and to allow for Medical Marijuana Cultivation Premises and Infused Products Manufacturing in unincorporated Chaffee County and extending the Moratorium on (A) permits or licenses relating to the operations of a business that cultivates, processes or dispenses marijuana and (B) the establishment of any business, occupation or operation relating thereto. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item B

Appoint 3 members to the Salida Regional Planning Commission.

The Board was presented draft resolution 2011-20, filling vacancies on the Salida Regional Planning Commission.

Commissioner Giese made a motion to approve Resolution 2011-20, appointing Ted Richardson, Rob Treat and Rick Shovald to the Salida Regional Planning Commission. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item C

Consider resolution for Appeal of a Denial of a Petition for Exclusion of Property from the South Arkansas Fire Protection District. The Appeal was filed by Dixie and Walt Harder, LLC and Lowther-Sites Holdings, LLC.

County Attorney Davis explained that the Board had received a request from Pete Cordova, Attorney for the South Arkansas Fire Protection District, to reverse the Board's decision to approve the Harder and Lowther-Sites request. She felt

that there needed to be more exploration of this before the Board approved the proposed resolution.

Discussion was held on the item.

Commissioner Giese made a motion to table this until the March 15, 2011 Board of Commissioners Meeting. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item E

Discuss and establish dates and criteria related to RICD administration and appoint/reappoint a Chaffee County representative to Flow Committee.

County Attorney Davis presented an overview of the item.

Chairman Holman made a motion to reappoint Commissioner Giese to the Flow Committee. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

County Attorney Davis asked that Commissioner Giese give the Board an update in March as to establishing the dates that would be used for the RDIC.

Agenda Item D

Consider resolution authorizing the County Assessor to review and settle petitions for abatement or refund in an amount of \$10,000 or less.

County Attorney Davis presented an overview of the draft resolution, 2011-21, authorizing the Chaffee County Assessor to review and settle Petitions for Abatement or Refund in an amount of \$10,000 or less pursuant to C.R.S. 39-1-113.

Commissioner Potts made a motion to approve Resolution 2011-21, authorizing the Chaffee County Assessor to review and settle Petitions for Abatement or Refund in an amount of \$10,000 or less pursuant to C.R.S. §39-1-113. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item F

Semi Annual Report of the County Treasurer July 01, 2010 thru December 31, 2010.

Commissioner Giese made a motion to acknowledge the Semi Annual Report of the County Treasurer July 01, 2010 thru December 31, 2010. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item G

Report from the County Treasurer for the month of January 2011

Commissioner Giese made a motion to acknowledge the January 2011 County Treasurer's report. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Consent Agenda:

- ❖ Pay bills.

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

Larry Walker, County Weed Director – New Spray Truck Demonstration.

The Board recessed to go to the demonstration at 11:05 a.m.

Chairman Holman reconvened at 11:25 a.m.

Commissioner Giese asked that the Board go into executive session to discuss legal issues.

County Attorney Davis stated County Attorney Davis stated C.R.S. 24-6-402(4)(b) for the purpose of receiving information on pending claim and current cases.

Commissioner Giese made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (b). Commissioner Potts 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 March 1, 2011, during which the recorder was directed to take no minutes constituted a privileged attorney-client communication.

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 March 1, 2011, during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

Frank Holman, Chairman

Chairman Holman reconvened the meeting at 12:30 p.m. stating that no decision had been made during the executive session.

Commissioner Giese made a motion to close the Board of Commissioners March 1, 2011 meeting. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0. The meeting was adjourned at 12:30 p.m.

Attest:

Joyce M. Reno
Chaffee County Clerk