

Commissioners Meeting
April 5, 2011

The regular meeting of the Board of County Commissioners was held on Tuesday, April 5, 2011 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman 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. Commissioner Giese was not present at the meeting.

Regular Board of Commissioners Meeting

Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:00 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

The Board confirmed the meetings that they would be attending.

Public comment

There was none.

Agenda Item A

Open bids and award bid for magnesium chloride.

Bids received were:

Enviro-Tech	Magnesium chloride @63.4 cents per gallon	\$79,250
	Durablend	\$72,300
Gem-Co	Magnesium chloride @62.5 cent per gallon	\$78,125

County Road Supervisor Joe Nelson presented an overview of what road the product would be used on. He suggested Enviro-Tech as they would provide both products needed.

Commissioner Potts made a motion to approve the bid from Enviro-Tech for the magnesium chloride and the Durablend product. Chairman Holman seconded the motion. On the question the motion passed 2 – 0.

Agenda Item B

Consider a request for a Boundary Line Adjustment from Billy Gibson and Zebulon McCain. The property is located at 30666, 30668 and 30624 County Road 383, Buena Vista in the N ½ Section 5 and N ½ Section 6, Township 14 South, Range 78 West, 6th P.M.

County Development Services Director Reimer asked that this item be continued to the April 12, 2011 Commissioners Meeting.

The Board agreed and asked that this item be placed on the agenda of the April 12, 2011 Commissioners Meeting.

Agenda Item C

Consider release of the Lot Sales Restriction for the Shining Mountain Rural Open Space Incentive.

County Development Services Director Reimer stated that all of the conditions required had been met. He recommended that the Lot Sales Restrictions be released.

Commissioner Potts made a motion to approve the release of the Lot Sales Restrictions for the Shining Mountain Rural Open Space Incentive. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item D

Consider Resolution and Development Agreement for the Habitat for Humanity Final PUD Plan.

County Attorney Davis presented an overview of Resolution 2011-24, approving the Final PUD Plan for Habitat JV PUD.

Commissioner Potts made a motion approve to Resolution 2011-24, approving the Final PUD plan for Habitat for Humanity JV PUD Final Plat and the Development Agreement with the recommended changes. Chairman Holman seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item E

Consider appointment of Bruce Cogan to the Right to Ranch Board.

The Board was presented draft resolution 2011-25, filling vacancy on the Right to Ranch Mediation Panel – Member Pool.

Commissioner Potts made a motion approve Resolution 2011-25, appointing Bruce Cogan to the Right to Ranch for a term that expires January 31, 2012. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item F

Consider resignation of Judy Everett from County Planning Commission

Commissioner Potts made a motion to approve the resignation regrettfully and thanked her for the many years of dedication. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item G

Consideration of Consent Regarding Security Agreement in the hangar at Harriet Alexander Field

County Attorney Davis gave an overview of the agreement between Chaffee County as the Landlord, John Diesslin as the Tenant and High Country Bank as the Lender.

Commissioner Potts made a motion approve the consent regarding Security Agreement in the hanger at Harriet Alexander and John Diesslin and that Chairman Holman has the authority to sign the agreement. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Old Business

- ✚ Land Use Code Chapter 9 – Special Districts Section 9.3

Discussion was held on this item.

The Board asked that this agenda item be placed on the agenda for the April 18th Work Session within County Development Services Director Reimer's time.

Consent Agenda

- ❖ Pay bills.

Commissioner Potts made a motion approve the Consent Agenda. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Roundtable

- ✚ Role of the County's ExOfficio member's duties with the Upper Arkansas Water Conservancy District.
- ✚ Expiration of water augmentation certificates and having to re-buy the certificate
 - The Board directed staff to write a letter to the Upper Arkansas Water Conservancy District addressing this concern.
- ✚ Bid opening for the Harriet Alexander overlay will be opened next week.
- ✚ Land Use Code to be addressed.
- ✚ Updates on the Board of Equalization Appeals.
- ✚ Request for an amendment of the Medical Marijuana resolution.
- ✚ Board will have to adopt some type of Medical Marijuana licensing fee with annual renewal.
- ✚ Tennis group had sent a thank you to the Board for their support.
- ✚ Bear Management Plans of the Division of Wildlife.

Executive Session on risk management legal issues

County Attorney Davis stated C.R.S. 24-6-402(4) (b) for the purpose of receiving information about risk management.

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

The Board went into executive session at 11:10 a.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held April 5, 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 April 5, 2011, during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

Frank Holman, Chairman

Commissioner Potts made a motion to reconvene the Board of Commissioners meeting at 11:33 a.m. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0. Chairman Holman stated that no decisions had been made.

Director of General Administration Christiansen stated he needed to add an item to the roundtable discussion. He discussed that status of the marketing director's contract for the Chaffee County Visitors Bureau.

Being no further business before the Board of Commissioners, Commissioner Potts motioned to adjourn. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0. The meeting was adjourned at 11:55 a.m.

Attest:

Joyce M. Reno
Chaffee County Clerk