

Commissioners Meeting  
April 12, 2011

The regular meeting of the Board of Commissioners was held on Tuesday, April 12, 2011 in the Commissioners Meeting Room at the Courthouse. Board members present were Acting Chairman Dennis Giese and Commissioner Dave Potts. Others present were County Attorney Jenny Davis, County Development Services Director Don Reimer, County Finance Director Dan Short, County Director of Administration Robert Christiansen and Deputy County Clerk Merrilou Cicerelli. Chairman Frank Holman was not present.

Regular Board of Commissioners Meeting

Following the Pledge of Allegiance, Acting Chairman Giese called the Regular Board of Commissioners Meeting to order at 9:03 a.m.

Acting Chairman Giese 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

There were no changes made.

Review of Minutes

Minutes of the March 14 and 15, 2011 Commissioners Regular Meetings.

Acting Chairman Giese made a motion approve the minutes of March 14 and 15, 2011. Commissioner Potts seconded the motion. On the question, the motion carried 2 – 0.

Public Comment

There were none.

Agenda Item A

Consider proclamation for Week of the Young Child.

Janine Pryor, Director of Chaffee County Early Childhood Council, thanked the Board for their continuing support of the program.

Acting Chairman Giese read the Proclamation by the Chaffee County Commissioners in Celebration of Week of the Young Child.

Commissioner Potts made a motion to proclaim the week of April 10-16 as the Week of the Young Child in Chaffee County. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item B

Hearings and consideration of recommendations from the March 29, 2011 Planning Commission Meeting with regard to the following matters:

1. Cook/Jones Minor Subdivision – Final Plat- Applicant Kenneth Cook – The request was to divide 7.70 acres into 2 lots with the minimum lot size being 3.69 acres. The property is located N ½ S ½ Section 27, Township 15 South, Range 79 West, 6th P.M., County Road 290, Nathrop in a Recreational Zone.

County Development Services Director Reimer presented an overview of the request.

Acting Chairman Giese opened the hearing at 9:10 a.m.

Surveyor Chuck Bear, 121 Gunnison Avenue, Buena Vista, stated that the applicant would agree to the conditions that the Planning Commission had requested.

Acting Chairman Giese closed the hearing at 9:15 a.m.

Commissioner Potts made a motion approve the Final Plat for the Cook / Jones Minor Subdivision with conditions, Subdivision Improvement Agreement and Best Management Practice on the plat and directed staff to create a resolution for approval at the next Board of Commissioner meeting. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

2. Shikoba Acres Filing 2 - Final Plat - Applicant Jilliane and Calvin Paplow – The request was to divide 31.7 acres into 14 lots with the minimum lot size being 2 acres. Water by wells and wastewater treatment by septic systems. The property is located in Tract 2-A of the Paplow Boundary Line Adjustment in the NE ¼ NE ¼ Section 30, Township 50 North, Range 9 East, N.M.P.M, County Road 156, in a Rural Residential Zone.

County Development Services Director Reimer presented an overview of the request.

Acting Chairman Giese opened the hearing at 9:22 a.m.

Jill Paplow, 9610 County Road 156, Salida, commented on the application.

Willie Travnack, 9920 Feather Lane, Salida questioned the amount the lot owners would pay for road maintenance.

Ms Paplow explained the formula used to come to the 2% increase for the homeowners.

Acting Chairman Giese closed the hearing at 9:47 a.m.

Commissioner Potts made a motion approve the Final Plat for the Shikoba Acres Filing 2 Subdivision with recommendation made by the Planning Commission and recommendations made by the Board of Commissioner concerning weed control, road maintenance agreements in both Shikoba 1 and 2 and direct staff to create a resolution for approval at the next meeting. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

3. To consider amendment to Chapter 9 of the Chaffee County Land Use Code to add Section 9.6 for Seasonal Employee Campgrounds

County Development Services Director Reimer presented an overview of this item.

Commissioner Potts made a motion approve the amendment to Chapter 9 of the Chaffee County Land Use Code to add Section 9.6 for seasonal employee campgrounds as presented. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

Acting Chairman Giese asked to vary from the agenda and continue later in the meeting with the Planning Commissions recommendations to accommodate the audience.

Agenda Item D

Consider a renew lease between Chaffee County and Division of Wildlife for the Chaffee County Shooting Range.

County Director of General Administration Christiansen presented an overview of the request.

Jim Aragon, Area Wildlife Manager, stated he was pleased with the current lease. He asked the Board to approve the same lease for the next 10 years.

Commissioner Potts made a motion approve the renewal of a lease between Chaffee County and the Division of Wildlife for the Chaffee County Shooting Range and authorized the Chairman to sign the lease. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

Acting Chairman Giese resumed the Planning Commission recommendations.

4. Rock Gulch Gravel Pit Mining Permit - Applicant James Treat – The request is for a mining permit and expansion of a non-conforming use for an existing sand and gravel operation. The property is located in the S ½ NW ¼ Section 8, Township 49 North, Range 9 East, N.M.P.M., 5730 County Road 107, Salida, in a Residential Zone.

County Development Services Director Reimer presented an overview of the request.

Acting Chairman Giese opened the public hearing at 10:22 a.m.

James L. Treat, 1340 K Street, Salida, provided testimony on the request.

Gene Rush, 6384 Terrace Lane, Salida, spoke against the approval of the request for the Methodist Mountain Home Owner's Association.

Acting Chairman Giese closed the public hearing at 10:51 a.m.

Commissioner Potts made a motion approve the mining permit and expansion of a non-conforming use for an existing sand and gravel operation for James Treat of the Rock Gulch Gravel Pit Mining Permit with conditions as stated and direct staff to create a resolution for the next meeting. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item E

Bid opening for Harriet Alexander Field (ANKI), AIP Project #3-08-0049-12.

Tim Rhoades, Jviation, Inc. presented the bid from A & S Construction, Canon City, which was the only bid received.

The bid was entered as:

Schedule #1	\$	2,141,926.70
Schedule #2		745,385.20
Schedule #3		538,110.50
Schedule #4		216,218.50
Schedule #5		191,195.20
Schedule #6		397,280.50
Total of all schedules	\$	4,230,116.60

5. PUD Final Plan and Phase I Subdivision Preliminary Plat - The Estates at Mt. Princeton - Applicant - Princeton Holdings LLC – Final PUD request is to create a Planned Unit Development on 218.73 acres. The development is proposed to include 119 acres of open space and mix of commercial, single family and multi-family uses.
  1. The Phase I Subdivision is for 27 single family lots of at least 1 acres, with water by wells and central water system, wastewater by septic systems. The property is located in the SE ¼ NW ¼, NE ¼ NW ¼ and the SW ¼, Section 17, E ½ SE ¼ Section 18, NE ¼ NE ¼ Section 19 and the NW ¼ NW ¼ Section 20, Township 15 South, Range 78 West, 6th P.M., County Road 162, Nathrop in a Rural Zone. This item had been continued from the February 22, 2011 meeting.

County Development Services Director Reimer presented an update on this request.

Acting Chairman Giese opened the public hearing at 11:15 a.m.

Thomas Warren, Princeton Holdings LLC, 18854 County Road 162, Nathrop, presented explanation of the project findings.

Lonnie Phelps, Phelps Engineering, 7200 East Hampton Avenue, Denver, explained the reasoning of requesting a lower speed limit on County Road 162 and other questions the Planning Commission had.

Syd Schiern, Landmark Surveying, 202 North F Street, Salida, updated the information about the Division of Wildlife Agreement.

Acting Chairman Giese closed the public hearing at 12:09 p.m.

Acting Chairman Giese made a motion to grant conditional approval of the PUD Final Plat pending the approval of a Developmental Approval Agreement and conditional approval of the Subdivision Preliminary Plan and granting an exception of the final ditch agreements be submitted to staff before approval. Commissioner Potts seconded the motion. On the question, the motion carried 2 – 0.

Acting Chairman Giese made a motion to direct staff to draft a statement of No Impact on Wildlife for the development. Commissioner Potts seconded the motion. On the question, the motion carried 2 – 0.

6. The Pinery PUD – Conceptual Plan - Applicant - Norm Karasa/New Standard Development – The request is to divide 35 acres into 54 condominium units within 9 condominium parcels. The property is located at 9479 Hutchinson Lane, Poncha Springs, Parcel 6 The Canyons Lot Split. This item had been returned to Planning Commission by Board of Commissioners at their March 8, 2011 meeting.

County Development Services Director Reimer presented an update of the Planning Commission’s recommendation of this request.

Richard Chick, 5500 County Road 210, Salida, the applicant’s representative, stated that the applicant was requesting to resubmit the application and will use the fee that had already been paid toward the new request.

Poncha Springs Town Planner Dee Miller, 330 Bennett Avenue, spoke against the application.

Poncha Springs Trustee Rick Roberts, Poncha Springs, voiced his objections on this request.

Acting Chairman Giese closed the public hearing at 12:59 p.m.

Commissioner Potts made a motion asking the applicant to send a letter of withdrawal of the application and have the Planning Department apply the fees previously paid to a new application within 6 month of April 12, 2011. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

#### Agenda Item C

Consider a request for a Lot Line Elimination from Michael Warren and Marilyn Warren. The property is located in Lots 10 and 11, Trout Creek Meadows Subdivision Filing 1, in Section 23, Township 13 South, Range 77 West, 6th P.M., 135 Chubb Court, Buena Vista.

County Development Services Director Reimer presented an overview of the request.

Commissioner Potts made a motion approve the request for a Lot Line Elimination from Michael Warren and Marilyn Warren. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

#### Agenda Item F

Report from the County Clerk for the month of March 2011.

Commissioner Potts made a motion to acknowledge the March 2011 County Clerk’s Report. Acting Chairman Giese seconded the motion. On the question, the motion carried. 2 – 0.

#### Consent Agenda

- ❖ Appoint Burke Kaiser to the Northern Chaffee County Library Board of Trustees for a five year term, December 21, 2010 – December 31, 2015.
- ❖ County Veterans Service Officer Monthly Report and Certification of Pay for March 2011.
- ❖ Pay bills.

Acting Chairman Giese stated that the item to appoint Burke Kaiser to the Northern Chaffee County Library Board of Trustees would have to be taken off of the agenda item and be placed on the next meeting, because Chairman Holman and he were the only Board Members that could vote on this appointment.

Commissioner Potts made a motion to approve the Consent Agenda as amended. Acting Chairman Giese seconded the motion. On the question, the motion carried 2 – 0.

County Attorney Davis stated C.R.S. 24-6-402(4)(b) to obtain a legal update regarding a current court case involving the County.

Acting Chairman 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 2 - 0.

*I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held on April 12, 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, Dennis Giese, Acting Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the portion of the executive session held on April 12, 2011, during which no minutes were taken was confined to a topic authorized for discussion in an executive session.*

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*Dennis Giese, Acting Chairman*

Acting Chairman Giese reconvened the regular meeting at 1:43 p.m.

Being no further business before the Board of Commissioners the meeting was adjourned at 1:44 p.m.

Attest:

Joyce M. Reno  
Chaffee County Clerk