

Commissioners Meeting
April 13, 2010

The regular meeting of the Landfill Committee was held on Tuesday, April 13, 2010, in the Commissioners Meeting Room at the Courthouse. Committee Members present were Acting Chairman Tim Glenn, Commissioner Dennis Giese, Director of Finance Dan Short and Landfill Manager Shannon Wilcox. Others present were Director of General Administration Robert Christiansen, and Deputy County Clerk Merrilou Cicerelli. Chairman Frank Holman was not in attendance.

Landfill Committee Meeting:

Acting Chairman Glenn opened the Landfill Committee Meeting at 9:00 a.m.

Landfill Manager Wilcox presented his March 2010 report.

Bookkeeper Becky Venes presented the Landfill Statistic Reports for March 2010 and the first quarter of 2010.

Commissioner Giese made a motion to approve the Landfill Statistics Reports for March 2010. Acting Chairman Glenn seconded the motion. On the question, the motion carried 4 - 0.

Mickey Berry, Angel of Shavano Recycling, presented his March report.

Acting Chairman Glenn closed the Landfill Committee meeting at 9:22 a.m.

Regular Meeting:

The regular meeting of the Board of County Commissioners was held on Tuesday, April 13, 2009, in the Commissioners Meeting Room at the Courthouse. Board members present were Acting Chairman Tim Glenn and Commissioner Dennis Giese. Others present were Director of General Administration Robert Christiansen, Director of Finance Dan Short, County Development Services Director Don Reimer, County Planner Kim Antonucci, County Attorney Jenny Davis and Deputy County Clerk Merrilou Cicerelli. Chairman Frank Holman was not in attendance.

Following the Pledge of Allegiance, Acting Chairman Glenn called the meeting to order at 9:32 a.m.

Acting Chairman Glenn 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.

Minutes of previous meetings:

The Board was presented the minutes of the March 2, 9 and 16 meetings for approval.

Commissioner Giese made a motion to approve the minutes of March 2, 9 and 16, 2010. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Public Comments:

The Board was asked to award the bid for magnesium chloride (dust control).

County Road Superintendent Joe Nelson recommended the approval of Envior Tech Services, Inc. bid for Durablend, which is an organic based performance enhancer and more earth friendly product.

Commissioner Giese made a motion to accept the EnviroTech Services, Inc. bid for the Durablend for 70,000 gallons at \$1.07 for a total of \$74,900. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item A:

Hearings and consideration of recommendations from the March 30, 2010 Planning Commission Meeting with regard to the following matters:

Acting Chairman Glenn presented the rules of the Public Hearings process that would be use on these items.

LUNDBERG MINOR SUBDIVISION – Eric and Karen Lundberg (applicants). Request is to divide .98 acres into 2 lots with the minimum lot size being .42 acres. Property is located in the SE ¼ SE ¼ Section 1, Township 49 North, Range 8 East, N.M.P.M., 8040 and 8044 West Highway 50, Salida, in a Commercial Zone.

County Planner Antonucci presented an overview of the request.

Eric Lundberg, 7700 County Road 141, Salida, applicant spoke about the proposal and the problems with the changing of the septic system.

Acting Chairman Glenn closed the public hearing at 9:56 a.m. and opened Board deliberation.

Commissioner Giese made a motion to accept the Lundberg Subdivision Agreement with the Planning Commission's conditions. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

PINE BOUGH MINOR SUBDIVISION - Raymond and Joyce Block (applicants). To divide 15.34 acres into 3 lots with the minimum lot size being 3+ acres. Property is located in the NE ¼ SW ¼ Section 34, Township 51 North, Range 8 East, N.M.P.M., County Road 193, Salida, in a Rural Zone.

County Planner Antonucci presented an overview of the proposal.

Tony Kormarnsky, Ridgeland Surveying, 1548 G Street, Salida commented on the request for the applicant.

Acting Chairman Glenn closed public comment at 9:56 a.m. and open Board deliberation.

Acting Chairman Glenn made a motion to approve the sketch plan of the Pine Bough Minor Subdivision with the condition that the building envelopes be located on the east side of the ditch or that the ditch owner grants a ditch crossing. Commissioner Giese seconded the motion. On the question, the motion carried 2 – 0.

SPECIAL LAND USE PERMIT AND A MINING PERMIT/MINING AND MILLING OPERATIONS – ACA Products, Inc. (applicant). Request is for the extraction of Sand/Gravel-Mining. Property is located in the S ½ SE ¼ and the SE ¼ SW ¼ Section 36, Township 50 North, Range 7 East, N.M.P.M., 14110 County Road 140, Salida, in a Recreational Zone.

Acting Chairman Glenn stated he would like to get some legal advice concerning this request in an Executive Session.

County Attorney Davis County Attorney Davis stated C.R.S. 24-6-402(4) (b) for the purpose of receiving legal advice on legal questions.

Acting Chairman Glenn made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (b). Commissioner Giese seconded the motion. On the question the motion carried 2 - 0. The Board went into Executive Session at 10:03 a.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held on April 13, 2010 during which the recorder was directed to take no minutes constituted a privileged attorney-client communication.

Jennifer A. Davis, Chaffee County Attorney

I, Tim Glenn, Acting Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the portion of the executive session held on April 13, 2010 during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

Acting Chairman Glenn, Chairman

Acting Chairman Glenn reopened the regular Board of Commissioners meeting at 10:24 a.m. He asked County Attorney Davis to comment concerning the Executive Session.

County Attorney Davis explained that the property being considered for this gravel pit was owned by Chairman Holman and his family. He had agreed to recuse himself in any proceeding concerning this request. Commissioner Giese was in the business of excavation and at times, uses the kind of material that would be mined at this gravel permit and had agreed that he would not use any material from this pit for the length of this permit and would participate in the deliberations of this request.

Acting Chairman Glenn asked if anyone in attendance had a problem with this procedure with the above conditions. There were no comments.

County Planner Antonucci presented an overview of the request.

Acting Chairman Glenn accepted the list of submittals that had been received by the building department.

County Road and Bridge Department Superintendent Nelson spoke on the needs for funds to protect and repair roads in the area.

There were no further comments from staff.

Acting Chairman Glenn opened the public comment 11:13 a.m.

Sheila Moore, 702 Gregg Drive, Buena Vista, applicant, presented an overview of their proposed project.

Those who spoke in favor of the permit:

Mike Coleman, 215 Palmer Street, Poncha Springs, ACA.

Nancy Pallaro, 11845 County Road 140, Salida.

Those who spoke in opposition of the permit:

Tom McCalvey, 7959 County Road 250, Salida.

Devanna Faith, 14120 County Road 140, Salida.

John Lee, 7610 County Road 253, Salida.

Acting Chairman Glenn recessed this public hearing at 11:40 a.m. to attend to another agenda item. He stated that he would reconvene this agenda item later in the meeting.

Agenda Item E:

Presentation by Public Opinion Strategies of the Polling Results for Open Space and Emergency Services.

Lori Weigel, Public Opinion Strategies, presented the results of their survey.

Acting Chairman Glenn reconvened the public hearing concerning the ACA gravel pit.

Those who spoke in opposition of the permit:

Duncan Gilpin, 12477 County Road 140, Salida.

Anthony Cavalea III, 149690 Granite Parkway, Salida.

Linda Price, 314 Caldwell, Salida.

Scott Martinez, 12139 County Road 140, Salida.

Jim Boardman, 13400 County Road 140, Salida, spoke on concerns of the road conditions in the area and safety in the area.

Acting Chairman Glenn closed the public comment at 12:25 p.m. and opened Board deliberation.

Commissioner Giese made a motion to continue the public hearing for the Special Land Use Permit and a Mining Permit for Mining and Milling Operations requested by ACA Products, Inc to May 11, 2010 and send it back to the Planning Commission for further review and a road trip be scheduled at a later date. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item B:

Consider appointment of John Englebrecht as an alternate representative to the Upper Arkansas Enterprise Zone.

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

Commissioner Giese made a motion to approve Resolution 2010-33 appointing John Englebrecht, Salida Chamber director to the Upper Arkansas Enterprise Zone. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item D:

Consider recommendation from Airport Consultant Committee.

Director of Administration Christiansen presented an overview of the item.

Commissioner Giese made a motion to move into an agreement with Jvation Engineering and planning for airport consulting services for Harriet Alexander Field. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item F:

Establish dates and criteria for 30-day period related to RICD Administration.

Acting Chairman Glenn made a motion to delegate this item to Commissioner Giese for his decision after meeting with Mr. Wright of the Arkansas Headwaters Recreation Area. Commissioner Giese seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item G:

Acknowledge report from the County Treasurer for the month of March 2010.

Acting Chairman Glenn made a motion to acknowledge the County Treasurer report for March 2010. Commissioner Giese seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item C:

Consider proposal from Crabtree Group for an analysis of the intersection of County Road 156N, 156E, JD Lane and Antelope Trail.

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

Commissioner Giese made a motion to approve the proposal from Crabtree Group for an analysis of the intersection of County Road 156N, 156E, JD Lane and Antelope Trail pending review and changes by the County Attorney and authorize the Chairman to sign the contract at completion of review and the amount not to exceed \$3,000. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Added item to the agenda from work session:

South Central Racing Club request to put on the 6th annual Salida Omnium for closure of County Road 160 from the west side of the Salida Golf Course to the west side of the intersection of County Road 154 on Friday, July 30, 2010 from 3 p.m. to 9 p.m. and the closure of parts of County Road 156 to Pinon Hills, Cherokee Circle County Road 175 and County Road 153 on Sunday from 7 a.m. to 6 p.m.

Commissioner Giese made a motion to approve the request from the road closures from the South Central Racing Club on July 30 - August 1, 2010 with approval from the Chaffee County Sheriff's office and the Salida Police department and the applicant will be responsible for any charges associated with having law enforcement and that local residents be allowed through the closures during race times. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0.

Consent Agenda:

- ❖ Report from the County Veterans Services Officer for the month of March 2010
- ❖ Pay bills
- ❖ Ratifying a policy regarding Planned Unit Development Application Fees, Resolution 2010-34

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

Roundtable:

Request from the Probation Office for space that was vacated by Social Services in the Judicial Building.

Commissioner Giese made a motion to close the April 13, 2010 Board of Commissioners meeting. Acting Chairman Glenn seconded the motion. On the question, the motion carried 2 – 0. The meeting was adjourned at 12:56 p.m.

Attest:

Joyce M. Reno
Chaffee County Clerk

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Joyce M. Reno

Chaffee County Clerk