

Commissioners Meeting
May 5, 2009

The regular meeting of the Board of Commissioners was held on Tuesday, May 5, 2009 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman, Commissioner Tim Glenn and Commissioner Dennis Giese. 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 9:02 a.m., the Board of Commissioners convened as the Board of Health.

Public Health Nurse Director Susan Ellis presented her April 2009 Report. She stated that there had not been any swine flu or H1N1 flu in Chaffee County.

County Environmental Health Manager Victor Crocco gave his April 2009 report.

The Board was presented a request from Barbara Stamm to consider an extension for a septic permit. The property is located at 745 Scott Street, Salida.

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

Ms Stamm explained that she had been working to get the system connected to the municipal's sewer system. She asked that the Board grant an extension.

County Development Services Director Reimer stated that his recommendation would be to grant a two-year temporary extension for Ms Stamm.

Commissioner Glenn stated that he had no problem with this extension.

Commissioner Giese made a motion to extend the permit for Barbara Stamm for three years, with conditions that if the system failed, the applicant would connect to the Salida City System and/or connection to the Salida City System if property was sold, it would be done within six months. Commissioner Glenn seconded the motion. On the question, the motion carried 3 - 0.

Being no further business, Chairman Holman closed the Board of Health at 9:32 a.m.

Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:33 a.m.

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

Chairman Holman asked for public comment on any items not on the agenda. There were none.

The Board was presented a request from Division of Wildlife for concurrence on a Perpetual Conservation Easement and Perpetual Public Access Easement on the Chubb Park Ranch.

Jim Aragon, Area Wildlife Manager, CDOW (Colorado Division of Wildlife), gave an overview of the request. He explained that there would not be any change in access then what was used currently.

The Board concurred with the request for the Perpetual Conservation Easement and Perpetual Public Access Easement on the Chubb Park Ranch. Chairman Holman will sign the letter for the CDOW (Colorado Division of Wildlife).

The Board was presented the following renewal applications for Hotel and Restaurant Liquor Licenses:

1. Riverside Grill, 24070 County Road 301, Buena Vista
2. Mt. Princeton Hot Springs Resort and Restaurant, 15870 County Road 162, Nathrop
3. Amber Waves Adventures, dba American Adventure Expeditions, 12844 Highway 285 and 24, Buena Vista

The Board was presented a renewal application for a 3.2% Beer Retail License, Mt. Princeton Hot Springs County Store, 15870 County Road 162, Nathrop.

The Board was presented a renewal application for an Optional Premises for Ivy League Corp., dba Collegiate Peaks Gold Course, 28775 Fairway Drive, Buena Vista.

County Clerk Joyce Reno provided an update on the requests. She stated that in the future the Colorado Bureau of Investigation would be doing the background checks.

Commissioner Giese made a motion to approve the renew of the liquor licenses for: Riverside Grill, Mt. Princeton Hot Springs Resort and Restaurant, Amber Waves Adventures, dba American Adventure Expeditions, A 3.2% Beer Retail License Mt. Princeton Hot Springs County Store, and Optional Premises for Ivy League Corp., dba Collegiate Peaks Gold Course. Commissioner Glenn seconded the motion. On the question, the motion carried 3 - 0.

The next agenda item was discussion regarding County Road 190W.

Ken Tiegs, 10550 County Road 190 W, Salida, stated that he was representing the people who were not able to be at the meeting. He stated that there was a safety issue in the area that the homes on County Road 190 W could not be accessed during an emergency, which was apparent in the 2007-08's when area was marooned due to the snow.

Chairman Holman asked for further comments. There were none.

Chairman Holman felt that the County should take over the maintenance of this road once it was brought up to standards, because of a previous commitment by a former Commissioner.

Commissioner Giese stated that because there was a statement, it should be honored. He felt that if the homeowners in the area bring the road up to County standards, he would not have any problems.

Commissioner Giese made a motion to approve County maintenance of County Road 190W to the end of the Smith property contingent on the property owners bringing the road up to County standards. due to a statement made earlier (1987) by a County Commissioner giving approval to maintenance if the road was brought up to standard also the 60 foot right of way would be deeded to the County. Commissioner Glenn seconded the motion. On the question, the motion carried 3 - 0.

The next agenda item was discussion regarding City/County Community Services Complex Project.

Director of General Administration Christiansen presented an update on the progress at the Complex.

Commissioner Giese directed Director of Administration Christian to write a letter of congratulations to Mason Finley, Buena Vista High School Student, for his accomplishment in breaking the discus state record.

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

- ❖ Pay bills
- ❖ County Community Wildfire Protection Plan

Commissioner Glenn made a motion to approve the consent agenda for May 5, 2009. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Commissioner Glenn made a motion to recess the May 5, 2009 Board of Commissioners meeting at 10:47 a.m. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Chairman Holman reconvened the meeting at 12:01 p.m. He stated that the Board needed to go into executive session. He asked County Attorney Davis to site the statute.

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 concerning the Nestle Waters application for a 1041 Regulation and a Special Land Use Permit.

Commissioner Glenn made a motion to go into executive session under statute C.R.S. 24-6-402(4) (b). Commissioner Giese 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 on May 5, 2009, 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, May 5, 2009 , 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 regular Board of Commissioners meeting at 12:45 p.m. He stated that no decisions had been made during the executive session. Being no further discussion, he closed the meeting at 12:46 a.m.

Attest:

Joyce M. Reno
Chaffee County Clerk