

Commissioners meeting
June 1, 2010

The regular meeting of the Board of Commissioners was held on Tuesday, June 1, 2010 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, County Planner Kim Antonucci and Deputy County Clerk Merrilou Cicerelli.

Board of Health

The Board of Commissioners convened as the Board of Health at 9:03 a.m.

Public Hearing

To consider amendment to the Chaffee County On-Site Wastewater System Regulations. The amendment will be to add to Section 6.20 regarding vault systems.

County Development Services Director Reimer presented an overview of the amendment. His office recommended amendment of the definition of a "Public site managed by a local government".

Frank McMurry, 22405 Highway 285, Nathrop, stated that he was present to ask for a permit for a septic system vault for his cattle camp for summer use.

The Commissioners suggested County Development Services Director Reimer look into this and try to find a low cost solution to accommodate this type of use for agricultural use.

Chairman Holman closed the public hearing at 9:23 a.m.

County Attorney Davis gave an overview of the draft resolution on the amendment, amending Section 6.20 of the Chaffee County On-Site Wastewater System Regulations.

Commissioner Glenn made a motion to approve Board of Health Resolution 2010-01, amending the Chaffee County On-Site Wastewater System Regulations. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Chaffee County Environmental Health Manager Victor Crocco presented the Environmental Health report for May 2010.

Chaffee County Public Health Nurse Jane Poor Baugh presented the May 2010 report.

Being no further business, Chairman Holman closed the Board of Health at 9:34 a.m.

Following the Pledge of Allegiance, Chairman Holman called the regular Board of Commissioners meeting to order at 9:34 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.

The Board was presented the following items for review:

Public Notices.

Agenda's for upcoming meetings.

Minor changes were made on these items.

Minutes from previous meetings:

Review minutes of the April 20, May 4 and May 11, 2010 meetings.

There were no corrections to these minutes. They will be placed on the next meeting agenda for approval.

Public Comment:

The following persons spoke in opposition of the County Wide Sales Tax Ballot Issue:

Ray Kitson, 6954 County Road 111B, Salida.

Cecile Young, 545 Palmer Street, Salida.

Dave Williams, 12130 County Road 261, Nathrop.

Rich Edgington, 9 Trailside, Salida.

Karin Adams, 14040 County Road 140, Poncha Springs.

Bob Goad, 27665 County Road 327, Buena Vista.

The Board held discussion on this issue.

Chairman Holman stated he would take these concerns to the Salida and Buena Vista scheduled meetings for discussion.

It was determined that a special meeting would be held on Monday, June 7, 2010 at 6:00 p.m. to hear public comments concerning the County Wide Sales Tax ballot issue.

Agenda Item A:

Report from the County Road Supervisor.

County Road Supervisor Joe Nelson reported on a bridge that the County could purchase at 50% discount and where the sections would be used.

Commissioner Giese made a motion to approve the purchase of the bridge for portions of County Road 361 in an amount of no more than \$110,000, and if the project will cost more than that, County Road Supervisor Nelson will bring it back before the Board of Commissioners. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item B:

Special Land Use Permit and A Mining Permit/Mining and Milling Operations. – ACA Products, Inc. (applicant). The request is for the extraction of Sand/Gravel-Mining. The 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. This was continued from the Board of Commissioners May 11, 2010 Meeting and consideration of request to withdraw the application.

Chairman Holman recused himself from this item.

Acting Chairman Glenn stated that the Board had continued this hearing for consideration, but not the public comment portion. The Board of Commissioners had received written notice from ACA Products, Incorporated stating that after further consideration, ACA was withdrawing both applications for a Special Land Use Permit and a Mining/Mining and Milling Operations of Extraction of Sand/Gravel Pit.

Commissioner Giese made a motion to accept the request for withdrawal of the application. Commissioner Glenn seconded the motion. On the question, the motion carried 2 – 0. For the record Chairman Holman had recused himself from this agenda item.

Chairman Holman returned to the meeting.

Agenda Item C:

Consider request for a Boundary Line Adjustment from Scanga Meat Company/Ralph Scanga President and Jane R. Scanga. The property is located in the SE ¼ NE ¼ and the NE ¼ SE ¼ Section 30, Township 50 North, Range 9 East, 9250 County Road 156, Salida, in a Rural Residential Zone.

Development Director Reimer presented the staff report.

Terry Scanga, 9180 County Road 156, Salida, gave testimony about the history of County Road 156.

There were no comments in opposition.

County Attorney Davis presented summarization of the draft resolution.

Commissioner Giese made a motion to approve Resolution 2010-37, approving the Scanga Meat Company Boundary Line Adjustment. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item D:

Consideration of a request to vacate a platted shared access easement in the Szymanski Minor Subdivision.

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

Christine Ward, 1500 Hermosa Place, Colorado Springs, commented in favor of the approval of the agreement.

Commissioner Giese made a motion to approve the request of an easement vacation for the Szymanski Minor Subdivision and authorize Chairman Holman to sign the agreement. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item E:

Consider request from Colorado Division of Wildlife for concurrence for donation of a fishing easement from Nestle Waters North America.

James Aragon, Area Wildlife Manager, 7450 U.S. Highway 50, Salida, presented an overview of the request from the Colorado Division of Wildlife for concurrence for donation of a fishing easement from Nestle Waters North America.

Commissioner Glenn moved to approve the request from the Colorado Division of Wildlife for concurrence for donation of a fishing easement from Nestle Waters North America. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item F:

Consider request from Nestle Waters to determine whether conditions 4.20 and 4.21 are conditionally fulfilled.

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

Commissioner Giese motioned to give condition approval for Nestle Waters North America to move forward with their operations pending the approval of the fishing easement. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item G:

Consider request for correction deed for road vacation in Block 4 of Maysville, from September 1987.

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

Commissioner Glenn made a motion to approve the clarification of the deed for a road vacation in Block 4 of Maysville from September 1987 and authorize signature of the Chairman. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item H:

Set dates for Board of Equalization hearings.

Director of Administration Christiansen presented an overview of the item. He stated that the week of July 26, 2010 would work best.

Commissioner Giese made a motion to set the week of July 26, 2010 for the Board of Equalization with concerns as noted for time. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item I:

Select referees and arbitrators for Board of Equalization hearings/appeals.

Director of Administration Christiansen presented a review of the item. He stated that Irena Wilder and Marnie Margos would be willing to serve as referees this year for the Board of Equalization hearings. Debbie Gardner had replied that she would serve as an arbitrator.

Commissioner Glenn made a motion to approve Resolution 2010-38, appointing Referees for Board of Equalization Hearings and appointing Arbitrator for Appeals from decisions of the Board of Equalization. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item J:

Appoint 2 members to the Chaffee County Fair Board.

Director of Administration Christiansen presented an overview of the request. Two members of the Chaffee County Fair Board had resigned. The Fair Board had received letters of interest to serve on the Board and had recommended their appointees.

Commissioner Giese made a motion to approve Resolution 2010-39, filling vacancies on the Fair Board and appointing Pat Alderton to the term that expires January 31, 2013 and Wyatt Engelman to the term that expires January 31, 2012. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item K:

Consider a request for a renewal application for a Hotel and Restaurant Liquor License for Riverside Grill, 24070 County Road 301, Buena Vista.

Commissioner Giese stated that this renewal application was complete.

Commissioner Giese made a motion to approve the renewal application for a Hotel and Restaurant Liquor License for Riverside Grill, 24070 County Road 301, Buena Vista. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item L:

Acknowledge monthly report from the County Clerk for April 2010.

Commissioner Glenn gave the report from the Chaffee County for the month of April 2010.

Commissioner Glenn made a motion to acknowledge the April 2010 Chaffee County Clerk's report. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item M:

Review staff and consultant reimbursement request from the Nestle Water Reimbursement Fund.

Director of Finance Short stated that there were two items totaling \$567.

Commissioner Giese made a motion to approve the reimbursement request from Nestle Waters Reimbursement Fund. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item N:

Chaffee People's Clinic Presentation.

Director Cara Russell presented the report from January to April 2010.

Consent Agenda:

- ❖ Pay bills.

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

Roundtable:

- ✚ Appoint a Commissioner to be a Representative to the Touber Building Management Committee.
 - Commissioner Giese made a motion to appoint Chairman Holman to represent the Board of Commissioners on the Touber Building Management Committee. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

- ✚ Legal review expenditures on grant applications.
- ✚ Need of Executive Session for litigation updates.
- ✚ Bob Goad's request to have a stick-built house in a mobile home update.
 - Instructed Staff to contact Mr. Goad informing him that staff was going to look into the pros and cons of this issue.

Commissioner Glenn made a motion to adjourn the Board of Commissioners meeting of June 1, 2010. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0. The meeting adjourned at 11:47 a.m.

Attest:

Joyce M. Reno
Chaffee County Clerk