

Commissioners Meeting
June 7, 2011

The regular meeting of the Board of County Commissioners was held on Tuesday, June 7, 2011 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman and Commissioner Dennis Giese. 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 Dave Potts was not present at the meeting.

Regular Board of Commissioners Meeting

Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:04 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 and events they would be attending.

Review Minutes

Minutes of the May 3, May 9, May 10 and May 17, 2011 meetings were presented for review.

Commissioner Giese presented corrections to the May 17, 2011 meeting minutes.

Commissioner Giese made a motion to approve the minutes of May 3, May 9 and May 10 meetings. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Public Comment

There were none.

Agenda Item A

Consider request from Trust for Public Lands and Land Trust of the Upper Arkansas for a support letter for a combination conservation easement purchase/donation on a 680-acre working cattle ranch along the Chaffee/Saguache County border.

Wade Shelton, TPL (Trust for Public Lands) Project Manager, presented the request.

Commissioner Giese made a motion for staff to create a letter of support for the conservation easement purchase/donation on a 680-acre working cattle ranch

along the Chaffee-Saguache County border. Chairman Holman seconded the motion. On the question, the motion carried 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 and 30624 County Road 383, Buena Vista in N ½ Sections 5 and 6, Township 14 South, Range 78 West, 6th P.M.

Development Director Reimer presented an overview of the request.

Commissioner Giese made a motion to approve the Boundary Line Adjustment for Billy Gibson and Zebulon McCain. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item C

Consider a request for a Boundary Line Elimination from Thomas and Linda Megna. The property is located on Lots 40 and 41 of the Trout Creek Meadows Filing 2, Section 30, Township 13S, Range 76 West and Sections 25 and 26, Township 13S, Range 77 West, P.M., in a Recreational Zone.

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

Commissioner Giese made a motion to approve the Boundary Line Elimination from Thomas and Linda Megna with provisions suggested by County Development Services Director Reimer. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item F and G

Set dates for Board of Equalization hearings and select referees and arbitrators for Board of Equalization hearings/appeals.

County Attorney Davis presented an overview of the process. A letter from Patty Baldwin, County Administrative Assistant, suggested the Board of Equalization dates as July 27, 28, 29 and August 1, 2010 and the Commissioners sit as the Board of Equalization on August 2 after the regular Board of Commissioner meeting to consider the recommendations from the referees. The letter stated that the following people had offered to be referees: Debbie Gardner, Marnie Margos, Tootsie Powszykiewicz, and Garth Thimgan. Arbitrator will be Irena Wilder.

Commissioner Giese expressed concern on the time each petitioner was given to present their side.

County Attorney Davis stated she would look into the legal issues surrounding the time that each case and report her findings at the next meeting.

Commissioner Giese made a motion to approve Debbie Gardner, Marnie Margos, Tootsie Powszykiewicz and Garth Thimgan as referees and Irena Wilder as the arbitrator. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item H

Consider a request from Epic Relays to use County Roads 324, 321, 319, 320 and 306 for a race on July 22 and 23, 2011.

Michael Plackland, 2381 Cleveland Place, Denver, presented an overview of the request.

Commissioner Giese made a motion to allow the Epic Relays with condition that the contact the appropriate law and safety departments for their input. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item I

Appoint new County Veterans Service Officer.

Director of Finance Short presented an overview of the applicant for the County Veterans Service Officer candidate David Grover.

Commissioner Giese made a motion to appoint David Grover as Chaffee County Veterans Service Officer pending recommendations from the Veteran's organizations within the County. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item J

Acknowledge report from the County Clerk for the month of April 2011.

Commissioner Giese made a motion to acknowledge April 2011 County Clerks report. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item K

Acknowledge report from the County Treasurer for the month of April 2011.

Commissioner Giese made a motion acknowledge the April 2011 County Treasurers report. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item D

Public Hearing - Request for a new Hotel and Restaurant Liquor License for Palomino Bar and Grill, 14770 U.S. Highway 50, Salida.

County Attorney Davis presented an overview of the request stating that all paperwork had been completed correctly and found no problems.

Applicant Rebecca Racine, 26964 County Road 310, Buena Vista, reported that she had a petition of support from the neighborhood.

Commissioner Giese made a motion to approve a new hotel and restaurant liquor license for the Palomino Bar and Grill. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Agenda Item M

Request from the County Coroner regarding burial expenses for an unclaimed body.

County Coroner Randy Amettis presented an overview of the request.

County Attorney Davis presented information on the legal aspect of the County's liability on these types of happenings.

Commissioner Giese made a motion to have County Coroner Amettis proceed with the Jewish burial in West Palm Beach, Florida at a cost of \$4,375. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.





Agenda Item E

Consider sale of South Extension Mining Claim.

Attorney Davis presented an overview of the possible sale.

Commissioner Giese made a motion approve to sell the South Extension Lode Mining Claim for \$7,000. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Consent Agenda

-  Report from the County Veterans Officer for the month of May, 2011.
-  Chaffee County uncollectible taxes 2008 – 2009.
-  Pay bills.
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Commissioner Giese made a motion approve the Consent Agenda as presented. Chairman Holman seconded the motion. On the question, the motion carried 2 – 0.

Agenda Item L

Executive Session under C.R.S. 24-6-402(4) (a) regarding county real estate and under C.R.S. 24-6-402(4) (b) to obtain legal advise.

County Attorney Davis stated C.R.S. 24-6-402(4) (a) regarding county real estate and C.R.S. 24-6-402(4) (b) to obtain legal advise. She stated that a media recording would be made during the part of the executive session regarding county real estate.

Commissioner Giese made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (a) regarding county real estate and C.R.S. 24-6-402(4) (b) to obtain legal advise. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

The Board went into executive session at 10:45 a.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held June 7, 2011, during which the recorder was directed to take no minutes but an media recording was made, constituted a privileged attorney-client communication under C.R.S. 24-6-402(4)(a).

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 June 7, 2011, during which no minutes were taken, but an media recording was made was confined to a topic authorized for discussion in an executive session under C.R.S. 24-6-402(4)(a).

Frank Holman, Chairman

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held June 7, 2011, during which the recorder was directed to take no minutes constituted a privileged attorney-client communication under C.R.S. 24-6-402(4)(b) .

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 June 7, 2011, during which no minutes were taken was confined to a topic authorized for discussion in an executive session under C.R.S. 24-6-402(4)(b).

Frank Holman, Chairman

Chairman Holman reconvened the meeting 11:50 a.m. stating that no decisions had been made during the executive session.

Commissioner Giese made a motion to close the Board of Commissioner regular meeting of June 7, 2011. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.

Attest:

Joyce M. Reno
Chaffee County Clerk