

Commissioners Meeting
June 21, 2011

The regular meeting of the Board of County Commissioners was held on Tuesday, June 21, 2011 at the Buena Vista School District Administration Office, 113 North Court Street, Buena Vista. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Dave Potts.

Others present were Director of Finance Dan Short, Director of General Administration Robert Christiansen, County Attorney Jenny Davis and Deputy County Clerk Merrilou Cicerelli.

Regular Board of Commissioners Meeting

Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:30 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

Additions were made.

Approval of Minutes

Minutes of the May 17, 2011, May 20, 2011, June 7, 2011, and June 13, 2011 meetings.

Commissioner Giese made a motion approve the corrected minutes of May 17, 2011 and the minutes of the special meeting of May 20, 2011, regular meeting of June 7, 2011 and Landfill, Health and Humans Services Meeting of June 13, 2011. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Public Comment

There was none.

Report from the County Sheriff

County Sheriff Pete Palmer presented his May 2011 Monthly Report.

Agenda Item A

2008 and 2009 Abatement requests for the Reserve at Cottonwood Creek - Public Hearing continued from the June 14, 2011 Commissioners' Meeting.

County Attorney Davis presented her recommendations.

Chairman Holman asked for public comment. There was none.

Commissioner Giese made a motion to deny the abatement request from the Flint-Jones Trust Schedule #32692100224 as this request was not in a subdivision that qualified for an abatement. Chairman Holman seconded the motion. On the question, the motion carried 3 - 0.

Commissioner Potts made a motion to continue the public hearing on the requests for abatement from Daniel J. Cooper tte and Bethany A. Cooper tte, Conway Development, Flint Hills Life Insurance Company LTD, Lawrence M. and Catherine M. Johnson, H. Bruce and Ruth B. Jackson, Fred D. Kidder and Diann K. Kidder, Kim A. and Pamela J. Callaway, Tom Theis, Robert G. Randell and Helen T. Randell, Ronald W. and Susan A. Tatar, Steven P. and Angela M. Kletzok, Steven W. Houseworth, DAG Holdings, LLC and the thirteen parcels held by High Country Bank, including Lots 26,27,29,30 in Filing 2, Lots 32, 34, 35, 36, 37, 38, 39, 40 in Filing 3 for 90 days after the Jackson Appeal had been ruled on. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item B

Approve sending Notices of Determination to all owners of mobile homes not attached to the land.

County Assessor Brenda Mosby explained the request. Her office's software had not completed the determinations to her satisfaction and the correct determinations would be completed by the end of the month. She asked for permission to delay the mailing of determinations to the end of June 2011.

Commissioner Giese made a motion approve the County Assessor's request to delay the sending of Notices of Determination to all owners of mobile homes not attached to the land until June 30, 2011. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item C

Request from Gary and Linda Gibas for Plat Amendment for Lot 5, Nicholas Hills Subdivision.

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

Commissioner Giese made a motion approve the request for a Plat Amendment for Lot 5, Nicholas Hills Subdivision as presented. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item D

Consider resolution extending moratorium on applications for licenses for Medical Marijuana Grow Operations and Infused Products Manufacturers.

County Attorney Davis presented an overview of Draft Resolution 2011-45, extending the moratorium on licenses related to the operation of a business that cultivates, processes or dispenses marijuana and the establishment of any business, occupation or operation relating thereto. The resolution recommended that the moratorium be continued until July 2012.

Chairman Holman asked for public comment. There was none.

Commissioner Potts made a motion to approve Resolution 2011-45, extending the moratorium on applications for licenses for Medical Marijuana Grow Operations and Infused Products Manufacturers. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item E

Consider request from Jeff McLane to allow Medical Marijuana Cultivation Operation outside the Industrial Zone in unincorporated Chaffee County.

County Attorney Davis presented an overview of the request.

Tracie J. S. Hulbert Esq., 295 Fifth Street, Fairplay, presented the request on behalf of Mr. McLane and addressed the problems that had occurred.

Commissioner Giese made a motion continue this discussion until the July 5, 2011 meeting. Commissioner Potts seconded the motion.

Discussion was held.

Commissioner Giese amended his motion to notice this as a public hearing to be held on August 2, 2011 to consider a transfer or change to Resolution 2011-19 for this request. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item F

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

County Financial Director Short presented a list of expenses for the county.

Commissioner Giese made a motion approve the reimbursement requests from the Nestle Water Reimbursement Fund. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Consent Agenda

- ❖ Pay bills.

Commissioner Giese made a motion to approve the consent agenda as presented. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Roundtable

- ✚ Emergency EFP
- ✚ Airport Meeting between Salida and Buena Vista
- ✚ Two day public information officer class at Department of Corrections - County Director of General Administration Christiansen and County Financial Director Short will attend.

Commissioner Potts made a motion to close the June 21, 2011 Board of Commissioners Meeting. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0. The meeting was adjourned at 10:32 a.m.

Attest:

Joyce M. Reno
Chaffee County Clerk

Commissioners Meeting
June 21, 2011

The regular meeting of the Board of County Commissioners was held on Tuesday, June 21, 2011 at the Buena Vista School District Administration Office, 113 North Court Street, Buena Vista. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Dave Potts.

Others present were Director of Finance Dan Short, Director of General Administration Robert Christiansen, County Attorney Jenny Davis and Deputy County Clerk Merrilou Cicerelli.

Regular Board of Commissioners Meeting

Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:30 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

Additions were made.

Approval of Minutes

Minutes of the May 17, 2011, May 20, 2011, June 7, 2011, and June 13, 2011 meetings.

Commissioner Giese made a motion approve the corrected minutes of May 17, 2011 and the minutes of the special meeting of May 20, 2011, regular meeting of June 7, 2011 and Landfill, Health and Humans Services Meeting of June 13, 2011. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Public Comment

There was none.

Report from the County Sheriff

County Sheriff Pete Palmer presented his May 2011 Monthly Report.

Agenda Item A

2008 and 2009 Abatement requests for the Reserve at Cottonwood Creek - Public Hearing continued from the June 14, 2011 Commissioners' Meeting.

County Attorney Davis presented her recommendations.

Chairman Holman asked for public comment. There was none.

Commissioner Giese made a motion to deny the abatement request from the Flint-Jones Trust Schedule #32692100224 as this request was not in a subdivision that qualified for an abatement. Chairman Holman seconded the motion. On the question, the motion carried 3 - 0.

Commissioner Potts made a motion to continue the public hearing on the requests for abatement from Daniel J. Cooper tte and Bethany A. Cooper tte, Conway Development, Flint Hills Life Insurance Company LTD, Lawrence M. and Catherine M. Johnson, H. Bruce and Ruth B. Jackson, Fred D. Kidder and Diann K. Kidder, Kim A. and Pamela J. Callaway, Tom Theis, Robert G. Randell and Helen T. Randell, Ronald W. and Susan A. Tatar, Steven P. and Angela M. Kletzok, Steven W. Houseworth, DAG Holdings, LLC and the thirteen parcels held by High Country Bank, including Lots 26,27,29,30 in Filing 2, Lots 32, 34, 35, 36, 37, 38, 39, 40 in Filing 3 for 90 days after the Jackson Appeal had been ruled on. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item B

Approve sending Notices of Determination to all owners of mobile homes not attached to the land.

County Assessor Brenda Mosby explained the request. Her office's software had not completed the determinations to her satisfaction and the correct determinations would be completed by the end of the month. She asked for permission to delay the mailing of determinations to the end of June 2011.

Commissioner Giese made a motion approve the County Assessor's request to delay the sending of Notices of Determination to all owners of mobile homes not attached to the land until June 30, 2011. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item C

Request from Gary and Linda Gibas for Plat Amendment for Lot 5, Nicholas Hills Subdivision.

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

Commissioner Giese made a motion approve the request for a Plat Amendment for Lot 5, Nicholas Hills Subdivision as presented. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item D

Consider resolution extending moratorium on applications for licenses for Medical Marijuana Grow Operations and Infused Products Manufacturers.

County Attorney Davis presented an overview of Draft Resolution 2011-45, extending the moratorium on licenses related to the operation of a business that cultivates, processes or dispenses marijuana and the establishment of any business, occupation or operation relating thereto. The resolution recommended that the moratorium be continued until July 2012.

Chairman Holman asked for public comment. There was none.

Commissioner Potts made a motion to approve Resolution 2011-45, extending the moratorium on applications for licenses for Medical Marijuana Grow Operations and Infused Products Manufacturers. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item E

Consider request from Jeff McLane to allow Medical Marijuana Cultivation Operation outside the Industrial Zone in unincorporated Chaffee County.

County Attorney Davis presented an overview of the request.

Tracie J. S. Hulbert Esq., 295 Fifth Street, Fairplay, presented the request on behalf of Mr. McLane and addressed the problems that had occurred.

Commissioner Giese made a motion continue this discussion until the July 5, 2011 meeting. Commissioner Potts seconded the motion.

Discussion was held.

Commissioner Giese amended his motion to notice this as a public hearing to be held on August 2, 2011 to consider a transfer or change to Resolution 2011-19 for this request. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item F

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

County Financial Director Short presented a list of expenses for the county.

Commissioner Giese made a motion approve the reimbursement requests from the Nestle Water Reimbursement Fund. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Consent Agenda

- ❖ Pay bills.

Commissioner Giese made a motion to approve the consent agenda as presented. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Roundtable

- ✚ Emergency EFP
- ✚ Airport Meeting between Salida and Buena Vista
- ✚ Two day public information officer class at Department of Corrections - County Director of General Administration Christiansen and County Financial Director Short will attend.

Commissioner Potts made a motion to close the June 21, 2011 Board of Commissioners Meeting. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0. The meeting was adjourned at 10:32 a.m.

Attest:

Joyce M. Reno
Chaffee County Clerk