

Commissioners Meeting  
September 21, 2010

The regular meeting of the Board of County Commissioners was held on Tuesday, September 21, 2010 at the Buena Vista School District Administration Office, 113 North Court Street. Board members present were Chairman Frank Holman, Commissioner Glenn and Commissioner Dennis Giese. Others present were Director of Finance Dan Short, Director of General Administration Robert Christiansen, County Development Services Director Don Reimer, County Attorney Jenny Davis and Deputy County Clerk Merrilou Cicerelli.

Board of Health and Human Services:

At 9:00 a.m., the Board of Commissioners convened as the Board of Health and Human Services. A staff member from Human Services took those minutes. The meeting adjourned at 9:06 a.m.

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.

Items for Review:

Public Notices

Next meeting changed to Monday, October 4, 2010

Agenda's for upcoming meetings

Review of previous meeting minutes:

Review minutes of the regular meetings of August 10, August 31, and September 7, 2010.

No corrections were submitted on these meetings. They are to be placed on the October 4, 2010 agenda for approval.

Approve minutes of the Special Meeting September 2, 2010

Commissioner Glenn made a motion to approve the minutes of the Special Meeting of September 2, 2010. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Public Comment:

There were none.

Agenda Item A:

Report from the County EMS Director

County EMS Director Lisa Ortega was not present. She will submit a written report to the Board.

Agenda Item B:

Consider a resolution to approve an amendment to the Zoning Map request from Dwayne Johnson.

The request was to change the present Rural Zoning to an Industrial Zone to build 140 storage units on five acres of property. The property is a tract of land located within the W ½ SW ¼ Section 21, Township 14 South, Range 78 West, 27398 County Road 319, Buena Vista, in a Rural Zone.

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

County Attorney Davis presented an overview of the draft resolution, approving the Johnson rezoning of 27398 County Road 319.

Commissioner Giese made a motion to approve Resolution 2010-53, approving the Johnson rezoning of 27398 County Road 319, Buena Vista. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item C:

Consider request from Clifford Mestel and Habitat for Humanity for a Boundary Line Adjustment and a request for fee waiver. The property is located at 12874 County 314B, Buena Vista, in a Residential Zone.

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

Charles Goff, representing Habitat for Humanity, explained that they will apply for a PUD for 2 duplexes on the land if this is approved by the Board of Commissioners.

Clifford Mestel, 12874 County Road 314B, Buena Vista explained that he was willing to donate the land to Habitat for Humanity and to allow the adjustment and right-a-way encroachment.

Chairman Holman asked for public comment. There was none.

Commissioner Glenn made a motion to have County Attorney Davis prepare a resolution to approve the boundary line adjustment, County right-a-way encroachment and to waive the fee for the adjustment for approval at the next Board of Commissioners meeting. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item D:

Consider a resolution regarding Proposition 101 and Amendments 60 and 61.

Director of General Administration Christiansen presented a draft resolution, stating the Chaffee County Commissioners opposed Amendments 60, 61 and Proposition 101 which would decrease local government services.

Commissioner Giese made a motion to approve Resolution 2010-54, opposing Amendments 60, 61 and Proposition 1010 which would substantially decrease local government services. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item E:

Extension to the Medicinal Marijuana Moratorium.

County Development Services Director Reimer presented an overview of the moratorium. He recommended that the moratorium be continued.

Martin Woods, 230 West 16<sup>th</sup> Street, Salida, commented that House Bill 1284 had been approved. He had already paid an application fee of \$10,000 which was non refundable. He explained the regulations that had been set by the State Department of Revenue. He asked for the moratorium to be lifted long enough to get their applications for product growing and processing in.

Jan Nelson, 112 West Highway 50, Unit B, Salida, commented that she would also like to have the moratorium lifted. She would like to purchase a building in the County for cultivation of her product and be in compliance with current State Law.

Discussion was continued on this item by the Board and staff.

Commissioner Giese made a motion to approve Resolution 2010-55, a Resolution extending a temporary moratorium (A) for permits or licenses related to the operation of a business that cultivates, processes or dispenses Marijuana and (B) the establishment of any business, occupation or operation relating thereto; with conditions set forth in the resolution for a timeline. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item F:

Consider allowing the operation of Off-Highway Vehicles on Certain County Roads during the “Fall Color Tour”.

Carl Bauer presented an overview of the request to allow operation of Off-Highway Vehicles on Certain County Roads during the “Fall Color Tour”.

County Development Services Director Reimer presented an overview of the request. He stated that Resolution 2005-42 was approved in 2005. He wanted to clarify that this

request was just for the “Fall Color Tour” and not permanently opening these roads to Off-Highway Vehicles on these certain County Roads.

Ben Lara, United States Forest Service, explained what roads had been submitted in Mr. Bauer’s permit with the Forest Service. The permit would run from September 22, 2010 to September 26, 2010.

Dick Scar, 311 East Pine Street, Buena Vista, made positive comments on the economic impact of this event.

Discussion was held on the subject.

Commissioner Giese made a motion to approve Resolution 2010-56, allowing the operation of Off-Highway Vehicles on certain County Roads during the ‘Fall Color Tour’. Commissioner Glenn seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item G:

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

Director of Finance Short stated there were no costs for this month.

Agenda Item H:

Acknowledge report from the County Clerk for the month of August 2010.

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

Agenda Item I:

Contract Amendment for the Hart Interactive Voting Machine.

County Attorney Davis presented an overview of the contract.

Commissioner Giese made a motion to approve the Hart Interactive Voting Machine Contract contingent on the staff working on language to ensure that if the State were to decertify the machines the County would not make payment. Commissioner Glenn 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 Glenn seconded the motion. On the question, the motion carried 3 – 0.

Round Table Item:

County Attorney Davis working on Board of Equalization Appeals next week.

Commissioner Glenn made a motion to close at 11:58 a.m. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The Board took a Road Trip for a photo shoot at Buena Vista Search and Rescue Building.

Attest:

Joyce M. Reno  
Chaffee County Clerk