

Special Meeting
February 22, 2011

A Special Meeting of the Board of Commissioners was held on Tuesday, February 22, 2011 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Dave Potts. Others present were Director of General Administration Robert Christiansen, County Attorney Jenny Davis, County Development Services Director Don Reimer and Deputy County Clerk Merrilou Cicerelli.

Regular Meeting

Following the Pledge of Allegiance, Chairman Holman called the regular Board of Commissioners Meeting to order at 9:00 a.m.

Verification of distribution of the Board of Commissioners Agenda's

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.

Public Hearing

To consider proposed changes to the Zoning Resolution to allow Medical Marijuana Infused Product Manufacturers and Optional Premises Cultivation Facilities (growing operations) in specific zones. Under the proposed regulations, medical marijuana centers (dispensaries) would not be permitted in any zone in unincorporated Chaffee County. This hearing was being continued from the December 14, 2010 Commissioners Meeting.

County Attorney Davis gave a power point presentation of HB 10-1284 explaining the regulations that the State was considering.

County Development Services Director Reimer presented an overview of the proposed changes to zoning regulations related to Medical Marijuana.

Chairman Holman opened the public hearing for testimony from the public at 10:02 a.m.

Colleen Kunkle, Tenderfoot Natural Health, Highways 291 and 50, Salida, spoke in favor of approving the county zoning regulations regulating growth facilities.

Larry Payne, 10000 Happy Jack Lane, Salida, spoke in favor of approving the zoning regulations related to Medical Marijuana. His concerns included some of the current greenhouses were in commercial zoning.

Glen Merrifield, 19256 County Road 343, Buena Vista, spoke in favor of approving the zoning regulation but asked that his property which was commercial be

approved. He stated that Representative Tom Massey's House Bill had recommended this to be allowed.

Jen Nelson, 112B West Highway 50, Salida, spoke in favor of the approval of the zoning resolution. She asked questions of her situation.

Daniela Jaffee, 1626 North Washington, Denver, gave explanation on how caregivers were governed by the State and that Colorado was an experimental state.

Kate McKillen, 141½ F Street, Salida, spoke in favor of the approval of the zoning resolution.

Gary Merrifield, 19536 County Road 343, Buena Vista, spoke in favor of the zoning resolution because he had been one of the people that had been helped by using the medical marijuana.

Tina Davis, 11239 County Road 302, Buena Vista, spoke in favor of the zoning regulations proposed.

Steve Espinosa, Companionate Caregivers, Salida, spoke in favor of the zoning regulations proposed.

Troy Davis, 11239 County Road 302, Buena Vista, explained the indoor vs. outdoor growing and how the different varieties were used to treat different ailments of their clients.

There was no further testimony.

The Board held discussion.

Commissioner Potts made a motion to direct staff to prepare a resolution to approve the zoning regulation related to medical marijuana incorporating the items from the Board discussion. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

County Attorney Davis stated C.R.S. 24-6-402(4) (b) for the purpose of receiving legal advice on an Equal Employment Opportunities Commission (EEOC) claim.

Commissioner Potts made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (b). Commissioner Giese seconded the motion. On the question the motion carried 3-0. The Board went into executive session at 12:25 p.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held on February 22, 2011, during which the recorder was directed to take no minutes constituted a privileged attorney-client communication.

