The regular meeting of the Board of Commissioners was held on Tuesday, October 4, 2016 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Dennis Giese, Commissioner Frank Holman, and Commissioner Dave Potts.

Others present were Director of General Administration Bob Christiansen, Director of Finance Dan Short, County Attorney Jennifer Davis, Planning Manager Jon Roorda, and County Clerk Lori Mitchell.

Following the Pledge of Allegiance, Chairman Giese called the meeting to order at 9:01 a.m.

Public Notices
The Board reviewed the public meeting list.

Minutes of September 13 and 20, 2016
Commissioner Potts made a motion to approve minutes from September 13, 2016 and September 20, 2016. Commissioner Holman seconded the motion. On the question, the motion passed 3 – 0.

Minutes of September 13 and 20, 2016
Commissioner Potts made a motion to approve minutes from September 13, 2016 and September 20, 2016. Commissioner Holman seconded the motion. On the question, the motion passed 3 – 0.

Agenda Item A
Report from the County Sheriff.

Agenda Item B
Contract/Grant Consideration:

- Miles Marketing Destinations Advertising Contract Official Visitor’s Guide (Scott Peterson, Chaffee County Visitor’s Bureau Marketing Director)
  
  Director Peterson gave an overview of the contract that was previously approved by the Chaffee County Visitors Bureau. The contract is with the Colorado Tourism Board and it is for a full page ad in the Colorado Vacation Guide. The cost of the ad is $14,943.00.

- Community Development Block Grant (CDBG) Business Loan Fund Amendment #1.
Director Christiansen gave an overview of the contract. The contract is between Chaffee County and the Department of Local Affairs (DOLA). CDBG funds are used to create and continue a Business Loan Fund (BLF), the primary purpose of which is to encourage economic diversification and job creation and or retention. The original contract was for a $290,000 grant and the amended contract is for a $464,000 grant.

Commissioner Potts made a motion to execute the amended contract. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

**Agenda Item C**  
Consider request for a resolution for designation of the Stage and Rail Trail designation, interpretive signs, brochures and securing funding for future work on the trail sections. Request is from GARNA.

Stage and Rail Trail Coordinator Kathryn Wadsworth described the request that is intended to move the project forward. The project will be a 64 mile educational trail from Salida to Leadville.

Commissioner Holman made a motion to approve Resolution 2016-50 designating the trail sections in Chaffee County as the "Stage and Rail Trail" route. Commissioner Potts seconded the motion. On the question, the motion passed 3 - 0.

Chairman Giese moved forward in the Agenda to accommodate the Public Hearing times that were previously set.

**Agenda Item E**  
Consider a request from Chaffee County Habitat for Humanity for a donation of land in Nathrop.

Habitat for Humanity requested a donation of land from the County located in Nathrop, specifically parcel number 342114112128.

Chairman Giese made a motion to execute a Quitclaim Deed with Chaffee County Habitat for Humanity for land in Nathrop. Commissioner Holman seconded the motion. On the question, the motion passed 2 - 0. Commissioner Potts was not present for the vote.

**Agenda Item D**  
9:30 a.m. Public Hearing - To Consider a request from Robert Hecht for a variance to a 10 ft. Property line setback for a septic field. Property is located at 22665 Indiana Ave., Garfield.
At 9:30 a.m. Chairman Giese convened as the Board of Public Health and called the Public Hearing to order.

Planning Manager Roorda gave the staff report and noted that all required application materials had been submitted. The applicant was not present.

Greg Nelson, 407 E 3rd Street, Salida, was sworn in and gave public comment. He described a situation where the applicant does not have many options for the septic field on this site. The applicant is seeking a variance because it is an easier step than asking for a road vacation.

Chairman Giese closed the public comment portion of the hearing at 9:43 a.m.

Commissioner Holman made a motion to grant the request for a variance and for the County Attorney to prepare a resolution to be voted on at the next Board meeting. Commissioner Potts seconded the motion. On the question, the motion passed 3 - 0.

**Agenda Item F**
Consider resolution approving amendments to the Chaffee County Land Use Code regarding Visual Analysis Section 4.3.3C.1.i; 4.3.4.B.1.k; 4.3.4.C.1.k; 4.6.2.M.2; Sections 4.3.3.A.1 item g, 4.3.4.A.1h; 7.2.4A. (Tabled from the September 13, 2016 meeting)

County Attorney Davis presented the Board a resolution on the proposed Land Use Code changes with regard to the Visual Analysis Sections.

Commissioner Potts made a motion to adopt Resolution 2016-49 adopting amendments to the Chaffee County Land Use Code revising provisions relating to visual analysis sections 4.3.3C.1.i; 4.3.4.B.1.k; 4.3.4.C.1.k; 4.6.2.M.2; Sections 4.3.3.A.1 item g, 4.3.4.A.1h; 7.2.4A. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

**Agenda Item G**
Consider request to rescind Resolution 2016-46 regarding the marijuana excise tax.

Sterling Stoudenmire of Pure Greens presented the Board with a statement highlighting the Company's contributions to the community as well as a report titled Colorado Marijuana Wholesale Prices and Excise Tax Impact. Mr. Stoudenmire asked the Board to rescind the ballot issue.

Kat McQuillen, owner Tenderfoot Health Collective dispensary, gave public comment regarding the ballot issue. She said that those in the marijuana business signed up to pay taxes and give back to communities. She encouraged the Board not to rescind the marijuana excise tax ballot issue.
Chairman Giese made a motion not to rescind the marijuana excise tax ballot issue. Commissioner Potts seconded the motion. On the question, the motion passed 2 - 1 with Commissioner Holman dissenting.

**Agenda Item H**
Consider application for a 1041 permit to engage in development of a municipal or industrial water project. The application was submitted on behalf of Pueblo West Metropolitan District with respect to new diversion and measurement structure related to the Hill Ranch Water transfer decree, Case No. 01CW 152. (Continued from the March 1, 2016 and September 20, 2016 meetings.)

Commissioner Potts made a motion to continue the application for a 1041 permit from Pueblo West Metropolitan District until the October 11th Board meeting. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

**Consent Agenda:**

- Ratify approval of $10,000 grant for work forcing housing proposal by Chaffee County Housing Trust
- Pay Bills

Commissioner Holman made a motion to approve the Consent Agenda. Commissioner Potts seconded the motion. On the question, the motion passed 3 - 0.

**Old Business:**

- County Project Status Report

Finance Director Short updated the Board on the 2017 County Budget.

Commissioner Holman made a motion to adjourn. Commissioner Potts seconded the motion. On the question, the motion passed 3 - 0.

The meeting adjourned at 10:20 a.m.

Attest:

Lori Mitchell, County Clerk