Commissioners Meeting  
June 14, 2016

The regular meeting of the Board of Commissioners was held on June 14, 2016 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Dennis Giese, Commissioner Dave Potts, and Commissioner Frank Holman.

Others present were Director of General Administration Robert Christiansen, Director of Finance Dan Short, County Attorney Jenny Davis, County Planning Manager Jon Roorda and Deputy County Clerk Chris McGinnis.

Following the Pledge of Allegiance, Chairman Giese opened the meeting at 9:00 a.m.

Verification of Distribution of the Board of Commissioners’ Agendas
Chairman Giese asked Deputy Clerk McGinnis for verification regarding the distribution of the Board of Commissioners’ Agendas. Deputy Clerk McGinnis stated that the agendas were properly distributed

Potential meetings the Board of Commissioners might attend for the week were reviewed.

Minutes of the May 17, 2016 regular meeting were reviewed. Commissioner Potts moved to approve the minutes, Commissioner Holman seconded the motion. On the question, minutes were approved 3-0.

A. Contract/Grant Consideration

Adopt revised Chaffee County Local Emergency Operations Plan (Emergency Operations Director Graham).

Director Phil Graham said the EOP update needs to be completed and approved every two years. Director Graham said he cleaned up some language that was either outdated or inaccurate and made the agreement more servable as to when, how and who should enact aspects of the policy. The plan was also made to be more inclusive County-wide. Poncha Springs, Buena Vista & Salida can adopt the County plan if they don’t wish to enact and adopt their own.

County Attorney Davis said if the plan was approved, it would be in effect immediately and the Emergency Manager would work in accordance with plan.

Commissioner Potts moved to approve Resolution 2016 – 31, Adoption of the Revised Chaffee County Local Emergency Operations Plan. Commissioner Holman seconded the motion. On the question, the resolution carried 3-0.

B. Public Hearings
Public Hearings were called to order at 9:14 a.m.

Commissioner Giese said he had a conflict of interest in the Randall and Carol Davis review, so he recused himself and left the meeting room.


County Planning Manager Jon Roorda said Planning Commissioners wanted a report from the engineer on the septic system. Roorda said he believes up to 25 people could stay at the lodge, proposed to be served by a 2,000 gallon a day septic system under County jurisdiction.

Commissioner Holman said he is reluctant to move ahead on the plan without a recommendation by the planning commission.

Commissioner Potts said he’d like a clearer understanding of what latitude the County has regarding approval of the plan if the septic system does not fall under County jurisdiction. He felt the board could approve the request, pending the State’s approval of the septic system.

Discussion was held.

Commissioner Holman said the Board needs a planning commission recommendation to act on the proposal; otherwise it may appear the board was trying to override or circumvent the approval process. He suggested bringing the recommendation back to the board for next week.

b. Zoning Map Amendment, Applicant: Richard E. Hartney & Danyel Lee Lopo, Location: 23710 U.S. Highway 285 S, located in the SW 1/4NE1/4 & NW 1/4/sw1/4m /Section 11, Township 15 South, Range 78 West, 6th PM Buena Vista Zone: Rural, Request: To change the present Rural Zone to Rural Commercial / Recreation.

Manager Roorda said property located adjacent to the request is zoned for and hosts other commercial uses, and is along US Highway 285. The Planning Commission recommended approval of the 8.3 acre rezone. At this time, there will be no change of use, and there are no known violations of code. The property has access to US Highway 285 and the Arkansas River. Allowing use of the property for recreational uses will have no impact on adjacent properties. No opposition was raised regarding the proposal.

The property may be put up for sale. It may be a suitable site for a rafting company location.
At 9:36 a.m., public hearings were closed.

No action was taken on Public Hearing Agenda Item a.

On Public Hearing Agenda Item b, Commissioner Potts moved to ask County Attorney Davis to draft Resolution 2016-32, approving 23710 US Highway 285 be changed to a Rural Commercial/Recreational Zone. Holman seconded the motion. On the question, the motion carried 3-0.

On Public Hearing Agenda Item c, Commissioner Holman moved to continue the matter to the July 5 regular meeting.

Agenda Item C.
To consider an appeal to an Administrative Review Application from Doug Beach. Request is to place a 12’x44’ manufactured home onto property located on Lots 6 thru 12 Block 20, Nathrop, in a Residential Zone.

The public hearing opened at 10:00 a.m. appearing for owner Doug Beach was Jay Mihulka, 26035 Amy Circle, Conifer, CO. Mr. Mihulka is the potential purchaser of the property.

Chairman Giese said he had received four letters in opposition of the application.

Manager Roorda said Mr. Mihulka’s manufactured home was denied placement on the property in Nathrop as it violated zoning code because it is a 12x44 manufactured home.

Mr. Mihulka said he intends to put the log-style home on a full foundation. It will be hooked up to a well and septic, will have landscaping and a driveway. Mr. Mihulka said his family intends to use the site as a weekend cabin and retirement home. He would like to move the home from a site on which it is located currently in Missouri and believes it would be a nice addition to the neighborhood.

County Attorney Davis said she was not certain the board had the authority to waive the zoning requirements.

William Ortiz, 11225 County Road 198, said he lives in a historic log home in the area, possibly the old jail. His concern is that by allowing the exemption, Nathrop will become a lower income modular neighborhood. He is also concerned it will open doors to small home placements in the area. He asked the board to consider future impacts on the area before they approve the request. Mr. Ortiz said he is concerned about his property value. While this decision won’t hurt that value, Mr. Ortiz said he is concerned that if the trend continues it will and mentioned there are some stick built and other historic homes in the area.
Mr. Ortiz added because the property is being developed by a LLC, he believes it could be the start of developers moving in the area. He hopes the decision does not open a flood gate in to small home living, low-priced housing and low-priced land.

The public hearing closed at 10:19 a.m.

Commissioner Holman moved to direct the County Attorney to prepare a resolution to grant the appeal and allow the request to move forward with language specific to this home. Approval is based on the criteria that it meets County building codes reviewed by Development Services Director Dan Swallow. The exemption is not transferable to another home or development on site. It is also to be contingent on the home being put on a permanent foundation, plans reviewed and approved by the building department and the site is hooked up to a well and septic system.

Agenda Item D
Consider a resolution for an Addendum to a Subdivision Improvements Agreement for Shikoba Acres Filing 2.

Commissioner Potts moved and Commissioner Holman seconded to approve. On the question, the motion carried 3-0.

Agenda Item E.
Consider a resolution Reauthorizing & Reorganization of Office of Emergency Management for Chaffee County under the County Commissioners and Repealing Resolution 2015-16.

Discussion was held. The resolution will be reviewed and language rewritten to clarify questions raised during discussion.

Giese moved and Holman seconded a resolution to continue consideration of the resolution to the June 20 meeting. On the question, the resolution carried 3-0.

Consent Agenda
- Report from County Treasurer Copper for the month of April 2016
- Report from the County Veteran’s Officer Sadeik for the month of May 2016
- Pay Bills

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

Old Business:
- Madison House Update
- County Road 302
- Cleora Railroad Crossing
- County Project Status Report.
Roundtable

- County Director of Administration Bob Christiansen said for philanthropy days in September, one commissioner will be asked to appear in a regional video to promote the valley.

- Finance Director Dan Short received correspondence about how well kept the County’s shooting range is. Many people from the Front Range come to Chaffee County to use it.

- Commissioner Potts asked about the County’s interest in creating a Marijuana excise tax. Among the ways it could be used is for land banking for affordable housing and offset building fees. Other options could be considered.

Commissioner Potts asked for more research on the tax issue, what amount could be generated, what sales are, what tax could bring in and what could be done with the money generated.

There being no further business to come before the Board, Chairman Giese entertained a motion to adjourn. Commissioner Holman seconded the motion. The meeting adjourned at 11:40 a.m.

Attest:

Lori Mitchell, County Clerk