Commissioners Meeting
June 21, 2016

The regular meeting of the Board of Commissioners was held on June 21, 2016 in the Buena Vista School District Administration Building Meeting Room, 113 North Court Street, Buena Vista. Board members present were Commissioner Dave Potts and Commissioner Frank Holman. Chairman Dennis Giese was absent.

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

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

Verification of Distribution of the Board of Commissioners’ Agendas
Commissioner Holman 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.

Items for Review
Commissioners reviewed a list of upcoming public meetings they may attend.

Public Comment
There was no public comment.

Agenda Item A
Contract/Grant Consideration

- Veterans Assistance Grant

The Board reviewed a $35,000 Veterans Assistance Grant. Director Christiansen said the amount is part of an ongoing grant award to the County.

Commissioner Potts moved and Commissioner Holman seconded a motion to accept the grant award. On the question, the motion carried, 2-0.

- Chaffee County Visitors Bureau Video Production Contract with Dave Curtis from June 1, 2016 – December 31, 2016 revised.

Visitors Bureau Director Scott Peterson said the CCVB Board approved recommendation of the $28,000 contract.

Commissioner Potts moved and Commissioner Holman seconded a motion to approve the contract. On the question, the motion carried, 2-0.
Contract for remodel of Administration Offices Architectural Drawings.

Director Christiansen asked to approve payment for Architect Sarah Whittington’s design services for the remodel project. The payment amount will depend on the scope of work. Architectural fees are covered by the Department of Local Affairs grant the County received for the project.

A pre-bid walk-through with potential contractors to survey the project is complete. The County will have bids for the project to consider at their July 5 regular meeting.

Commissioner Potts moved and Commissioner Holman seconded a motion to approve payment of fees incurred for Ms. Whittington’s services. On the question, the motion carried, 2-0.

Consider Demonstration Agreement in connection with upcoming UAS demonstration

An upcoming demonstration of the capabilities of Unmanned Aerial Systems will be held at Mount Princeton Hot Springs Resort. The demonstration involves representatives from several local governmental and private organizations. For the event, organizers requested liability insurance provided through the County.

Commissioner Potts moved and Commissioner Holman seconded a motion to provide liability insurance through the county carrier for the event. On the question, the motion carried, 2-0.

Agenda Item B.
Consider a letter of approval from Road & Bridge Supervisor Mark Stacy for reconstruction of a portion of County Road 302.

Commissioner Holman moved and Commissioner Potts approved acceptance of a letter from Supervisor Stacy releasing the section of County Road 302 back to Chaffee County. On the question, the motion carried, 2-0.

Agenda Item C.
Consider the purchase of a fuel truck for Harriet Alexander Field.

Airport Manager Zech Papp requested the County pay $7,500 of the $15,000 cost of a fuel truck for the airport. Papp said the City of Salida would be asked to pay the remaining $7,500 for the truck.

Commissioner Potts moved and Commissioner Holman seconded a motion to approve purchase of a fuel truck from the Fremont County Airport for $7,500, with the understanding that the City of Salida will pay the remaining $7,500 of the $15,000 cost for the vehicle. On the question, the motion carried, 2-0.
Agenda Item D.
Consider a request for an extension for an Addendum to a Subdivision Improvements Agreement for the River Meadows Estates subdivision Filings 1-4.

The property is currently in agricultural production.

Commissioner Potts moved and Commissioner Holman seconded a motion to grant the extension request. On the question, the motion carried, 2-0.

Agenda Item E.
Consider an appeal to an Administrative Review Application from Doug Beach to place a 12’ x 44’ manufactured home onto property located on Lots 6 thru 12 Block 20, Nathrop, in a Residential Zone.

Previously, the Board approved placement of the manufactured home on the lot, pending review and approval by the Chaffee County Building Department.

Director Swallow said the manufactured home is considered a Recreational Vehicle. It has not received HUD or IRC inspection approval, so it does not comply with current County codes for placement on the lot.

Discussion was held.

Director Swallow said nothing in the code prevents the party requesting the placement to store the RV on the property. It is then permissible under code to camp in the RV on the property for two weeks a year. Beyond that time, an extension could be applied for through the County, during which sanitation and other factors would be reviewed prior to granting an extension.

Leanne O’Brien, 11228 County Road 197A said she was concerned that approving placement would set a precedent for turning the area into a mobile home park.

Commissioner Holman said it was clear the Board needed to rescind approval of placement, as the specifications of the RV did not meet County code.

Commissioner Holman moved and Commissioner Potts seconded a motion to rescind approval of placement of the RV on the lot because it does not meet current building codes. On the question, the motion carried 2-0.

Agenda Item F.
Consider a resolution for a Zoning Map Amendment from Richard E. Hartney & Danyel Lee Lopo.

Commissioner Potts moved and Commissioner Potts seconded Resolution 2016-33 Zoning Map Amendment. On the question, the motion carried 2-0.
Agenda Item G.
Consider a request to close County Road 162 within the Townsite of St. Elmo west of the intersection of Main and First Streets for Historic St. Elmo and Chalk Creek Canyon, Inc. special children’s programs planned for July 6, 13, 20 and 27 in July and during restoration work that will occur on two buildings on west Main beginning August 1 until completion.

Melanie Roth, representing Historic St. Elmo and Chalk Creek Canyon, Inc., requested the July closures due to safety concerns during children's educational programs held in the area.

The request for closure during the construction project is to provide workspace for restoration work on two buildings in the same block.

Lee Kerrison, 25855 County Road 162, Nathrop, said he was concerned that the location of the proposed closures would eliminate crucial parking spaces and prevent people from turning around at the end of town.

Discussion was held regarding traffic, parking issues and the impact of the requested closures on business in St. Elmo.

Commissioner Holman moved and Commissioner Potts seconded a motion to allow barriers to be placed on County Road 162 just east of the former town jail site beginning Aug. 1, 2016. Barriers can be moved as needed, but will be in place until completion of the renovation project. The location of the barriers was suggested by Mr. Kerrison to allow motorists a space to pull on to the street, back up and turn around if needed. Commissioner Potts seconded the motion. On the question, the motion carried 2-0.

The Board did not approve the closure request for children's programs.

Agenda Item H.
Consider a request from the Land Trust of the Upper Arkansas for assistance from the County’s Conservation Trust Fund to help support The Lakeside Preserve Homeowners Association. Request is for $45,000.

LTUA Director Andrew Mackie said funds are to be used to buy water shares to preserve Ice Lake northwest of the town of Buena Vista - a unique habitat, a bird migration stopover and a historic site once used for ice harvesting.

If successful in gaining the easement agreement, a portion of the lake will have public access. It is now a private lake. Mr. Mackie said the funds are a small investment to benefit the community forever.

Dave Kelly, Deputy Water Commissioner, said homeowners around the lake are determined to prevent it from being drained and dried up. Ice Lake does not have adjudicated water rights, though it has been in existence since the 1800s. Mr. Kelly
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said he is working with property owners there on a plan that includes granting a conservation easement allowing public access to a portion of the lake and purchasing augmentation to keep water in the area. He described the plan as complicated and involving numerous parties.

The Upper Arkansas Water Conservancy District has sold property owners augmented water rights for the lake the past two years while a plan to prevent its draining has been developed. UAWCD Manager Terry Scanga said it is fortunate that during the past two years UAWCD has had water available to sell to the group.

Mr. Kelly said maintaining Ice Lake is a worthwhile project on which many people have worked. It is also an expensive project and needs LTUA and the County’s Conservation Trust Fund help in order to be successful.

Commissioner Potts asked proponents to generate an income statement for the plan for the Board’s review.

Director Dan Short said the County’s Conservation Trust Fund balance is the lowest it has been in years. Generally, at the end of the year it is in the $300,000 range. This year it is projected to be in the $170,000 range.

Commissioner Holman moved the request be continued to the July 5 meeting in order to receive and review the financial plan for the proposal. Commissioner Potts seconded the motion. On the question, the motion carried 2-0.

**Agenda Item I.**

Consider a letter of financial support for Phase II of the Groundwater and Surface-Water Interaction and Potential for Underground Water Storage Study Grant between Upper Arkansas Water Conservancy District and the USGS.

UAWCD Manager Terry Scanga said the District would like to cost-share for continued study of the multi-county aquifer. The District is looking for information about the draw rate of water from the aquifer and its recharge rate.

Mr. Scanga said he wants to be able to say he has Chaffee County’s support for the project as he proposes study payment in other counties.

Commissioner Potts noted payment for the study would have to be paid out of the County’s general fund.

Commissioner Potts moved Chaffee County support the study, contingent upon UAWCD gaining city and county support from other entities in the district. No specific dollar amount was committed. Commissioner Holman seconded. On the question, the motion carried 2-0.
Agenda Item J.
Consider a letter to Senator Gardner and Senator Bennet regarding Bureau of Land Management administration of the Cache Creek Placering Area Property

Commissioner Holman said he would like to revise the letter submitted to clarify the County’s position on placering activities at Cache Creek.

Commissioner Holman moved and Commissioner Potts seconded a motion to continue consideration of the letter until the July 5 meeting. On the question, the motion carried 2-0.

Agenda Item K.
Consider acceptance of CDOT offer in connection with its acquisition of County property for the U.S. Hwy. 24 Buena Vista Enhancement Project.

Discussion was held.

Commissioner Holman moved and Commissioner Potts seconded a motion to approve a $4,150 sale price for a sliver of property the County owns on U.S. Highway 24 in Buena Vista. The land will be purchased by the Colorado Department of Transportation and used for the U.S. Highway 24 Enhancement Project. On the question, the motion carried 2-0.

Agenda Item L
Consider a Renewal Hotel and Restaurant Liquor License for Cliff Hangers at Monarch Mountain Lodge located at 22720 W. U.S. Highway 50, Monarch, CO.

Potts moved and Commissioner Holman seconded a motion to a renew the Hotel and Restaurant Liquor License for Cliff Hangers at Monarch Mountain Lodge located at 22720 W. U.S. Highway 50, Monarch, CO. On the question, the motion carried 2-0.

Agenda Item M
Update on pending litigation and potential claims and possible executive session pursuant to CRS 24-6-402(4)(b) for attorney-client advice on such matters.

Attorney Jenny Davis said a case has been filed against the Chaffee County Public Trustee in Federal Court regarding a foreclosure action. She said she does not believe the case will be accepted, but the County must respond to the claims. Attorney costs will not be covered by the County’s insurance policy.

Lake County is reviewing its water augmentation plan. Attorney Davis said there is concern about the source for the plan. Attorney Davis suggested the Board approve language developed by Chaffee County’s Water Council to include in the review to help protect the Recreational In-Channel Diversion decree.
Commissioner Holman moved to approve the language. Commissioner Potts seconded the motion. On the question, the motion carried 2-0.

Consent Agenda
- 2016 yearly Schedule A agreement with the U.S. Forest Service
- Pay bills.

Commissioner Holman made a motion to approve the Consent Agenda. Commissioner Potts seconded the motion. On the question, the motion carried 2-0.

Old Business
- Ballot question regarding excise tax for marijuana.
  Commissioner Potts said if the County would like to put a ballot question on the ballot for the next election cycle, it needs to decide to do so soon. He asked that it be a topic of the County work session in July.
  - Madison House Update
    Manager Roorda said a revised plan has been drawn for the event. It has Chaffee County Emergency Management Director Phil Graham’s approval.
  - County Road 302
    County Road 302 is now accepted into the county road system, an action taken previously in the meeting during Agenda Item B.
  - Development of County Road 177 Railroad
    Manager Roorda said talks are ongoing with area landowners and County representatives.

County Project Status
Director Short said the EMS Foundation in the county intends to disband. It has $10,000 left in its fund and plans to give the money to the Chaffee County EMS. Director Short thanked the group for their help in passing 1A funding for improved EMS service in the county.

There being no further business to come before the Board, the meeting adjourned at 11:40 a.m.

Attest:

Lori Mitchell, County Clerk