Commissioners Meeting  
February 16, 2016  

The regular meeting of the Board of Commissioners was held on Tuesday, February 16, 2016 at the Buena Vista Community Center, 715 E Main Street, Buena Vista. Board members present were Chairman Dennis Giese, Commissioner Frank Holman and Commissioner Dave Potts.

Others present were County Finance Director Dan Short, Director of Administration Bob Christiansen, County Attorney Jenny Davis, County Road and Bridge Supervisor Mark Stacy, County Planning Manager Jon Roorda and Deputy County Clerk Sheila Kapell.

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

Chairman Giese thanked Keith Baker and the Town of Buena Vista for getting the room ready for the meeting.

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

Items for Review  
Public Notices.

Public Comment  
There was none.

Minutes of the February 8 and 9, 2016 meetings  
The Board was presented the minutes of the February 8, 2016 Board of Commissioners Work Session and February 9, 2016 Regular Meeting.

Commissioner Potts stated that on Agenda Item A of the February 9, minutes the president of the Mon-Ark Shrine Club should be Bob McCormick not Bill McCormick.

Deputy Clerk Kapell stated she would make the correction to the minutes.

Commissioner Holman made a motion to approve the minutes of the February 8, 2016 Board of Commissioners Work Session and February 9, 2016 Regular Meeting with the corrections as noted. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

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Board of Commissioners Meeting February 16, 2016
Agenda Item A
Consider a request from Glen Merrifield to amend Resolution 2014-44 to allow grandfathered status of existing marijuana establishments to go with the land, not the lessee or licenses.

Planning Manager Roorda gave an overview of the request.

Glenn Merrifield, 19256 County Road 343, Buena Vista asked for clarification on the grandfather clause, he stated he felt it should run with the land so his kids could benefit from it as well.

The Board held discussion.

Charles Houghton, Attorney for Mr. Merrifield, stated that generally speaking, when legal non-conforming use gets grandfathered in it usually runs with the land as long as the character remains the same and doesn’t get changed or expanded.

County Attorney Davis stated that marijuana operations in the County were granted through a permitting process for the business, not a land-use permit. She stated Mr. Merrifield could transfer it but it would require Board approval.

The Board held discussion.

Chairman Giese stated the Board would need to decide what the process would be and what would be allowed and not allowed and then review it with Mr. Merrifield, his attorney and staff.

County Planning Manager Roorda introduced Jeff Cain, owner of JMC Enterprises and stated he was requesting to change the ownership structure of JMC to bring in two family members.

Mr. Cain stated the last time he met with the Commissioners they expressed that the only change of ownership that would be allowed would be possibly family and that’s what they wanted to do.

The Board held discussion.

Commissioner Potts made a motion to continue the item to the March 1, 2016 Board of Commissioners meeting. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item B
Update on the Opportunity Scholarship Initiative (COSI).
Wendell Pryor, Chaffee County Economic Development Corporation Director presented the update. He stated he had contacted the school districts and they were interested in participating with the funds. He asked that the Commissioners authorize the program and allow him to work with the State to receive the funds that will need to be matched.

Discussion was held.

Commissioner Holman made a motion to authorize the program to move ahead with this and allow Economic Development Director Pryor to work with the State to receive funds. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item C
9:30 a.m. – Public Hearing: To consider renewal of Ambulance Service and Vehicle licenses for American Medical Response of Colorado, Inc. and consider a request to waive the fees to inspect individual ambulances and to accept the ambulance’s home county inspection.

Chairman Giese opened the public hearing at 9:41 a.m.

County Director of Emergency Medical Services, Josh Hadley gave an overview of the request. He stated there were no issues.

The Board held discussion.

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

Commissioner Potts made a motion to approve the recommendation from Josh Hadley and to direct the County Attorney to prepare a resolution to be signed by the Chairman for renewal of ambulance service and vehicle licenses for American Medical Response of Colorado, Inc. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item D
Consider a request for a Plat Amendment from Dale and Susan Shoemaker. Request is to modify the utility and maintenance easements on the north/west corner of Lot 8, located at 28240 County Road 313, Buena Vista.

County Planning Manager Roorda gave an overview of the request.

Applicant Dale Shoemaker, 28240 County Road 313, Buena Vista stated they would like to make the easements around the property consistent with the rest of River Rim Development.

The Board held discussion.
Commissioner Dave Potts made a motion to grant the request for a Plat Amendment from Dale and Susan Shoemaker to modify the utility and maintenance easements on the north/west corner of Lot 8, located at 28240 County Road 313, Buena Vista. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

Agenda Item F
Consider a request from Madison House for a Special Events Permit.

County Administrative Assistant Patty Baldwin stated they received a completed application from the applicant. She stated she received a request from the Crestone Music Festival that the dates of the event be changed since it coincides with their music festival.

Chairman Giese stated he received calls and emails on the topic that would be part of the record.

County Planning Manager Roorda gave an overview of the application request.

Jeremy Stein, Madison House Presents, 2060 Broadway, Boulder, stated they would do their best to answer any questions and their pledge was to be good to the community. Chairman Giese stated it would be important for Madison House to talk about how the event will affect the residents and the county. He stressed that the County would need to be able to provide services like it was any other day.

Mr. Stein stated that safety would come first. He stated everything would be done outside of any tax payer money and it could be a great opportunity for local businesses.

Michael Sampliner with Madison House Presents elaborated on plans. He stated they would put up fencing to protect people from entering the road ways and they would have plenty of facilities and drinking water available.

County Sheriff John Spezze stated they had just begun preparations for this year so he could really only speak on last year’s event. He explained they had fewer problems with the Madison House event last year in Salida than a normal boating weekend in the summer and they had zero complaints from downtown residents. He expressed the importance of communication, making sure there is cell coverage, having a good traffic plan and the demographic of the attendees of the event.

Discussion was held.

County Director of Emergency Medical Services Hadley stated his primary goal was to protect the community. He felt that Madison House did a great job of working with his department last year and the Salida event seemed to be a success. He stated he was fine with moving forward with the event this year.
The Board held discussion.

County Emergency Management Director, Phil Graham stated his office would oversee the protection of everyone involved. He stated that once the traffic was in there shouldn’t be any problems since the vehicles wouldn’t be able to leave once they arrived. He saw no problems moving forward at this point.

Chairman Giese spoke of some of his concerns with the traffic plan. He asked about traffic counts on certain county roads.

County Road and Bridge Supervisor, Mark Stacy stated that around 30,000 vehicles a week travel on County Road 306 at that time of year. He stated that roads near the traffic plan area were deteriorating and he would hate to see too much traffic on them.

Discussion was held.

Chairman Giese asked what the daily hours of operation would be for the event.

Mr. Sampliner explained the schedule. He stated they felt it was important to contain the attendees in the campgrounds and that is what the timing was about.

Discussion was held.

Commissioner Potts asked how many entry points would be off of County Road 350.

Mr. Sampliner stated at this point there were two.

Discussion was held.

Susan Klinsing, 29157 County Road 358A, Buena Vista thanked the owner of the property, Jed Selby, for having an open line of communication. She asked why this was the first public discussion on the event and expressed her concerns on how it would affect the residents nearby. She asked how she could get access to the proposal to read it.

Chairman Giese stated they would make the information available to the public later today.

Barbara Seeling, 29275 County Road 358A, Buena Vista, stated she would like County Road 358C blocked off for the event and to have more meetings on the topic to get all of the details.

Shari Perkins, 29850 County Road 357, Buena Vista stated there were more homes surrounding the venue in Buena Vista than there was in Salida and she felt the 2:30 a.m. end time was not acceptable in that area.
Linda Houle, 27477 County Road 301, Buena Vista, stated her major concern with the event was traffic.

Jeff Zaring, 30020 County Road 353, Buena Vista, wanted to know what the real tangible benefit was to having the event come to town.

Scott Peterson, 29725 Pinon Lane, Buena Vista, Chaffee County Visitor’s Bureau Marketing Director, stated he was impressed with the event last year.

Libby Fay, 328 Waters Ave., Buena Vista, stated she felt good about the project. She asked that there be a system for collecting feedback after the event so people can say whether things went well.

Ken Krehn, 28955 County Road 361A, Buena Vista, stated that he felt 20,000 people in the area was ridiculous. He also voiced his concern with the impact on wildlife.

Greg Felt, 131 W hwy 50, Salida, owner of Ark Anglers Fly Fishing, stated he felt Madison House did an excellent job last year and he voiced his concerns on the timing of the event.

Eileen Owens, 84 Tammie Dr., Buena Vista, stated they will be living near the concert at the time it is going on. She asked why the event was being set in a residential area rather than a concert venue.

Bill Dvorak, 17921 US Highway 285, Nathrop, stated he would prefer the event be later in August since the regular tourist season would be winding down.

Court Johnson, 109 E Main St. Buena Vista, owner of the Lariat Bar and Grill, voiced his support for the event.

Travis Hochard, 1307 I St., Salida, stated he supported the festival and he felt it would be good for tourism.

Jed Selby, 901 S Main St., Buena Vista, owner of the property the festival would be held on, stated he had gotten a lot of emails and contact regarding the festival. He stated he wanted to preserve the property and that if it could be occupied by a group of people for one weekend a year and be kept as a farm the rest of the time it would preserve the land as what it currently is.

Commissioner Potts asked why the particular dates were picked.

Mr. Selby stated he requested it be later in the month as well but the music industry was very complex and there were a lot of factors at play so Madison House picked a date that they thought would work best.
Dave Blazer, 17477 Reserve Drive, Buena Vista, stated that as a business owner he could see an exciting economic impact and an ability for people to discover the town.

Katie Willis, South Main St., Buena Vista, stated she had recently relocated her family to the area and she felt the exposure would be good and that people would come back.

Kennley Selby, 901 S. Main St., Buena Vista, stated she had been to a Madison House event in Michigan and was very impressed by how everything went. She stated she felt people would be back to the area.

Amy Ames, 30812 County Road 356-1, Buena Vista, spoke in support of the event. She stated she depended on events like this to push her business through the winter.

Pat Jayla, 28992 County Road 361A, Buena Vista, stated the promoters hadn’t taken people right in the neighborhood into account. She voiced her concern that it would affect property values.

Bill Confer, 248 N. Sangre De Cristo Ave., Buena Vista, stated his property was surrounded by camping for the event. He asked what would stop people from coming onto people’s property.

Discussion was held.

Seth Roberts, 29135 County Road 291, Nathrop voiced his support for the event.

Kira Jones, 18563 Vista Dr., Buena Vista, stated she didn’t have strong feelings for or against the event but felt things like traffic and pedestrians needed to be addressed.

Bob Gray, 17150 County Road 362, Buena Vista, stated a safe pedestrian crossing was needed and maybe this would be an opportunity to create one. He asked how people would get across the creek on the property.

Mr. Sampliner stated there were two foot bridges currently on the property that would be utilized.

Melissa McFee, 941 County Drive, Buena Vista, spoke in support of the concert, she stated she would rather see the concert happen than a housing development.

Lenny Eckstein, 119 Meadow Lane, Buena Vista, owner of Deerhammer Distilling Company, spoke in support of the event. He stated he felt it would be amazing for the town.

Ken Cook, 29940 County Road 371, Buena Vista, owner of House Rock Kitchen, stated he was excited for the event and he felt it was a manageable festival.
Tom Liverman, 15700 County Road 352, Buena Vista, owner of The Lettucehead Food Company, stated he appreciated the opportunity to make a little extra money.

Dawn Jump, 31700 N US Highway 24, Buena Vista, stated she would like to continue the conversation on how local businesses could benefit from the festival.

Commissioner Dave Potts asked why the dates were picked.

Mr. Stein stated a lot of factors were involved, the music industry is typically two years out in planning and there was just not enough time this year. He stated that if all went well they could look at different dates for next year.

Chairman Giese stated he would like to allow time for the public to look at the application online as well as looking at some other factors and then revisit it.

Commissioner Holman agreed. He stated that preserving the Meadows was critical. He stated that he spoke to CDOT and they were comfortable with their discussions with Madison House. He suggested moving the item to the next meeting.

Commissioner Dave Potts stated that everything was positive so far and he had faith in Madison House but the County needed to make sure staff could get the numbers needed by March 1st. He asked County Undersheriff Derek Bos if he felt that could be done.

Undersheriff Bos stated he felt they could get some preliminary numbers ready.

Commissioner Dave Potts made a motion to move the agenda item to the March 1, 2016 Board of Commissioners Meeting. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

**Agenda Item E**

Consider a cost sharing amount for conducting a Housing Needs Assessment update among Chaffee County, Salida, Buena Vista and Poncha Springs.

Director of Administration Christiansen gave an overview of the request. He stated that Poncha Springs had decided not to participate in a funding share for the assessment and he suggested that if the Commissioners wanted to move forward with the item that they participate in the cost share with up to $12,000 of a $20,000 shared amount with DOLA.

Commissioner Dave Potts asked if the study would include Poncha Springs.

Director of Administration Christiansen stated he felt it should.

The Board held discussion.
Commissioner Holman made a motion to approve up to $12,000 of the cost sharing amount for conducting a Housing Needs Assessment update. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

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

County Attorney Davis stated she didn’t have any updates at this time.

**Consent Agenda:**
- Report from the County Treasurer for the month of January, 2016
- Pay Bills

Commissioner Dave Potts made a motion to approve the Consent Agenda as presented and to pay bills. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

**Old Business:**
- County Road 302
- Cleora Railroad Crossing
- County Project Status Report

**Roundtable:**
- Veteran’s Services position interviews
- Response letter to Mr. Kier’s letter to the editor

Commissioner Dave Potts made a motion to adjourn the February 16, 2016 Board of Commissioners Meeting. Commissioner Holman seconded the motion. On the question, the motion passed 3 - 0.

The Board adjourned at 12:43 p.m.

Attest:

Lori Mitchell, County Clerk