Commissioners Meeting
February 2, 2016

The regular meeting of the Board of Commissioners was held on Tuesday, February 2, 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 Robert Christiansen, Director of Finance Dan Short, County Attorney Jenny Davis, County Building Department Manager Dan Swallow, County Planning Manager Jon Roorda, Administrative Assistant Patty Baldwin and Deputy County Clerk Sheila Kapell.

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 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 January 12 and 19, 2016 Board of Commissioners’ Meetings
The Board was presented the minutes of the January 12 and 19 Board of Commissioners’ Meetings.

Commissioner Holman stated there had been an issue on Agenda Item C in the January 19, 2016 minutes regarding the motion for the proposal to lease road graders that needed clarification.

Deputy Clerk Kapell stated she was aware of the mistake and the correction had been made to the minutes.

Commissioner Holman made a motion to approve the January 12 and January 19, 2016 Board of Commissioners’ Meetings minutes with the clarification to the motion for Agenda Item C on the January 19 minutes. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item D
Consider a request from Salida Mountain Trails for funding for 2016 in the amount of $6,000.00 to help build new trails.
Commissioner Holman made a motion to grant the request from Salida Mountain Trails for funding for 2016 in the amount of $6,000.00 out of the Conservation Trust Fund to help build new trails. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item C**
Consider a request for a plat amendment from Majestic River Property Trust, (Thomas & Cheryl Tella, Trustee). Property is located at Chateau Chaparral lot 87, Nathrop.

Planning Manager Roorda gave an overview of the request.

Joe Ritchie, 111 Creekside Ct., Buena Vista, representative for the applicant stated all they needed at this point was a letter from Sangre De Cristo Electric and everything else seemed to be in order.

Discussion was held.

Commissioner Holman made a motion to approve the request for a plat amendment from Majestic River Property, contingent on receipt of the letter from Sangre De Cristo Electric. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item A**
Report from the County Sheriff.

Sheriff Spezze presented his report. He stated he spoke to a representative from Verizon regarding a potential tower in Buena Vista.

Commissioner Holman stated it would be helpful to have a Verizon representative come down to speak to the Commissioners.

The Board held discussion.

**Agenda Item E**
Consider a “Policy for Allowing Liquor Samples at Events Held at the Chaffee County Fairgrounds”.

County Attorney Davis gave an overview of the request.

Chairman Giese stated he was concerned the policy would add another burden to Fairgrounds Manager Steve Wyatt to police it.

Fairgrounds Manager Wyatt responded that he didn't think it would be a problem since the policy was very clear.
The Board held discussion.

Commissioner Potts made a motion to grant the request to enact the Policy for Allowing Liquor Samples at Events Held at the Chaffee County Fairgrounds. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item G**  
Consider appointing special counsel for land use matter/conflict of interest.

County Attorney Davis gave an overview of the request. She stated she had a conflict of interest on a certain application because she owned property immediately adjoining it. She recommended using Attorney Jerry Dahl as special counsel for the matter.

The Board held discussion.

Commissioner Holman made a motion to approve appointing Jerry Dahl as special counsel for the land use matter. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item B**  
Public Hearing – To consider renewal of ambulance service and vehicle licenses for Chaffee County.

Chairman Giese opened the public hearing at 9:32 a.m. and swore in those who spoke.

Director of Chaffee County Emergency Medical Services, Josh Hadley gave an overview of the renewal request.

The board held discussion.

Chairman Giese closed the public hearing for deliberation at 9:37 a.m.

Commissioner Potts made a motion to grant the renewal of ambulance service and vehicle licenses for Chaffee County for 2016 effective January 5th, 2016. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item F**  
Consider appointments to the following boards:
- 1 member to the Airport Board
- 2 members to the Board of Adjustment
- 4 members to the Fair Board
- 1 member to the Heritage Area Advisory Board Ranching Seat
- 1 member to the Heritage Area Advisory Board
- 2 members to the Planning Commission
- 3 members to the Transportation Board
- 4 members to the Visitors Bureau (one member to be from the Lodging Community to fulfill the position of Samantha Montgomery)

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-05, Filling a Vacancy on the Airport Board, reappointing Bob Christensen. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-06, Filling Vacancies on the Board of Adjustment, reappointing Bill McCormick and Steve Craig with terms to expire in 2019. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-07 Filling Vacancies on the Board of Adjustment, reappointing Tate Scanga and Dennis Fischer and appointing new members Ben Scanga and Kenneth Shively. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-08 Filling Vacancies on the Heritage Advisory Board, appointing Gary Mason and reappointing Nancy Roberts to the Ranching seat. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-09 Filling Vacancies on the Planning Commission, reappointing Rob Treat and Karin Adams. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-10 Filling Vacancies on the Transportation Advisory Board, appointing Terry L. Howerter and Ed Demming to the board and appointing Eileen Rogers to the board for the City of Salida vacancy. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

Commissioner Holman made a motion to approve Chaffee County Resolution 2016-11 Filling Vacancies on the Visitors Bureau, appointing Amanda Krost, Craig Anderson and Megan Kingman to the board and Justin Veltri to the lodging position. Commissioner Dave Potts seconded the motion. On the question, the motion passed 3 - 0.

County Administrative Assistant Baldwin stated they were short on members for the Right to Ranch Board and the Board of Review.

Chairman Giese stated that if and when those boards would need to discuss something the Commissioners could appoint someone.

Commissioner Holman agreed.
Agenda Item H
Consider a resolution setting County office hours pursuant to CRS 30-10-109.

County Attorney Davis gave an overview of the resolution.

Commissioner Potts made a motion to adopt Chaffee County Resolution 2016-12 Setting the Hours County Offices are open to the Public, pursuant to County Revised Statutes 30-10-109. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item I
Executive session under CRS 24-6-402(4)(b) for purposes of receiving legal advice from the County’s water attorney and the County Attorney on specific legal questions and strategy in connection with a water court application filed in 2006 by the City of Aurora, City of Colorado Springs, City of Fountain, Board of Water Works of Pueblo and Southeastern Colorado Water Conservancy District.

County Attorney Davis stated the Board would go into Executive Session pursuant to CRS 24-6-402(4)(b) which constitutes Attorney-Client communication and no recording of the session would be required.

Commissioner Holman made a motion to go into Executive Session. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

The Board went into Executive Session at 10:01 a.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on February 2, 2016 constituted privileged attorney-client communications.

______________________________
Jennifer A. Davis, Chaffee County Attorney

I, Dennis Giese, Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on February 2, 2016 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

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Dennis Giese

The Board reconvened at 10:38 a.m.

Chairman Giese stated the County Attorney recommended the Board stipulate out of a couple of cases.
Commissioner Potts made a motion to stipulate out of Water Court case #06CW120. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

Commissioner Potts made a motion to add two sentences to and stipulate out of Court case #05CW96 to retain water in the two water parks. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item J
LUC 7.4.6: Driveway Standards are proposed to be changed to be applicable only to the access to a county or private road and extending 30 feet from the ROW and not applicable to the entire driveway.

County Planning Manager Roorda gave overview of the topic.

The Board held discussion.

Commissioner Holman Made a motion to instruct County Attorney Davis to prepare a resolution for changes in driveway standards as recommended. Chairman Giese seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item K
Consider a Renewal Application from American Adventure Expeditions for a Hotel and Restaurant Liquor License located at 12844 E. Highway 24 and 285, Buena Vista.

Commissioner Potts made a motion to grant the renewal for a Hotel and Restaurant Liquor License for American Adventure Expeditions located at 12844 E. Highway 24 and 285, Buena Vista. Commissioner Holman seconded the motion. On the question, the motion carried 3 - 0.

Consent Agenda:
- Report from the County Veteran’s Service Officer for January, 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:
- County Road 302
- Cleora Railroad Crossing
- County Project Status Report

Round table:
- Chaffee Fire regarding cisterns
Accessory dwelling units
County Road 302
County Road 317
General fund

Agenda Item L
Executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice in connection with liability issues surrounding the 1451 program.

County Attorney Davis stated the Board would go into Executive Session pursuant to CRS 24-6-402(4)(b) which constitutes Attorney-Client communication and no recording of the session would be required.

Commissioner Holman made a motion to go into Executive Session. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

The Board went into Executive Session at 11:09 a.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on February 2, 2016 constituted privileged attorney-client communications.

Jennifer A. Davis, Chaffee County Attorney

I, Dennis Giese, Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on February 2, 2016 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

Dennis Giese

The Board came out of Executive Session at 11:27 a.m. and no decisions were made.

The February 2, 2016 Board of Commissioners Meeting adjourned at 11:27 a.m.

Attest:

Lori Mitchell, County Clerk