AGENDA

October 3, 2017

BOARD OF COMMISSIONERS
104 CRESTONE AVE.

COMMISSIONER’S MEETING ROOM
SALIDA, COLORADO

PLEASE NOTE: The Agenda times are approximate; items may be discussed before or after the times listed below.

9:00 a. m Regular meeting of the Board of Commissioners

Pledge of Allegiance

❖ Review public meeting list

❖ Public Comment

A. Report from the County Sheriff

B. Consider a request for funds of $2,500.00 from Colorado Fourteeners Initiative. (Brian Sargeant)

C. Consider resolution regarding updates to the Chaffee County Land Use Code Typos & Updates: Accessory Dwelling Units, Updates and corrections to Article 7.8.30.A, Table 8.1, Article 7.8.28B, Article 4.3.4.B.1.n, Article 4.3.4.B, Article 7.8.29.A.2 and Article 1.3.7.

D. Consider resolution regarding approval of plat amendment for the Monte Escondido Subdivision (continued from the September 20, 2017 meeting).”

E. Consider resolution adopting the Noxious Weed Management Plan. (Attorney Davis)

F. Consider Resolution Amending and Restating Resolution Establishing the Chaffee County Marijuana Excise Tax Advisory Board

G. Proclamation for October Conflict Resolution (Patti LaTaille, Full Circle Restorative Justice)
H. Consider DOLA Planning Grant Application Supporting Envision Project.. (Director of Administration Christiansen)

I. Consider proposal regarding Marcin Engineering Invoice and possible executive session under CRS 24-6-402(4)(b) for purposes of receiving legal advice regarding Marcin Engineering's invoice. (Attorneys Davis and Mortimer)

Consent Agenda:

- Pay Bills

Old Business:

- County Project Status Report

Visit Jail

Potential Road Trip

****The official posting site for the Chaffee County Board of Commissioners meeting agenda's is at the County Court House.

It is the policy of Chaffee County that all County sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the County's ADA Coordinator at 719-539-3463 or e-mail bvenes@chaffeecounty.org at least three (3) business days prior to the scheduled meeting or event to request an accommodation.
BOARD OF COUNTY COMMISSIONERS PUBLIC MEETINGS

THIS NOTICE IS POSTED PURSUANT TO C.R.S. 24-604 02 (IV)(c)(4)(b).

THERE WILL BE NO DECISIONS OR FORMAL ACTIONS MADE BY THE COMMISSIONERS AT THESE MEETINGS EXCEPT FOR THE REGULAR OR SPECIAL MEETINGS OF THE BOARD OF COMMISSIONERS

Address for meeting places: Commissioners Meeting Room 104 Crestone Ave., Salida, Buena Vista School District Offices, 113 N. Court,, Buena Vista Annex, 112 Linderman Ave., Fairgrounds, 10165 County Road 120, Poncha Springs, Harriet Alexander Field, County Road 140, Salida. Meeting places are subject to change and will be posted.

| DATE:       | October 3, 2017          |
| TIME:       | 9:00 a.m.                |
| SUBJECT:    | Board of Commissioners Regular Meeting |
| LOCATION:   | Commissioners Meeting Room |

| DATE:       | October 5, 2017          |
| TIME:       | 6:30 p.m.                |
| SUBJECT:    | Fair Planning and Fair Board Meeting |
| LOCATION:   | Fairgrounds               |

| DATE:       | October 9, 2017          |
| TIME:       | 9:00 a.m.                |
| SUBJECT:    | Regular meetings of Landfill Committee, Board of Health & Board of Human Services followed by Work Session |
| LOCATION:   | Commissioners Meeting Room, 104 Crestone Ave., Salida |

| DATE:       | October 10, 2017         |
| TIME:       | 9:00 a.m.                |
| SUBJECT:    | Board of Commissioners Regular Meeting |
| LOCATION:   | Commissioners Meeting Room |

| DATE:       | October 17, 2017         |
| TIME:       | 9:00 a.m.                |
| SUBJECT:    | Board of Commissioners Regular Meeting |
| LOCATION:   | Buena Vista School District Offices |

| DATE:       | October 24, 2017         |
| TIME:       | 3:00 p.m.                |
| SUBJECT:    | Visitors Bureau          |
| LOCATION:   | Buena Vista Annex        |

| DATE:       | October 25, 2017         |
| TIME:       | 9:00 a.m.                |
| SUBJECT:    | Airport Advisory Board Meeting |
| LOCATION:   | Harriet Alexander Field  |

| DATE:       | October 31, 2017         |
| TIME:       | 6:00 p.m.                |
| SUBJECT:    | Planning Commission      |
| LOCATION:   | Commissioners Meeting Room |

9/26/17
This list may be updated daily. Posted in posting area outside of Commissioners Office
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Other Reimbursements: Restitution $147.14; USFS $2250.00; CDOT $1665.00
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September 25, 2017

Chairman Dave Potts
Commissioner Keith Baker
Commissioner Greg Felt
Chaffee County Board of County Commissioners
104 Crestone Avenue
Salida, CO 81201

Dear Chairman Potts and Commissioners Baker and Felt:

I’d like to start by saying thank you to Commissioner Baker and Commissioner Felt for attending our recent event at Salida’s Riverside Park to celebrate and recognize volunteers and donors who played a key role in our project to resolve private land issues on Mount Shavano. CFI greatly appreciates you both taking the time to meet our staff, Board members, and supporters.

For the past 23 years Colorado Fourteeners Initiative, has worked with the US Forest Service and Bureau of Land Management to preserve and protect Colorado’s 54 14,000-foot peaks, the “Fourteeners” (or “14ers”) through active stewardship and public education. Chaffee County contains 14 of these high peaks, the largest share statewide. These peaks contain rare and fragile alpine tundra plants that are, in some cases, unique worldwide. The confluence of high hiking use, sensitive plant cover and a lack of properly planned and built trails has created damage that in some places is past the point of natural recovery.

To date CFI has constructed sustainable summit routes on seven of the 14 Chaffee County 14ers: Mounts Belford, Oxford, Harvard and Yale; Huron and La Plata Peaks; and Missouri Mountain. An old, user-created route up very fragile and unstable slopes on Tabeguache Peak was closed, stabilized and restored several years ago. The CFI-constructed route up Mount Yale that was completed in 2010 received a prestigious national trail award in 2012 for the engagement of youth conservation corps.

Colorado Fourteeners Initiative would like to request the financial support of Chaffee County to help us increase our activity on the local 14ers in 2018. Several major initiatives are under way that will commence work in 2018, including:

- CFI will start the third season of an anticipated five seasons building a new, sustainably designed route up Mount Columbia. When CFI performed baseline route condition inventories in 2011-2013, Mount Columbia ranked near the bottom of the list with an “F” rating. Since then the conditions have worsened as the unstable slopes continued to erode at a rapid rate. Columbia has a notorious reputation in the 14er hiking community as one of the worst trails in the state. Delay in reconstructing the route will lead to more damage caused by hikers going off trail and trampling the fragile alpine tundra vegetation. In turn a delay will make the project more complicated, time-consuming and expensive to complete. With an estimated $3,000-5,000
person days occurring on Mount Columbia each summer/fall season, restrictions on hiking use would reduce the economic impact driven to local trailhead communities in Chaffee County.

Currently, the socially-created trail, which ascends Columbia’s west flank, is steep and suffers from severe erosion. CFI’s new sustainably-aligned route will lead hikers on a more clearly-defined path up gentler slopes, which will lead to more enjoyable and safer hiking conditions for users. Ultimately, it can be expected that less hikers will wander off-trail becoming lost or injured, which will in turn decrease the number of search and rescue efforts deployed in the area.

- CFI plans to place 20 compact infrared trail counters on 21 peaks statewide in 2018 to track the amount of hiking use on these peaks. Five of these 20 counters will be placed on Chaffee County peaks in 2018 including La Plata Peak (2 routes) and Mounts Princeton, Huron, and Shavano. These five locations were monitored in 2016 and 2017, and are crucial to helping CFI understand how changes in the amount of hiking use translates into on-the-ground resource impacts. Last month, CFI released an updated report on 14er Hiking Use and Economic Impact which estimates that 311,000 hiker use days occurred on the Fourteeners in 2016 - an increase of 51,000 use days as compared to estimates recorded in 2015.

This level of recreational use suggests a statewide economic impact of more than $84.3 million, based on past 14er-related expenditure studies. Most of the increased use is believed to stem from more accurate hiker counts due to doubling the number of trail counting units – 20 in 2016 compared to 10 in 2015. However, there was a 16 percent year-on-year increase in hiking use on Mount Elbert, the state’s highpoint and most-climbed peak, which has had three trail counters in use both years. CFI’s report estimates that 72,000 hiker use days occurred on peaks in Chaffee County, which are accessed through Buena Vista and Salida, during the summer/fall climbing season in 2016. From this we can estimate that hikers recreating on these peaks generated more than $19.5 million for nearby trailhead communities in Chaffee County.

- In 2017, the National Forest Foundation launched its Find Your Fourteener campaign which aims to bring a handful of Colorado-based stewardship organizations together in a collaborative effort to protect Colorado’s 14ers. The campaign will involve multiple non-profits, but CFI will provide the largest share of leadership expertise and experience in high alpine trail maintenance. This three to five year multi-million-dollar campaign will help increase the scope and pace of trail maintenance and restoration on these high-use peaks. With additional financial support in 2018, CFI plans to perform a record-high number of volunteer trail stewardship projects, much of which will occur on the Sawatch Range peaks. These stewardship projects offer a great opportunity to engage members of the community in hands-on stewardship work and instill a sense of responsibility to protect the fragile alpine ecosystems in their backyard.

1600 Jackson Street, Suite 205 • Golden CO 80401 • (303) 278-7650 • www.14ers.org
An estimated 50,000+ hiker use days occur on Chaffee County 14ers each season, and these people – both residents and tourists – benefit from better trails, improved education, and recreational experiences in the wilderness. In addition, these hikers generate significant economic activity for nearby trailhead communities and therefore the protection of these peaks is in the best interest of these communities. Colorado Fourteeners Initiative would like to request the assistance of Chaffee County in completing our planned work in 2018, as well as positioning us for increased work in the county over the next few years through providing a donation of $2,500.

Thank you for your support. Please do not hesitate to contact me in the event you have any questions or concerns.

Regards,

Brian J Sargeant
Development and Communications Coordinator

Attached: 2016 14er Hiker Use Estimate
CHAFFEE COUNTY
RESOLUTION 2017-

APPROVING A PLAT AMENDMENT
FOR THE MONTE ESCONDIDO SUBDIVISION

FINDINGS AND CONCLUSIONS:

A. The applicant requests approval of a plat amendment pursuant to Section 5.2.3.1 of the Chaffee County Land Use Code ("LUC") for the Monte Escondido Subdivision, recorded at Reception No. 131604, dated April 15, 1969. The request is to remove the requirement that lots be connected to a central sewer system since the existing sewer lagoons are under a compliance order from the Colorado Department of Public Health & Environment for water quality violations.

B. The proposal would not affect lot boundaries.

C. The Chaffee County land planning staff has indicated that all requirements for a Plat Amendment have been met except for impacts to site infrastructure requirements due to the change in handling wastewater (see LUC Sections 7.1.3.B, 7.2.2.B).

D. The Chaffee County Board of County Commissioners ("Board") has reviewed the application and all additional submittals and evidence. The Board finds that except for the criteria set forth above, the application complies with all applicable criteria set forth in the LUC. Provided the applicant complies with certain conditions, the application will meet the requirements for a Plat Amendment. See Section 1.3.6.3 of the LUC.

E. On September 20, 2017, the Board voted unanimously to approve the application subject to conditions, and directed the County Attorney to prepare a written resolution outlining the findings and conditions of the Board for consideration at the October 3, 2017 meeting of the Board.

RESOLUTION:

The Board unanimously resolves as follows:

1. Approval of Plat Amendment. The Board hereby approves the proposed plat amendment with the conditions that: (i) Young Life or Trail West Association notify Chaffee County Development Services 60 days prior to the decommissioning of the lagoon system; and (ii) the following requirements be met prior to filing the amended plat with the Chaffee County Clerk and Recorder:

   a. Add to the plat all well locations and known natural water features.

   b. All affected lot owners be notified in writing, and a plat note be added that any septic system not in place by the time the Trail West Young Life lagoon system is decommissioned may be found to be in violation of the current residential building code and Chaffee County On-site Wastewater Treatment System regulations which may result in revocation of the applicable certificate of occupancy.

- 1 -
c. The following plat notes be added:
   i. All lots noted, Lots 100 through 110 and Lots 201 through 235 Monte Escondido Subdivision, will require an On-site Wastewater Treatment System (OWTS) designed by a Professional Engineer (P.E.).
   
   ii. A site evaluation shall be conducted for each property on which an OWTS is proposed. Applicants must comply with Chaffee County On-site Wastewater Treatments System regulations at the time of application.
   
   iii. All lots described above with a proposed OWTS that lies within the designated area of the Buena Vista Source Water Protection District shall require additional permitting and approval through the Town of Buena Vista Water Department. This approval will be required prior to submittal of the OWTS permit application to Chaffee County.

   Once such requirements are met, the Chairman or Acting Chairman is authorized to sign the final plat and deliver it to the Chaffee County Clerk and Recorder for recording.

2. **Effective Date.** This Resolution shall be in full force and effect immediately upon adoption.

   ADOPTED AND APPROVED by the Chaffee County Board of County Commissioners on October 3, 2017.

   **BOARD OF COUNTY COMMISSIONERS**

   [Acting] Chairman

The vote on the above Resolution was as follows:

Commissioner Dave Potts

Commissioner Keith Baker

Commissioner Greg Felt

STATE OF COLORADO, CHAFFEE COUNTY

ATTEST:

The above is a true and correct record of Resolution 2017-__ duly adopted by the Chaffee County Board of County Commissioners by a ________ vote at a regular meeting, properly noticed and held on October 3, 2017.
CHAFFEE COUNTY COLORADO
RESOLUTION 2017-

ADOPTING AN AMENDED AND RESTATED
CHAFFEE COUNTY NOXIOUS WEED MANAGEMENT PLAN

FINDINGS AND CONCLUSIONS:

A. C.R.S. § 35-5.5-105(1), requires the Board of County Commissioners of each County in the State of Colorado to adopt a Noxious Weed Management Plan ("Noxious Weed Plan") for all unincorporated lands within the County to take effect no later than January 1, 1992.

B. Pursuant to C.R.S. § 35-5.5-106(3), the Board of County Commissioners may cooperate with other local governments for the exercise of all of the powers and authorities granted by Article 1 of Title 29. Pursuant to an Intergovernmental Agreement dated January 1, 2017, Lake County has appointed the Board of County Commissioners of Chaffee County ("BoCC") as the local authority required by the Act for Chaffee and Lake Counties.

C. Chaffee County has adopted a Noxious Weed Plan and approved updates at its meeting held on June 13, 2017. It would be in the best interest of the County to further update the Noxious Weed Plan.

D. Pursuant to C.R.S. § 35-5.5-105(1), the Board may adopt and provide for the enforcement of the Noxious Weed Plan by resolution. An amended and restated Noxious Weed Plan is attached as Exhibit A.

RESOLUTION:

The BoCC resolves that the Noxious Weed Management Plan, attached as Exhibit A, is hereby adopted for all the unincorporated lands within the County of Chaffee, State of Colorado, pursuant to the provisions of the Plan.

ADOPTED AND APPROVED by the Chaffee County Board of County Commissioners on September ___, 2017.

BOARD OF COUNTY COMMISSIONERS

[Acting] Chairman

The vote on the above Resolution was as follows:

Commissioner Dave Potts

Commissioner Keith Baker

Commissioner Greg Felt
STATE OF COLORADO, CHAFFEE COUNTY
ATTEST:

The above is a true and correct record of Resolution 2017-_____ duly adopted by the Chaffee County Board of County Commissioners by a _____ vote at a regular meeting, properly noticed and held on October 3, 2017.

DRAFT

Chaffee County Clerk
Chaffee County Weed Department
Noxious Weed Management Plan

ARTICLE I - NOXIOUS WEED MANAGEMENT PLAN

I. Introduction

A. This management plan is meant to accomplish two objectives, first to be in compliance with C.R.S. § 35-5.5-101, et seq (the "Colorado Noxious Weed Act") concerning the management of undesirable plants and second, the management of those plants identified by Chaffee County as undesirable under C.R.S. § 35-5-108-3(CRS). Pursuant to an Intergovernmental Agreement dated January 1, 2017, this Plan shall apply to all unincorporated lands within Chaffee County and Lake County.

B. The Undesirable Plant Management Colorado Noxious Weed Act (35-5.5-101, CRS) was signed into law on May 7, 1990 and amended in 1996 and 2003. In enacting this article, the general assembly found and declared that there is a need to ensure that all the lands of the State of Colorado, whether in private or public ownership, are protected by and subject to the jurisdiction of a local government empowered to manage undesirable plants as designated by the State of Colorado and the local governing body. In making such determination the general assembly hereby declares that certain undesirable plants constitute a present threat to the continued economic and environmental value of the lands of the State and if present in any area of the state must be managed. The Act directs states that local governments (cities and counties) are directed to take the necessary steps to manage the undesirable plants in their respective jurisdictions. Local governments are required to appoint advisory commissions whose responsibilities shall include:

1) Develop undesirable plant management plans, considering the elements of integrated management as defined in the article, as well as all appropriate and available control and management methods, seeking those methods which are least environmentally damaging and which are practical and economically reasonable.

II. Statement of the Noxious Weed Problem

A. All the weeds listed under C.R.S. § CRS 35-5.5-108 fall under 3 categories.

List A – Contains rare noxious weed species that are subject to eradication wherever detected statewide in order to protect neighboring lands and the state as a whole.

List B – Contains noxious weed species with discrete statewide distributions that are subject to eradication, containment or suppression in portions of the state designated by the commissioner [Colorado Department of Agriculture] in order to stop the continuing spread of these species.
List C – Contains widespread and well-established noxious weed species for which control is recommended but not required by the state, although local governing bodies may require management.

List A Species: Required to be managed by the State of Colorado.

AFRICAN RUE
BOHEMIAN KNOTWEED
CAMELTHORN
COMMON CRUPINA
CYPRRESS SPURGE
DYER’S WOAD
ELONGATED MUSTARD
FLOWERING RUSH
GIANT KNOTWEED
GIANT REED
GIANT SALVINIA
HAIRY WILLOW-HERB
HYDRILLA
JAPANESE KNOTWEED
MEADOW KnapWEED
MEDITERRANEAN SAGE
MEDUSAHEAD RYE
MYRTLE SPURGE
ORANGE HAWKWEED
PARROTFEATHER
PURPLE LOOSESTRIFE
RUSH SKELETONWEED
SQUARROSE KnapWEED
TANSY RAGWORT
YELLOW STARTHISTLE

Chaffee and Lake County’s undesirable plant list under 35-5.5-108 (3), CRS; includes these List B and Watch list species as well as all List A species.

BABY’S BREATH – *Gypsophila paniculata*: Baby’s Breath is an aggressive upright perennial forb which flowers from summer through fall. Once established it forms dense stands, outcompetes desirable species, and impacts pasture and rangeland health. Designated as a Watch List Species by the Colorado Department of Agriculture.

BLACK HENBANE – *Hyoscyamus niger*: Black Henbane is an annual, sometimes biennial species reproducing by seed. Mature plants reach 1 – 4 feet in height with shallowly lobed to coarsely toothed leaves with sticky hairs. It is an escaped ornamental that is toxic to both wildlife and humans. Designated for Elimination by the Colorado Department of Agriculture.
BOUNCING BET- *Saponaria officinalis*: Bouncing Bet is upright perennial forb, up to three feet tall, with the ability to reproduce by seeds and by roots. Flowers have five petals, which are notched and can range in color from pink to white. This plant is considered unpalatable, but if seeds are toxic if consumed. It has escaped cultivation and can invade roadways, travel corridors, pastures and other wild areas. Designated for Elimination by the Colorado Department of Agriculture.

BRAZILIAN ELODEA – *Egeria densa*: Brazilian Elodea is a dense, submerged, aquatic perennial, with the ability to live as either a rooted plant, or a free-floating species. Leaves develop in bright green whorls of 4. Fragmented pieces of this plant have the ability to develop into new plants. Designated as a Watch List species by the Colorado Department of Agriculture.

BULL THISTLE – *Cirsium vulgare*: Bull Thistle is a tall, biennial forb that was introduced as a seed contaminant and is now widespread. Bright pink to purple flowers are produced at the apex of the stems. This species invades a range of sites from wet to dry in Colorado and has the ability to reduce forage value and hay value Designated for Elimination by the Colorado Department of Agriculture.

CANADA THISTLE - *Cirsium arvense*: Canada thistle is a colony forming perennial, which reproduces from seed and extensive horizontal roots. It is the most widespread and economically important weed in Chaffee County. This aggressive weed is difficult to control and thrives in a variety of conditions. Designated for Suppression by the Colorado Department of Agriculture.

CHINESE CLEMATIS – *Clematis orientalis*: Chinese clematis is a perennial woody vine that has escaped cultivation and thrives on open rocky faces, wetland areas, and right of ways. It is identified by the small, yellow flowers with four petals. Not to be confused with native clematis species. Designated for Elimination by the Colorado Department of Agriculture.

COMMON TANSY – *Tanacetum vulgare*: Common tansy is an escaped perennial, upright flower with semi-woody stems. Leaves are highly divided and have a strong pungent odor when crushed. Individual flowers are small, yellow and button-like and grow in a flat-topped cluster at the apex of the stems. Designated for Elimination by the Colorado Department of Agriculture.

COMMON TEASEL – *Dipsacus spp.*: Common teasel is a biennial, sometimes short lived perennial plant, that develops as rosette with strikingly veined leaves, stiff prickles on the midrib, and appear to be wrinkled. This species produces unique, spiny flowers with extended bracts on flower stems up to 6 feet tall. This species is common along travel corridors and irrigation ditches Designated for Elimination by the Colorado Department of Agriculture.
Dalmation Toadflax - *Linaria dalmatica*: Dalmation Toadflax is a perennial plant reproducing by seed and underground rootstalks. It is a most aggressive plant and can be found along roadsides and in rangeland where it crowds out desirable forage. Its extensive and deep root system and waxy leaf make this an extremely difficult plant to manage. Designated for Elimination outside of established containment zones by the Colorado Department of Agriculture.

Dames Rocket – *Hersperis matronalis*: Dames rocket is an escaped ornamental biennial or short lived perennial flower. Flowers are white to purple with four clustered petals. It invades woodlands, ditches, roadsides, rangelands, pastures, and other moist, but well drained soils. Designated for Elimination by the Colorado Department of Agriculture.

Diffuse Knapweed - *Centaurea diffusa*: Diffuse Knapweed is a non-native, biennial to short lived perennial plant that reproduces by seed. It spreads rapidly by the mature plant breaking off at ground level and being blown with the wind, dispersing seed. It will quickly invade disturbed, dry sites. It is a highly competitive plant. Designated for Elimination by the Colorado Department of Agriculture.

Eurasian Watermilfoil – *Myriophyllum spicatum*: Eurasian Watermilfoil is an aggressive, aquatic species with the ability to reproduce from stem fragmentation, runners, and from seed. It has the ability to survive as either a free-floating or rooted plant. This species begins spring growth earlier than native aquatic plants, and forms dense mats of vegetation that negatively impact recreation, agriculture and water uses. Designated for Elimination by the Colorado Department of Agriculture.

Hoary Cress – *Cardaria draba* (L.) Desv. Hoary Cress is a perennial plant that reproduces by seed and creeping roots. It is one of the earliest perennials to emerge in the spring invading waste areas, cultivated fields and pastures. Designated for Elimination outside of established containment zones by the Colorado Department of Agriculture.

Houndstongue – *Cynoglossum officinale* L. Houndstongue is a biennial 1 to 4 feet tall. It forms a rosette the first year and produces seed the next. The seeds are covered with tiny spines and cling to clothes and animal fur, aiding in seed dispersal. Houndstongue is toxic to animals, causing their liver cells to stop reproducing and eventually causing death. Designated for Elimination by the Colorado Department of Agriculture.

Leafy Spurge - *Euphorbia esula*: Leafy Spurge is a deep-rooted perennial plant that spreads by seeds and creeping rootstalks. It has a vast underground root system, which makes it difficult to control with any one-management technique. It is found in a variety of soils and areas including irrigation ditches, range and pastures, roadsides and other non-crop areas. Designated for Elimination by the Colorado Department of Agriculture.
MUSK THISTLE – Carduus nutans: Musk thistle is a biennial flower that reproduces by seed. The first-year Musk thistle develops a low growing rosette, the second year the plant develops flowers, produce seed, and die. This species invades roadsides, open areas, pastures, gravel pits, and rangeland. Designated for Elimination by the Colorado Department of Agriculture.

OXEYE DAISY – Chrysanthemum leucanthemum. Oxeye daisy is a perennial plant that reproduces by seed and underground rhizomes. It is an escaped ornamental and invades right-of-ways, rangeland, mountain meadows and waterways. Designated for Elimination by the Colorado Department of Agriculture.

PERENNIAL PEPPERWEED – Lepidium latifolium: Perennial pepperweed is an extremely invasive perennial flower. It reproduces by seed, roots and shoots. This species alters ecosystems by absorbing salts from the soil and depositing on the surface, increasing saline concentration in the soil. Designated for Elimination by the Colorado Department of Agriculture.

PLUMELESS THISTLE – Carduus acanthoides: Plumeless thistle is a winter annual or biennial flower that reproduces by seed. Mature plants can be over five feet tall with bright pink to purple flowers on each stem. Preventing seed production is the key to successful management. Designated for Elimination by the Colorado Department of Agriculture.

RUSSIAN KNAWEED - Centaurea repens: Russian Knapweed is a non-native perennial plant that spreads by seeds and creeping rootstalks. It has the ability to release chemicals into the environment as foliage decays, which inhibits the growth of surrounding vegetation. Once established, Russian Knapweed can colonize an area rapidly. Russian Knapweed forms colonies in cultivated fields, orchards, pastures and roadsides. Designated for Elimination outside of established containment zones by the Colorado Department of Agriculture.

RUSSIAN OLIVE – Elaeagnus angustifolia: Russian olive is a perennial tree when mature and perennial bush when immature. It has light green leaves, with a silvery white undersurface. It reproduces by seed and roots, and develops 1-2 inch thorns. Designated for Elimination outside of established containment zones by the Colorado Department of Agriculture.

SALT CEDAR – Tamarix sp.: Salt Cedars are a group of non-native deciduous evergreen shrub or small tree 5 – 20 ft tall. Leaves are small, scale-like and blue green in color. Tiny pink to white flowers grow on slender racemes and are produced April-August. Tamarix reproduces from seeds and from root systems. Designated for Elimination by the Colorado Department of Agriculture.

SCENTLESS CHAMOMILE – Matricaria perforate. Scentless chamomile is an annual or short lived perennial plant. It reproduces only by seed and infests right-of-
ways, ditches and disturbed areas. Designated for Elimination outside of established containment zones by the Colorado Department of Agriculture.

SCOTCH THISTLE – Onopordum acahinum: Scotch thistle is an upright biennial flower that reproduces solely by seeds. Rosettes develop the first year and can be 1 -2 feet in diameter. During the second year, the plant matures, flowers, sets seed, and dies. Seed prevention is the key to successful control. Designated for Elimination by the Colorado Department of Agriculture.

SPOTTED KNAWEED – Centaurea maculosa: Spotted Knapweed is a non-native perennial plant that reproduces by seed. It is highly competitive in rangeland sites and will exclude most grasses and forbes in time. Spotted Knapweed quickly invades disturbed sites. Designated for Elimination by the Colorado Department of Agriculture.

YELLOW TOADFLAX – Linaria vulgaris: Yellow Toadflax is a perennial plant reproducing by seed and underground rooststalks. It can be found in a variety of soils and areas and is an aggressive invader displacing desirable vegetation. An extensive root system makes this an extremely difficult plant to manage. Designated for Elimination by the Colorado Department of Agriculture.

B. Current problem areas include but are not limited to roadsides, railroad right-of-ways, utility right-of-ways, riparian areas, municipal areas, private property, national forests, parks as well as other county, state and federal land.

III. Objectives and Goals

A. Weed Management Priorities

1) Education must play a major role in implementing any weed management plan. Most noxious weeds, when detected early, can be easily managed. The Chaffee County Weed Department will work with any individual or group requesting assistance in the education process or in the development and/or implementation of a noxious weed management plan.

B. Statement of Objectives

1) Develop and implement an integrated noxious weed management plan on County right-of-ways and other County owned or controlled land.

2) Develop and implement a weed management plan for any state or federal entity in the form of an intergovernmental agreement.

3) Develop and distribute educational and informational material through various means that will communicate the impact noxious weeds present and the need for management of these weeds.
4) Identify non-informed or negligent landowners that are not carrying out noxious weed management practices on their property and provide technical support for establishing noxious weed management programs or enforce the weed laws on landowners/properties if necessary.

C. Goals

1) Incorporate a spraying program into the management plan.

2) Conduct treatment of known noxious weed infestations along county roads and right-of-ways and any other property deemed to be under the county's control as far as noxious weed management.

3) Continue a computer-mapping program on noxious weeds on all county roads and right-of-ways and any other property deemed to be under the county's control as far as noxious weed management is concerned.

4) Continue development of biological control sites as appropriate and feasible for species designated for containment by the Colorado Department of Agriculture. Biological controls will not be utilized for species designated for eradication or elimination.

5) Establish contact with Local, State, and Federal agencies to assist in developing noxious weed management plans, and where appropriate enter into cooperative intergovernmental agreements to implement such plans.

6) Administer the applicable Colorado Weed Laws Noxious Weed Act, which are CRS 35-5.5-101 and 35-5.5-108 (3)

7) Cooperate with other weed departments, Local, State and federal agencies regarding weed department operations.

8) Coordinate with local government entities spraying operations, mowing operations, etc., to provide timely control methods.

IV. Plan of Work - Implementation

A. Operational Weed Management Methods

1) All spraying operations will be performed with the most advanced equipment reasonably available. Computer controlled chemical injection spray units will insure that the accuracy and environmental integrity of the weed departments operation will not be compromised. All applicators will be licensed by the State of Colorado, Department of Agriculture in all categories required applicable to the County's
operation. All safety and label instructions mandated by the manufacturer, State of Colorado or the EPA will be followed when using any pesticides at all times.

B. Integrated Weed Management Techniques

The weed species designated as undesirable and mandated for control are to be managed through integrated management methods. (C.R.S. § 35-5.5-107(4) CRS). Integrated management means the planning and implementation of a coordinated program utilizing a variety of methods for management of noxious weeds which include but are not limited to education, preventive measures, good stewardship, and techniques, such as the following descriptions:

1) Cultural Control means those methodologies or management practices conducted to favor the growth of desirable plants over noxious weeds. This includes but is not limited to maintaining an optimum fertility and plant moisture status in an area, planting at optimum density and spatial arrangement in an area, and planting species most suited to an area. Reseeding will be encouraged on disturbed soils or other appropriate areas with desirable vegetation, proper mowing procedures, proper turf maintenance, and proper range and pasture management techniques will be stressed to prevent infestations beginning and or spreading.

2) Mechanical Control means those methodologies or management practices that physically disrupt plant growth, including but not limited to tilling, mowing, burning, flooding, mulching, pulling and hoeing. Mechanical control methods will be used where practical to prevent seed head formation and dissemination.

3) Biological Control means the use of an organism to disrupt the growth of noxious weeds. Biological management methods such as insects, fungus, or livestock grazing programs will be utilized where practical. Biological test plots have been established and will continue to be a part of the county noxious weed management program.

4) Chemical management means the use of herbicides or plant growth regulators to disrupt the growth of noxious weeds.

C. Prioritizing Weed Management Areas

Weeds are spread rapidly through the dispersal of weed seeds in air and water. High seed dispersal areas are associated with road right-of-ways, railroad right-of-ways and along waterways including irrigation ditches. The Chaffee County Weed Department will determine priority when control measures are required on any areas deemed to be under its control whether it is on County property or right-of-ways or any other area where it may be responsible for noxious weed management. These areas may include but are not limited to State and Federal land, State right-of-ways, private land, municipal land or other neighboring county’s right-of-ways where Chaffee County has entered into an intergovernmental agreement or contract for noxious weed management.
D. Evaluation of Program

The goals and plan of work of this document will be reviewed and evaluated at the end of each year.

The Chaffee County Undesirable Plant Noxious Weed Management Plan shall be reviewed and amended, as needed, at least every three years. (C.R.S. §35-5.5-107(4)(a)).

ARTICLE II - ENFORCEMENT OF Undesirable Plant NOXIOUS WEED MANAGEMENT PLAN

I. Enforcement

I. A. Cooperation from all landowners (private, state or federal) will be encouraged through education and positive communication by mail, the media and personal contact. If noxious weed management is not carried out by a landowner, enforcement measures shall be instituted. All procedures as established by the Undesirable Plant Management LawColorado Noxious Weed Act, including C.R.S. § 35-5.5-109 CRS, and any and all federal, state and local regulations will be followed for enforcement on private or public property. Integrated weed management plans will be requested from certain landowners and subdivisions, as determined by the county weed department supervisor and the Undesirable Plant Management Noxious Weed Advisory Board. Work priorities must be established due to the size and scope of the County’s responsibilities and the number of landowners with existing noxious weed infestations. The following is a list of prioritizes where enforcement activities will be carried out in order of importance.

II. 1) Lands bordering waterways (rivers and irrigation ditches) and lands bordering forested areas.

A.  

B. 2) Complaint properties.

C. 3) Landowners identified as being negligent in the past.

D. 4) Landowners with five or more acres of noxious weeds.
Section 1—Authorized Agent for Enforcement: Pursuant to C.R.S. & Section 35-5.5-105(2), C.R.S., the Chaffee County Weed Department Supervisor, their employees and agents, are hereby authorized to enforce these above stated Undesirable Plant Noxious Weed Management Plan in the unincorporated areas of the County of Chaffee County, State of Colorado or any other area deemed to be under its responsibility through intergovernmental agreements (see C.R.S. § 35-5.5-106(3) CRS). Such enforcement shall be through utilization of those procedures set forth in C.R.S. & Section 35-5.5-109, C.R.S., and any and all applicable State and Federal statutes, rules, regulations and ordinances, including the remaining provisions of this Plan. If a landowner refuses to comply with the conditions set forth in C.R.S. § 35-5.5-109, C.R.S., in addition to the authority set forth in 35-5.5-109.5 (a), C.R.S. any other remedy, the Board of County Commissioners reserves the right to seek an injunction in district court seeking appropriate judicial remedy in the enforcement of all applicable weed laws.

III.

Section 2—Right of Entry: Prior to entering private lands for the purpose of inspecting or enforcing the Chaffee County Undesirable Noxious Weed Management Plan, the Chaffee County Weed Department Supervisor shall first provide written notice to obtain a “right of entry” from the Board of County Commissioners, no less than ten days after a notice to the property owner of the inspection or of the presence noxious weeds. If the property owner fails to comply with the notice after ten days, the County may seek from the appropriate county or district court an inspection warrant or order to comply, in addition to other remedies.

IV.

Section 3—Mailing of Assessments: All assessments for the cost of enforcement work performed by the Chaffee County Weed Department Supervisor or their designee(s) upon private lands, including up to 15% for inspection and other incidental costs in connection therewith, shall be mailed to the landowner or occupant by certified mail. Failure to receive said assessment shall not act as a defense to said assessment.

V.

Section 4—Failure to Pay Assessment: Any assessment which is not paid within thirty-three days after the date of mailing by certified mail to the landowner or occupant of private lands upon which the Chaffee County Weed Department Supervisor or their designee(s) have performed enforcement work, shall constitute a lien against each lot or tract of land until paid and may be certified by resolution of the Board of County Commissioners to the Chaffee County Treasurer's Office to be collected in the same manner as provided for collection of taxes upon private lands in accordance with C.R.S. & Section 35-5.5-109(5)-(a), C.R.S.

ARTICLE III - SEVERABILITY
Section 1. If any section, subsection, paragraph, sentence, clause or phrase of this Plan is, for any reason, held or decided to be invalid or unconstitutional, such decision shall not effect the validity of the remaining portions.

II. Section 2. The Board of County Commissioners of Chaffee County, Colorado, hereby declares that it would have adopted this Plan and in each and every section, subsection, paragraph, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.

ARTICLE IV - LIABILITY

This Plan shall not be intended to create a civil cause of action against the Board of County Commissioners of Chaffee County or Lake County, Colorado, or any other person that may administer this resolution in any manner.

Board of County Commissioners
Chaffee County, Colorado

By: _____________________________  (Name)

______________________________  (Signature)

______________________________  (Title)

Dave Potts, Chairman
AMENDING AND RESTATE RESOLUTION  
ESTABLISHING THE CHAFFEE COUNTY MARIJUANA EXCISE TAX  
ADVISORY BOARD

FINDINGS AND CONCLUSIONS:

A. Pursuant to C.R.S. § 29-2-114, each county in the state is authorized to levy, collect, and enforce a county excise tax on the first sale or transfer of unprocessed retail marijuana by a retail marijuana cultivation facility.

B. On November 8, 2016, Chaffee County voters approved such an excise tax, specifying that the revenues are to be used for “human services, public health (including mental health), workforce housing, and expenses related to the regulation of marijuana and other drugs and enforcement of related laws, as determined by the Board of County Commissioners. . . .”

C. The Chaffee County Board of Commissioners (the “BoCC”) desires that the Chaffee County marijuana excise tax be distributed fairly and with input from the community.

D. It is in the best interest of the public, and its health, safety and welfare to establish and appoint an advisory board to establish policy, procedure and recommend the distribution of revenues from the Chaffee County marijuana excise tax.

E. On July 25, 2017, the BoCC adopted Resolution 2017-46 establishing the Chaffee County Marijuana Excise Tax Advisory Board. This Resolution is intended to clarify Resolution 2017-46 so that any nonprofit organization is eligible to receive Chaffee County Marijuana Excise Tax Revenues, provided such revenues are used for human services (including without limitation those that serve the youth of Chaffee County), public health (including mental health), workforce housing, and expenses related to the regulation of marijuana and other drugs and enforcement of related laws.

RESOLUTION:

The BoCC resolves that Resolution 2017-46 is amended and restated to read as follows:

1. **Creation of the Chaffee County Marijuana Excise Tax Advisory Board.** A Chaffee County Marijuana Excise Tax Advisory Board is hereby created (the "Advisory Board"). The BoCC shall appoint an Advisory Board from the community at large to establish policy, procedure, reports and distribution recommendations regarding the Chaffee County marijuana excise tax.

2. **Membership.** The Advisory Board shall consist of no fewer than five and no more than seven members. One member shall be a Chaffee County Commissioner, one member shall be the Chaffee County Executive Director of Human Services, and one member shall be a
representative from a marijuana cultivation facility subject to the Chaffee County excise tax. The remaining members may be selected from a County law enforcement agency, and community members having knowledge of existing youth organizations or county programs. The community members shall be selected and approved by the BoCC, based on appropriate geographic representation of the County. All such members shall be full time residents of Chaffee County. To the extent possible, community members should not be affiliated with an organization applying for funding with the County. The County Finance Officer shall serve as an advisor to the Board.

3. **Appointment and Terms of Office.** Except for the members representing from Chaffee County government, members of the Advisory Board shall serve a three-year term from the date of the appointment. In order to stagger the initial terms of membership, the initial appointed members may have two-year or one-year terms. Terms shall expire on January 31st of each year. Members shall continue to serve until their successors have been appointed. Members may be appointed to successive terms without limitation. Appointments to fill vacancies on the Advisory Board shall be made and approved by the BoCC. All members of the Advisory Board shall serve without compensation. Members shall serve at the pleasure of the BoCC, and the BoCC may remove any member from the Advisory Board if the BoCC determines, in its sole discretion that a member is not adequately performing his or her duties or has engaged in misconduct.

4. **Quorum and Voting.** A quorum for the Advisory Board shall consist of a simple majority of the members of the Advisory Board excluding vacant seats. A quorum is necessary for the Advisory Board to hold a meeting or to take official action. A roll call vote shall be taken upon the request of any member.

5. **Officers.** The Advisory Board shall, by majority vote, elect one of its members to serve as chairperson to preside over the Advisory Board’s meetings, one member to serve as vice-chairperson and one member to serve as secretary. The members so designated shall serve in these capacities for terms of one year, and may serve successive terms.

6. **Meetings.** The Advisory Board shall hold at least one regularly scheduled meeting per calendar quarter. Minutes shall be kept of all meetings. The Advisory Board shall comply with all requirements of the Open Public Meetings Act (C.R.S. 24-6-4-1 et seq.).

7. **Duties and Responsibilities.** The Advisory Board shall:
   a. Develop policies and procedures for application and distribution of the Chaffee County Excise Tax using the following parameters:
      i. Applications must be submitted in time to allow for a February 1st approval by the BoCC.
      ii. Revenues should be used for “human services, public health (including mental health), workforce housing, and expenses related to the regulation of marijuana and other drugs and enforcement of related laws.
      iii. Revenues should be distributed fairly and with input from the community.
iv. Eligible applicants should include non-profit organizations, programs under the supervision of Human Services and Public Health, agencies enforcing regulations (including law enforcement), and projects related to work-force and family housing.

v. It is recommended that Applicants have a record of success and sustainability other than continued funding from the excise tax revenues and must be valued by the community in serving the community in the above-mentioned programs.

b. By September 15, 2017, develop the following:
   i. An Excise Tax Fund application and template grant agreement;
   ii. Funding guidelines for the use of the funds;
   iii. Deadlines for application submittal;
   iv. Distribution details for funds to be allocated;
   v. Format for an annual report for presentation to the BoCC in the fall of each subsequent calendar year; and
   vi. Viable outcomes to programs or causes that are funded and how those will be measured.

c. Provide a financial report to the BoCC no later than October 1 of each year.

d. Provide recommendations for distribution to the BoCC no later than January 1 of each year.

8. **Available Funds.**
   a. The Advisory Board shall consider and recommend a reserve amount and criteria for triggering the reserve account.

b. The excise tax collected for 2017 and available for 2018 is limited by TABOR to $100,000. For future tax years, the amount available for distribution shall be based on collections through September 30. Thus, the amount available for distribution in 2019 shall be the amounts collected from January 1, 2018 through September 30, 2018. Amounts available for all future years shall be based on collections from the prior October 1 through September 30.

9. **Rules and Procedures for Advisory Board.** The Advisory Board may establish additional rules of operation that are consistent with its duties enumerated herein, consistent with the guidelines for advisory boards as adopted by the BoCC.

10. **Repealer and Effective Date.** This resolution repeals and replaces Resolution 2017-46 in its entirety and shall be in full force and effect immediately as of July 25, 2017.
ADOPTED AND APPROVED by the Chaffee County Board of County Commissioners on October 3, 2017.

BOARD OF COUNTY COMMISSIONERS

[Acting] Chairman

The vote on the above Resolution was as follows:

Commissioner Dave Potts

Commissioner Keith Baker

Commissioner Greg Felt

STATE OF COLORADO, CHAFFEE COUNTY

ATTEST:

The above is a true and correct record of Resolution 2017-__ duly adopted by the Chaffee County Board of County Commissioners by a 3-0 vote at a regular meeting, properly noticed and held on October 3, 2017.

Chaffee County Clerk
October is Conflict Resolution Month in Chaffee County

WHEREAS, conflict resolution encompasses mediation, arbitration, facilitation, collaborative decision-making, restorative processes, and other responses to differences; and

WHEREAS, the conflict resolution process empowers individuals, families, communities, organizations, and businesses to foster civil communication and design solutions that are acceptable to the needs and interests of all parties involved; and

WHEREAS, conflict resolution is taught and practiced by citizens in many school systems, universities, businesses, governments, places of faith, and nonprofit organizations throughout Colorado and the world as a way of peacefully solving disputes and sustaining positive relationships when applicable; and

WHEREAS, community-based programs fairly and equitably resolve neighborhood and community conflicts, thereby strengthening local relationships; and

WHEREAS, professional associations of conflict mediators and facilitators promote constructive and creative resolutions to disputes;

WHEREAS, Chaffee County's collaboration with and support of Full Circle Restorative Justice establishes the precedent of serving Victims and Youth involved in the criminal justice system with a positive approach to repairing harm and relationships within the community;

WHEREAS, in an ongoing commitment to collaborative methods of resolving conflict, now and in the future, in Chaffee County, this Proclamation is issued to recognize October as Conflict Resolution Month in 2017 and in perpetuity.

________________________________________
Signature

________________________________________
Signature

________________________________________
Signature

________________________________________
Date

Title

Title

Title