Commissioners Meeting
May 17, 2011

The regular meeting of the Board of County Commissioners was held on Tuesday, May 17, 2011 at the Buena Vista School District Administration Office, 113 North Court Street, Buena Vista. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Dave Potts. Others present were Director of Finance Dan Short, Director of General Administration Robert Christiansen, County Attorney Jenny Davis, County Development Services Director Don Reimer and Deputy County Clerk Merrilou Cicerelli.

Regular Board of Commissioners Meeting
Following the Pledge of Allegiance, Chairman Holman called the meeting to order at 9:30 a.m.

Chairman Holman asked Deputy Clerk Cicerelli for verification regarding the distribution of the Board of Commissioners’ Agendas. Deputy Clerk Cicerelli stated that the agendas were properly distributed.

Items for Review
Public Notices
Agenda’s for upcoming meetings

Public Comment
There was none.

Agenda Item A
Report from the County Sheriff.

Chaffee County Sheriff Pete Palmer presented his monthly report for May 2011.

Agenda Item B
Consider a request for a Plat Amendment for Sunrise Ridge Subdivision, Lot 6 from Duzan Properties LLC (Randolph Duzan). The property is located at 20708 Sunrise Circle, Nathrop, in the N ½ Section 25, Township 15 South, Range 79 West, 6th P.M., in a Recreational Zone.

Commissioner Giese recused himself from this item because of a possible conflict of interest.

County Development Services Director Reimer presented an overview of the request.

Commissioner Potts made a motion approve to approve the request for a Plat Amendment for Sunrise Ridge Subdivision Lot 6. Chairman Holman seconded the motion. On the question, the motion carried 2 - 0.
Commissioner Giese reentered the meeting.

**Agenda Item C**
Release lot sales restriction for the Cook/Jones Minor Subdivision.

County Development Services Director Reimer presented an overview of the request.

Commissioner Potts made a motion approve to release the lot sales restrictions for the Cook/Jones Minor Subdivision. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item D**
Review request to open certain roads to Off Highway Vehicles (OHVs) and consider holding hearing to open specific roads to OHVs.

The Board held discussion concerning this item.

The Board directed staff to set this item on the June 13, 2011 work session for further review. Upon direction at that meeting, a committee will be set up to work to find a fair balance of what roads would be open to OHVs.

**Agenda Item G**
Set a public hearing for a new Hotel and Restaurant Liquor License for Palomino Bar and Grill, 14770 U.S. Highway 285, Salida.

County Attorney Davis presented a quick overview of the process for approving a new liquor licenses.

Commissioner Giese made a motion to set the public hearing for a new Hotel and Restaurant Liquor License for Palomino Bar and Grill to the Board of Commissioner Meeting of June 7, 2011 at 10:00 a.m. Chairman Holman seconded the motion. On the question, the motion carried 3 - 0.

**Agenda Item H**
Consider request from the Fallen Bikers Rally to be allowed to receive monies from beer sales at the Chaffee County Fairgrounds.

The Board received a written request from Elaine Allemand, representing the Fallen Bikers Memorial Rally, requesting that the Bikers be allowed to receive the monies from the beer sales to pay bills and to help keep the rally going for years to come.

Jim Mick, Chaffee County Fairgrounds Manager, presented his view on the request.
Discussion was held by the Board.

Commissioner Giese made a motion to allow the request of the Fallen Bikers Rally for the monies collected from beer sales of the kegs that are being donated and not charge the Rally for serving that beer and that the Fallen Bikers Rally will be charged for the rent of the Chaffee County Fairground in the amount of $2,825. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item E
10:07 a.m. Public Hearing - The purpose of this hearing was to consider certain amendments to the Chaffee County Building Code. In particular, the Board will consider adopting language regarding requirements for automatic sprinkler systems and adopting the most current edition of the National Electric Code (as mandated by CRS 12-23-104).

County Building Inspector Bill Paradise presented an overview of the history of the National Electric Code that required automatic sprinkler systems in residential single family homes.

Chairman Holman opened the public hearing at 10:25 a.m.

Jim Miller, Salida, asked the Board not to take any action at this time and to delay action until a later date.

Phillip Rodriquez, no address given, asked to delay action

George Hargrave, 429 East Sackett Avenue, Salida, asked to delay action

Chuck Cole, Buena Vista, commented on the cost to comply with the recommended codes.

Ron Mazzeo, 132 F Street, Salida, commented in favor of the code changes.

Brian Welsh, unincorporated Chaffee County, Chaffee County Fire District, spoke on the type of buildings that would be affected by these code changes.

Commissioner Giese made a motion approve Resolution 2011-38, adopting amendments to the Chaffee County Building Codes regarding fencing and heating exceptions contained in exhibit B. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Commissioner Giese made a motion to continue the public hearing concerning the fire codes and the electrical element of the building codes to the work session on June 13, 2011. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.
Agenda Item F
11:20 a.m. - Discussion regarding property access on County Road 294 above St. Elmo.

County Attorney Davis presented an overview of the current access on County Road 294.

Lee Kerrison, 25855 County Road 162, St. Elmo, gave an in-depth history of the road and how important it was for the County to claim these roads.

Melody Ross, Hancock, asked that the gate on the road not be pulled.

Jill Cooke, Franktown, Colorado, asked that this be postponed until a time when all of the property owners on County Road 294 could review all of the paperwork. She read from a Board of Commissioner Meeting, September 9, 1975.

County Attorney Davis asked the Board to clarify that County Road 294 was a county road.

Discussion was held by the Board.

Chuck Cole, a representative of Mr. Salassa, commented on the access on the road.

Discussion was held. It was stated that there had been a sign at the gate that read County Road 294 maintenance ends here.

The Board asked that the property owners behind that gate to acknowledge that the road was a county road, to take off the private property sign and replace with a sign that read “County Road 294 maintenance ends here” and to leave the gate unlocked.

Ms. Cooke asked if this could be continued until the rest of the property owners had time review this and come back with their comments.

Chairman Holman closed the public hearing at 1:10 p.m.

This item will be continued to the June 14, 2011 Commissioners Meeting for consideration.

Consent Agenda
- Accept resignation of Chaffee County Veterans Services Officer John Baker.
- Pay bills.
Commissioner Giese made a motion approve the Consent Agenda. Commissioner Potts seconded the motion. On the question, the motion carried 3-0.

Roundtable
- South Arkansas Reservoir
- Inter-Government quarterly meeting
- Economic Development update
- Sales tax issue
  - Pros and cons
- Dispatch call per quarter break down
- Water claims that will fill Twin Lakes by Bureau of Land Management (BLM)
- Rafting might be restricted
- Work Session on tax questions on Friday May 20, 2011 at 8:30 a.m.
- Temporarily closing road; did the Board want Road and Bridge to have the authority?
- Only for construction and or emergency
- Board directed staff to develop a Resolution
- Ownership of County property
- Letter to the editor by County Development Services Director Reimer

County Attorney Davis stated C.R.S. 24-6-402(4) (b) for the purpose of receiving information about a potential claim against the County and risk management issues and C.R.S. 24-6-402(4) (a) to discuss potential sale of county property.

Commissioner Giese made a motion that we go into executive session under the statute C.R.S. 24-6-402(4) (b) and C.R.S. 24-6-402(4) (a). Commissioner Potts seconded the motion. On the question the motion carried 3-0.

The Board went into executive session at 1:22 p.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held May 17, 2011, during which the recorder was directed to take no minutes but an media recording was made, constituted a privileged attorney-client communication under C.R.S. 24-6-402(4)(a).

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Jennifer A. Davis, Chaffee County Attorney

I, Frank Holman, Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the portion of the executive session held on May 17, 2011, during which no minutes were taken, but an media recording was made was confined to a topic authorized for discussion in an executive session under C.R.S. 24-6-402(4)(a).

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Frank Holman, Chairman
I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held May 17, 2011, during which the recorder was directed to take no minutes constituted a privileged attorney-client communication under C.R.S. 24-6-402(4)(b).

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Jennifer A. Davis, Chaffee County Attorney

I, Frank Holman, Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the portion of the executive session held on May 17, 2011, during which no minutes were taken was confined to a topic authorized for discussion in an executive session under C.R.S. 24-6-402(4)(b).

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Frank Holman, Chairman

Chairman Holman reconvened the meeting at 2:15 p.m. He stated that no decisions had been made during the executive session.

Being no further business before the Board, Commissioner Giese made a motion to close the May 17, 2011 Board of Commissioner regular meeting. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0. The meeting was adjourned at 2:15 p.m.

Attest:

Joyce M. Reno
Chaffee County Clerk