

Commissioners Meeting
March 6, 2012

The regular meeting of the Board of Commissioners was held on Tuesday, March 6, 2012 in the Commissioners Meeting Room at the Courthouse. Board members present were Chairman Frank Holman, Commissioner Dennis Giese and Commissioner Dave Potts.



Others present were Director of General Administration Robert Christiansen, Director of Finance Dan Short, County Development Services Director Don Reimer, County Attorney Jenny Davis and Deputy County Clerk Merrilou Cicerelli.

Following the Pledge of Allegiance, Chairman Holman opened the meeting at 9:05 a.m.

Verification of Distribution of the Board of Commissioners Agenda's

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
-  Review public meeting list

Minutes for review

Minutes of the February 27 Special Meeting and February 21, 2012 Commissioners Meeting.

Commissioner Potts made a correction to the February 27th Special Meeting regarding the nitrate testing report to be made at the March 6, 2012 Commissioners Meeting.

Commissioner Potts made a motion to approve the corrected minutes of the Special Meeting of February 27, 2012 and the regular Board of Commissioners Meeting of February 21, 2012. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Public Comment

Jean Foster, 747 West 16th Street, Salida, presented the Board a letter she was sending to the Mountain Mail. She voiced her frustration on the Milk Trail Run plans that would be infringing on their ditch rights.

The Board held discussion on possible solutions.

Commissioner Giese asked Ms Foster to come back at the end of the meeting around 1 p.m. to discuss the matter further.

Carlos Boyd, 29320 County Road 361, Lot 16, Buena Vista, addressed the Board on his concerns about the possibility of having to move from his trailer.

Chairman Holman asked Mr. Boyd to hold his comments until the public hearing that was scheduled later in the meeting.

There were no further public comments.

Reconvene as Board of Health

Commissioner Potts made a motion to recess the regular meeting of the Board of Commissioner March 6, 2012 meeting and open the Board of Health for continuation of a hearing to consider the status of the Sleeping Indian Mobile Home Park, 29320 County Road 3601 and 29240 County Road 361.

Board of Health Committee Members present was Chairman Frank Holman, Commissioner Dave Potts and Commissioner Dennis Giese.

Others present were Director of Finance Dan Short, Director of General Administration Robert Christiansen, County Attorney Jenny Davis, Chaffee County Environmental Health Manager Victor Crocco, County Development Services Director Don Reimer and Deputy County Clerk Merrilou Cicerelli.

County Development Services Director Reimer presented an update on the tests on the septic fields.

William Smith, 134 F Street, Salida, Attorney for owner of the Sleeping Indian Mobile Home Park, presented an overview of what had been done at the park since the last meeting. The tanks were being pumped daily and the owner had asked the affected families in the park to voluntarily move out of the park. The owner was working as fast as possible to get this under control.

Phil Maes, Chaffee County Department of Health and Human Services Director, gave an update on the levels of nitrates in the drinking water. There were some concerns for children and pregnant women as they should be drinking and cooking with bottled water.

Chairman Holman opened the public input session of the hearing at 9:40 a.m.

Wanda Wilson, 29291 County Road 361, Buena Vista, stated concerns on the water that they used to water their stock.

Carlos Boyd, 29320 County Road 361, Buena Vista, stated concerns that he could not move his mobile home because of the age of it. It was a 1973 model. He asked if he had to move from his location, would he be liable for the rent on his space when the park reopened.

John Hoffman, 29315 County Road 359, Buena Vista, voiced concerns on the nitrate levels in his well as they had been tested at 24.

Kirk Lukrafka, 29325 County Road 359, Buena Vista, voiced concerns about his well. He asked what was going to happen with the spring run off.

Joyce Lukrafka, 29325 County Road 359, Buena Vista, voiced her concerns. She wanted her other well on their property tested by the state.

Amanda Maybe, 29329 County Road 359, Space 18A, Buena Vista, stated she had done research on the internet and had found information on Blue Syndrome.

Bart Cane, 29380 County Road 359, Buena Vista, voiced concerns that field number one had been rebuilt only ten years ago and had already failed.

Commissioner Giese asked Mr. Smith what options might be used for the short term.

Mr. Smith stated that the cost was the biggest factor being faced at this time. The pumping would continue on a daily basis, but they might have to close that part of the park.

Discussion was held on the options and concerns.

Mr. Smith stated that field number three had an effluent filter placed on it and was scheduled to be pumped at 3 month intervals.

Bret Icenogle, Colorado State Water Engineering Unit Manager, 4300 Cherry Creek Drive, Denver, presented information concerning the testing process.

Jim Thompson, 17065 County Road 338, Buena Vista, provided historical information of what the Board of Commissioner in the 1990s had done.

Joan Turner, 29320 County Road 359, Buena Vista, voiced concerns about her grandchildren and her property value.

Joyce Dennis, 29875 County Road 351, Buena Vista, stated that field three was on a maintenance schedule of pumping every three months and had been fitted with an effluent filter.

Mr. Cain voiced concerns about the Buena Vista's Guard Trail Water Collection System that was located just six tenths of a mile down stream.

Chairman Holman closed the public hearing at 10:39 a.m.

The Board held discussion on the issue.

Commissioner Potts made a motion to have tanks from fields number one and two capped and relief holes be dug at appropriate site and they be pumped appropriately until the Chaffee County Environmental Health Official deems that it had been done sufficiently and the owners have test wells one field number three check twice a month because of the potential challenge to down stream neighbors. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

The Board directed Director of General Administration Christiansen to look into any financial help from other government entities that might provide help for the owners of the park and those that might be displaced. They asked that the test results from Raimee be forwarded to County Environmental Specialist Crocco when available for review.




Environmental Specialist Crocco wanted to stress that the real danger here was the pathogenic bacteria from the raw sewage that could be spread by flies or other animals that walk or have contact with the raw sewage. He felt that at this time this was not an issue.

This hearing was continued until the March 19, 2012 Board of Commissioners meeting at 9:15 a.m. during the Board of Health regular monthly meeting.

Chairman Holman closed the Board of Health at 10:55 a.m.

Agenda Item A

Grant/Contract Review

-  Public Health – Julie Drake Contract
-  Public Health – Office of Planning and Partnerships
-  Department of Health and Human Services – Colorado Health Foundation
“My Kids R Covered”

County Public Health and Human Services Director Maes provided information on the three contract and grants.

Commissioner Potts made a motion to approve the Julie Drake contract, The Office of Planning and Partnerships Grant and the Department of Health and Human Services - Colorado Health Foundation “My Kids R Covered” grant. Commissioner Giese seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item E

Open and consider awarding proposal for road surface material.

The Board opened the following bids:

- SSG Holdings Rock Gulch Pit, County Road 107, Salida
\$ 9.80 per ton stored at producers sight
\$15.90 per ton hauled to Poncha Springs
- Pelino Excavating, Buena Vista
\$2.25 per ton in Buena Vista
\$6.55 hauled to Poncha Springs
\$3.25 hauling charge per ton
Base price for the gravel \$12.80
- ACA, Buena Vista - bentrite blended
\$12.10 at site per ton
\$14.00 at Buena Vista per ton
\$18.05 at Poncha Springs per ton
- ACA, Buena Vista - modified base
\$8.50 at site per ton
\$15.43 at Buena Vista per ton
\$21.25 at Poncha Springs
Cost goes up if stored at site to \$12.50 per ton
- Hard Rock, Salida
Note: not to spec
\$8.50 per ton on site
\$10.00 per ton at job site

Commissioner Giese made a motion to recognize the bids received and have Road Supervisor Nelson compare bids with current contractor and report back at the next meeting. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item F

Consider request from the Arkansas River Trust for waiver of fees for the Salida Pole Paddle Pedal Race to be held April 22, 2012.

Robin NeJame, 834 G Street, Salida, Event Coordinator, Arkansas River Trust, presented an overview of the race. She asked the County to waive the event fees.

Commissioner Potts made a motion to approve the request for a waiver of fees for the Salida Pole Paddle Pedal Race to be held April 22, 2012. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item D

Open and consider awarding bid for engineered plans for Catch Basin at the intersection of County Roads 107 and 108.

The Board opened the following bids:

- R and H Association, Buena Vista - \$9,750
- Marcin Engineering, Avon - \$7,900
- SGM, Schmiesine Gorden Meyer - \$26,290

Commissioner Giese made a motion to recognize the bids received and have Road Supervisor Nelson compare the bids with current contractor and report back at next the meeting. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Agenda Item B

Consider approval of the refinancing of the Certificates of Participation for the Detention Facility and a resolution authorizing and approving documents in connection with the lease/purchase refinancing, including the 2012 Site Lease, 2012 Lease, Escrow Agreement, Certificate Purchase Agreement, Continuing Disclosure Undertaking, and the Preliminary Official Statement.

County Finance Director Short presented an overview of the current plans.

County Attorney Davis summarized the agreement.

Commissioner Giese made a motion to approve the underwriting agreement with George K. Baum and Company. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Commissioner Giese made a motion to approve Resolution 2012-19, a resolution authorizing and approving documents in connection with a lease purchase refinancing for the county jail facility to effect a net savings to the county. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item C

Open and consider awarding bid for Spring Clean-Up for Chaffee County Administration and Judicial and Detention Center Grounds.

The Board opened the following bid:

- DLC Services - \$3,400.

Discussion was held on the item.

Commissioner Giese made a motion to recognize the bid. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item G

Discuss and establish dates and criteria related to RICD administration and appoint/reappoint a Chaffee County Representative to Flow Committee.

County Attorney Davis presented an update on the item. She stated that this was usually done by the end of this month.

Commissioner Giese will research this item and report on it in a future meeting.

Agenda Item H

Proposed Hanger Lease change in square footage rate.

County General Administrator Christiansen presented an overview of the lease change rates. The lease rate would be seventeen cents per square foot beginning April 30, 2013 and every year thereafter for the lease term.

Commissioner Giese made a motion to approve the Proposed Hanger Lease rates as presented. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Agenda Item I

Consider a renew application for a Bed and Breakfast Permit for Mountain Goat Lodge, 9582 Highway 285, Salida.




Commissioner Giese made a motion to renew an application for a Bed and Breakfast Permit for Mountain Goat Lodge. Commissioner Potts seconded the motion. On the question, the motion carried 3 - 0.

Consent Agenda:

-  Pay bills.
-  Veterans Services Officers Report for the month of February 2012.

Commissioner Giese made a motion to approve the Consent Agenda as presented. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0.

Updates:

-  Recycling
-  Cleora
-  Cottonwood Trail – USFS

Administrator Christiansen provided up dates on these items.

Agenda Item J

Executive session to obtain legal advice pursuant to CRS 24-6-402(4) (b) regarding proposed personnel programs.

County Attorney Davis stated C.R.S. 24-6-402(4) (b) for the purpose of regarding proposed personnel programs.

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

The Board went into executive session at 12:13 p.m.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the portion of the executive session held March 6, 2012, during which the recorder was directed to take no minutes constituted a privileged attorney-client communication.

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 March 6, 2012, during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

Frank Holman, Chairman

Commissioner Potts made a motion to reconvene the meeting at 12:59 p.m. Commissioner Giese seconded the motion. On the question, the motion carried 3 - 0.

Chairman Holman stated that no decisions were made during the executive session.

Discussion was held on the proposed personnel programs.

The Board directed staff to continue working on the voluntary separation incentive, the voluntary FTE (Full-Time Employee) incentive program and a working model be presented to the Elected Officials meeting on March 19, 2012.

Chaffee County Clerk Joyce Reno was present to ask the Board of Commissioners to write a letter of support for Senate Bill 155 for a uniform way to handle a request for voted ballots and structure of such handling such a request to State Representative Tom Massey and State Senator Gail Schwartz.

Discussion was held on the request.

The Board directed staff to compose a letter for their signatures addressing the Board's desire on this matter.

Ms. Foster continued her discussion with the Board with her concerns on the Milk Run Trail.

Chairman Holman would contact Salida Mayor Don Stephens as to whether they could come to an agreement, which would help the ditch owners.

Roundtable Discussion

- ✚ Next meeting Wednesday March 14, 2012 at 9 a.m.
- ✚ March Work Session Monday March 19, 2012

Being no further business before the Board, Commissioner Giese made a motion to close the March 6, 2012 Board of Commissioners Meeting. Commissioner Potts seconded the motion. On the question, the motion carried 3 – 0. The meeting was adjourned at 2:22 p.m.

Attest:

Joyce M. Reno
Chaffee County Clerk