

**Commissioner's Meeting
March 7, 2017**

The meeting was called to order by Chairman Ray Garcia followed by the Pledge of Allegiance.

Commissioners Gerald Cisneros, Ray Garcia and Max Vezzani were present.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve the minutes of February 28, 2017. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to adopt RESOLUTION #17-32, A RESOLUTION RECOGNIZING LARRY PATRICK AND PROCLAIMING MARCH 12, 2017, AS LARRY PATRICK DAY IN HUERFANO COUNTY, COLORADO, for his service and accomplishments in the United States Army. Motion passed by unanimous vote.

10:05 A.M.-PUBLIC COMMENT

Travis Nelson, President of the Colorado Cannabis Growers Association read a prepared statement to the Board regarding Cuerno Verde Limited, commercial cannabis business.

10:11 A.M.-David Rinehart, Editor with The Signature Newspaper, spoke to the Board regarding an ad in the annual Signature Summer Guide.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to hire Nathaniel Whittington as Emergency Management Director effective April 1, 2017, at an annual salary of \$40,000.00. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to hire Krissie Aldretti as Secretary at the Sheriff's Department, effective April 1, 2017, at a salary of \$29,000.00. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve an annual salary of \$27,300.00 on behalf of Nikki Marion as Administrative Assistant with Planning & Zoning, effective March 1, 2017. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to impose a STAGE 1 Fire Restriction for Huerfano County until the weather conditions improve. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed action items.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to pay February 2017 Schedule of Bills. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve a one half (1/2) page color ad for \$800.00 on behalf of the The Signature Summer Guide. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed action items.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve Permit and Agreement for Bulk Water Use from Gardner Public Improvement District, on behalf of Keila K. Munoz at \$.03 per gallon up to 26,000 gallons and anything over 26,000 gallons will be \$.06 per gallon. Motion passed by unanimous vote.

10:19 A.M.- Jess Griess, Attorney for Sonic Bloom Festival, LLC, Temporary Use Permit #17-003, to be held at the Hummingbird Ranch, LLC, on June 15-18, 2017.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve Temporary Use Permit #17-003, on behalf of Sonic Bloom Festival, LLC, (see attached Exhibit "A"-Sonic Bloom Festival 2016 Conditions of Approval & Exhibit "B"-Staff Review TUP#17-003) allowing an increase of attendance to a maximum of 6,500 participants with the conditions that were laid out by Staff. Camping set up will be allowed on Wednesday night with no music; extend the hours on the Friday night concert, based on Staff recommendations. Commissioner Vezzani also asked Sonic Bloom Festival personnel to meet sometime this year with County Administrator John Galusha and Planner/Code Enforcement Officer Steve Channel to discuss the vendor sales tax collected. Commissioner Cisneros seconded the motion. Motion passed by unanimous vote.

10:39 A.M.- J.R. Burrell with Wahatoya Farms LLC, spoke to the Board regarding current marijuana moratorium and his concerns in regards to selling his existing marijuana grow operation with the moratorium that is in place.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to allow Greg, Inc., World Apothic LLC, Pharm Aide Pharms, LLC, Zapotk Corporation, LTD and Willowbrook Farms, LLC, to move forward with normal processing under old regulations, and go through County process with conditions and to make them an exception to the marijuana moratorium that was passed two weeks ago. Motion passed by unanimous vote.

11:04 A.M. - Zachary Wills with Cuerno Verde Ltd/Cush County Recreational Properties spoke to the Board with his concerns over the marijuana moratorium and moving forward with his MED since he has already started the process.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to encourage Cuerno Verde Ltd to move forward with the MED

process and that the Board would consider accepting a Conditional Use Permit application during the moratorium. Motion passed by unanimous vote.

11:20 A.M. Rochelle Venckus with JO JO'S Echo Ranch and Matt Rhodes spoke to the Board regarding her indoor cultivation plan and the marijuana moratorium that is now in place.

County Administrator John Galusha and the Board reviewed action items.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the letter presented by County Administrator John Galusha concerning the Connect Initiative. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to waive rental fees for Melinda Riggle for the Grief Support Group to meet every Tuesday at the Huerfano County Community Center, starting March 17, 2017 for nine (9) weeks. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to sign Letter of Support on behalf the Museum of Friends to History Colorado for assistance with the old JC Penny Building. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve Renewal of Liquor License for the Timbers Restaurant, LLC. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to enter into a Work Authorization Agreement on behalf of McCool Development Solutions for the purpose of refining marijuana regulations and helping process any applications that are going to be on the table. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve a cell phone stipend on behalf of County Administrator John Galusha up to \$80.00 per month starting January 2017. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed correspondence.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to adopt a policy regarding RETAC funds from CDPHE, twenty per cent (20%) to La Veta Fire Protection District and eighty per cent (80%) to Huerfano County Ambulance. Motion died from a lack of a second.

A motion was made by Commissioner Cisneros and seconded by Commissioner Garcia to adopt a policy that fifteen per cent (15%) of RETAC funds go to La Veta Fire Protection District and eighty five (85%) of RETAC funds go to Huerfano County Ambulance. Motion passed with Commissioner Vezzani voting nay.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the Renewal of Appointment on behalf of Joe Edes to the Huerfano County Federal Mineral Lease District Board for three (3) years ending March 1, 2020. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to adjourn meeting. Motion passed by unanimous vote.

Meeting adjourned at 11:58 A.M.



Nancy C. Cruz
Nancy C. Cruz, County Clerk & Recorder
Clerk to the Board of County Commissioners

Commissioners:

Edward R. Garcia
Edward R. Garcia, Chairman

Gerald A. Cisneros
Gerald A. Cisneros

Max Vezzani
Max Vezzani

EXHIBIT "A"**Sonic Bloom Festival
2016 Conditions of Approval**

- A maximum of 5,500 tickets will be allowed; Sonic Bloom is to provide evidence that the approved number of
1. participants is not exceeded.
 2. An Interstate 25 traffic plan approved by the Colorado State Patrol or the Department of Transportation.
 3. Enter into an agreement with Sheriff Newman for routine and added law enforcement resources. NOTE: This is intended for offsite law enforcement, primarily transport and search and rescue if necessary. In addition, the proponent will reimburse the Sheriff's Department for any additional incarceration costs, if out-of-county housing is required. Sheriff Newman would also like to be notified if and when illegal drugs or weapons are confiscated and a required secure lockbox for contraband to be handed over to Sheriff's Office.
 4. Obtain an authorized liquor license from Huerfano County.
 5. Provide a plan for initial on-site fire fighting capability as approved by the local fire district.
 6. Provide an after-action report to Huerfano County regarding all the provisions or conditions of the Special Use Permit.
 7. Provide supplemental medical and ambulance services as agreed to by the Ambulance Director including payment for any transports for which the ambulance service does not collect fees.
 8. Provide a written plan to the County, showing how cessation of musical performances will be handled, assuring a 2 AM nightly curfew, with the exception of Saturday, June 18th on the Hummingbird stage.
 9. Develop and submit a noxious weed management plan approved by NRCS and the County Weed Manager. Provide necessary insurance documents naming Huerfano County as additionally insured and a \$100,000 security bond. Such bond is to be remitted subject to satisfactory compliance and payment of all fees and bililngs.
 10. Provide hourly decibel readings at the Sonic Bloom property boundaries and a plan to deal with any readings over the allowable legal limits. Readings are to be taken every two hours from 9 PM to 2 AM., except on Saturday night, June 18th in which readings should take place for duration of show.
 11. Provide road signs and speed signs for CR 650 as required by Huerfano County Road & Bridge.
 12. Provide access permits for residents who live along CR 650.
 13. Submit to Huerfano County a cashier's check in the amount of \$20,000.00 to be held until an accounting of all retail sales and sales tax is submitted and all sales tax has been collected.
 14. Require all vendors to obtain a valid sales tax license.
 15. Coordinate with Huerfano County Road & Bridge and pay for the necessary water and mag-chloride to treat approximately seven (7) miles of CR 650 and 652. Huerfano County will apply the mag-chloride and complete the resurfacing project.
 16. Conditions 10, 14, 15 & 16 pertaining to performance bond, sales tax and mag-chloride on CR 650 & 652 have not been agreed upon by the BOCC or Sonic Bloom and details will be worked out between Staff and Sonic Bloom.

EXHIBIT "B"

**Huerfano County
Land Use Department
400 Main Street, Suite B
Walsenburg, Colorado 81089
719-738-1220 ext. 103**



March 3, 2017

**Staff Review: Temporary Use Permit Application #17-003
Sonic Bloom Festival, LLC**

In Attendance: County Administrator, John Galusha
Public Works Coordinator, Melanie Bounds
Planner/Code Enforcement Officer, Steve Channel
Regional Building Authority Assistant, Nikki Marion

Staff recommends for TUP #17-003 the inclusion of all Conditions of Approval from last year's application #16-007, with the following revisions/additions:

1. Ticket sales shall be capped at 8,000 (See Item 1, 2016 COA).
2. Huerfano County requests the amount of \$10,000, which shall be non-refundable, in lieu of collecting Local Sales Tax from festival vendors (See Item 14, 2016 COA).
3. Nightly Curfew for Wednesday & Thursday shall be Midnight. Curfew for Friday shall be 2 a.m. There shall be no curfew for Saturday night (See Item 8, 2016 COA).
4. Applicant shall submit proof of available water from Supplier.
5. "No Public Access" signs shall be posted at the intersection of CR 650 & 652, to prevent any Festival patrons from traveling on CR 650 any further West than CR 652. Applicant shall also submit Local Traffic Control Plan, to be approved by the County Public Works Department.
6. No open flames or campfires shall be permitted anywhere on the property.
7. Designated smoking areas shall be roped off, and must include a fire extinguisher. These areas must be treated with gravel or shall be completely clear of any vegetation. Fully enclosed cigarette disposal containers shall also be used in each designated area.

Additional Comments/Questions/Suggestions by Staff:

1. Staff noted an error on page one of the Applicant's permit narrative. The property in question is located to the West of I-25, rather than the East.
2. Where will overflow parking be located to accommodate the increased number of participants? Steve Channel shall confirm property boundaries.
3. John Galusha advised meeting with Gary Hanisch concerning the Insurance/Bonding requirements.
4. Staff would like to request that complimentary festival tickets be issued to BOCC and at least five (5) staff members.