

SUBDIVISION MEETING
April 17, 2003

Chair Anita Varone called the meeting to order at 10:00 a.m.

Commissioners Murray and Tinsley were present. Others attending all or a portion of the meeting included Paul Spengler, Frank Rives, Cheryl Green, Joan Bowsher, Mike Noble, Jason Mohr, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Resolution Ordering a Refund of Taxes/Fees/Assessments Paid. Department of Revenue representative Mike Noble reported James and Astrid Crichton and Dale and Sue Johnson have requested a refund of taxes in the amount of \$786.36 for tax years 1993-2002. DOR recommends a refund due to an erroneous assessment. Commissioner Tinsley stated for the record that Dr. Crichton delivered the birth of his daughter in 1993 and has no other relationship with him. He then moved to refund to Crichton and Johnson \$473.29 for the years 1998-2002 and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-1. Commissioner Varone opposed the motion.

Amended NRCS Operation & Maintenance Agreement. Paul Spengler recommends the Commissioners sign as sponsor the amended agreement for the Cave Gulch mitigation project. The amendment changes the title of the document to 'Cooperative Agreement' and states the residents of the Cave Gulch will operate and maintain the project. The cost of the project has increased from \$151,334 to \$317,932.00. The county's estimated cash contribution has increased from \$78,034 to \$79,483 and will be paid by the residents who signed the agreement. The residents have agreed to pay up to \$100,000 as their share of the cost. The estimated cost to NRCS has also increased. Commissioner Murray moved to sign the amended agreement and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Proposed Major Subdivision, Preliminary Plat to be Known as the 7R Guest Ranch Major Subdivision. (cont. from 4/15/03). The applicant, Ronald Adams proposes to create 15 RV spaces and add one single-family dwelling to an existing motel operation. The proposed subdivision is generally located approximately 1¼ miles west of Highway 434 on Wolf Creek Road and north and adjacent to Little Wolf Creek Road. Commissioner Murray moved to approve the proposed subdivision subject to 11 conditions as recommended by staff. Commissioner Varone seconded the motion.

Variance. Commissioner Murray moved to approve the variance allowing a lot to be divided by a county road. Commissioner Varone seconded the motion and it carried 2-1. Commissioner Tinsley opposed the motion.

Amendments to Conditions of Approval.

Condition 6.n. Commissioner Murray moved to add this condition waiving the right to protest an RID for county road. Commissioner Tinsley seconded the motion and it carried 2-1. Commissioner Varone opposed the motion.

Condition 5. Commissioner Murray moved to amend this condition to read, "A fire protection plan shall be submitted to the Wolf Creek Craig Fire Department for review and approval based on the fire department's letter of February 23, 2003. Additional requirements must be approved by the Board of County Commissioners prior to filing a final plat." Commissioner Tinsley seconded the motion and it carried unanimously.

Condition 6.d. Commissioner Murray moved to modify "Uniform Building Code" to "applicable state building codes." Commissioner Tinsley seconded the motion and it carried unanimously.

Commissioner Tinsley stated he opposes this proposal due to its location next to a creek and the applicant began construction prior to receiving approval.

The motion to approve the proposed subdivision as amended carried 2-1. Commissioner Tinsley opposed the motion.

There was no other business and the meeting adjourned at 10:40 a.m.