



Chaffee County Commissioners Meeting
February 2, 2021

Due to the COVID-19 pandemic and State and County safer-at-home orders, these minutes have been taken remotely via Zoom meeting. Some County staff, representatives from other governments and government agencies, and others from the public attend, including participating in the public hearing portion of the meeting, remotely via Zoom meeting as well.

A. Call to Order

The regular meeting of the Board of Commissioners was held on February 2, 2021, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker (remotely) and Chairman Greg Felt. Commissioner Rusty Granzella was absent.

Others present in person were Director of General Administration Bob Christiansen, Director of Finance Dan Short, Public Affairs Officer Beth Helmke, County Attorney Jennifer Davis, Assistant County Attorney Daniel Tom, Staff Accountant Debbie Fesenmeyer, Planning Manager Jon Roorda, and IT Ethan Smith.

Deputy County Clerk Barbara Tidd was present remotely.

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chairman Felt called the meeting to order at 9:01 a.m.

2. Review Public Meeting List

The Board reviewed the public meeting list.

3. Public Comment

There was no public comment.

B. Minutes for Approval

1. Approve minutes for the January 19, 2021 regular meeting.

Commissioner Baker moved to approve the minutes of the January 19, 2021 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Consider contract between the Chaffee County Visitors Bureau and Absolute Computer Design for a webcam.

Attorney Tom addressed the Board concerning a contract between Chaffee County for the Chaffee County Visitors Bureau and Absolute Computer Design, Inc. for a webcam. Chaffee County Marketing Director Scott Peterson was not present.

Commissioner Baker moved to approve the contract between Chaffee County for the Chaffee County Visitors Bureau and Absolute Computer Design, Inc. for a webcam program as presented. Commissioner Felt seconded the motion. The motion carried unanimously.

D. Regular Agenda Items

1. Consider appointments to the following Boards:

- Agricultural Land Use Conflict Board (Right to Ranch) - 5 members
- Board of Adjustment - up to 2 associate members
- Board of Review - 4 members
- Common Ground Advisory Board - 2 members
- Fair Committee - 5 members
- Heritage Area Advisory Board - 4 members
- Marijuana Excise Tax Advisory Board - 3 members
- Planning Commission - 3 members for 3 years - 1 member for 2 years - 1 member for 1 year
- Transportation Board - 3 members
- Visitors Bureau - 3 members

Chair Felt addressed the Board and gave introductory remarks concerning appointments to the following Boards:

Agricultural Land Use Conflict Board (aka Right to Ranch Board) - 5 members

Commissioner Baker moved to accept the four applicants as members of the Agricultural Land Use Conflict Board (aka Right to Ranch Board) as follows: Frank Holman and Michael Phelps each for a two-year term and Kelly Beek and Carle Linke each for a one-year term. Commissioner Felt seconded the motion. The motion carried unanimously.

Attorney Davis asked that the Board approve Resolution 2021-14 to reflect the appointment of Frank Holman and Michael Phelps for two-year terms and the other applicants for one-year terms.

Commissioner Baker moved to amend his previous motion to direct staff to prepare Chaffee County Resolution 2021-14 to that effect for the Chair's signature. Commissioner Felt seconded the amendment. The motion to amend carried unanimously.

Board of Adjustment - up to 2 associate members

No letters of interest were received.

Board of Review - 5 members; 4 vacancies

Commissioner Baker moved to appoint Tom Hartman, Matt Timmy, and Abe Hackmann to three-year terms to the Board of Review and John Diesslin for a two-year term to the Board of Review and direct staff to prepare Resolution 2021-15 to that effect for the Chair's signature. Commissioner Felt seconded the motion. The motion carried unanimously.

Common Ground Advisory Board - 2 members

Chair Felt addressed the Board giving the current status of Board members.

Commissioner Felt moved to reappoint Andrew Richardson to a three-year term on the Common Ground Citizens Advisory Committee and direct staff to prepare Resolution 2021-16 to that effect for the Chair's signature. Commissioner Baker seconded the motion. The motion carried unanimously.

Fair Committee - 5 members

Bernard (Bernie) Post, 15131 W. US Hwy. 50, Salida, spoke concerning his interest in the Fair Committee and the Right to Ranch Board.

Commissioner Baker moved to reappoint Bernard (Bernie) Post, Annie Schultz Cordova, and Jesse Pridemore to the Fair Committee and appoint Patricia Winter and Kail Glenn to the Fair Committee all to three-year terms and direct staff to prepare Resolution 2021-17 to that effect for the Chair's signature. Commissioner Felt seconded the motion. The motion carried unanimously.

Heritage Area Advisory Board - 4 members

Commissioner Baker moved to appoint Clifford Mestel, Clint Wood, and Rita Phelps to the Heritage Area Advisory Board each for a three-year term and direct staff to prepare Resolution 2021-18 to that effect for the Chair's signature. Commissioner Felt seconded the motion. The motion carried unanimously.

Marijuana Excise Tax Advisory Board - 3 members

Commissioner Baker moved to appoint Becky Gray and Beth Helmke to the Marijuana Excise Tax Advisory Board each for a three-year term and direct staff to prepare Resolution 2021-19 to that effect for the Chair's signature. Commissioner Felt seconded the motion. The motion carried unanimously.

By consensus, appointment of members to the Planning Commission was continued to the February 9, 2021 meeting.

Transportation Advisory Board - 3 members

Commissioner Baker moved to reappoint Bonnie Davis to a three-year term to the Transportation Advisory Board and direct staff to prepare Resolution 2021-20 to that effect for the Chair's signature. Commissioner Felt seconded the motion. Chair Felt spoke. The motion carried unanimously. Commissioner Baker responded to Attorney Davis's question.

Visitors Bureau - 3 members

Chair Felt stated that existing members have reapplied and that he received an email from Marketing Director Scott Peterson that these members were supported by the rest of the Visitors Bureau.

Commissioner Felt moved to reappoint Dan Bender, Travis Hochard, and Justin Veltri to the Visitors Bureau for two-year terms and direct staff to prepare Resolution 2021-21 to that effect for the Chair's signature. Commissioner Baker seconded the motion. The motion carried unanimously.

Chair Felt stated that during discussion of the Fair Committee in this meeting Bernie Post stated that he wanted to be reappointed to the Agricultural Land Use Conflict Board (aka Right to Ranch Board). Attorney Davis responded to Commissioner's question.

Chair Felt moved to amend Resolution 2021-14 to include reappointment of Bernard (Bernie) Post to a two-year term on the Agricultural Land Use Conflict Board (aka Right to Ranch Board). Commissioner Baker seconded the motion. The motion carried unanimously.

2. **Public Hearing - Name of Project:** Habitat Road and Alley Vacation of Right of Way **Applicants:** Chaffee County Habitat for Humanity **Location:** 11248 County Road 198, Nathrop **Zone:** Rural **Request:** To vacate a portion of E Street (on south side) and the remaining alley in Block 22 (on east side), Block 22 in the Nathrop Townsites. Access for these propertyies is from County Road 198. These rights of way do not have roads constructed in them - Planning Staff

Manager Roorda addressed the Board concerning the Habitat Road and Alley Vacation of Right-of-

Way located at 11248 County Road 198, Nathrop, for Applicant Chaffee County Habitat for Humanity. Manager Roorda responded to Commissioners' questions.

Applicant Dale Shoemaker representing Chaffee County Habitat for Humanity, 28240 County Rd. 313, Buena Vista, addressed the Board and responded to Commissioners' questions.

The public comment portion of the hearing opened at 10:04 a.m.

Public comments were given by:

Jim Jimerson, 11240 County Rd. 198, Nathrop. Roorda spoke. Jimerson and Roorda responded to Commissioners' questions.

Anthony Badagliacco, 11270 County Rd. 198, Nathrop.

Discussion ensued. Attorney Davis spoke.

Paul Terry, 11254 County Rd. 198, Nathrop. Terry responded to Commissioner's question.

The public comment portion of the hearing closed at 10:39 a.m.

A short break was taken. The meeting resumed at 10:46 a.m.

Shoemaker addressed the Board. Discussion ensued.

Commissioner Felt moved to continue to February 9, 2021 the Habitat Road and Alley Vacation of Right-of-Way; Applicant: Chaffee County Habitat for Humanity; Location: 11248 County Road 198, Nathrop. Commissioner Baker seconded the motion. The motion carried unanimously.

3. **Public Hearing - Name of Project:** Reynolds Plat Amendment **Applicants:** Michael Reynolds and Laura Brudzynski **Location:** 5713 Pinon Ridge Trail, Salida **Zone:** Rural **Request:** Plat amendment to increase the size of the building envelope to allow construction of a new residence in a relatively flat location. The driveway will avoid steep slopes and be through BLM-managed land. An access agreement with BLM has been submitted with the application. An approval from the Property Owners Association is included for the location of the house, driveway and building envelope. - Planning Staff

Manager Roorda addressed the Board concerning the Reynolds Plat Amendment located at 5713 Pinon Ridge Trail, Salida, for Applicants Michael Reynolds and Laura Brudzynski. Roorda responded to Commissioner's questions.

Applicant Michael Reynolds, 5713 Pinon Ridge Trail, Salida, addressed the Board.

Applicant's Surveyor Mike Henderson, 203 G St., Salida, addressed the Board.

The public comment portion of the hearing opened at 11:06 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Commissioner Baker moved to approve the Reynolds Plat Amendment application; Applicants: Michael Reynolds and Laura Brudzynski; Location: 5713 Pinon Ridge Trail, Salida, and direct staff to prepare a resolution to that effect with the conditions as enumerated during the discussion for Commissioners' consideration at the February 9, 2021 meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

4. Consider an amendment to Resolution 2020-70 approving the Final Plat of North Fork Ranches concerning

an agreement for maintenance of Lionelle Road.

Manager Roorda addressed the Board to consider draft Chaffee County Resolution 2021-12 AMENDING RESOLUTION 2020-70 APPROVING THE PRELIMINARY/FINAL PLAT FOR NORTH FORK RANCHES MAJOR SUBDIVISION. Attorney Tom responded to Commissioner's question.

Chair Felt opened public comment at 11:14 a.m.

The following persons gave public comment:

Bernard (Bernie) Post, 15131 W. US Hwy. 50, Salida.

John Haggerty, 9145 E. Kenyon Ave., Denver.

David McAdow, 14751 Gypsum Ct., Salida.

Public comment closed at 11:18 a.m.

Commissioner Baker moved to approve Chaffee County Resolution 2021-12 AMENDING RESOLUTION 2020-70 APPROVING THE PRELIMINARY/FINAL PLAT FOR NORTH FORK RANCHES MAJOR SUBDIVISION. Commissioner Felt seconded the motion. The motion carried unanimously.

5. Consider county board appointments for the At-Large board members for the Chaffee County Housing Authority.

Director Christiansen addressed the Board to consider County board appointments for the At-Large board members for the Chaffee County Housing Authority and responded to Commissioners' questions.

Commissioner Baker moved to direct staff to prepare a resolution appointing Patrick Post for a two-year term and Monica Haskell for a one-year term as At-Large board members on the Chaffee County Housing Authority and Emily Marquis to serve as the alternate for the At-Large seats and allow the Chair to sign. Commissioner Felt seconded the motion. The motion carried unanimously.

6. Consider Resolution for the Bainbridge Heritage Water Subdivision.

Attorney Tom addressed the Board to consider draft Chaffee County Resolution 2021-10 APPROVING THE BAINBRIDGE HERITAGE WATER SUBDIVISION EXEMPTION.

Commissioner Baker moved to approve Chaffee County Resolution 2021-10 APPROVING THE BAINBRIDGE HERITAGE WATER SUBDIVISION EXEMPTION. Commissioner Felt seconded the motion. The motion carried unanimously.

7. Consider Resolution for the Olson Heritage Water Subdivision Exemption

Attorney Tom addressed the Board to consider draft Chaffee County Resolution 2021-02 APPROVING THE OLSON HERITAGE WATER SUBDIVISION EXEMPTION.

Commissioner Baker moved to approve Chaffee County Resolution 2021-02 APPROVING THE OLSON HERITAGE WATER SUBDIVISION EXEMPTION. Commissioner Felt seconded the motion. The motion carried unanimously.

8. Consider Resolution for the Valley View School Subdivision Exemption for Public Benefit

Attorney Tom addressed the Board to consider draft Chaffee County Resolution 2021-11 APPROVING THE VALLEY VIEW SCHOOL SUBDIVISION EXEMPTION FOR PUBLIC BENEFIT.

Commissioner Baker moved to approve Chaffee County Resolution 2021-11 APPROVING THE VALLEY VIEW SCHOOL SUBDIVISION EXEMPTION FOR PUBLIC BENEFIT.

Commissioner Felt seconded the motion. The motion carried unanimously.

9. Consider jointly retaining the law firm Kaplan Kirsch & Rockwell LLP to represent the county related to the proposed activation of freight service on the Tennessee Pass rail line and matters related to potential uses of the Union Pacific rail line through Tennessee Pass.

Attorney Davis addressed the Board to consider this matter and responded to Commissioners' questions. Chair Felt and Commissioner Baker spoke.

Commissioner Baker moved to approve jointly retaining the law firm of Kaplan Kirsch & Rockwell LLP to represent Chaffee County in matters related to the proposed activation of freight service on the Tennessee Pass rail line and matters related to potential uses of the Union Pacific rail line through Tennessee Pass. Commissioner Felt seconded the motion. The motion carried unanimously.

10. Consider use of Chaffee County Fairgrounds as site for community vaccination clinic(s) for Heart of the Rockies Regional Medical Center.

Director Christiansen addressed the Board to consider use of the Chaffee County Fairgrounds as a site for community vaccination clinic(s) for Heart of the Rockies Regional Medical Center. Attorney Davis spoke followed by Chair Felt.

Commissioner Felt moved for the Board of County Commissioners to direct legal staff to develop an agreement between the County and Heart of the Rockies Regional Medical Center for use of the Chaffee County Fairgrounds as a site for community vaccination clinics, including the first and second doses for COVID vaccinations, contemplate additional vaccination clinics subject to further agreement and discussion at the staff level, and give the Chair authority to sign. Commissioner Baker seconded the motion. The motion carried unanimously.

E. Consent Agenda

Commissioner Baker moved to approve the Consent Agenda. Commissioner Felt seconded the motion. The motion carried unanimously.

1. Pay Bills

F. Active Projects

Pursuant to a request from Planning Staff, Director Christiansen addressed the Board to consider a joint session on February 23, 2021 at 5:00 p.m. with the Planning Commission and Board of County Commissioners concerning the special event permit process.

Attorneys Tom and Davis spoke and responded to Commissioners' questions.

Commissioners Felt and Baker directed Director Christiansen to respond to Planner Christie Barton to schedule a joint session.

Commissioner Baker addressed the Board concerning proposed State legislation. Chair Felt spoke.

G. Adjourn

The meeting was adjourned at 12:11 p.m.

H. Potential Road Trip

Attest:

A handwritten signature in cursive script that reads "Lori Mitchell". The signature is written in dark ink on a light-colored background.

Lori Mitchell, County Clerk