



Chaffee County Commissioners Meeting
February 16, 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 16, 2021, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker (remotely), Chairman Greg Felt, Commissioner Rusty Granzella (remotely).

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

Others present remotely were Director of Development Services Dan Swallow and Deputy County Clerk Barbara Tidd.

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 February 9th, 2021 regular meeting.

Commissioner Baker moved to approve the minutes of the February 9, 2021 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Consider contract between the Chaffee County Sheriff's Office and Axon Enterprise, Inc. for Taser supplies and support.

Attorney Tom addressed the Board to consider a contract between Chaffee County for the Chaffee County Sheriff's Office and Axon Enterprise, Inc. for Taser supplies and support for 2020 through 2025.

Commissioner Granzella moved to approve the contract between Chaffee County and Axon Enterprise, Inc. for detention taser supplies and support for 2020 through 2025 as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

D. Regular Agenda Items

1. **9:15 a.m.** - Public Hearings and consideration of recommendations from the February 2nd Planning Commission Meeting with regard to the following matter:

Request for continuance to March 9, 2021 - Name of Project: Land Use Code Text Amendment **Applicants:** Sterling Stoudenmire of Pure Greens, represented by Michael Scott **Request:** Amend sections 7.8.22 B2 and 7.8.22 C2 of the Land Use Code to reduce the setbacks from the property line of a Marijuana Optional Premises Cultivation Center and/or an Infused Products Manufacturing Facility to adjacent residential uses.

Planning Manager Roorda addressed the Board to request on behalf of the applicant a continuance of the above matter to March 9, 2021. Manager Roorda and Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to continue the Land Use Code Text Amendment for Applicant Sterling Stoudenmire of Pure Greens to amend sections 7.8.22 B2 and 7.8.22 C2 of the Land Use Code to March 9, 2021. Commissioner Granzella seconded the motion. The motion carried unanimously.

Continued from February 2nd, 2020. 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 properties is from County Road 198. These rights of way do not have roads constructed in them - Planning Staff

Planning 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 (CCHfH). Manager Roorda and Attorney Tom responded to Commissioners' questions.

Applicant representative Dale Shoemaker, 28240 County Rd. 313, Buena Vista, addressed the Board and responded to Commissioners' questions.

The public comment portion of the hearing opened at 10:00 a.m.

Public comments were given by:

Jeff Hoeller, 11250 County Rd. 198, Nathrop

Jim Jimerson, 11240 County Rd. 198, Nathrop; Jimerson responded to Commissioners' questions.

Jeff Hoeller spoke again.

The public comment portion of the hearing closed at 10:12 a.m.

Shoemaker responded to public comment.

Discussion ensued.

Commissioner Baker moved to approve the Habitat Road and Alley Vacation of Right of Way; Applicant: Chaffee County Habitat for Humanity (CCHfH); Location: 11248 County Road 198, Nathrop, with the requirement that the 15 feet of the southern portion of E Street to be vacated be given an easement for vehicular access to provide utility support to the properties to the south.

Chair Felt asked for clarification. Manager Roorda responded to Chair Felt's question. Attorney Tom clarified. Discussion ensued.

Commissioner Felt seconded the motion.

Discussion continued during which Manager Roorda, Attorney Tom, and Director Swallow responded to Commissioners' questions.

Shoemaker spoke followed by Attorney Tom, Manager Roorda, and Director Swallow.

The meeting recessed at 10:37 a.m. for a short break. The meeting resumed at 10:42 a.m.

Discussion continued during which Manager Roorda and Attorney Tom responded to Commissioners' questions.

Commissioner Baker withdrew his motion.

Chair Felt recognized Jeff Hoeller and Jim Jimerson, both of whom commented again. Shoemaker spoke in response to Jimerson's comments.

Discussion continued during which Manager Roorda responded to Commissioners' questions.

Commissioner Baker moved to continue this matter for the Habitat Road and Alley Vacation Right-of-Way to March 9, 2021. Commissioner Granzella seconded the motion. The motion carried unanimously.

2. Report from County Sheriff.

Chair Felt addressed the Board regarding the County Sheriff's January 2021 report.

Commissioner Granzella moved to approve the County Sheriff's January 2021 report. Commissioner Baker seconded the motion. The motion carried unanimously.

3. Consider grant application for Valley View from DOLA.

Director Christiansen addressed the Board to consider submittal of a grant application for a grant from the Colorado Department of Local Affairs (DOLA) for the Chaffee County Historic Valley View School Rehabilitation and Modernization. Director Christiansen responded to Commissioners' questions.

Commissioner Granzella moved to approve the grant application to the Department of Local Affairs (DOLA) for the Chaffee County Historic Valley View School Rehabilitation and Modernization. Commissioner Baker seconded the motion. The motion carried unanimously.

4. Consider Proposed Computer Use Policy for Non-Employees.

Attorney Tom addressed the Board to consider a proposed policy for use by non-employees of Chaffee County owned computers.

Commissioner Baker moved to approve the proposed computer use policy for non-employees of Chaffee County. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. Continued from January 19, 2021 - Discussion regarding advisory board to create a Chaffee County Recreation Plan.

Chair Felt addressed the Board regarding an advisory board to create a Chaffee County Recreation Plan. Discussion ensued.

Transportation Advisory Board (TAB) Chair Kate Garwood, PO Box 1153, Buena Vista, spoke. GARNA Executive Director Dominique Naccarato, 728 W. 2nd St., Salida, spoke and responded to

Chair Felt's questions.

Envision Chaffee County Co-Lead Cindy Williams, 13512 County Rd. 258A, Salida, spoke.

Discussion continued during which Garwood spoke again.

Commissioner Granzella moved to approve the letter of support for the Chaffee County Recreation Plan as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

6. Consider a resolution for the Reynolds Plat Amendment.

Attorney Tom addressed the Board to consider a resolution for the Reynolds Plat Amendment. Manager Roorda spoke, and he and Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to approve the draft resolution for the Reynolds Plat Amendment as presented with the understanding that staff will change the resolution number as appropriate. Commissioner Granzella seconded the motion. The motion carried unanimously.

7. Discussion on the demolition of the dangerous building caused by a landslide at 7118 Clark Hill Road.

Director Swallow addressed the Board regarding the demolition of the dangerous building caused by a landslide at 7118 Clark Hill Road, Salida, and responded to Commissioners' questions. Discussion ensued.

Commissioner Baker moved to direct staff to prepare a letter to the property owner(s) of the property at 7118 Clark Hill Road, Salida, directing them to demolish the structure at that location and give them 180 days from the date of the letter to complete demolition. Commissioner Granzella seconded the motion. The motion carried unanimously.

8. Consider refunding \$1,320 for completion of infrastructure (road) corrections on Vista Sawatch.

Planning Manager Roorda addressed the Board to consider refunding \$1,320 for completion of infrastructure (road) corrections on Vista Sawatch.

Commissioner Granzella moved to approve refunding \$1,320 for completion of infrastructure (road) corrections on Vista Sawatch. Commissioner Baker seconded the motion. The motion carried unanimously.

9. Consider acceptance of escrow funds to release the Lot Sales Restriction of RGP Industrial Park Major Subdivision.

Planning Manager Roorda addressed the Board to consider acceptance of escrow funds to release the Lot Sales Restriction of RGP Industrial Park Major Subdivision and responded to Commissioner's question.

Commissioner Granzella moved to approve the acceptance of \$2,860 to remove the Lot Sales Restriction of RGP Industrial Park Major Subdivision. Commissioner Baker seconded the motion. The motion carried unanimously.

Recess as the Chaffee County Board of County Commissioners.

The Board of Commissioners and the meeting recessed at 11:24 a.m. for a short break.

The Board convened as the Chaffee County Landfill Committee at 11:29 a.m.

10. Convene as The Chaffee County Landfill Committee to discuss new rates.

Landfill Manager Shannon Wilcox addressed the Board regarding new rates. Wilcox, Staff Accountant Becky Venes, and Attorney Tom responded to Commissioners' questions.

There were no public comments. Venes spoke regarding the effective date. Attorney Tom spoke regarding notification of the rate changes.

Commissioner Granzella moved to approve the landfill charge changes for concrete, dirt from construction, and minimum charge, and direct staff to prepare a resolution for March 2, 2021. Commissioner Baker seconded the motion. The motion carried unanimously.

Adjourn as the Chaffee County Landfill Committee.

The Board adjourned as the Chaffee County Landfill Committee at 11:37 a.m.

Re-convene as the Chaffee County Board of County Commissioners.

The Board reconvened as the Board of Commissioners at 11:37 a.m.

11. **Convene as 1041 Permit Authority**

Public Hearing - Continued from January 19, 2021 - Applicant: Nestle Waters North America Inc. **Location:** 12974 Hwy 24/285, Johnson Village, 22565 and TBD CR 300, Nathrop, lying in the S1/2 NE1/4, SE1/4 NW1/4, W1/2 SE1/4, and the SE1/4 SE1/4, all in Section 11, Township 15 South, Range 78 West, 6th P.M. **Zones:** Commercial and Rural **Request:** Ten (10) year extension of an existing 1041 Permit for a spring water production process, and associated transmission pipeline and loading facility.

All documents regarding this hearing may be found on the Chaffee County Public Notice website at <http://www.chaffeecounty.org/Public-Notices>

The Board recessed as the Board of Commissioners at 12:29 p.m. and convened at 12:29 p.m. as the 1041 Permit Authority for the above-referenced matter.

Chair Felt introduced this matter. Attorney Davis spoke followed by Commissioners Granzella, Baker, and Felt.

Nestle Waters North America (NWNA) Natural Resource Manager Larry Lawrence, 5772 Jarupa St., Ontario, CA, responded to Chair Felt's question.

Attorney Tom responded to Commissioner's questions.

Lawrence responded to additional questions of Chair Felt and provided updates.

Attorney Davis spoke. Lawrence spoke for clarification. Discussion continued. NWNA legal counsel Caitlin Quander addressed the Board.

Commissioner Granzella moved to continue this Nestle 1041 permit renewal hearing to March 16, 2021. Commissioner Baker seconded the motion. The motion carried unanimously.

The Board of Commissioners adjourned as the 1041 Permit Authority at 12:52 p.m. and reconvened as the Board of Commissioners at 12:52 p.m.

E. Consent Agenda (prior to Agenda items D.5 and 11)

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

1. Pay Bills
2. Report from the County Treasurer for the month of January, 2021.

F. Active Projects

The Board reconvened as the Board of Commissioners at 12:52 p.m. following Agenda item D.11.

G. Adjourn

Commissioner Granzella moved to adjourn the meeting. Commissioner Baker seconded the motion. The motion carried unanimously. The meeting was adjourned at 12:59 p.m.

H. Potential Road Trip

Attest:



Lori Mitchell, County Clerk