



Chaffee County Commissioners Meeting
April 13, 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 April 13, 2021, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker, Chairman Greg Felt, Commissioner Rusty Granzella.

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

Others present remotely were Director of Public Health Andrea Carlstrom and Deputy County Clerk Barbara Tidd.

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chairman Felt called the meeting to order at 9:00 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

Commissioner Baker stated one correction to the April 2, 2021 minutes at the bottom of page 1: Erica's last name is "Gift."

Commissioner Granzella moved to approve the minutes of the March 29, 2021 and April 2, 2021 Commissioners' special meetings and April 6, 2021 Commissioners' regular meeting with the correction as mentioned by Commissioner Baker. Commissioner Baker seconded the motion. The motion carried unanimously.

1. Approve the minutes of the March 29, 2021 special meeting.

2. Approve the minutes of the April 2, 2021 special meeting.

3. Approve the minutes of the April 6, 2021 regular meeting.

C. Contracts/Grant Consideration

1. Consider grant matching request for Embracing Aging Fair

Chair Felt addressed the Board regarding this grant matching request for the Embracing Aging Fair stating that there is no need for additional funding.

2. Consider a contract between the Chaffee County Detention Center and Sirius America Insurance Company. Director Short addressed the Board to consider a contract between Chaffee County on behalf of the Chaffee County Detention Center and Sirius America Insurance Company.

Commissioner Granzella moved to approve the contract between Chaffee County on behalf of the Chaffee County Detention Center and Sirius America Insurance Company for Blanket Accident Medical coverage as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

3. Consider contract between Chaffee County Road and Bridge and 4 Rivers-John Deere
Director Short addressed the Board to consider a contract between Chaffee County on behalf of Chaffee County Road and Bridge and 4Rivers Equipment, LLC-John Deere and responded to Commissioners' questions.

Commissioner Baker moved to approve the contract between Chaffee County on behalf of Chaffee County Road and Bridge and 4Rivers Equipment, LLC-John Deere in the amount of \$59,934.78 with a balloon payment in 2026 in the amount of \$302,180 per the contract and materials provided in our packets. Commissioner Granzella seconded the motion. The motion carried unanimously.

4. Consider a contract between the Chaffee County Visitors Bureau and Publication Printers Corp. Chaffee County Visitors Bureau Marketing Director Scott Peterson addressed the Board to consider a contract between Chaffee County on behalf of Chaffee County Visitors Bureau and Publication Printers Corp. and responded to Commissioner's questions.

Commissioner Granzella moved to approve the contract between Chaffee County on behalf of Chaffee County Visitors Bureau and Publication Printers Corp. in the amount as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

D. 9:15 a.m. - Public Hearings and consideration of recommendations from the Planning Commission Meetings with regard to the following matters:

1. **Public Notice - **Request to continue to May 4th, 2021** This item originally continued on January 19, 2021 and again continued on February 9, 2021 and March 9, 2021 - Name of Project:** Land Use Code Text Amendment - correction to Table 7.7.2 Salida Airport Overlay District Applicants: Chaffee County Staff **Request:** Remove existing Section 7.7.2 Salida Airport Overland District and replace it with proposed new section. Text is available at <https://www.chaffeecounty.org/Planning-and-Zoning-Planning-Commision>

Chair Felt stated that it has been requested to continue this matter to May 4, 2021.

Commissioner Baker moved to continue the Land Use Code Text Amendment - correction to Table 7.7.2 for Salida Airport Overlay District to May 4, 2021. Commissioner Granzella seconded the motion. The motion carried unanimously.

2. **Public Hearing - Name of Project:** Peak View Major Subdivision Sketch Plan **Applicants:** Sunnyside CR 190 LLC, represented by Shawn Allison **Location:** 11415 County Road 190, Salida **Zone:** Residential **Amended Request:** To subdivide 26.62 acre tract, created by the Spencer Tracts Exemption plat, into eight (8) lots, ranging in size from 2.05 to 6.49 acres. The Heritage Water Subdivision Exemption has been withdrawn. Wells and on-site wastewater treatment systems will serve the property. The need for right of way

dedication will be reviewed.

Manager Roorda addressed the Board regarding the Peak View Major Subdivision Sketch Plan request located at 11415 County Rd. 190, Salida, for Applicant Sunnyside CR 190 LLC. Manager Roorda responded to Commissioners' questions.

Applicant representative Jeff Post, 7385 W. Hwy. 50, Salida, addressed the Board and responded to Commissioners' questions. Manager Roorda and Attorney Davis responded to questions.

The public comment portion of the hearing opened at 9:47 a.m.

Public comments were given by:

Dr. Jerry Raski, 10158 Starlight Lane, Salida. Raski responded to Commissioner's questions.

Manager Roorda responded to Commissioners' questions.

Ralf Topper, 11403 County Rd. 190W, Salida.

The public comment portion of the hearing closed at 10:01 a.m.

Post spoke briefly to Raski.

Commissioners deliberated during which Attorney Davis spoke and Manager Roorda responded to Commissioners' questions.

Commissioner Granzella moved to approve the Peak View Major Subdivision Sketch Plan for Applicant Sunnyside CR 190 LLC represented by Shawn Allison, located at 11415 County Road 190, Salida, including the conditions of approval from the Planning Commission with the two minor changes on conditions #1 and #2 and two additional conditions: (1) requesting Road and Bridge scrutinize the concerns on County Rd. 190W and (2) having a condition to call up a preliminary plan two (2) weeks after the Planning Commission decision. Commissioner Baker seconded the motion. Discussion ensued. The motion carried unanimously.

E. Regular Agenda Items

1. Report from the County Sheriff

Chair Felt addressed the Board regarding the County Sheriff's First Quarter 2021 report. Director Short responded to Commissioner's questions.

Commissioner Granzella moved to accept the County Sheriff's First Quarter 2021 report.

Commissioner Baker seconded the motion. The motion carried unanimously.

2. Consider a Special Event Permit Fee Waiver for the Salida Pole, Pedal, Paddle (3P) Race to be held April 18, 2021.

Applicant Alli Gober, 2106A Emma Lane, Salida, addressed the Board to consider a Special Event Permit Fee Waiver for the Salida Pole, Pedal, Paddle (3P) Race to be held April 18, 2021.

Administrative Assistant Debbie Fesenmeyer addressed the Board and responded to Commissioners' questions. Gober spoke further followed by Fesenmeyer. Gober responded to Commissioners' questions.

Commissioner Granzella moved to approve the waiver of the Special Event Permit Fee for the Salida Pole, Pedal, Paddle (3P) Race to be held April 18, 2021. Commissioner Baker seconded the motion. The motion carried with Baker and Granzella voting FOR the motion and Commissioner

Felt voting AGAINST the motion.

4. **11:00 a.m.** - Executive session under 24-6-402(4)(b) for purposes of receiving legal advice from Water Attorney David Shohet on specific legal questions involving water case 18CW3076 (involving the Upper Arkansas Water Conservancy District application); Commissioners Keith Baker and Rusty Granzella will attend (Commissioner Greg Felt has recused himself). County Attorney Jenny Davis, County Administrator Bob Christiansen and Finance Director Dan Short may also attend.

Chair Felt recused himself from the meeting and turned the meeting over to Vice Chair Baker.

Commissioner Granzella moved to go into executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice from Water Attorney David Shohet on specific legal questions involving water case 18CW3076 (involving the Upper Arkansas Water Conservancy District application); Commissioners Keith Baker and Rusty Granzella will attend. (Commissioner Greg Felt has recused himself.) County Attorney Jennifer Davis, Assistant Attorney Miles Cotton, Director of County Administration Bob Christiansen, and Director of Finance Dan Short may also attend.

Attorney Davis stated that this portion of the meeting would constitute attorney-client communication and no further recording of this portion of the meeting would be required.

Commissioner Baker seconded the motion. The motion carried unanimously with Commissioners Granzella and Baker voting FOR the motion. Commissioner Felt was not present for the vote having recused himself from the meeting.

The Board of Commissioners moved into executive session at 11:02 a.m.

The Board of Commissioners came out of executive session at 11:39 a.m. with no decisions being made.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on April 13, 2021 constituted privileged attorney-client communication.

Jennifer A. Davis, Chaffee County Attorney

I, Keith Baker, Vice Chairman of the Chaffee County Board of County Commissioners, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on April 13, 2021 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

Keith Baker, Vice Chairman

Following executive session, Vice Chair Baker resumed the regular public meeting at 11:45 a.m. stating that no formal action was taken nor decisions made in executive session.

Commissioner Baker moved to direct Chaffee County's water counsel to negotiate with the Upper Arkansas Water Conservancy District. Commissioner Granzella seconded the motion. The motion

carried unanimously with Commissioners Baker and Granzella voting FOR the motion. Commissioner Felt was not present for the vote having recused himself from this matter.

Chair Felt returned to the meeting.

3. **Public Hearing - Name of Project:** Broadview ROSI Plat Amendment **Applicants:** Jeff Ince, for the Broadview Homeowners Association (HOA) **Location:** Lots 1-9, 20 & 21 Phase 1 and Lots 10-19 Phase 2; includes both B and OS lots; all in Broadview ROSI Subdivision **Zone:** Rural **Request:** To amend the definition of the 'B-Buildable' area for all lots in the Broadview ROSI Subdivision to allow wells, septic systems, wood decks and concrete patios anywhere in the B portion of the lot (this does not include the 'OS - Open Space' portion of the lots). The HOA has voted in favor of the plat amendment.

Manager Roorda addressed the Board regarding the Broadview ROSI Plat Amendment for Applicant Jeff Ince, President of the Broadview Homeowners Association; Location: Lots 1-9, 20 & 21 Phase 1 and Lots 10-19 Phase 2 including B and OS lots all in Broadview ROSI. Manager Roorda responded to Commissioners' questions.

Applicant did not comment.

The public comment portion of the hearing opened at 12:11 p.m.
Public comments were given by:
Mike Henderson, surveyor for Applicant, 203 G St., Salida.
Jeff Ince, 18010 Hwy. 285, Nathrop.

The public comment portion of the hearing closed at 12:15 p.m.

Commissioners deliberated.

Commissioner Granzella moved to approve the Broadview ROSI Plat Amendment; Applicant Jeff Ince, President of the Broadview Homeowners Association; Location: Lots 1-9, 20 & 21 Phase 1 and Lots 10-19 Phase 2 including B and OS lots all in Broadview ROSI Subdivision. Commissioner Baker seconded the motion. The motion carried unanimously.

5. Consider a resolution designating operating hours, areas of public assembly and unauthorized activities on County properties. - Attorney Tom

Attorney Davis addressed the Board to consider draft Resolution 2021-32 DESIGNATING OPERATING HOURS, AREAS OF PUBLIC ASSEMBLY AND UNAUTHORIZED ACTIVITIES ON COUNTY PROPERTIES. Attorney Davis responded to Commissioners' questions. Director Christiansen addressed the Board and responded to Commissioners' questions.

Commissioner Baker moved to continue consideration of Resolution 2021-32 DESIGNATING OPERATING HOURS, AREAS OF PUBLIC ASSEMBLY AND UNAUTHORIZED ACTIVITIES ON COUNTY PROPERTIES to the May 4, 2021 meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

6. Discuss issuing Certificates of Participation valued at approximately \$8,500,000.00 for certain capital improvement projects, including the redesign and expansion of the County Administrative Offices at 104 Crestone Avenue.

Director Short addressed the Board to consider pursuing the issuance of Certificates of Participation valued at approximately \$8,500,000 for certain capital improvement projects, including the redesign and expansion of the County Administrative Offices at 104 Crestone Avenue. Director Short responded to Commissioners' questions.

Discussion ensued.

Commissioner Granzella moved for Chaffee County Finance to pursue issuance of Certificates of Participation valued at approximately \$8,500,000 for certain capital improvement projects as presented in our packets. Commissioner Baker seconded the motion. The motion carried unanimously.

7. "Executive session under C.R.S. Sec. 24-6-402(4)(b) for purposes of receiving legal advice from County Attorney Davis in connection with NWA 1041 Permit. Attorneys Cottom and Directors Christiansen and Short may also attend."

Attorney Davis addressed the Board regarding this matter.

By consensus, the Board agreed to continue this matter to the April 20, 2021 meeting.

F. Consent Agenda

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

1. Pay bills
2. Report from the Chaffee County Veterans Service Officer for March, 2021.

G. Active Projects

Discussion ensued concerning future special events during which Attorneys Davis and Cottom and Director of Public Health Andrea Carlstrom addressed the Board and responded to Commissioners' questions.

H. Adjourn

Commissioner Baker moved to adjourn the meeting. Commissioner Granzella seconded the motion. The motion carried unanimously. The meeting was adjourned at 1:52 p.m.

I. Potential Road Trip

Attest:



Lori Mitchell, County Clerk