Chaffee County Commissioners Meeting
May 18, 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 May 18, 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, Deputy County Attorney Daniel Tom, Public Affairs Officer Beth Helmke, Planning Manager Jon Roorda, Road & Bridge Superintendent Mark Stacy, and IT Ethan Smith.

Others present remotely were Assistant County Attorney Miles Cottom, Development Services Director 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 9:02 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 the minutes of the May 11, 2021 regular meeting.

   Commissioner Baker moved to approve the minutes of the May 11, 2021 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Update on REDI Grant for Local Economic Ecosystem Development.

   Director Christiansen introduced Chaffee County Economic Development Corp. (CCEDC) Executive Director Wendell Pryor who introduced his successor Jake Rishavy as the next CCEDC Executive Director.

   Rishavy updated the Board on the REDI Grant for Local Economic Ecosystem Development.

   Pryor spoke. Rishavy and Director Christiansen responded to Commissioners' questions.

No formal action was taken.

2. Consider agreement with Greater Arkansas River Nature Association (GARNA) for waste diversion and recycling-related research and community outreach and education.
   Public Affairs Officer Helmke addressed the Board to consider an agreement with Greater Arkansas River Nature Association (GARNA) for waste diversion and recycling-related research and community outreach and education.

   GARNA Executive Director Dominique Naccarato spoke. Helmke and Naccarato responded to Commissioners' questions.

   Commissioner Baker moved to approve the Chaffee County Services Contract between Chaffee County and Greater Arkansas River Nature Association (GARNA) for waste diversion and recycling-related research and community outreach and education as presented. Commissioner Granzella seconded the motion. The motion carried unanimously.

D. Regular Agenda Items

1. **Public Hearing - Name of Project:** Cogswell Boundary Line Adjustment **Applicants**: John Cogswell; Craft Enterprises, L.P., a Tennessee corporation; and Lake Parcel, LLC, a Colorado corporation **Location:** 15099 & 15015 County Road 350; Lot 3 Harvard Lakeside Acres Subdivision; and Parcel "B" Of the Sub Exemption & Plat Amendment Lake Parcel & Lot 12 Harvard Lakeside Acres Filing No. 1 **Zone:** Residential **Request**: To adjust property boundaries for four properties to create amended property boundaries for four lots. Lake Parcels LLC will be dissolved and the property divided between the owners, while maintaining the recreational use of Parcel “B”. No additional residential lots are created.

   Manager Roorda addressed the Board to consider the Cogswell Boundary Line Adjustment **Applicants**: John Cogswell; Craft Enterprises, L.P., a Tennessee corporation; and Lake Parcel, LLC, a Colorado corporation; **Location:** 15099 & 15015 County Road 350; Lot 3 Harvard Lakeside Acres Subdivision; and Parcel "B" of the Subdivision Exemption & Plat Amendment Lake Parcel & Lot 12 Harvard Lakeside Acres Filing No. 1. Roorda responded to Commissioners' questions.

   Applicant John Cogswell, 15099 County Rd. 350, Buena Vista, spoke.

   The public comment portion of the hearing opened at 9:52 a.m. There were no comments, and the public comment portion of the hearing was closed.

   Commissioner Baker moved to approve the Cogswell Boundary Line Adjustment; **Applicants**: John Cogswell; Craft Enterprises, L.P., a Tennessee corporation; and Lake Parcel, LLC, a Colorado corporation; **Location:** 15099 & 15015 County Road 350; Lot 3 Harvard Lakeside Acres Subdivision; and Parcel "B" Of the Subdivision Exemption & Plat Amendment Lake Parcel & Lot 12 Harvard Lakeside Acres Filing No. 1. Commissioner Granzella seconded the motion. The motion carried unanimously.

2. **Public Hearing - Name of Project:** Longmire Plat Amendment **Applicants**: Robert Longmire, represented by Mike Henderson **Location:** 21282 Broadview Road, Nathrop **Zone:** Rural **Request**:

To amend Lot 2-OS (Open Space) of the Broadview ROSI Subdivision, Phase 1, to allow installation and maintenance of an On-site Wastewater Treatment System (OWTS).

Manager Roorda addressed the Board to consider the Longmire Plat Amendment; **Applicant**: Robert Longmire, represented by Mike Henderson; **Location:** 21282 Broadview Road, Nathrop. Roorda responded to Commissioners' questions.

Applicant surveyor, Mike Henderson, 203 G St., Salida, spoke.

Applicant Robert Longmire, 10279 Load Stone Way, Parker, CO, spoke.

The public comment portion of the hearing opened at 10:03 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Granzella moved to approve the Longmire Plat Amendment; **Applicant**: Robert Longmire, represented by Mike Henderson; **Location:** 21282 Broadview Road, Nathrop, to amend Lot 2-OS (Open Space) of the Broadview ROSI Subdivision, Phase 1, to allow installation and maintenance of an On-site Wastewater Treatment System (OWTS) and to direct staff to prepare a resolution for June 1, 2021. Commissioner Baker seconded the motion. The motion carried unanimously.

3. Ratify support letter for Colorado Forest Restoration and Wildfire Risk Mitigation Grant Application for National Forest Foundation.

Chair Felt addressed the Board to ratify this letter of support.

Commissioner Baker moved to ratify the support letter for the Colorado Forest Restoration and Wildfire Risk Mitigation Grant Application for National Forest Foundation. Commissioner Granzella seconded the motion. The motion carried unanimously.

4. Consider support for a grant application for Forest Restoration and Wildfire Risk Mitigation, (WUI) - Adam Moore CSFS

Josh Kuehn with the Colorado State Forest Service addressed the Board to consider support for a grant application for Forest Restoration and Wildland Urban Interface (WUI) Wildfire Risk Mitigation. Director Short responded to Commissioners' questions.

Commissioner Baker moved to approve support for a grant application for Forest Restoration and Wildland Urban Interface (WUI) Wildfire Risk Mitigation for the project as presented. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. Consider support for a grant application for Forest Restoration and Wildfire Risk Mitigation, (Chaffee Chips) - Adam Moore CSFS

Josh Kuehn with the Colorado State Forest Service addressed the Board to consider support for a grant application for Forest Restoration and Wildfire Risk Mitigation, (Chaffee Chips). Chair Felt spoke.

Commissioner Granzella moved to approve the letter of support for a grant application for the Forest Restoration and Wildfire Risk Mitigation project for Chaffee Chips Fuel Reduction. Commissioner

Baker seconded the motion. The motion carried unanimously.

6. Consider the release of the lot sale restriction for the Mountain Shadows Major Subdivision.

Manager Roorda addressed the Board to consider the release of the lot sale restriction for the Mountain Shadows Major Subdivision.

Commissioner Granzella moved to approve the release of the lot sale restriction for the Mountain Shadows Major Subdivision. Commissioner Baker seconded the motion. Discussion ensued. The motion carried unanimously.

7. Consider $10,000 of County CTF funds to go towards new Buena Vista pickleball facility. - Earl Richmond

Chair Felt addressed the Board to consider $10,000 of County Conservation Trust Funds to go towards a new Buena Vista pickleball facility.

Commissioner Baker moved to approve $10,000 of County Conservation Trust Funds to go towards the new Buena Vista pickleball facility. Commissioner Granzella seconded the motion. The motion carried unanimously.

The meeting recessed for a short break at 10:22 a.m. The meeting resumed at 10:27 a.m.

9. Discuss and consider public view access easement on Centerville.

Attorney Tom opened the discussion regarding a public view access easement in connection with Centerville Ranch. Manager Roorda addressed the Board.

Jeff Ince, 18010 US Hwy. 285, Nathrop, spoke and responded to Commissioners' questions.

Attorney Tom and Superintendent Stacy responded to Commissioners' questions.

Discussion ensued.

Consensus was for staff to move forward and continue discussions with those involved with whom they have been having discussions.

No formal action was taken.

10. Consider Resolution 2021-37 Approving the Dvorak Heritage Water Subdivision Exemption.

Attorney Tom addressed the Board to consider draft Resolution 2021-37 APPROVING THE DVORAK HERITAGE WATER SUBDIVISION EXEMPTION. Attorney Tom and Manager Roorda responded to Commissioners' questions.

Commissioner Granzella moved to approve Resolution 2021-37 APPROVING THE DVORAK HERITAGE WATER SUBDIVISION EXEMPTION. Commissioner Baker seconded the motion.

The motion carried unanimously.

8. Discussion of public meeting attendance/presentation protocols.

Attorney Davis opened the discussion regarding public meeting attendance/presentation protocols. Discussion ensued during which Attorneys Davis and Tom and Officer Helmke responded to Commissioners' questions.

Consensus was to target July 1, 2021 for in-person meetings, subject to change based on ongoing monitoring.

No formal action was taken.

F. Consent Agenda

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 April, 2021.

The meeting recessed at 11:24 a.m. until 1:00 p.m.

The meeting resumed at 1:19 p.m. The Board recessed as the Board of Commissioners at 1:20 p.m. and convened as the 1041 Permit Authority for the following:

E. Convene as 1041 Permit Authority

1. **1:00 P.M. - Public Hearing - Continued from May 4, April 20, March 16, February 16, 2021 and originally continued from December 15, 2020 - 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 of the 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.

Chair Felt addressed the Board and stated the purpose of this continued hearing.

Blue Triton Brands (BTB) Natural Resource Manager Larry Lawrence, 5772 Jarupa St., Ontario, CA, introduced himself.

Doug Jeavons, Managing Director with BBC Research & Consulting, 30690 Timberline North, Buena Vista, addressed the Board and presented the BBC Economic Evaluation RMSO Permit Renewal 0513202.

Commissioners commented. Discussion ensued during which Jeavons, Lawrence, and BTB water legal counsel Steven Sims responded to Commissioners' questions.

Chair Felt initiated discussion among Commissioners as to next steps.

Upper Arkansas Water Conservancy District (UAWCD) General Manager Terry Scanga, 339 E. Hwy. 50, Salida, spoke at Chair Felt's invitation.

Ed Harvey of Harvey Economics, 469 S. Cherry St., Suite 100, Denver, addressed the Board in response to the BBC presentation. Harvey will follow-up with a written memo to Commissioners.

Jeavons, Lawrence, and Sims spoke in response to Harvey.
Sims responded to Chair Felt's question followed by Harvey.

Chair Felt invited Tom Bomer, 225 D St., Salida, representing Unbottle and Protect Chaffee County Water, to speak regarding that group's availability and opportunity to respond to the Applicant's annual report and the County and Applicant's economic studies.

By consensus, it was determined that the next public hearing on this matter will be June 1, 2021, at 1:00 p.m. at which time Unbottle and Protect Chaffee County Water may respond to Applicant's annual report and the County and Applicant's economic studies.

Caitlin Quander, legal counsel for Applicant, requested an opportunity to provide a conclusion to Commissioners at a subsequent meeting.

The public comment portion of the hearing opened at 3:00 p.m.

Public comments were given by:
John McGowan, 13100 Coyote Valley Rd., Salida.
Francie Bomer, 225 D St., Salida.

The public comment portion of the hearing closed at 3:07 p.m.

Attorney Davis spoke regarding written comments from constituents.

By consensus, the following was determined:

- May 27, 2021 at 5:00 p.m. deadline for Commissioners to receive written comments
- June 1, 2021 at 1:00 p.m. public comment on Applicant's annual report and the County and Applicant's economic studies; Applicant's rebuttal
- June 15, 2021 Applicant's concluding remarks in person (no time stated)

Applicant had no response to today's public comment.

The Board of Commissioners adjourned as the 1041 permit authority at 3:16 p.m. and reconvened as the Board of Commissioners.

G. Active Projects

H. Adjourn

Commissioner Baker moved to adjourn the meeting. Commissioner Granzella seconded the motion. The motion carried unanimously. The meeting was adjourned at 3:17 p.m.

I. Potential Road Trip

Attest:

Lori Mitchell

Lori Mitchell, County Clerk