



Chaffee County Commissioners Meeting
June 1, 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 June 1, 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, Administrative Assistant Debbie Fesenmeyer, and IT Ethan Smith.

Others present remotely were Clerk Lori Mitchell, 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 18, 2021 regular meeting.
Commissioner Granzella moved to approve the minutes of the May 18, 2021 Commissioners' regular meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Consider a contract between Chaffee County Buildings and Grounds and Tryg Group.

Director Christiansen addressed the Board to consider a contract between Chaffee County and Tryg Group and responded to Commissioners' questions.

Commissioner Granzella moved to approve the contract between Chaffee County for Chaffee County Buildings and Grounds and Tryg Group for \$18,450. Commissioner Baker seconded the

motion. The motion carried unanimously.

2. Consider a contract between the Chaffee County Visitors Bureau and Evelyn Dowd for copywriting work.

Chaffee County Marketing Director Scott Peterson addressed the Board to consider a contract between the Chaffee County and Evelyn Dowd for copywriting work.

Commissioner Baker moved to approve the contract between Chaffee County for the Chaffee County Visitors Bureau and Evelyn Dowd for copywriting work as presented. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. Consider a contract between the Chaffee County Visitor's Bureau and Nik and Angel Rowell to create content for media and social media.

Chaffee County Marketing Director Peterson addressed the Board to consider a contract between the Chaffee County for the Chaffee County Visitor's Bureau and Discovery Pass LLC (Nik and Angel Rowell) to create content for media and social media. Peterson responded to Commissioners' questions.

Commissioner Baker moved to approve a contract between the Chaffee County for the Chaffee County Visitor's Bureau and Discovery Pass LLC to create content for media and social media. Commissioner Granzella seconded the motion. The motion carried unanimously.

D. Regular Agenda Items

1. **Public Hearing - Name of Project:** Farney Heritage Water Subdivision Exemption
Applicants: Ryly Farney and Brenda & Steven Kelso, represented by Tony Karmanski, Ridgeline Surveying **Location:** 8309 & 8509 County Road 250, Salida **Zone:** Rural **Request:** To subdivide 74.05 acres into two lots of 63.23 and 10.34 acres. The property has two domestic wells and two on-site wastewater treatment systems. 0.47 acres of right of way will be dedicated for County Road 250.

Manager Roorda addressed the Board to consider the Farney Heritage Water Subdivision Exemption **Applicants:** Ryly Farney and Brenda & Steven Kelso, represented by Tony Karmanski, Ridgeline Surveying; **Location:** 8309 & 8509 County Road 250, Salida, to subdivide 74.05 acres into two lots of 63.23 and 10.34 acres. Manager Roorda responded to Commissioners' questions.

Applicant Ryly Farney, 8309 County Rd. 250, Salida, addressed the Board.

The public comment portion of the hearing opened at 9:31 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated during which Manager Roorda responded to Commissioners' questions.

Commissioner Granzella moved to approve the Farney Heritage Water Subdivision Exemption; **Applicants:** Ryly Farney and Brenda & Steven Kelso, represented by Tony Karmanski, Ridgeline Surveying, with the Staff conditions of approval included and direct staff to prepare a resolution for June 15, 2021. Commissioner Baker seconded the motion. The motion carried unanimously.

2. **Public Hearing - Name of Project:** McFarland Heritage Water Subdivision Exemption
Applicant: The Tom D. McFarland Living Trust, dated October 22, 2019 **Location:** 22865 Maud Lane, Buena Vista **Zone:** Rural **Request:** To subdivide 41.2 acres into two parcels of 5.0 and 36.2 acres. Wells and On-site Wastewater Treatment Systems (OWTS) serve the property. Parcel 1 will access from an existing easement recorded in Resolution 1998-12 at Reception #296422. Parcel 2 access from an existing easement through The View at Chalk Creek Canyon (now EagleView at Mt. Princeton).

Manager Roorda addressed the Board to consider the McFarland Heritage Water Subdivision Exemption; **Applicant:** The Tom D. McFarland Living Trust, dated October 22, 2019; **Location:** 22865 Maud Lane, Buena Vista, to subdivide 41.2 acres into two parcels of 5.0 and 36.2 acres. Manager Roorda responded to Commissioners' questions.

Applicant representative Tom McFarland, 22865 Maud Lane, Buena Vista, addressed the Board in person and responded to Commissioners' questions. Manager Roorda responded to additional questions.

The public comment portion of the hearing opened at 9:56 a.m.

Public comments were given by:

Bart Myres, representing Eagle View Subdivision, 14717 S. Stagecoach Lane, Buena Vista.

Attorney Davis addressed the Board. Commissioners commented.

Peggy Hiltner, 14543 N. Stagecoach Lane, Buena Vista.

The public comment portion of the hearing closed at 10:08 a.m.

Commissioners deliberated during which Manager Roorda and Attorneys Davis and Tom responded to Commissioners' questions. McFarland and Myers commented.

Commissioner Felt moved to approve the McFarland Heritage Water Subdivision Exemption; **Applicant:** The Tom D. McFarland Living Trust, dated October 22, 2019; **Location:** 22865 Maud Lane, Buena Vista, to subdivide 41.2 acres into two parcels of 5.0 and 36.2 acres, subject to the conditions of approval recommended by Staff with the adjustment of Condition 2 to reflect the discussion about proportional payment for road maintenance for Lot 2 to be worked out with Attorney Tom over the next two weeks, and direct staff to prepare a resolution for June 15, 2021. Commissioner Granzella seconded the motion. The motion carried unanimously.

A short break was taken at 10:44 a.m. The meeting resumed at 10:50 a.m.

3. Set dates, referees and arbitrators for the 2021 Board of Equalization hearings - Administrative Assistant Fesenmeyer

Assistant Fesenmeyer addressed the Board to set dates, referees, and arbitrators for the 2021 Board of Equalization hearings. Fesenmeyer stated that as yet there is no arbitrator(s).

Commissioner Granzella moved to approve Linda Post, Debbie Gardner, and Bill Mansheim as the Board of Equalization for 2021, set the dates of July 26 through August 2, 2021 as hearing dates, and Aug 3, 2021 as the date for the Board of Commissioners to finalize the Board of Equalization

decisions. Commissioner Baker seconded the motion. The motion carried unanimously.

4. Consider a resolution transferring the roadways in the North Fork Acres Subdivision from Chaffee County to the North Fork Acres Improvement Association.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-38 APPROVING THE TRANSFER OF PONDEROSA LANE AND HANGING TREE DRIVE AS SHOWN ON THE PLAT OF NORTH FORK SUBDIVISION, FILING NO. 1 TO NORTH FORK ACRES IMPROVEMENT ASSOCIATION. Attorney Tom responded to Commissioner's question.

Commissioner Baker moved to approve RESOLUTION 2021-38 APPROVING THE TRANSFER OF PONDEROSA LANE AND HANGING TREE DRIVE AS SHOWN ON THE PLAT OF NORTH FORK SUBDIVISION, FILING NO. 1 TO NORTH FORK ACRES IMPROVEMENT ASSOCIATION. Commissioner Granzella 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 Tom addressed the Board regarding RESOLUTION 2021-32 DESIGNATING OPERATING HOURS, AREAS OF PUBLIC ASSEMBLY AND UNAUTHORIZED ACTIVITIES ON COUNTY PROPERTIES and recommended tabling this until June 15, 2021.

Commissioner Baker moved to continue to June 15, 2021 consideration of RESOLUTION 2021-32 DESIGNATING OPERATING HOURS, AREAS OF PUBLIC ASSEMBLY AND UNAUTHORIZED ACTIVITIES ON COUNTY PROPERTIES. Commissioner Granzella seconded the motion. Discussion ensued. The motion carried unanimously.

6. Update on progress of funding various capital projects through the issuance of Certificates of Participation. - Alan Matlosz, Stifel Public Finance
Alan Matlosz of Stifel Public Finance provided the Board an update on the progress of funding various capital projects through the issuance of Certificates of Participation and responded to Commissioner's question. By consensus, this will be on the June 15, 2021 agenda.

No formal action was taken.

7. Consider a Memorandum of Agreement for the Chaffee County, CO Risk MAP Project.

Manager Roorda addressed the Board to consider a Memorandum of Agreement for the Chaffee County, CO Risk MAP Project. Manager Roorda and Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to approve the Memorandum of Agreement for the Chaffee County, CO Risk MAP Project as presented. Commissioner Granzella seconded the motion. The motion carried unanimously.

8. Consider a request for a Tavern Liquor License Renewal Application for the VFW Post 1166.

Chair Felt addressed the Board to consider a request for renewal of a Tavern Liquor License for the VFW Post 1166. Clerk Mitchell addressed the Board.

Commissioner Granzella moved to approve renewal of the Tavern Liquor License for the VFW Post 1166, and to waive the local license fees of \$175.00. Commissioner Baker seconded the motion. The

motion carried unanimously.

9. Consider a request for an Optional Premise Liquor License renewal for the Collegiate Peaks Golf Course.

Chair Felt addressed the Board to consider a request to renew an Optional Premise Liquor License for the Collegiate Peaks Golf Course. Clerk Mitchell responded to Chair Felt's question.

Commissioner Baker moved to approve the renewal of the Optional Premise Liquor License for the Collegiate Peaks Golf Course and waive the local fees of \$175.00. Commissioner Granzella seconded the motion. The motion carried unanimously.

10. Consider Resolution 2021-39 approving the Longmire Plat Amendment.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-39 APPROVING THE LONGMIRE PLAT AMENDMENT.

Commissioner Granzella moved to approve RESOLUTION 2021-39 APPROVING THE LONGMIRE PLAT AMENDMENT. Commissioner Baker seconded the motion. The motion carried unanimously.

11. Consider special event permit application from Bonfire Entertainment for Meet Me At the Creek festival

Attorney Tom and Chair Felt addressed the Board to consider the special event permit application from Bonfire Entertainment for the Meet Me At the Creek Festival. Attorney Davis and Administrative Assistant Fesenmeyer spoke.

Commissioner Granzella moved to accept correspondence regarding this matter received through today at 11:00 a.m. Commissioner Baker seconded the motion. Discussion ensued. The motion carried unanimously.

Attorneys Davis and Tom and Assistant Fesenmeyer responded to the Chair's questions.

The following Applicant representatives spoke:

Scott Stoughton, 786 Majestic Circle, Steamboat Springs, CO.

Michael Welle, 22040 Whitewood Drive West, Steamboat Springs, CO.

Discussion ensued during which Attorneys Davis and Tom, Assistant Fesenmeyer, Welle, and Stoughton responded to Commissioners' questions.

By consensus, it was agreed:

- Commissioners will meet as the Board of Commissioners for a special meeting on June 10, 2021, at 9:00 a.m. for this matter, including public comment.
- Written comments will be accepted until June 7, 2021 at 5:00 p.m.

Chair Felt called a Board of Health meeting for June 7, 2021 at 9:00 a.m. to discuss this matter further.

Commissioner Granzella moved to continue to June 10, 2021, at 9:00 a.m. the Special Event Permit application from Bonfire Entertainment for the Meet Me At the Creek Festival. Commissioner Granzella seconded the motion. The motion carried unanimously.

12. **12:30 p.m. - Review and provide input on the draft Chaffee County Recreation Plan.**

Cindy Williams, Co-Lead with Envision Chaffee County, addressed the Board with an update on the draft Chaffee County Recreation Plan following introduction of:

- Ben Lara, US Forest Service Salida District Recreation Program Manager
- Kim Marquis, Outreach Coordinator with Envision Chaffee County
- Dominique Nacarrato, who was unable to join online.

Lara, Williams, and Marquis continued with their update. Williams responded to Commissioner's question.

Discussion ensued.

No formal action was taken.

13. **12:45 p.m. - Consideration of spring grant cycle recommendations from Common Ground CAC.**

Cindy Williams with the Common Ground Citizens Advisory Council (CAC) introduced Rick Hum.

Rick Hum, Vice Chair of CAC, 13405 County Rd. 361C, Nathrop, addressed the Board to consider the spring grant cycle recommendations from Common Ground CAC. Ben Lara, Hum, and Williams responded to Commissioners' questions.

Commissioner Baker moved to approve the spring grant cycle recommendations from Common Ground CAC as presented. Commissioner Granzella seconded the motion. The motion carried unanimously.

E. Convene as 1041 Permit Authority

The Board recessed as the Board of Commissioners at 1:26 p.m. and convened as the 1041 Permit Authority at 1:48 p.m. for the following matter.

1. **1:00 P.M. - Public Hearing - Continued from May 18, 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.

Attorney Davis addressed the Board concerning a question of possible conflict of interest that arose in public comments. She clarified that she never worked with Nestle Water North America (NWNNA).

The following persons introduced themselves in person:

Tom Bomer, 225 D St., Salida, co-founder of Unbottle and Protect Chaffee County Water.

Jen Swacina, 132 E. 7th St., Apt. 2, Salida, co-founder of Unbottle and Protect Chaffee County Water.

Bomer introduced John McGowan, 13100 Coyote Valley Rd., Salida, who addressed the Board remotely sharing his presentation.

Swacina presented to the Board. Bomer addressed the Board.

McGowan and Swacina responded to Commissioners' questions.

The public comment portion of the hearing opened at 3:21 p.m.

Public comments were given by:

Karen Dils, 29940 County Rd. 353, Buena Vista

Brady and Troy Karlin, 31255 County Rd. 384, Buena Vista

Reed Dils, 29940 County Rd. 353, Buena Vista

Bryan Grigsby, 1150 Hancock Dr., Boulder (to be Buena Vista resident in a year); Grigsby responded to Commissioner's question.

Shae Whitney, confidential address, Salida

Linda Lafford, 30503 Timberline Dr., Buena Vista, on behalf of Chaffee County Quilts of Valor

Francie Bomer, 225 D St., Salida

Linda Erickson, 6005 Archery Circle, Salida

Craig Nielson, 407 E. 3rd St., Salida

Mike Bonnet, 401 W. Sackett, Salida

Mary Jane Cavallo, 15033 County Rd. 306, Buena Vista

The public comment portion of the hearing closed at 3:56 p.m.

Chair Felt invited NRNA representatives to comment.

NRNA Natural Resource Manager Larry Lawrence, 5772 Jarupa St., Ontario, CA, said they had no comments today and concurred with the public hearing to be continued to June 15, 2021 at 1:00 p.m.

Commissioner Baker moved to continue this public hearing to June 15, 2021 at 1:00 p.m.

Commissioner Granzella seconded the motion. The motion carried unanimously.

The Board adjourned as the 1041 permit authority at 4:01 p.m. and reconvened as the Board of Commissioners at 4:01 p.m.

F. Consent Agenda

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

1. Pay Bills

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 4:07 p.m.

I. 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