



Chaffee County Commissioners Meeting
June 22, 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 22, 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, Deputy County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, Public Affairs Officer Beth Helmke, Development Services Director Dan Swallow (briefly; then remotely), Planning Manager Jon Roorda, Sheriff John Spezze, Road & Bridge Superintendent Mark Stacy, and IT Ethan Smith.

Others present remotely were County Attorney Jennifer Davis, Emergency Medical Services (EMS) Director Josh Hadley, Public Health Director Andrea Carlstrom, Emergency Manager Rich Atkins, 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.

Director Swallow introduced Greg Laudenslager as a new Planner in the Planning & Zoning Department.

3. Public Comment

There was no public comment.

B. Minutes for Approval

Commissioner Baker moved to approve the *REVISED* minutes of the June 1, 2021 Commissioners' regular meeting and minutes of the June 15, 2021 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

1. Approve the *REVISED* minutes of the June 1, 2021 regular meeting.

2. Approve the minutes of the June 15, 2021 regular meeting.

C. Contracts/Grant Consideration

D. Regular Agenda Items

1. Report from the County Sheriff

Chair Felt introduced the Sheriff's May 2021 report.

Commissioner Granzella moved to accept the Sheriff's May 2021 report. Commissioner Baker seconded the motion. The motion carried unanimously.

2. **Public Hearing - Project:** Ortiz Road and Alley Vacation of Right of Way (ROW) **Applicants:** William & Christine Ortiz, represented by Carol Bellhouse **Location of properties adjacent to ROW proposed to be vacated:** 11225 County Road 198 (Ortiz), 11218 County Road 198 (Warner), 11230 County Road 198 (Jimerson/Klugh), vacant land at tax parcel #3421-144-19-132 (Argys/Jimerson), vacant land at tax parcel #s 3421-144-16-142 and 3421-144-16-143 (Joplin Properties, LLC), and the Union Pacific Railroad, Nathrop **Zone:** Residential **Request:** To vacate the southwesterly half of Fourth Street adjacent to Block 15; the southeasterly half of D Street adjacent to Block 15; and all of the alley within Block 15; all in the Townsite of Nathrop. Access for these properties is from County Road 198 or County Road 197-A. These rights of way do not have roads constructed in them.

Manager Roorda addressed the Board to consider the Ortiz Road and Alley Vacation of Right of Way (ROW); Applicants: William & Christine Ortiz, represented by Carol Bellhouse; Location: as stated above.

Manager Roorda and Attorney Tom responded to Commissioners' questions.

Carol Bellhouse, attorney representing William and Christine Ortiz, PO Box A, Leadville, CO, spoke, stated that she promised to tell the truth, and responded to Commissioners' questions.

The public comment portion of the hearing opened at 9:41 a.m.

Public comments were given by:

Derrick Eggleston, 15870 T Rd., Buena Vista, stated that he promised to tell the truth, spoke, and responded to Commissioners' questions.

Manager Roorda spoke and responded to Commissioners' questions.

Applicant William Ortiz, 11225 County Rd. 198, Nathrop, stated that he promised to tell the truth and spoke.

Chair Felt paused the public comment portion of the hearing at 9:52 a.m.

Manager Roorda spoke.

The public comment portion of the hearing continued at 9:54 a.m. There were no further comments, and the public comment portion of the hearing closed at 9:54 a.m.

Commissioners deliberated during which Manager Roorda spoke, and he and William Ortiz responded to Commissioners' questions.

Commissioner Granzella moved to vacate 4th St. and the alley as requested and not the one-half of D St. The motion died for lack of a second.

Commissioner Baker moved to approve the application and vacate the 30 foot half of the right-of-way (ROW) of 4th St., the remaining 30 feet of D Street to be vacated, and the alley between the two lots (see terminology in Agenda for resolution) and also include in the resolution the previous vacation of D Street, and direct staff to prepare a resolution to that effect for consideration at the July 6, 2021 meeting.

Clarification: Commissioners are reserving all of these as utility easements.

Commissioner Felt seconded the motion with the following comments: conditions of easements shall be added to the plat and utilities along vacated rights-of-way, vacated ROWs will be merged into existing lots, and staff will work with Applicant surveyors to finalize the mylar for recording.

The motion carried with Commissioners Baker and Felt voting FOR and Commissioner Granzella voting AGAINST the motion.

The meeting recessed for a short break at 10:15 a.m.
The meeting resumed at 10:21 a.m.

3. **Public Hearing - **Request continuance to July 6, 2021** Name of Project:** Ludwig Heritage Water Subdivision Exemption **Applicants:** Gary & Mary Ludwig **Location:** 504 S. Pleasant Avenue, Buena Vista **Zone:** Residential **Request:** To subdivide Lot 2R, 2nd Amendment, Ludwig Boundary Line Adjustment V of 4.509 acres into two lots of 2.027 and 2.482 acres. A new well and on-site wastewater treatment system will serve the new lot.

Manager Roorda addressed the Board to request a continuance of this matter to July 6, 2021, and responded to Commissioners' questions. Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to grant a continuance of the Ludwig Heritage Water Subdivision Exemption application to July 6, 2021, and noted that the Town of Buena Vista be afforded the opportunity to comment on the application. Commissioner Granzella seconded the motion. The motion carried unanimously.

4. **Public Hearing - Name of Project:** Williams-O'Hare Heritage Water Subdivision Exemption **Applicants:** Jeffrey Williams & Janie O'Hare, represented by Tony Komarnsky of Ridgeline Surveying **Location:** 12770 County Road 190 E, Salida **Zone:** Rural **Request:** To subdivide 35.04 acres into two (2) lots of 6.89 and 27.14 acres. Dedication of 1.01 acres of right of way for County Road 190 E will be dedicated on the plat. Wells and on-site wastewater treatment systems will serve the property. Access will be on individual driveways off County Road 190 E.

Manager Roorda addressed the Board to consider the Williams-O'Hare Heritage Water Subdivision Exemption; Applicants: Jeffrey Williams and Janie O'Hare, represented by Tony Komarnsky of Ridgeline Surveying; Location: 12770 County Road 190 E, Salida. Manager Roorda responded to Commissioners' questions.

Applicant Janie O'Hare, 12270 County Rd. 190 E, Salida, stated that she promised to tell the truth, addressed the Board, and responded to Commissioner's question.

The public comment portion of the hearing opened at 10:41 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Commissioner Granzella moved to approve the Williams-O'Hare Heritage Water Subdivision Exemption; Applicants: Jeffrey Williams and Janie O'Hare, represented by Tony Komarnsky of Ridgeline Surveying; Location: 12770 County Road 190 E, Salida, and direct staff to prepare a resolution for the July 6, 2021 meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

5. **Public Hearing - Name of Project:** RGP Industrial Park Major Subdivision Plat Amendment
Applicants: Tracey Gucione and David Padoven **Location:** 9761, 9771, 9781, 9783, 9789 and 9791 Padoven Loop Road, Salida **Zone:** Rural **Request:** To change the road name from Padoven Loop Road to RGP Drive, all in the RGP Subdivision. Addresses will be changed to the new road name.

Manager Roorda addressed the Board to consider the RGP Industrial Park Major Subdivision Plat Amendment; Applicants: Tracey Gucione and David Padoven; Location: 9761, 9771, 9781, 9783, 9789 and 9791 Padoven Loop Road, Salida. Manager Roorda responded to Commissioner's question.

The Chairman invited the Applicant to speak. The Applicant was not present.

Manager Roorda responded to additional Commissioners' questions.

The public comment portion of the hearing opened at 10:50 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Baker moved to approve the RGP Industrial Park Major Subdivision Plat Amendment; Applicants: Tracey Gucione and David Padoven; Location: 9761, 9771, 9781, 9783, 9789 and 9791 Padoven Loop Road, Salida, and direct staff to prepare a resolution to that effect. Commissioner Granzella seconded the motion. The motion carried unanimously.

6. Consider Resolution 2021-42 approving the Special Event Permit for Meet Me At The Creek including the terms and conditions discussed at the June 10th, 2021 special meeting of the Board of County Commissioners.

Chair Felt addressed the Board concerning draft Resolution 2021-44 **CONDITIONALLY GRANTING A REQUEST FOR A SPECIAL EVENT PERMIT SUBMITTED BY MEET ME AT THE CREEK AND PROVIDING FOR A MULTI-DAY FESTIVAL TO BE HELD AT A**

LOCATION IN CHAFFEE COUNTY COLORADO KNOWN AS THE "MEADOWS." Chair Felt stated that Applicant requested some modifications to the draft Resolution. Attorney Cottom addressed the Board and read through the Resolution.

Discussion ensued during which Attorneys Tom and Cottom and Manager Roorda responded to Commissioners' questions.

Chair Felt invited the Applicant to speak followed by the landowner where the event will be held.

Applicant representative Scotty Stoughton, 786 Majestic Circle, Steamboat Springs, CO, stated that he would tell the truth and addressed the Board.

"Meadows" landowner Jed Selby, 901 S. Main St., Buena Vista, stated that he would tell the truth, addressed the Board, and responded to Commissioner's question.

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

Chair Felt invited Stoughton to speak again. Stoughton addressed the Board.

Commissioner Baker moved to approve RESOLUTION 2021-44 CONDITIONALLY GRANTING A REQUEST FOR A SPECIAL EVENT PERMIT SUBMITTED BY MEET ME AT THE CREEK AND PROVIDING FOR A MULTI-DAY FESTIVAL TO BE HELD AT A LOCATION IN CHAFFEE COUNTY COLORADO KNOWN AS THE "MEADOWS" with the following changes as discussed in paragraph 3.c. amending the hours of set-up and take-down construction activity and dates Tuesday, Wednesday, Thursday, September 21, 22, 23, before the event, etc.; paragraph 4.e. amending that for alcohol sales to go from 2:00 p.m. to midnight on Friday and Saturday, September 24 and 25; revising paragraph 6. on noise mitigation to reflect CRS 25-12-103 (2016) regarding noise abatement; finding that the Applicant does not qualify for an exemption; and authorize the Chair to sign the Resolution once staff has prepared the revised Resolution.

Commissioner Granzella seconded the motion.

Chair Felt asked that the motion be amended to clarify that Commissioners were not *able* to determine that Applicant was exempt.

Commissioner Baker accepted Chair Felt's amendment. Commissioner Granzella seconded Chair Felt's amendment.

The motion and amendment carried unanimously.

7. Consider funding for a public ice rink.

Director Christiansen addressed the Board to consider funding for a public ice rink. Directors Christiansen and Short responded to Commissioners' questions.

Commissioner Granzella moved to approve \$20,000 from the Conservation Trust Fund (CTF) for funding of a public ice rink in Salida. Commissioner Baker seconded the motion. The motion carried unanimously.

9. Consider release of Lot Sales Restriction for Arkansas Valley Business Park Phase 2 (Lots 13-20)

Manager Roorda addressed the Board to consider release of the Lot Sales Restriction for Arkansas Valley Business Park Phase 2 (Lots 13-20).

Commissioner Granzella moved to approve release of the Lot Sales Restriction for Arkansas Valley Business Park Phase 2 (Lots 13-20). Commissioner Baker seconded the motion. The motion carried unanimously.

The meeting recessed at 1:09 p.m.

The meeting resumed at 1:35 p.m.

10. Consider special event permit application for Live Nation's Seven Peaks Festival

Chair Felt addressed the Board regarding the special event permit application for Live Nation's Seven Peaks Festival, stated that this is a Public Hearing, and described the process that will be followed for this matter during the meeting.

Manager Roorda presented the Staff Report to the Board and responded to Commissioners' questions.

Sheriff Spezze addressed the Board and responded to Commissioners' questions.

Director Hadley addressed the Board and responded to Commissioners' questions.

Director Carlstrom addressed the Board and responded to Commissioners' questions.

Superintendent Stacy addressed the Board.

Applicant Live Nation representative Jim Reid, 1080 Meadow Crest Dr., Clarkston, MI, stated he promised to tell the truth, and addressed the Board and responded to Commissioners' questions.

The meeting recessed for a short break at 3:31 p.m.

The meeting resumed at 3:37 p.m.

The public comment portion of the hearing opened at 3:37 p.m.

Public comments were given by:

Nathan (Nate) Jones, 15745 Birdie Lane, Buena Vista, representative of BV Residents for Sustainable Use of The Meadows, stated that he agrees to tell the truth and addressed the Board sharing his presentation.

Susan Nies, 30640 Promontory East, Buena Vista, stated that she promises to tell the truth.

Rikki Swedhin, 18410 Trail West Dr., Buena Vista, stated that she promises to tell the truth.

Carle Linke, 32709 Columbia Ranch Rd., Buena Vista, stated that she promises to tell the truth.

David Olmstead, 17080 County Rd. 363, Buena Vista, stated that she promises to tell the truth.

Cary Unkelbach, 17080 County Rd. 363, Buena Vista, stated that she promises to tell the truth.

Kelsey Banaszynski, 102 Grouse Rd., Buena Vista, stated that she promises to tell the truth.

Alan Warholoski, 29105 County Rd. 330, Buena Vista, stated that he promises to tell the truth.

Robin Vega, 900 S. Main, Buena Vista, stated that he promises to tell the truth.

Randy Peters, 15685 Par Lane, Buena Vista, stated that he promises to tell the truth.

Ed Hansford, 30600 Promontory East, Buena Vista, stated that he promises to tell the truth.

Hansford responded to Commissioner's question.

Brian Conway, 801 Front Loop, Apt. C, Buena Vista, stated that he promises to tell the truth.

Sara Anderson, 11470 W County Rd. 190, Salida, stated that she promises to tell the truth.

Thad Putnam, 206 Thompson Ct., Buena Vista, stated that he promises to tell the truth.

The public comment portion of the hearing closed at 4:52 p.m.

The Meadows landowner Jed Selby, 901 S. Main St., Buena Vista, stated that he promises to tell the truth, addressed the Board, and responded to Commissioner's question.

Jim Reid addressed the Board and responded to Commissioners' questions.

Commissioner Baker moved to continue consideration of the Live Nation's Seven Peaks Music Festival 2021 to June 30, 2021, at 9:00 a.m. Commissioner Granzella seconded the motion. The motion carried unanimously.

Nathan Jones' full presentation is available to the public.

8. Consider Resolution 2021-32 designating operating hours, areas of public assembly and unauthorized activities on County properties. - Attorney Tom

Commissioner Granzella moved to continue to July 6, 2021, consideration of RESOLUTION 2021-32 DESIGNATING OPERATING HOURS, AREAS OF PUBLIC ASSEMBLY AND UNAUTHORIZED ACTIVITIES ON COUNTY PROPERTIES.

Commissioner Baker seconded the motion. The motion carried unanimously.

E. Consent Agenda

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

1. Pay bills

F. Active Projects

G. Adjourn

Commissioner Granzella moved to adjourn the meeting. Commissioner Baker seconded the motion. The motion carried unanimously. The meeting was adjourned at 5:26 p.m.

H. Potential Road Trip

Attest:



