



Chaffee County Commissioners Meeting
July 6, 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 July 6, 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, Planning Manager Jon Roorda, Department of Human Services Child Welfare Supervisor Monica Haskell, and IT Ethan Smith.

Others present remotely were County Attorney Jennifer Davis, Development Services Director Dan Swallow, County Clerk Lori Mitchell, Public Health Director 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 9:02 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

Commissioner Baker moved to approve the minutes of the June 22, 2021 Commissioners' regular meeting, June 24, 2021 Commissioners' special meeting, and June 30, 2021 Commissioners' special meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

1. Approve the minutes of the June 22, 2021 regular meeting.
2. Approve the minutes of the June 30, 2021 special meeting.
3. Approve the minutes of the June 24, 2021 special meeting.

C. Contracts/Grant Consideration

1. Consider a contract between the Chaffee County Jail and Turn Key Health.

Director Short addressed the Board to consider a contract between Chaffee County for the Chaffee County Jail and Turn Key Health. Director Short and Attorney Tom responded to Commissioners' questions.

Commissioner Granzella moved to approve the contract between Chaffee County for the Chaffee County Jail and Turn Key Health for up to \$308,840 pending approval from the legal department and allow the Chair to sign following review by the Commissioners. Commissioner Baker seconded the motion. The motion carried unanimously.

D. Regular Agenda Items

1. **Public Hearing - Name of Project:** Eggleston-Bainbridge Boundary Line Adjustment **Applicants:** Albert & Linda Eggleston and Chris Bainbridge **Location:** 12433 & 12500 County Road 190 E, Salida **Zone:** Rural **Request:** To adjust property lines between two properties: Tract 1-RA (Eggleston Boundary Line Adjustment) will increase from 215.66 acres to 217.66 acres, and Tract 2-A (Bainbridge Heritage Water Subdivision Exemption) will decrease from 32.90 acres to 30.90 acres.

Manager Roorda addressed the Board to consider the Eggleston-Bainbridge Boundary Line Adjustment located at 12433 & 12500 County Road 190 E, Salida, for Applicants Albert & Linda Eggleston and Chris Bainbridge. Manager Roorda responded to Commissioners' questions.

Applicant Chris Bainbridge, 12500 County Rd. 190 E, Salida, addressed the Board.

The public comment portion of the hearing opened at 9:33 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Granzella moved to approve the Eggleston-Bainbridge Boundary Line Adjustment; Applicants: Albert & Linda Eggleston and Chris Bainbridge; Location: 12433 & 12500 County Road 190 E, Salida. Commissioner Baker seconded the motion. The motion carried unanimously.

2. **Public Hearing - Continued from June 22, 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 to a date uncertain of the Ludwig Heritage Water Subdivision Exemption located at 504 S. Pleasant Avenue, Buena Vista, for Applicants Gary and Mary Ludwig.

Commissioner Baker moved to continue the public hearing for the Ludwig Heritage Water Subdivision Exemption to a date uncertain to be determined and scheduled by staff. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. Consider approving Resolution 2021-49 RGP Industrial Par Major Subdivision Plat Amendment.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-49 APPROVING A PLAT AMENDMENT FOR RGP INDUSTRIAL PARK SUBDIVISION and responded to Commissioner's question.

Commissioner Granzella moved to approve RESOLUTION 2021-49 APPROVING A PLAT AMENDMENT FOR RGP INDUSTRIAL PARK SUBDIVISION. Commissioner Baker seconded the motion. The motion carried unanimously.

4. Consider approving Resolution 2021-48 Ortiz Road and Alley Vacation Right of Way.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-48 VACATING A PORTION OF D STREET AND 4th STREET ADJACENT TO BLOCK 15 AND ALLEYWAY IN BLOCK 15 OF THE TOWNSITE OF NATHROP AND APPROVING A REPLAT OF LOTS 1 THROUGH 26, BLOCK 15 IN THE TOWNSITE OF NATHROP. Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to approve RESOLUTION 2021-48 VACATING A PORTION OF D STREET AND 4th STREET ADJACENT TO BLOCK 15 AND ALLEYWAY IN BLOCK 15 OF THE TOWNSITE OF NATHROP AND APPROVING A REPLAT OF LOTS 1 THROUGH 26, BLOCK 15 IN THE TOWNSITE OF NATHROP. Commissioner Granzella seconded the motion. The motion carried with Commissioners Baker and Felt voting FOR the motion and Commissioner Granzella voting AGAINST the motion.

5. Consider approving Resolution 2021-47 Williams-O'Hare Heritage Water Subdivision Exemption.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-47 APPROVING THE WILLIAMS/O'HARE HERITAGE WATER SUBDIVISION EXEMPTION.

Commissioner Granzella moved to approve RESOLUTION 2021-47 APPROVING THE WILLIAMS/O'HARE HERITAGE WATER SUBDIVISION EXEMPTION. Commissioner Baker seconded the motion. The motion carried unanimously.

6. Consider approving Resolution 2021-46 Lofgren Heritage Water Subdivision Exemption.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-46 APPROVING THE LOFGREN HERITAGE WATER SUBDIVISION EXEMPTION.

Commissioner Granzella moved to approve RESOLUTION 2021-46 APPROVING THE LOFGREN HERITAGE WATER SUBDIVISION EXEMPTION. Commissioner Baker seconded the motion. The motion carried unanimously.

7. Consider approving Resolution 2021-45 Nighthawk Heritage Water Subdivision.

Attorney Tom addressed the Board to consider draft RESOLUTION 2021-45 APPROVING THE NIGHTHAWK HERITAGE WATER SUBDIVISION EXEMPTION. Manager Roorda and Attorney Tom responded to Commissioner's question.

Commissioner Baker moved to approve RESOLUTION 2021-45 APPROVING THE NIGHTHAWK HERITAGE WATER SUBDIVISION EXEMPTION. Commissioner Granzella seconded the motion. The motion carried unanimously.

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

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

Commissioner Granzella moved to approve 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.

9. Chaffee Housing Trust Fee Waiver Request for six homes at M and 3rd Streets.

Chaffee Housing Trust Executive Director Read McCulloch, 246 Blake St., Salida, stated he promised to tell the truth and addressed the Board to consider a Chaffee Housing Trust Fee Waiver Request for six homes at M and 3rd Streets. McCulloch responded to Commissioner's questions.

Director Swallow addressed the Board.

Commissioner Baker moved to approve a fee waiver for Chaffee Housing Trust for six homes at M and 3rd Streets for an amount not to exceed \$8,000. Commissioner Granzella seconded the motion. Discussion ensued. The motion carried unanimously.

10. Consider a request for the renewal of a Brew Pub Liquor License for Brown's Canyon Brewing Company, 23850 US Highway 285, Buena Vista.

Clerk Mitchell addressed the Board to consider a request for the renewal of a Brew Pub Liquor License for Brown's Canyon Brewing Company, 23850 US Highway 285, Buena Vista.

Commissioner Granzella moved to approve the request for the renewal of a Brew Pub Liquor License for Brown's Canyon Brewing Company, 23850 US Highway 285, Buena Vista, and to waive the local County fees. Commissioner Baker seconded the motion. The motion carried unanimously.

11. Consider a request for the renewal of a Hotel and Restaurant Liquor License for Riverside Grill, 24070 County Road 301, Buena Vista.

Clerk Mitchell addressed the Board to consider a request for the renewal of a Hotel and Restaurant Liquor License for Riverside Grill, 24070 County Road 301, Buena Vista. Clerk Mitchell responded

to Commissioners' questions.

Commissioner Baker moved to approve the request for the renewal of a Hotel and Restaurant Liquor License for Riverside Grill, 24070 County Road 301, Buena Vista, and waive the local County fees. Commissioner Granzella seconded the motion. The motion carried unanimously.

12. Consider Resolution 2021-50 Ratification and Extension/Amendment #13 of Declaration of Local Disaster Emergency.

Attorney Cottom addressed the Board to consider draft RESOLUTION 2021-50 RATIFICATION AND EXTENSION/AMENDMENT #13 OF DECLARATION OF A LOCAL DISASTER EMERGENCY.

Discussion ensued during which Attorney Cottom responded to Commissioners' questions and Attorney Davis addressed the Board.

Commissioner Baker moved to extend the emergency declaration and approve RESOLUTION 2021-50 RATIFICATION AND EXTENSION/AMENDMENT #13 OF DECLARATION OF A LOCAL DISASTER EMERGENCY. Commissioner Granzella seconded the motion. The motion carried unanimously.

E. Consent Agenda

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

1. Pay Bills

The meeting recessed for a short break at 10:33 a.m.
The meeting resumed at 10:40 a.m.

D. Regular Agenda Items

13. **10:40 a.m. -** Consider request from Salida's Next Last Waltz to use space at the Fairgrounds in November for multiple concerts. - Miki Hodge and Randy Mosby

Fairgrounds Rentals and Events Miki Hodge followed by Chris Nasca, 1531 J St., Salida, addressed the Board to consider a request from Salida's Next Last Waltz to use space at the Fairgrounds in November for multiple concerts. Hodge and Nasca responded to Commissioners' questions.

Commissioner Granzella moved to approve the request from Salida's Next Last Waltz's to use space at the Fairgrounds and waive fees up to \$4,500. Commissioner Baker seconded the motion. The motion carried unanimously.

The meeting recessed at 10:46 a.m. until 11:00 a.m.
The meeting resumed at 11:00 a.m.

14. **no earlier than 11:00 a.m. - (Attorney Cottom in court earlier)** Update on Opioid Litigation Settlement and consider determination regarding Chaffee County's preferred region in statewide opioid litigation settlement.

Attorney Cottom addressed the Board giving an update on the Opioid Litigation Settlement and to consider the determination regarding Chaffee County's preferred region in the statewide opioid litigation settlement. Attorneys Cottom and Davis responded to Commissioners' questions.

Director Carlstrom addressed the Board.

Supervisor Monica Haskell addressed the Board and responded to Commissioners' questions.

No formal action was taken.

F. Convene as 1041 Permit Authority

The Board of Commissioners recessed as the Board of Commissioners at 11:23 a.m. and convened as the 1041 Permit Authority at 11:25 a.m.

1. **11:00am - Public Hearing - Continued from June 24, June 15, 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 1041 Permit Authority (Permit Authority) providing an update as to the status of the process concerning this matter. Attorney Tom addressed the Board regarding Applicant's latest proposal.

Discussion ensued during which Attorneys Tom and Davis responded to Commissioners' questions.

Commissioner Granzella moved to approve the Blue Triton Brands permit with agreeable conditions. Commissioner Felt seconded the motion. Discussion ensued. Chair Felt called for the question. The motion carried with Commissioners Granzella and Felt voting FOR the motion and Commissioner Baker voting AGAINST the motion.

Attorneys Tom and Davis responded to Commissioners' questions. Consideration of a draft resolution will be on the July 20, 2021 agenda for 1:00 p.m.

Commissioners spoke.

The Permit Authority adjourned at 12:13 p.m., and the Board reconvened as the Board of Commissioners at 12:13 p.m.

G. Active Projects

The Board recessed as the Board of Commissioners at 12:17 p.m. and reconvened as the Permit Authority at 12:17 p.m.

Commissioner Granzella moved to continue the Permit Authority Nestle/Blue Triton Brands permit

renewal to July 20, 2021. Commissioner Baker seconded the motion and the motion carried unanimously.

The Board adjourned as the Permit Authority and reconvened as the Board of Commissioners at 12:18 p.m.

H. Adjourn

Commissioner Baker moved to adjourn the meeting. Commissioner Granzella seconded the motion. The motion carried unanimously. The meeting was adjourned at 12:19 p.m.

I. Potential Road Trip

Attest:

A handwritten signature in black ink that reads "Lori Mitchell". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Lori Mitchell, County Clerk