Chaffee County Commissioners Meeting
December 14, 2021

These minutes have been taken remotely via Zoom. Some County staff, representatives from other governments and government agencies, and others from the public may attend, including participating in the public hearing portion of the meeting, remotely via Zoom.

A. TO MAKE ANY COMMENTS ON THIS AGENDA, PLEASE GO TO:

1. https://chaffeespeaks.org/

B. Call to Order

The regular meeting of the Board of Commissioners was held on December 14, 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, Assistant County Attorney Miles Cottom, Public Affairs Officer (PAO) Beth Helmke, Planner Christie Barton, Development Engineer Gary Greiner, and Principal Planner Greg Laudenslager.

Others present remotely were County Attorney Jennifer Davis, Deputy County Attorney Daniel Tom, and Deputy County Clerk Barbara Tidd.

1. Pledge of Allegiance

   Following the Pledge of Allegiance, Chairman Felt called the meeting to order at 9:01 a.m.

2. Review Public Meeting List

   The Board reviewed the public meeting list.

C. Approve the Agenda

Item I.2. of the Consent Agenda was removed from the Consent Agenda per Commissioner Granzella's request to be considered as a separate item on the Agenda.

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

3. Public Comment

   There was no public comment.

D. Minutes for Approval

1. Approve the minutes of the December 7, 2021 regular meeting.

   Commissioner Baker moved to approve the minutes of the December 7, 2021 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

   Planner Barton clarified that it was agreed upon regarding County Rd. 190 for a call-up meeting on January 11, 2022.

E. Special Topic

1. Legal Special Topic Resolution 2021-XX
   Chair Felt read into the record Resolution 2021-XX **CELEBRATING THE CONTRIBUTIONS OF COUNTY ATTORNEY JENNY DAVIS.**

   Commissioner Baker moved to approve Resolution 2021-XX **CELEBRATING THE CONTRIBUTIONS OF COUNTY ATTORNEY JENNY DAVIS.** Commissioner Granzella seconded the motion. The motion carried unanimously.

F. Contracts/Grant Consideration

1. Engagement Letter for Scott Wright, CPA for the 2021 Audit.
   Director Short addressed the Board to consider and recommend the Engagement letter for Scott Wright, CPA for the 2021 Audit.

   Commissioner Granzella moved to approve the Engagement letter for Scott Wright, CPA for the 2021 Audit. Commissioner Baker seconded the motion. The motion carried unanimously.

2. Approve a contract with Smiling J, dba Hilltop Broadband for equipment on the Airport's beacon tower. (moved from Consent Agenda)
   Attorneys Cottom and Tom responded to Commissioners' questions. Engineer Greiner spoke and responded to Commissioners' questions. Director Christiansen responded to Commissioners' questions.

   Commissioner Granzella moved to approve a contract with Smiling J, dba Hilltop Broadband for equipment on the Airport's beacon tower as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

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

1. ***Continued from November 16, 2021****
   Public Hearing: Name of Project: Morrison Minor Subdivision Final Plat
   Applicant: Gerald Morrison
   Location: 15974 County Road 306, Buena Vista
   Zone: Residential
   Request: To designate a 6.28 outlot (Outlot A of the Morrison Heritage Water

Subdivision Exemption) as a buildable lot through the Minor Subdivision process. A well and on-site wastewater treatment system will serve the property.

Planner Barton addressed the Board to consider the Morrison Minor Subdivision Final Plat; **Applicant**: Gerald Morrison; **Location:** 15974 County Road 306, Buena Vista to change the Outlot to Lot 3. Planner Barton responded to Commissioners' questions.

Applicant was invited to speak. Applicant was not in attendance.

The public comment portion of the hearing opened at 9:45 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Commissioner Baker moved to approve the Morrison Minor Subdivision Final Plat with the conditions as listed striking conditions 3 and 5.b under Potential Conditions and direct staff to prepare a resolution to that effect for our consideration on January 4, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

H. Regular Agenda Items

5. Discuss DHS funding proposal.

Director Short addressed the Board regarding the Department of Human Services (DHS) funding proposal.

Discussion ensued during which Director Christiansen addressed the Board.

Commissioner Granzella moved to earmark $500,000 as a donation to the Boys & Girls Clubs of Chaffee County-Buena Vista capital campaign and approve total expenditures of $1,000,000 in 2022 as a budget line item from Cash Reserves. Commissioner Baker seconded the motion. The motion carried unanimously.

Chaffee County Boys and Girls Club Executive Director Brian Beaulieu was invited to speak and addressed the Board.

1. 10:00 a.m. - Public Hearing - Consider Adoption of the 2022 Budget

Director Short addressed the Board to consider Resolution 2021-85 SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE COUNTY OF CHAFFEE, STATE OF COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022.

The public comment portion of the hearing opened at 10:05 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Granzella moved to approve Resolution 2021-85 SUMMARIZING

EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE COUNTY OF CHAFFEE, STATE OF COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2022 AND ENDING ON THE LAST DAY OF DECEMBER, 2022 in the amount of $52,265,289 as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

Director Short addressed the Board to consider Resolution 2021-86 LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2021 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE COUNTY OF CHAFFEE, STATE OF COLORADO, FOR THE 2022 BUDGET YEAR. Director Short responded to Commissioners' and Director Christiansen's questions.

Commissioner Baker moved to approve Resolution 2021-86 LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2021 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE COUNTY OF CHAFFEE, STATE OF COLORADO, FOR THE 2022 BUDGET YEAR. Commissioner Granzella seconded the motion. The motion carried unanimously.

Director Short addressed the Board to consider Resolution 2021-87 APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE COUNTY OF CHAFFEE, STATE OF COLORADO, FOR THE 2022 BUDGET YEAR.

Commissioner Granzella moved to approve Resolution 2021-87 APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE COUNTY OF CHAFFEE, STATE OF COLORADO, FOR THE 2022 BUDGET YEAR. Commissioner Baker seconded the motion. The motion carried unanimously.

Director Short stated that resolution numbers may change.

2. ****Requesting continuance to a date uncertain****
Continued from June 15, 2021, August 3, 2021, August 17, 2021, September 17, 2021 and again on October 19, 2021 Consider Resolution 2021-41 approving the McFarland Heritage Water Subdivision Exemption.

Planner Barton addressed the Board to request on behalf of Applicant a continuance of the McFarland Heritage Water Subdivision Exemption. Attorneys Cottom and Tom responded to Commissioner's question. This matter was tabled to a later time during today's meeting.

Following Agenda Item H.7, at the re-introduction of this item by Chair Felt, Planner Laudenslager stated that he received a new email from the HOA from Maud Lane.

Commissioner Baker moved to continue the McFarland Heritage Water Subdivision Exemption to January 4, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. ****Continued from December 7, 2021****
Name of Project: Tomkiewicz/Fortier Heritage Water Subdivision Exemption
Applicants: Warren C. Tomkiewicz III and Karen A. Fortier
Location: 9540 W Highway 50, Salida
Zone: Rural
Request: To subdivide 19.88 acres into two (2) lots of 11.25 and 8.63 acres. The property has a shared well and the new lot (Lot 2) will have augmentation or connection to Poncha Springs central water. An On-site Wastewater Treatment System will serve the new lot. Access is on an existing shared driveway, in accordance with an existing Roadway Easement.

Planner Barton addressed the Board to consider the Tomkiewicz/Fortier Heritage Water Subdivision Exemption; **Applicants**: Warren C. Tomkiewicz III and Karen A. Fortier; **Location:** 9540 W Highway 50, Salida. Planner Barton and Attorney Cottom responded to Commissioners' questions.

Chair Felt invited the Applicant to speak.

Applicant Warren C. Tomkiewicz III, 9540 W. US Hwy. 50, Salida, affirmed that everything he says is true, spoke, and responded to Commissioners' questions.

The public comment portion of the hearing opened at 10:32 a.m.

Public comments were given by:

Jorian Sartorius, 9640 W. US Hwy. 50, Salida.

The public comment portion of the hearing closed at 10:41 a.m.

Discussion ensued during which Attorney Cottom responded to Commissioners' questions.

Applicant Tomkiewicz spoke followed by Chair Felt and Attorney Cottom.

Commissioner Baker moved to continue the Tomkiewicz/Fortier Heritage Water Subdivision Exemption; **Applicants**: Warren C. Tomkiewicz III and Karen A. Fortier; **Location:** 9540 W Highway 50, Salida, to January 4, 2022.
Commissioner Granzella seconded the motion. The motion carried unanimously.

The meeting recessed at 10:53 a.m. for a short break.
The meeting resumed at 11:00 a.m.

4. Clarify conditions of approval on 2021-65 Cooper Minor Subdivision.

Planner Barton addressed the Board followed by Attorney Cottom to clarify conditions of approval on Resolution 2021-65 Cooper Minor Subdivision. Engineer Greiner addressed the Board and responded to Commissioners' questions. Planner Barton spoke regarding drainage easements. Planner Barton and Attorney Cottom responded to Commissioners' questions.

Applicant representative Attorney Geoff Anderson, 1331 17th St., Suite 800, Denver, stated that he promised to tell the truth and addressed the Board.

Per Anderson's request, Engineer Greiner distributed a document identified as Exhibit 2.

Discussion ensued during which Attorney Cottom and Engineer Greiner spoke and responded to Commissioners' questions. Anderson responded to Commissioner's questions. Planner Barton addressed the Board.

Applicant Joe Cooper, 9325 County Rd. 160, Salida, stated that he promised to tell the truth and addressed the Board.

Discussion continued during which Planner Barton and Attorney Cottom spoke. Anderson and Cooper spoke.

Discussion continued regarding Plat Note 7 on the 19132 MINOR SUBDIVISION REV22 Plat.

Attorney Davis addressed the Board.
Anderson spoke.
Planner Barton spoke.
Attorney Cottom spoke.

No formal action was taken.

6. Consider approval of proposed Policy Concerning Sick Leave Policy and Procedures During a Public Health Emergency

Attorney Davis addressed the Board to consider approval of the proposed Policy Concerning Sick Leave Policy and Procedures During a Public Health Emergency.

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

Commissioner Baker moved to approve the Chaffee County Policies and Procedures - Policy Concerning Sick Leave Policy and Procedures During a Public Health Emergency removing item 2.3 from said document. Commissioner Granzella seconded the motion. The motion carried unanimously.

Commissioner Baker moved that employees who by January 1, 2022 provide proof of two (2) doses of Pfizer or Moderna vaccine or one (1) dose of Johnson & Johnson vaccine plus a booster will receive a one-time bonus of $500 net. Discussion ensued. Commissioner Granzella seconded the motion. The motion carried unanimously.

7. Public Hearing - Approve Resolution 2021-84 appropriating additional sums of money to defray expenses in excess of amounts budgeted.

   Chair Felt addressed the Board to consider Resolution 2021-84 A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR CHAFFEE COUNTY, COLORADO.

   The public comment portion of the hearing opened at 12:49 p.m. There were no comments, and the public comment portion of the hearing was closed.

   Commissioner Granzella moved to approve Resolution 2021-84 A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR CHAFFEE COUNTY, COLORADO, for 2021 for the twelve (12) funds as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

I. Consent Agenda

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

Deputy Clerk NOTE: Consent Agenda Item 2. was considered and approved separately from the Consent Agenda.

1. Approve Resolution 2021-83 appointing Susan Regan to another 5 year term on the Salida Regional Library board.
3. Approve a contract between the Chaffee County Visitors Bureau and 50 West for video production.
4. Approve a contract between the Chaffee County Visitor's Bureau and Nik and Angel Rowell for social media and media content.
5. Approve a contract between the Chaffee County Visitor's Bureau and Emma Service for email software.
6. Approve a contract between the Chaffee County Visitor's Bureau and Miles Marketing Destinations for Colorado Tourism Office publication advertising.
7. Approve a contract between the Chaffee County Visitor's Bureau and Publication Printers for printing of the 2022 Chaffee County Visitor's Guide.
8. Approve the November activity report for Veterans Services.
9. Pay bills

The meeting recessed at 12:51 p.m. for a short break.

H. Regular Agenda Items

The meeting resumed at 1:01 p.m.

8. Executive session under CRS 24-6-402(4)(b) for purposes of receiving legal advice from County Attorney Jenny Davis on specific legal questions involving 1041 regulations. Assistant Attorney Cottom, County Administrator Christiansen, and Finance Director Short may also attend.

   Chair Felt addressed the Board regarding going into executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice from County Attorney Jennifer Davis on specific legal questions involving 1041 regulations. In addition to Commissioners Baker, Felt, and Granzella, Assistant County Attorney Cottom, Director of Administration Christiansen, and Director of Finance 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 Granzella moved to go into executive session. Commissioner Baker seconded the motion. The motion carried unanimously.

   The Board of Commissioners moved into executive session at 1:01 p.m.

   The Board of Commissioners came out of executive session at 1:22 p.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 December 14, 2021 constituted privileged attorney-client communication.

   ____
   Jennifer A. Davis, Chaffee County Attorney

   I, Greg Felt, 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 December 14, 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).

   ____
   Greg Felt, Chairman

   After the executive session, there was no other business, and the meeting was adjourned.

J. Active Projects

K. Adjourn

The meeting was adjourned at 1:23 p.m.

L. Potential Road Trip

Attest:

Lori Mitchell

Lori Mitchell, County Clerk