



Chaffee County Commissioners Meeting  
January 4, 2022

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. Call to Order**

The regular meeting of the Board of Commissioners was held on January 4, 2022, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker (remotely), Chairman Greg Felt, Commissioner Rusty Granzella.

Others present in person were Director of Finance Dan Short, County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, Assistant County Attorney Susan Stocks, Public Affairs Officer (PAO) Beth Helmke, Principal Planner Greg Laudenslager, Emergency Medical Services (EMS) Director Josh Hadley, and Planner Christie Barton.

Others present remotely were Director of General Administration Bob Christiansen, Public Health Director Andrea Carlstrom, IT Jason LaPointe, 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 9:007 a.m.

2. Review Public Meeting List

The Board reviewed the public meeting list.

3. Public Comment

Susan (Sue) Greiner, 702 Yale Ave., Buena Vista, stated that she swore to tell the truth and gave public comment.

Chair Felt and Commissioner Baker commented.

The meeting recessed at 9:20 a.m. for a 5-minute break.

The meeting resumed at 9:25 a.m.

**B. Approve the Agenda**

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

**C. Minutes for Approval**

1. Approve the minutes from the December 14, 2021 Regular Meeting.

Commissioner Baker moved to approve the minutes of the December 14, 2021 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

**D. Contracts/Grant Consideration**

There were none.

**E. Regular Agenda Items**

1. 9:15a.m.- Consider a request for 2022 funding for the Chaffee Housing Trust.-Read McCulloch

Chaffee Housing Trust (CHT) Executive Director Read McCulloch, 17559 County Rd. 368, Buena Vista, stated that he promised to tell the truth and addressed the Board to consider a request for 2022 funding for the CHT. McCulloch and Director Short responded to Commissioner's questions.

Commissioner Granzella moved to approve the request for 2022 funding for the Chaffee Housing Trust for \$20,000. Commissioner Baker seconded the motion. The motion carried unanimously.

2. **9:25 a.m. - \*\*Continued from December 7, 2021 and December 14, 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.

Principal Planner Laudenslager addressed the Board to request a continuance of the Tomkiewicz/Fortier Heritage Water Subdivision Exemption.

Planner Laudenslager responded to Commissioner's question.

Chuck Tomkiewicz confirmed that the continuance was acceptable.

Commissioner Baker moved to continue the Tomkiewicz/Fortier Heritage Water Subdivision Exemption to Tuesday, January 11, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. **9:50 a.m. - Continued from June 15, 2021, August 3, 2021, August 17, 2021, September 17, 2021, October 19, 2021 and again on December 14, 2021\*\***

Consider Resolution 2021-41 approving the McFarland Heritage Water Subdivision Exemption.

Attorney Tom addressed the Board regarding draft RESOLUTION 2021-41 APPROVING THE MCFARLAND HERITAGE WATER SUBDIVISION EXEMPTION.

Attorney Tom responded to Commissioners' questions.

Tom McFarland, 22865 Maud Lane, Buena Vista, stated that he would tell the truth, addressed the Board, and responded to Commissioner's question.

Discussion ensued during which Attorney Tom spoke further followed by McFarland, and Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to continue consideration of RESOLUTION 2021-41 APPROVING THE MCFARLAND HERITAGE WATER SUBDIVISION EXEMPTION to Tuesday, January 18, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. 10:25 a.m. - Discussion with Public Health Director Carlstrom regarding county COVID-19 policies for board and committee meetings.

Director Carlstrom addressed the Board concerning the status of COVID-19 and responded to Commissioner's questions.

Commissioner Baker spoke followed by Planner Laudenslager and Chair Felt.

Discussion ensued regarding County COVID-19 policies for board and committee meetings, departments, buildings, and public participation regarding the land use code update during which Planner Laudenslager, PAO Helmke, and Attorney Tom spoke.

Chair Felt summarized the following protocols: to require masks in County buildings through February 1, 2022; continue to run Board of Commissioners' meetings as has been done discouraging the public to appear in person except, for example, the applicant in a land use matter; and for other boards and committees to remain in virtual mode for the next two months.

Attorney Cottom and Director Carlstrom spoke. Attorney Cottom will incorporate the above into the new public health order.

Commissioner Granzella moved to implement the following: require masks in County buildings through February 1, 2022; continue to run Board of Commissioners' meetings as has been done discouraging the public to appear in person except, for example, the applicant in a land use matter; and for other boards and committees to remain in virtual mode for the next two months. Commissioner Baker seconded the motion. The motion carried unanimously.

9. 10:50 a.m. - Consider Resolution 2022-03 Renewal of the Ambulance Service License for Chaffee County Emergency Medical Services (CCEMS) and Issuance of Ambulance Vehicle Permits for Five Ambulances Operated by Chaffee County EMS

Attorney Tom addressed the Board to consider draft RESOLUTION 2022-03 RENEWAL OF THE AMBULANCE SERVICE LICENSE FOR CHAFFEE COUNTY EMS AND ISSUANCE OF AMBULANCE VEHICLE PERMITS FOR FIVE AMBULANCES OPERATED BY CHAFFEE COUNTY EMS.

Director Hadley addressed the Board.

Commissioner Granzella moved to approve RESOLUTION 2022-03 RENEWAL OF THE AMBULANCE SERVICE LICENSE FOR CHAFFEE COUNTY EMS AND ISSUANCE OF AMBULANCE VEHICLE PERMITS FOR FIVE AMBULANCES OPERATED BY CHAFFEE COUNTY EMS with the corrections as stated by Attorney Tom. Commissioner Baker seconded the

motion. The motion carried unanimously.

4. 10:15 a.m.- Consider Resolution 2022-05, Ratification and Extension/Amendment #16 of Declaration of Local Disaster Emergency

Attorney Cottom addressed the Board to consider draft RESOLUTION 2022-05 RATIFICATION AND EXTENSION/AMENDMENT #16 OF DECLARATION OF A LOCAL DISASTER EMERGENCY. Attorney Cottom responded to Commissioner's questions.

Commissioner Granzella moved to approve RESOLUTION 2022-05 RATIFICATION AND EXTENSION/AMENDMENT #16 OF DECLARATION OF A LOCAL DISASTER EMERGENCY. Commissioner Baker seconded the motion. The motion carried unanimously.

6. 10:35 a.m. - Consider Resolution 2022-01, Designating the Public Website for Posting Meeting Notices, Designating Exigent and Emergency Posting Place and Adopting the Schedule for Regular Meetings in 2022

Attorney Tom addressed the Board to consider draft RESOLUTION 2022-01 DESIGNATING THE PUBLIC WEBSITE FOR POSTING MEETING NOTICES, DESIGNATING EXIGENT AND EMERGENCY POSTING PLACE AND ADOPTING THE SCHEDULE FOR REGULAR MEETINGS IN 2022. Attorney Tom responded to Commissioner's questions.

Commissioner Granzella moved to approve RESOLUTION 2022-01 DESIGNATING THE PUBLIC WEBSITE FOR POSTING MEETING NOTICES, DESIGNATING EXIGENT AND EMERGENCY POSTING PLACE AND ADOPTING THE SCHEDULE FOR REGULAR MEETINGS IN 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

7. 10:40 a.m. - Second Reading of an Ordinance Imposing a Temporary Moratorium Until December 31, 2023 on the Submission, Acceptance or Processing of Applications and the Licensing, Permitting or Operation of any Retail Marijuana Establishment as Defined by the Colorado Constitution, Article Xviii, Section 16 in Unincorporated Portions of Chaffee County (Except Applications and Licenses With Respect to Certain Existing Marijuana Establishments), Including the Use of Land for Such Purpose or Purposes.

Attorney Tom addressed the Board providing the Second Reading of ORDINANCE NO. 2022-01 TITLE: AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM UNTIL DECEMBER 31, 2023 ON THE SUBMISSION, ACCEPTANCE OR PROCESSING OF APPLICATIONS AND THE LICENSING, PERMITTING OR OPERATION OF ANY RETAIL MARIJUANA ESTABLISHMENT AS DEFINED BY THE COLORADO CONSTITUTION, ARTICLE XVIII, SECTION 16 IN UNINCORPORATED PORTIONS OF CHAFFEE COUNTY (EXCEPT APPLICATIONS AND LICENSES WITH RESPECT TO CERTAIN EXISTING MARIJUANA ESTABLISHMENTS), INCLUDING THE USE OF LAND FOR SUCH PURPOSE OR PURPOSES.

The public comment portion of the hearing opened at 11:16 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Granzella moved to approve ORDINANCE NO. 2022-01 TITLE: AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM UNTIL DECEMBER 31, 2023 ON THE

SUBMISSION, ACCEPTANCE OR PROCESSING OF APPLICATIONS AND THE LICENSING, PERMITTING OR OPERATION OF ANY RETAIL MARIJUANA ESTABLISHMENT AS DEFINED BY THE COLORADO CONSTITUTION, ARTICLE XVIII, SECTION 16 IN UNINCORPORATED PORTIONS OF CHAFFEE COUNTY (EXCEPT APPLICATIONS AND LICENSES WITH RESPECT TO CERTAIN EXISTING MARIJUANA ESTABLISHMENTS), INCLUDING THE USE OF LAND FOR SUCH PURPOSE OR PURPOSES. Commissioner Baker seconded the motion. The motion carried unanimously.

8. 10:45 a.m. - Consider Resolution 2022-02 imposing until December 31, 2023 a temporary ban on the submission, acceptance or processing of applications and the licensing, permitting or operation of any medical marijuana facility.

Attorney Tom addressed the Board to consider draft RESOLUTION 2022-02 A RESOLUTION IMPOSING A TEMPORARY BAN UNTIL DECEMBER 31, 2023, ON THE SUBMISSION, ACCEPTANCE OR PROCESSING OF APPLICATIONS AND THE LICENSING, PERMITTING OR OPERATION OF ANY MEDICAL MARIJUANA FACILITY IN UNINCORPORATED CHAFFEE COUNTY (EXCEPT APPLICATIONS AND LICENSES WITH RESPECT TO CERTAIN EXISTING MARIJUANA FACILITIES), INCLUDING THE USE OF LAND FOR SUCH PURPOSE OR PURPOSES.

The public comment portion of the hearing opened at 11:19 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Baker moved to approve RESOLUTION 2022-02 A RESOLUTION IMPOSING A TEMPORARY BAN UNTIL DECEMBER 31, 2023, ON THE SUBMISSION, ACCEPTANCE OR PROCESSING OF APPLICATIONS AND THE LICENSING, PERMITTING OR OPERATION OF ANY MEDICAL MARIJUANA FACILITY IN UNINCORPORATED CHAFFEE COUNTY (EXCEPT APPLICATIONS AND LICENSES WITH RESPECT TO CERTAIN EXISTING MARIJUANA FACILITIES), INCLUDING THE USE OF LAND FOR SUCH PURPOSE OR PURPOSES. Commissioner Granzella seconded the motion. The motion carried unanimously.

10. 11:00 a.m. - Consider Resolution 2022-04 for Morrison Minor Subdivision Final Plat

Attorney Tom addressed the Board to consider draft RESOLUTION 2022-04 APPROVING THE MORRISON MINOR SUBDIVISION FINAL PLAT.

Attorney Tom and Planner Barton responded to Commissioners' questions.

Discussion ensued.

Commissioner Granzella moved to approve RESOLUTION 2022-04 APPROVING THE FINAL PLAT FOR THE MORRISON MINOR SUBDIVISION with minor revisions. Commissioner Baker seconded the motion. The motion carried unanimously.

11. 11:05 a.m. - Discuss dates for Planning Commission interviews

Chair Felt initiated discussion regarding Planning Commission interviews.

Discussion ensued regarding accepting the late application received during which PAO Helmke

spoke.

Commissioner Granzella moved to accept the late application and close any further applications. Commissioner Baker seconded the motion. The motion carried unanimously.

Discussion ensued regarding dates for Planning Commission interviews. An interview date and times were set for January 12, 2022 from 2:30 to 5:00 p.m. A secondary date and times were set for January 19, 2022 from 9:00 a.m. to noon.

12. 11:15 a.m. - Consider a Letter of Support for the Sundry's State of Colorado Revitalization Grant Chair Felt addressed the Board to consider a Letter of Support for the Sundry's State of Colorado Revitalization Grant and responded to Commissioner Granzella's question.

Commissioner Granzella moved to approve the Letter of Support for the Sundry's State of Colorado Revitalization Grant and direct the Chair to sign. Commissioner Baker seconded the motion. The motion carried unanimously.

**F. Consent Agenda**

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

1. Review and Approve the November Sheriff's report.

**G. Active Projects**

New hire Assistant County Attorney Susan Stocks was introduced and she addressed the Board.

**H. Adjourn**

Commissioner Granzella moved to adjourn the meeting. Commissioner Baker seconded the motion. The motion carried unanimously. The meeting was adjourned at 11:57 a.m.

**I. Potential Road Trip**

Attest:



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Lori Mitchell, County Clerk