



Chaffee County Commissioners Meeting
January 18, 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 18, 2022, at the Buena Vista Community Center. 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 Daniel Tom, Public Affairs Officer (PAO) Beth Helmke, and Principal Planner Greg Laudenslager.

Others present remotely were Assistant County Attorney Miles Cottom, Planning Manager Jon Roorda, Development Engineer Gary Greiner, Administrative Assistant Brandy Coscarella, Special Counsel Jennifer Davis (for Executive Session only), 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.

B. Approve the Agenda

Commissioner Granzella moved to amend the Agenda removing all board appointments from the Consent Agenda and moving them to the Regular Agenda, moving Agenda items F.7. and 8. to items F.9. and 10., and moving Agenda items F.9. and 10. to items F.7. and 8. Commissioner Baker seconded the motion. The motion carried unanimously.

2. Review Public Meeting List

The Board reviewed the public meeting list.

3. Public Comment

Jerry Raski, 10158 Starlight Lane, Salida, stated he promised to tell the truth and gave public comment.

Attorney Tom commented followed by Manager Jon Roorda.

C. Minutes for Approval

1. Approve the Minutes of the January 11, 2022 Chaffee County Commissioners Regular Meeting

Commissioner Granzella requested that item F.4. be amended to read, "Consider CDOT Memorandum of Agreement - CR 397 Granite Bridge Rehabilitation interpretive signage requirement only."

Commissioner Baker moved to approve the minutes of the January 11, 2022 Commissioners' regular meeting as amended. Commissioner Granzella seconded the motion. The motion carried unanimously.

D. Contracts/Grant Consideration

1. 9:15 a.m. - Consider DOLA Grant EIAF 9433 Chaffee County Land Use Code Rewrite Grant (B Helmke, M Cottom)

PAO Helmke addressed the Board to consider the DOLA Grant EIAF 9433 for the Chaffee County Land Use Code Rewrite. PAO Helmke, Directors Christiansen and Short, and Attorneys Cottom and Tom responded to Commissioners' questions. Discussion ensued.

Commissioner Granzella moved to accept the DOLA EIAF 9433 Grant Award Agreement for the Chaffee County Land Use Code Rewrite project. Commissioner Baker seconded the motion. The motion carried unanimously.

Commissioner Baker moved to approve the DOLA letter subject to the Chaffee County Land Use Code update project budget and authorize the Chair to sign on behalf of the Board. Commissioner Granzella seconded the motion. The motion carried unanimously.

Commissioner Granzella moved to approve the Contract with Logan Simpson for consultant services for the Chaffee County Land Use Code Rewrite Project with a total budget not to exceed \$300,000. Commissioner Baker seconded the motion. The motion carried unanimously.

E. 9:25 a.m. - Consent Agenda

1. Consider Recommendations for Board Vacancies

Airport Board

Chair Felt addressed the Board to consider appointments to the Airport Board. Administrative Assistant Coscarella spoke.

By consensus, the Board tabled this matter to February 1, 2022.

Board of Adjustment

Chair Felt addressed the Board to consider temporary appointments to the Board of Adjustment. Attorney Tom addressed the Board. Attorney Tom and PAO Helmke responded to Commissioners' questions.

By consensus, the Board tabled this matter to February 1, 2022.

Common Ground Citizen Advisory Committee

Chair Felt addressed the Board to consider appointments to the Common Ground Citizen Advisory Committee.

Commissioner Granzella moved to reappoint Cindy Williams and Michael Hannigan for three-year terms, appoint Dan Omasta to a two-year term, and appoint Sydney Shnurr to a three-year term to the Common Ground Advisory Committee.

Commissioner Baker seconded the motion. The motion carried unanimously.

Fair Board

Chair Felt addressed the Board to consider appointments to the Fair Board. Coscarella responded to Commissioner's question.

Commissioner Granzella moved to reappoint Ben Scanga, Tate Scanga, Elsie Hopkins, and Trent Howard to three-year terms; appoint Dana Hatfield to a three-year term; appoint Dakota Talbot to a one-year term; and ratify the replacement of Barbara Winn by Lilly Coleman with a term expiring January 2023.

Commissioner Baker seconded the motion. The motion carried unanimously.

Heritage Advisory Board

Chair Felt addressed the Board to consider appointments to the Heritage Advisory Board. Discussion ensued.

Commissioner Baker moved to reappoint Nancy Roberts and Lee Coveney for two-year terms and Susanna Spaulding and Art Hutchinson for one-year terms. Commissioner Granzella seconded the motion. The motion carried unanimously.

Marijuana Excise Tax Advisory Board (METAB)

Chair Felt addressed the Board to consider appointment(s) to the Marijuana Excise Tax Advisory Board (METAB)

Commissioner Baker moved to appoint Jody Petit to the Marijuana Excise Tax Advisory Board (METAB) for a three-year term. Commissioner Granzella seconded the motion. The motion carried unanimously.

Right to Ranch Panel

Chair Felt addressed the Board to consider appointments to the Right to Ranch Panel.

Commissioner Granzella moved to reappoint Carle Linke and Kevin Beek for two-year terms to the Right to Ranch Panel. Commissioner Baker seconded the motion. The motion carried unanimously.

Transportation Advisory Board (TAB)

Commissioner Baker addressed the Board to consider appointments to the Transportation Advisory Board (TAB).

Commissioner Baker moved to reappoint Kate Garwood to a three-year term and appoint Thomas Brown to a three-year term to the Transportation Advisory Board (TAB), both with terms expiring

January 31, 2025. Commissioner Granzella seconded the motion. The motion carried unanimously.

Visitors Bureau

Chair Felt addressed the Board to consider appointments to the Visitors Bureau.

By consensus, the Board tabled this matter to February 1, 2022.

2. METAB Grant Award Recommendations Administrative Correction (B Helmke)

PAO Helmke addressed the Board to clarify this correction.

Commissioner Granzella moved to approve the Marijuana Excise Tax Advisory Board (METAB) Grant Recommendations - Administrative Correction Memorandum for the correction of the funding for the 2021 grant cycle. Commissioner Baker seconded the motion. The motion carried unanimously.

F. Regular Agenda Items

1. **9:50 a.m. - Continued from June 15, 2021, August 3, 2021, August 17, 2021, September 17, 2021, October 19, 2021, December 14, 2021, and January 4, 2022****

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

Attorney Tom addressed the Board to consider 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 promised to tell the truth and spoke.

Chair Felt, Attorney Tom, and Commissioner Granzella responded to McFarland.

Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to continue consideration of the McFarland Heritage Water Subdivision Exemption topic to February 1, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

The meeting recessed for a short break at 11:22 a.m.

The meeting resumed at 11:27 a.m.

2. 10:15 a.m. - Consider Authorizing the County Attorney's Office to Pursue Enforcement Action Under Land Use and Building Code against Property Owner of 156 Singletree (Swallow/Cottom)

Attorney Cottom addressed the Board to consider authorizing the County Attorney's Office to pursue an enforcement action under the Land Use and Building Code against the property owner of 156 Singletree Rd., Buena Vista.

Attorneys Tom and Cottom responded to Commissioners' questions.

Commissioner Baker moved to authorize the County Attorney's Office to pursue an enforcement action under the Land Use and Building Code against the property owner of 156 Singletree Rd., Buena Vista, in Ranch of the Rockies. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. 10:25 a.m. - Consider Granite Bridge RFC- CHA 397 (G Greiner)

Attorney Tom responded to Commissioner's question.

Engineer Greiner addressed the Board to consider the Granite Bridge RFC-CHA 397.

Commissioner Granzella moved to approve the increase up to \$38,000 on the County Rd. 397/Granite Bridge Rehabilitation RFC-CHA 397 as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

Engineer Greiner responded to Commissioner's question.

4. 10:30 a.m. - Consider the South Fairgrounds Property Lease (G Greiner)

Engineer Greiner addressed the Board regarding the South Fairgrounds Property Lease.

Engineer Greiner and Attorney Tom responded to Commissioners' questions. Chair Felt spoke.

At the invitation of Chair Felt, Lisa Scanga spoke.

Chair Felt responded to Scanga's question. Scanga spoke further.

Discussion ensued during which Scanga, Attorney Tom, and Director Christiansen spoke and responded to questions.

By consensus, the Board agreed to allow Scanga Ranch, LLC to continue grazing on the property working out details with the County Legal Department.

Jennipher Bright, 10480 County Rd. 128, Salida, stated that she promised to tell the truth and spoke.

Chair Felt spoke.

Lisa Scanga spoke.

A field trip to the area was tentatively scheduled for January 19, 2022 at 3:30 p.m. to include Fairgrounds Rentals and Events Miki Hodge, Fairgrounds Manager Randy Mosby, Engineer Greiner, Attorney Tom, and Director Christiansen, if he is available, along with Scanga and Bright.

Commissioner Granzella moved to continue consideration of the South Fairgrounds Property Lease to February 1, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

5. 10:40 a.m. - CCI Proxy Designation for CCI Steering Committees

Director Christiansen addressed the Board to consider the CCI Proxy Designation for CCI Steering Committees.

Commissioner Baker moved to designate Commissioner Keith Baker as the CCI Proxy for our CCI Steering Committee participation and for the record Human Services Director Dave Henson as our alternate for Human Services related topics. Commissioner Granzella seconded the motion. The motion carried unanimously.

6. 10:45 a.m. - Consider Planning Commission Appointment

Chair Felt addressed the Board to consider Planning Commission appointments. Discussion ensued during which Attorney Tom spoke.

Commissioner Granzella moved to reappoint Hank Held and appoint Bill Mansheim for three-year terms. Commissioner Baker seconded the motion. The motion carried unanimously.

Commissioner Baker moved to appoint Sara Anderson to the Planning Commission for a three-year term. Commissioner Felt seconded the motion. The motion carried with Commissioners Baker and Felt voting FOR the motion and Commissioner Granzella voting AGAINST the motion.

9. 11:30 a.m. - Update on Waste Diversion Initiative Progress (B Helmke)

PAO Helmke addressed the Board to provide an update on Waste Diversion Initiative Progress. PAO Helmke responded to Commissioners' questions. Directors Christiansen and Short spoke. Discussion ensued.

No formal action was taken.

10. 11:40 a.m. - Consider the County Administrative Strategic Plan - final working draft and initial implementation plan (B Helmke)

Miles Cottom spoke regarding holding Agenda items F.7. and 8. Executive Sessions that are on the Agenda before item F.10. the Strategic Plan item.

PAO Helmke would like to go forward with the Strategic Plan item before the Executive Sessions, then suggested this be the first topic on the February 1, 2022 agenda or on the next work session.

Attorney Tom spoke followed by PAO Helmke. Discussion ensued.

No formal action was taken.

7. 11:00 a.m. - Convene in Executive Session under C.R.S. 24-6-402(4)(b) for purposes of receiving legal advice from Assistant County Attorney Miles Cottom on specific legal questions and strategy *and* involving potential land use litigation. County Attorney Tom, County Administrator Christiansen, and Finance Director Short may also attend.

Attorney Cottom addressed the Board regarding convening in Executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategy involving potential land use litigation *and* legal advice on the use of lodging and Visitors Bureau funds. County Attorney Daniel Tom, Special Counsel Jennifer Davis, Directors Christiansen and Short,

and PAO Helmke may also attend.

Commissioner Baker moved to go into executive session for the reasons stated on the Agenda including both Agenda items F.7. and F.8.

Commissioner Granzella seconded the motion. The motion carried unanimously.

Attorney Tom 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.

A short break was taken at 1:03 p.m.

The meeting reconvened at 1:06 p.m.

The Board of Commissioners moved into executive session at 1:06 p.m. The Board of Commissioners came out of executive session at 1:39 p.m. with no decisions being made.

I, Miles Cottom, Assistant Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on January 18, 2022 constituted privileged attorney-client communication.

Miles Cottom, Assistant 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 January 18, 2022 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

8. 11:15 a.m. - Convene in Executive Session under C.R.S. 24-6-402(4)(b) for purposes of receiving legal advice from Assistant County Attorney Miles Cottom on the use of lodging and visitors bureau funds. County Attorney Tom, County Attorney Davis, County Administrator Christiansen, and Finance Director Short may also attend.

See Items F.7. and 8. above.

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

G. Active Projects

This item was not addressed in the meeting.

H. Adjourn

The meeting was adjourned at 1:39 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