



Chaffee County Commissioners Meeting
March 1, 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 March 1, 2022, 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, County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, Public Affairs Officer (PAO) Beth Helmke, Planning Manager Jon Roorda, Principal Planner Greg Laudenslager, Planner Christie Barton, and Public Health Director Andrea Carlstrom.

Others present remotely were 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.

2. Approve the Agenda

Commissioner Baker stated that he will not vote regarding item B. Minutes for Approval on this Agenda because he was not present at those meetings.

Commissioner Granzella had questions/concerns regarding Consent Agenda items 3. Held and 4. Sage Heights. Attorney Tom and Manager Roorda responded to Commissioner's questions.

Chris Bainbridge, 12506 County Rd.190E and 826 D St., Salida, stated that he promised to tell the truth and responded to Commissioner's question regarding Sage Heights.

Commissioner Granzella requested that D. Consent Agenda items 3. Held resolution and 4. Sage Heights resolution be removed from the Consent Agenda and placed on the Regular Agenda.

Commissioner Baker moved to approve the Agenda as amended per Commissioner Granzella's requests. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. Review Public Meeting List

The Board reviewed the public meeting list.

4. Public Comment
There was no public comment.

B. Minutes for Approval

Attorney Tom responded to Commissioner's question regarding minutes of the February 14, 2022 Commissioners' work session.

Commissioner Granzella moved to approve the minutes of the February 14, 2022 Commissioners' work session regarding moving into Executive Session and the February 15, 2022 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried with Commissioners Granzella and Felt voting FOR the motion. Commissioner Baker ABSTAINED because he was not present at these meetings.

1. Approve the Minutes of the Work Session of February 14, 2022 to Enter into Executive Session
2. Approve the Minutes of the Regular Meeting of the Chaffee County Board of Commissioners Meeting for February 15 2022

E. Regular Agenda Items

1. ~9:15 a.m. - Consider Special Event Application Permit Fee Waiver for Pole, Pedal and Paddle (April 17 2022- Alli Gober)

Planner Laudenslager addressed the Board to consider the Special Event Application Permit Fee Waiver for Pole, Pedal and Paddle on April 17, 2022, followed by Alli Gober, 2106A Emma Lane, Salida, who stated that she promised to tell the truth and addressed the Board. Gober responded to Commissioner's questions.

Commissioner Granzella moved to approve the Special Event Application Permit Fee Waiver for the Pole, Pedal and Paddle Project on April 17, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

There were none.

D. ~9:10 a.m. - Consent Agenda

Commissioner Baker moved to approve the Consent Agenda with the exception of items 3 and 4, which were removed from the Consent Agenda and placed on the Regular Agenda. Commissioner Granzella seconded the motion. The motion carried unanimously.

1. Consider Recommendations by the Planning Commission as follows:
3 members to the Salida Regional Planning Commission- Hank Held, JoAnne Allen, and Sara Anderson
1 member to the Transportation Board- JoAnne Allen
2. Adopt Resolution 2022-22 to Approve the Milus Plat Amendment, Lot 3, Lazy Daze Subdivision (approved by BOCC 02 08 2022)

5. Acknowledge Treasurer's Reports
6. Pay the Bills as Submitted
7. Ratify Resolution 2022-20 - Supporting the Grant Application Between Chaffee County and National Forest Foundation for the Centennial Grant Program from the great outdoors Colorado trust fund

E. Regular Agenda Items

- D.3. Adopt Resolution 2022-21 to Approve the Held Brothers Minor Subdivision Final Plat (Approved by BoCC 2/15/22)

Attorney Tom addressed the Board to respond to Commissioner's questions regarding RESOLUTION 2022—21 APPROVING THE FINAL PLAT FOR THE HELD BROTHERS MINOR SUBDIVISION. Planner Roorda also responded to Commissioner's question.

Commissioner Baker moved to approve RESOLUTION 2022-21 APPROVING THE FINAL PLAT FOR THE HELD BROTHERS MINOR SUBDIVISION. Commissioner Granzella seconded the motion. The motion carried unanimously.

- D.4. Adopt Resolution 2022-23 to Approve the Sage Heights Major Subdivision Preliminary Plan/Final Plat (Approved by BoCC 2/15/22)

Attorney Tom addressed the Board regarding RESOLUTION 2022-23 APPROVING THE PRELIMINAL PLAN AND FINAL PLAT FOR SAGE HEIGHTS MAJOR SUBDIVISION.

Chris Bainbridge, who was previously sworn in, addressed the Board.

Attorney Tom responded to Bainbridge's questions.

Mike Henderson, Surveyor for Applicant, 203 G St., Salida, stated that he promised to tell the truth and spoke.

Manager Roorda spoke. Attorney Tom, Henderson, and Bainbridge spoke further.

Commissioner Granzella moved to approve RESOLUTION 2022-23 APPROVING THE PRELIMINAL PLAN AND FINAL PLAT FOR SAGE HEIGHTS MAJOR SUBDIVISION with the corrections as discussed. Commissioner Baker seconded the motion. The motion carried unanimously.

2. ~9:25 a.m. - Review Status of Public Health Order, Emergency Disaster Declaration, and County COVID Processes (A Carlstrom/M Cottom)

Director Carlstrom addressed the Board to review the status of the Public Health Order, Emergency Disaster Declaration, and County COVID Processes.

Chair Felt spoke.

Director Carlstrom spoke further.

Commissioners Baker and Granzella spoke. Director Carlstrom responded to Commissioners' questions.

Attorney Cottom responded to Commissioner's question.

Director Carlstrom spoke further.

Chair Felt spoke regarding current County COVID processes.

Attorney Cottom responded to Commissioner's question.

Commissioner Granzella moved to allow the Public Health Order to expire today as scheduled, to add the expiration of the Emergency Disaster Declaration one week ahead of time (which is today), and to terminate the County COVID processes that were in place. Commissioner Baker seconded the motion.

Discussion ensued during which Attorneys Tom and Cottom responded to Commissioner's questions.

Commissioner Granzella amended his motion to push out the termination of County COVID processes to April 1, 2022 to allow for transition of as needed notices and for staff and Boards to make their own decisions as to how they want to continue their meetings. Commissioner Baker restated his second to the motion as amended.

The motion carried unanimously.

Director Carlstrom brought up whether masking in County buildings was included in the expiration of the Emergency Disaster Declaration one week ahead of time (which is today). The answer was yes. It was clarified that masking requirement signs in County buildings may be removed. It was further clarified that a situational approach is recommended.

The meeting recessed for a short break at 10:06 a.m.

The meeting resumed at 10:10 a.m.

4. **10:00 a.m. - Name of Project: Holmes-Young Boundary Line Adjustment**

Applicants: Richard Stevenson Holmes, Jr. and Kristi Young

Location: 10301 River Bend Road, Salida

Zone: Rural

Request: To replat Lots 1, 2 & 4 of The Bend Rural Open Space Incentive Amended Plat to amend the boundary of Lot 1 (Lot 1-R remains 2.00 acres), to move Lot 2 to the eastern portion of the property (Lot 2-R remains 2.00 acres), and to amend Lot 4 (Lot 4-R reduces from 6.13 acres to 5.78 acres) in order to construct an accessory dwelling unit in the previous building envelope of Lot 2.

Manager Roorda addressed the Board, based on a conversation with the Applicant this morning, to request a continuance for no less than two weeks of the Holmes-Young Boundary Line Adjustment; Applicants: Richard Stevenson Holmes, Jr. and Kristi Young; Location: 10301 River Bend Rd., Salida. Manager Roorda responded to Commissioner's question.

Commissioner Granzella moved to continue the Holmes-Young Boundary Line Adjustment; Applicants: Richard Stevenson Holmes, Jr. and Kristi Young; Location: 10301 River Bend Road, Salida, to March 15, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

3. **9:40 a.m. - **Continued from February 1, 2022 and February 8, 2022**** Consider the Resolution for the Ogden Major Subdivision Preliminary and Final Plat

Attorney Cottom addressed the Board to consider RESOLUTION 2022-07 APPROVING THE PRELIMINARY-FINAL PLAT FOR OGDEN MAJOR SUBDIVISION.

Attorney Tom addressed the Board.

Planner Laudenslager addressed the Board.

Attorney Cottom responded to Commissioners' questions.

Applicant April Ogden, 12840 County Rd.190E, Salida, stated that she promised to tell the truth and addressed the Board.

Planner Barton and Attorney Cottom responded to April Ogden's question.

Chair Felt asked for public comment.

Public comment was given by:

Attorney representing Brenda Sage, Brad Kloewer, 41 Shillelagh Place, Howard, stated that he promised to tell the truth, spoke, and responded to Commissioner's questions.

Brenda Sage, 12785 E County Rd.190, Salida, stated that she promised to tell the truth and spoke.

April Ogden spoke further.

Brenda Sage spoke further.

Planner Barton and Attorneys Tom and Cottom responded to Commissioners' questions.

Ralph Ogden, 12840 E County Rd. 190, Salida, stated that he promised to tell the truth, spoke, and responded to Commissioner's question.

Discussion ensued during which Attorney Cottom responded to Commissioners' questions. Attorney Tom spoke and responded to Commissioner's question.

Kloewer addressed the Board.

Discussion continued during which Attorney Tom responded to Commissioners' questions.

Commissioner Baker moved to continue consideration of RESOLUTION 2022-07 APPROVING THE PRELIMINARY-FINAL PLAT FOR OGDEN MAJOR SUBDIVISION to March 8, 2022. Commissioner Granzella stated that he wants to amend the motion to restrict further discussion to the access issue. Commissioner Baker accepted this friendly amendment. Commissioner Granzella seconded the motion with the amendment. The motion carried with Commissioners Baker and Granzella voting FOR the amended motion and Commissioner Felt voting AGAINST the amended motion.

The meeting recessed for a short break at 11:28 a.m.

The meeting resumed at 11:35 a.m.

5. **10:30 a.m. - Continued from February 15, 2022 per Applicant Request** - Consider Appeal of Administrative Decision Denying Application for Short Term Rental License - 13500 CR 220, Salida, CO; (Sections 4.2.2 and 4.1.3(g) of the Chaffee County Land Use Code)- (Cottom)

Planner Barton addressed the Board regarding the Covell Appeal of an Administrative Decision Denying Application for Short Term Rental License - 13500 County Rd. 220, Salida.

Attorney Cottom addressed the Board.

Applicants Colleen Covell followed by Ben Tracy, both of 13500 County Rd. 220, Salida, stated that they swore to tell the truth and spoke.

Covell responded to Commissioners' questions.

The public comment portion of the hearing opened at 12:39 p.m. There were no comments, and the public comment portion of the hearing was closed.

Discussion ensued during which Attorneys Cottom and Tom and Planner Barton responded to Commissioners' questions. Applicant Covell spoke and responded to Commissioner's question.

Attorney Tom, Planner Barton, and Commissioner Baker responded to Covell's question.

Commissioner Baker moved to continue this matter for deliberation and final decision only until March 8, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

F. Active Projects

Commissioner Baker will draft a resolution for consideration by the Commissioners regarding support of Ukraine and the Ukrainian people.

E. Regular Agenda Items

6. 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 involving potential land use litigation. County Attorney Tom, County Administrator Christiansen, and Finance Director Short may also attend.

Commissioner Baker moved to go into executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice from Assistant County Attorney Miles Cottom on specific legal questions and strategy involving potential land use litigation. Commissioners Keith Baker, Greg Felt, and Rusty Granzella will attend. County Attorney Daniel Tom, Special Counsel Jennifer Davis, Director of Administration Bob Christiansen, and Director of Finance Dan Short may also attend.

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.

Commissioner Granzella seconded the motion. The motion carried unanimously.

The Board of Commissioners moved into executive session at 1:12 p.m.

The Board of Commissioners came out of executive session at 2:03 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 March 1, 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 March 1, 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

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

G. Adjourn

Commissioner Baker moved to adjourn the meeting. Commissioner Granzella seconded the motion. The motion carried unanimously. The meeting was adjourned at 2:04 p.m.

H. Potential Road Trip

Attest:



Lori Mitchell, County Clerk