



Chaffee County Commissioners Meeting  
April 5, 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 April 5, 2022, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker, Chairman Greg Felt, Commissioner Rusty Granzella.

Others present in person were County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, Public Affairs Officer (PAO) Beth Helmke, Planning Manager Jon Roorda, Planner Christie Barton, Principal Planner Greg Laudenslager (morning remotely/afternoon in person), Department of Human Services Supervisor of Youth, and Family Services Monika Haskell, Sheriff John Spezze, and Emergency Medical Services (EMS) Director Josh Hadley.

Others present remotely were Development Engineer Gary Greiner, 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 9:01 a.m.

2. Approve the Agenda

Chair Felt addressed the Board concerning the Agenda. Discussion ensued.

Commissioner Granzella moved to amend the Agenda by removing item 5. from the Consent Agenda, and adding to the regular Agenda as item 8.5: consideration of the contract amendment with Harrison Western for tunnel repairs, and a short lunch break. Commissioner Baker seconded the motion. The motion carried unanimously.

3. Review Public Meeting List

The Board reviewed the public meeting list.

4. Public Comment

The following persons gave public comment:

David Holt, 12895 County Rd. 162, Nathrop, stated that he promised to tell the truth and spoke.

Attorney Tom and Manager Roorda spoke. Attorneys Tom and Cottom and Manager Roorda responded to Commissioners' and Holt's questions.

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

Commissioner Baker commented.

**B. Minutes for Approval**

1. Approve the Minutes of the Regular Meeting of March 15 2022  
Commissioner Baker moved to approve the minutes of the March 15, 2022 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

**C. ~9:15 a.m. - Consent Agenda**

Commissioner Granzella moved to approve the Consent Agenda with item 5. removed. Commissioner Baker seconded the motion. The motion carried unanimously.

1. Adopt Resolution 2022-27 to Approve the Fisher Heritage Water Subdivision Exemption
2. Adopt Resolution 2022-28 to Approve the Brown Heritage Water Subdivision Exemption
3. Adopt Resolution 2022-29 to Deny the Tomkiewicz/Fortier Heritage Water Subdivision Exemption
4. Approve Changes as Noted for May and December Meeting Dates/Conflicts
6. Adopt Resolution 2022-25 to Approve the Holmes-Young Boundary Line Adjustment (approved at the 3/15/22 BOCC Meeting)
7. Ratification of filing a statement of opposition in water court case No. 2022CW3004 regarding the Triview Metropolitan District (Legal)
8. Approve Liquor License Renewal for Princeton Holdings LLC dba Mt Princeton Hot Springs Resort (Clerk Mitchell)
9. Adopt Resolution 2022-26 Extending the Temporary Moratorium on the Submission, Acceptance or Processing of Applications for Road and Alley Vacations in the Townsite of Nathrop (D Tom)
10. Approve Record Management System for Sheriff's Office (records Communications, Patrol and Detention Center) with E-Force for \$315,118.88 (contract signing, licensing fee and hardware) and yearly annual license and support fee of \$35,582.27
11. Approve Request from GARNA/AHRA for waiver of landfill dump fees for Clean-Up Green-Up event (May 21, 2022)
12. Ratify the Decision Approving the Amicus Brief / Jefferson County District Court of Appeals Case No. 2021CV30196

**D. Regular Agenda Items**

1. **9:20 a.m. - Name of Project:** Blitstein Agricultural Subdivision Exemption #2  
**Applicants:** Michael L. Blitstein Revocable Trust  
**Location:** 36570 Highway 24 North, Buena Vista  
**Zone:** Rural  
**Request:** To re-subdivide Tract 1, Blitstein Agricultural Subdivision Exemption (located in Tract 1, Gert's Tracts) of 43.0 acres into two (2) lots. Tract 1B will be 2.00 acres, with Tract 1R (remainder lot) of 41.00 acres. Wells and on-site wastewater treatment systems will serve the property.

Manager Roorda addressed the Board to consider the Blitstein Agricultural Subdivision Exemption #2; **Applicant:** Michael L. Blitstein Revocable Trust; **Location:** 36570 Highway 24 North, Buena Vista.

Manager Roorda and Attorneys Tom and Cottom responded to Commissioners' questions.

Michael Blitstein, 36570 N. US Hwy. 24, Buena Vista, for Applicant, stated that he promised to tell the truth and spoke.

Mike Henderson, 203 G St., Salida, surveyor for Applicant, spoke and affirmed that what he said was the truth.

Manager Roorda responded to Commissioner's question.

Blitstein spoke further followed by Attorney Tom and Manager Roorda.

The public comment portion of the hearing opened at 10:24 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated during which Attorneys Tom and Cottom spoke.

Commissioner Granzella moved to continue to April 12, 2022, the Blitstein Agricultural Subdivision Exemption #2; **Applicant:** Michael L. Blitstein Revocable Trust; **Location:** 36570 Highway 24 North, Buena Vista. Commissioner Baker seconded the motion. The motion carried unanimously.

The meeting recessed for a short break at 10:32 a.m.

The meeting resumed at 10:39 a.m.

2. **9:40 a.m. - Name of Project:** Peak View Major Subdivision Final Plat  
**Applicants:** Sunnyside CR 190 LLC, represented by Shawn Allison  
**Location:** 11415 County Road 190, Salida  
**Zone:** Residential  
**Request:** To re-subdivide Lot 2 of Peak View Heritage Water Subdivision Exemption of 20.13 acres into seven (7) lots ranging in size from 2.05 acres to 6.33 acres, and construction of a Low Volume Road. Wells and on-site wastewater treatment systems will serve the property. Sufficient right of way for County Road 190 W was demonstrated with the Peak View Heritage Water Subdivision Exemption. No additional right of way dedication is required.

Planner Barton addressed the Board to consider the Peak View Major Subdivision Final Plat; **Applicant:** Sunnyside CR 190 LLC, represented by Shawn Allison; **Location:** 11415 County Road

190, Salida.

Planner Barton responded to Commissioners' questions.

Jeff Post, 7385 U.S. Hwy. 50, Salida, for Applicant, stated that he promised to tell the truth spoke and responded to Commissioner's question.

The public comment portion of the hearing opened at 10:58 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated during which Planner Barton spoke and responded to Commissioners' questions and Attorney Tom responded to Commissioners' questions.

Commissioner Granzella moved to approve the Peak View Major Subdivision Final Plat;  
**Applicant:** Sunnyside CR 190 LLC, represented by Shawn Allison and Jeff Post; **Location:** 11415 County Road 190, Salida, to adopt the Findings and Conditions of the Planning Commission with removal of 6., 8., and 9. and the correction to Finding 8. and direct staff to prepare a resolution for April 19, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

6. ~10:40 a.m. - Approve and Adopt the National Public Health Week Proclamation

Director Carlstrom addressed the Board and read into the record the proposed National Public Health Week Proclamation to consider approval and adoption of the Proclamation.  
Chair Felt read into the record from "NOW, THEREFORE,..." to the end of the proposed Proclamation.

Commissioner Baker moved to approve and adopt the National Public Health Week Proclamation as read. Commissioner Granzella seconded the motion. The motion carried unanimously.

7. ~10:45 a.m. - Approve and Adopt the Proclamation Declaring April 2022 Child Abuse Prevention Month

Supervisor Haskell addressed the Board to approve and adopt the Proclamation Declaring April 2022 Child Abuse Prevention Month.

Chair Felt read the Proclamation into the record.

Commissioner Granzella moved to approve and adopt the Proclamation Declaring April 2022 Child Abuse Prevention Month. Commissioner Baker seconded the motion. The motion carried unanimously.

9. **11:05 a.m.** - Renewal 2022 Special Event Permit Application Review

Manager Roorda addressed the Board regarding review of the Renewal 2022 Special Event Permit Application.

Attorney Cottom addressed the Board and responded to Commissioners' questions.

Sheriff Spezze addressed the Board and responded to Commissioners' questions.  
Director Hadley addressed the Board and responded to Commissioners' questions.  
Attorney Cottom responded to Commissioners' questions.

Director Carlstrom addressed the Board and responded to Commissioners' questions.

Applicant Scott Stoughton, 786 Majestic Circle, Steamboat Springs, CO, stated that he promised to tell the truth, addressed the Board, and responded to Commissioners' questions.

Attorney Cottom spoke.

Public comment opened at 12:20 p.m. The following persons gave public comment:

Cary Unkelbach, 17080 County Rd. 363, Buena Vista, stated that she promised to tell the truth and spoke.

Attorney Cottom responded to Unkelbach's and Commissioner's questions.

Chair Felt and Attorneys Tom and Cottom responded to Unkelbach's question.

Randy Peters, 15685 Par Lane, Buena Vista, stated that he promised to tell the truth and spoke.

Alan Warholoski, 29105 County Rd. 330, Buena Vista, stated that he promised to tell the truth and spoke.

The public comment period closed at 12:41 p.m.

The meeting recessed at 12:42 p.m. for a lunch break.

The meeting resumed at 1:17 p.m.

Chair Felt asked Stoughton if he had any response to public comment.

Stoughton addressed the Board.

Chair Felt spoke.

The meeting recessed at 1:32 p.m. because of Zoom technical difficulties.

The meeting resumed at 1:44 p.m.

The Commissioners deliberated during which Attorney Cottom responded to Commissioner's questions and Stoughton spoke.

Commissioner Granzella moved to approve the Renewal 2022 Special Event Permit Application with conditions and direct staff to prepare a resolution. Attorney Cottom spoke regarding preparation of a resolution. Commissioner Granzella added to his motion that the resolution would be for May 3, 2022 for updates, corrections, adjustments. Commissioner Baker seconded the motion. Discussion ensued during which Stoughton responded to Commissioner's question. The motion carried unanimously.

Stoughton addressed the Board requesting a Community Liaison and stated that tickets would go on sale mid-May. Chair Felt stated that tickets shall *not* go on sale until a resolution is final, all items are sorted out, and it is known how this is going to proceed.

Attorney Cottom spoke regarding resolution preparation and communication among the parties.

5. *Moved from Consent Agenda - \*Continued from March 15 2022\* Approve Resolution 2022-30*

Upholding the Denial of the Tracey & Covell Trust Short Term Rental Permit Application for Property Located at 13500 CR 220, Salida CO

Chair Felt addressed the Board concerning approval of RESOLUTION 2022-30 STAFF DECISION DENYING APPLICATION FOR SHORT-TERM RENTAL LICENSE FOR THE PROPERTY LOCATED AT 13500 COUNTY RD. 220, SALIDA, CO.

Attorney Cottom clarified that the Resolution 2022-30 to be signed will reflect that the motion carried with the vote: Commissioners Baker and Felt voting FOR the motion and Commissioner Granzella voting AGAINST the motion.

Commissioner Baker moved to approve RESOLUTION 2022-30 UPHOLDING STAFF DECISION DENYING APPLICATION FOR SHORT-TERM RENTAL LICENSE FOR THE PROPERTY LOCATED AT 13500 COUNTY RD. 220, SALIDA, CO. Commissioner Felt seconded the motion. The motion carried with Commissioners Baker and Felt voting FOR the motion and Commissioner Granzella voting AGAINST the motion.

3. ~10:15 a.m. - Discuss and Finalize the 30-day Flow Recommendations for the RICD (Legal)

Attorney Cottom addressed the Board regarding designating the 30-day high flow period of 1400 cfs for the Recreational In-Channel Diversion (RICD) water right.

Discussion ensued during which Attorney Cottom spoke.

Commissioner Baker moved to designate May 27, 2022 through June 26, 2022 as the 30-day high flow period for the RICD flows. Commissioner Granzella seconded the motion. The motion carried unanimously.

4. ~10:30 a.m. - Consider Special Event Liquor Permit for Buena Vista Chamber of Commerce (Clerk L Mitchell)

Chair Felt addressed the Board to consider the Special Event Liquor Permit for the Buena Vista Chamber of Commerce at Mt. Princeton.

Commissioner Baker moved to approve the Special Event Liquor Permit for the Buena Vista Chamber of Commerce for the event to be held at Mt. Princeton. Commissioner Granzella seconded the motion. The motion carried unanimously.

8. ~10:50 a.m. - Consider FY23 CDS Request (Christiansen)

PAO Helmke addressed the Board to update the Board and to consider the Fiscal Year 2023 CDS Request of \$1,000,000 for the North Chaffee County EMS building. PAO Helmke responded to Commissioner's questions.

Commissioner Granzella moved to submit the request for Fiscal Year 2023 Congressionally Designated Spending (CDS) Support for the Chaffee County north end public safety complex facility in response to Senator Bennet's office. Commissioner Baker seconded the motion. The motion carried unanimously.

As a follow-up, Chair Felt stated that he submitted a letter to Colorado Parks and Wildlife affirming that that low-head dam really is a problem.

- 8.5 Attorney Tom addressed the Board regarding an amendment to the contract with Harrison Western for the tunnel project for an additional \$95,467.20 to purchase additional materials for the project, which will include rehabilitation for two additional tunnels on County Rd. 371.

Discussion ensued during which Attorney Tom spoke.

Commissioner Granzella moved to approve the Harrison Western change order of \$95,467.20 to approve the cost of supplies for County Rd. 371 tunnel rehabilitation project, which would add the two additional tunnels to the repair. Commissioner Baker seconded the motion. The motion carried unanimously.

5. ~10:35 a.m. - Approve Resolution 2022-XX Appointing \_\_\_\_\_ to Fill Planning Commission Vacancy

Chair Felt addressed the Board to consider an appointment to fill a vacancy on the Planning Commission.

Discussion ensued.

Commissioner Granzella moved to appoint Chip Mortimer to fill the Planning Commission vacancy created by the resignation of Anderson Horne to fill out Horne's term ending January 31, 2023. Commissioner Baker seconded the motion. The motion carried unanimously.

Attorney Cottom stated that a resolution will be prepared, and he will contact Mortimer about tonight's meeting.

Commissioner Granzella moved to allow the Chair to sign the above-referenced resolution. Commissioner Baker seconded the motion. The motion carried unanimously.

10. Executive Session: under CRS 24-6-402(4)(b) for Purposes of Receiving Legal Advice from County Attorneys Tom and Cottom on Specific Legal Issues Involving Land Use Applications. The Commissioners, Bob Christiansen, Dan Short, and Beth Helmke will attend.

Chair Felt addressed the Board to consider executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice from Attorneys Tom and Cottom on specific legal issues involving land use applications.

Attorney Cottom 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 Baker moved to go into executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice from Attorneys Tom and Cottom on specific legal issues involving land use applications. Commissioners Baker, Felt, and Granzella along with PAO Helmke will attend. (Directors Christiansen and Short are not present at this meeting.) Commissioner Granzella seconded the motion. The motion carried unanimously.

The Board of Commissioners moved into executive session at 2:33 p.m.

The Board of Commissioners came out of executive session at 3:35 p.m. with no decisions being made.

*I, Daniel Tom, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on April 5, 2022 constituted privileged attorney-client communication.*

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*Daniel Tom, 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 April 5, 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).*

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*Greg Felt, Chairman*

After the executive session, there was no other business.

**E. Active Projects**

**F. Adjourn**

The meeting was adjourned at 3:35 p.m.

**G. Potential Road Trip**

Attest:



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Lori Mitchell, County Clerk