



Chaffee County Commissioners Meeting
April 19, 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 19, 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 Finance Dan Short, County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, Public Affairs Officer (PAO) Beth Helmke, Road & Bridge Superintendent Mark Stacy (morning), Marketing Director Scott Peterson (morning), Principal Planner Greg Laudenslager, Planner Christie Barton (afternoon), Weed Department Supervisor Kayla Malone (afternoon), and Deputy County Clerk Barbara Tidd (afternoon).

Others present remotely were Director of General Administration Bob Christiansen, Planning Manager Jon Roorda, and Deputy County Clerk Barbara Tidd (morning).

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chairman Felt called the meeting to order at 9:06 a.m.

2. Approve the Agenda

Commissioner Baker called attention to the week of April 22, 2022 being Dark Sky Week.

Attorney Tom requested that between Regular Agenda Items 3 and 4, 10:00 am and 10:20 am, an update be given regarding the County Rd. 371 Tunnels upgrade. Superintendent Stacy will be present.

Commissioner Granzella wants to be sure there are no concerns from Applicants regarding Consent Agenda Items 1. and 2.

Manager Roorda confirmed that the Applicant is fine with Consent Agenda Item 1. RESOLUTION 2022-35 APPROVING THE FINAL PLAT FOR PEAK VIEW MAJOR SUBDIVISION.

Attorney Cottom stated that regarding Consent Agenda Item 2. RESOLUTION 2022-33 APPROVING THE BLITSTEIN AGRICULTURAL SUBDIVISION EXEMPTION NO. 2, the Resolution is not finalized and suggested moving this item to the Regular Agenda.

Applicant Sunnyside CR 190 LLC representative Shawn Allison, 7385 US Hwy. 50, Salida, stated that he promised to tell the truth and that he had no concerns regarding RESOLUTION 2022-35 APPROVING THE FINAL PLAT FOR PEAK VIEW MAJOR SUBDIVISION.

Commissioner Granzella moved to approve the Agenda with the addition to the Regular Agenda of the topic of the tunnels on County Rd. 371 and remove Item 2. RESOLUTION 2022-33 APPROVING THE BLITSTEIN AGRICULTURAL SUBDIVISION EXEMPTION NO. 2 from the Consent Agenda and put it on the Regular Agenda for discussion. 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 person gave public comment:

Earl Richmond, 106 River Run Drive, Buena Vista, stated that he promised to tell the truth and spoke.

B. Minutes for Approval

1. Approve the Minutes of the April 12, 2022 Regular Meeting

Commissioner Baker moved to approve the minutes of the April 12, 2022 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

There were none.

D. Consent Agenda

Commissioner Baker moved to approve the Consent Agenda as amended with Item 2. removed. Commissioner Granzella seconded the motion. The motion carried unanimously.

1. Approve Resolution 2022-35 Approving the Peak View Major Subdivision Final Plat

3. Acknowledge the Treasurer's Reports as Presented

4. Acknowledge the Chaffee County Sheriff's Reports for March 2022

5. Pay Bills as Presented

6. Adopt Resolution Declaring April 22-30 2022 Dark Sky Week in Chaffee County

E. Regular Agenda Items

1. ~9:10 a.m. - Update on 2022 LWCF Grant Application/ Review and Consider a Request to Continue Forward on This Priority Rec Project (Earl Richmond, Town of Buena Vista Recreation)

Town of Buena Vista Recreation Director Earl Richmond addressed the Board providing an update on the 2022 Land and Water Conservation Fund (LWCF) Grant Application/Review and asked the Board to consider a request to continue forward on this priority recreation project. The specific request is for \$17,500 of the \$25,000 that Commissioners previously authorized to be allocated immediately to construction of the pickleball courts. Richmond responded to Commissioner's question.

Commissioner Granzella moved to support and approve the request to allow \$17,500 towards completion of the pickleball courts for the Town of Buena Vista and indicated his support for future needs for the pickleball courts. Commissioner Baker seconded the motion clarifying that the remainder (\$7,500) of what the Commissioners authorized is to be spent on the trail in the future. The motion carried unanimously.

MOVED FROM CONSENT AGENDA:

2. Approve Resolution 2022-33 Approving the Blitstein Agricultural Subdivision Exemption #2
Chair Felt addressed the Board regarding approval of RESOLUTION 2022-33 APPROVING THE BLITSTEIN AGRICULTURAL SUBDIVISION EXEMPTION NO. 2.

Attorney Cottom spoke. Commissioner Baker spoke.

Applicant representative Michael Blitstein, 36570 Hwy. 24 North, Buena Vista, stated that he promised to tell the truth and spoke regarding the easement and said he would like the Resolution approved today.

Chair Felt spoke followed by Attorney Cottom. Discussion ensued.

Commissioner Granzella moved to approve RESOLUTION 2022-33 APPROVING THE BLITSTEIN AGRICULTURAL SUBDIVISION EXEMPTION NO. 2 and adopt the wording on easement clarification in paragraph F. under FINDINGS AND CONCLUSIONS. Commissioner Baker seconded the motion. The motion carried unanimously.

REGULAR AGENDA ITEM ADDED:

9:48 a.m. Update regarding County Rd. 371 Tunnels upgrade.

Attorney Tom addressed the Board regarding the tunnels upgrade on County Rd. 371.
Superintendent Stacy addressed the Board.

Director Short and Commissioner Baker spoke followed by Attorney Tom who responded to Commissioner's questions.

Discussion ensued during which Attorney Tom suggested to proceed with Stantec, have staff engage with the Bureau of Land Management (BLM), and put this item on a Work Session Agenda. Superintendent Stacy said that any work to be done will be after Labor Day. Director Short and PAO Helmke spoke. Attorney Tom responded to Commissioners' questions.

Consensus was that Commissioners direct staff to move forward with the design as discussed and get information to BLM as quickly as possible.

REGULAR AGENDA ITEMS continued:

2. ~9:40 a.m. - Consider Entering an IGA Concerning Fair Contributions For Public School Sites Among the City of Salida, the Town of Buena Vista, the Town of Poncha Springs, Chaffee County, the Salida School District R-32-J, and the Buena Vista School District R-31

Attorney Tom addressed the Board to consider entering into an IGA concerning Fair Contributions For Public School Sites among the City of Salida, Town of Buena Vista, Town of Poncha Springs, Chaffee County, Salida School District R-32-J, and Buena Vista School District R-31.

Attorney Tom and Director Short responded to Commissioner's questions.

Commissioner Baker moved to approve entering into an IGA concerning Fair Contributions For Public School Sites among the City of Salida, the Town of Buena Vista, the Town of Poncha Springs, Chaffee County, Salida School District R-32-J, and Buena Vista School District R-31. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. ~10:00 a.m. - Consider Contract with Golden Rule Signs- Legal

Attorney Cottom addressed the Board to consider a Contract for the Visitors Bureau with Golden Rule Signs to replace a sign by the Salida Chamber of Commerce/Salida Hot Springs Pool.

Commissioner Granzella moved to approve the Contract between Chaffee County and Golden Rule Signs as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

4. ~10:20 a.m. - Accept the Liquor License Application, Set the Neighborhood Radius for Comment, and Set Public Hearing Date for Centerville Pit Stop

Attorney Tom addressed the Board regarding the Liquor License Application for Centerville Pit Stop.

Discussion ensued.

Commissioner Baker moved to accept the Liquor License Application for the Centerville Pit Stop, schedule the Public Hearing for Monday, May 16, 2022, and set the Neighborhood Radius for Public Comment at two (2) miles. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. ~10:40 a.m. - Consider the Letter of Acknowledgement(Chaffee County Board of Health) Re: Harm-reduction Pilot Project of Chaffee County Public Health

Chair Felt addressed the Board to consider the Letter of Support Re: Harm-reduction Pilot Project of Chaffee County Public Health.

Commissioner Granzella spoke.

Discussion ensued during which Attorney Cottom responded to Commissioner's question.

Commissioner Baker moved to finalize the Letter of Acknowledgment for the Harm-reduction Pilot Project for Chaffee County Public Health. Commissioner Felt seconded the motion. The motion carried with Commissioners Baker and Felt voting FOR the motion and Commissioner Granzella voting AGAINST the motion.

F. Active Projects

Discussion ensued regarding various topics, during which Attorney Tom responded to Commissioners' questions and Director Short spoke and responded to Commissioners' questions.

No formal action was taken.

The meeting recessed at 11:38 a.m. for a lunch break.

6. 11:30 - 1:00 p.m. - Break for Lunch

7. 1:00 p.m. - Public Hearing to Review BlueTriton Brands' (BTB's) Annual Report and Compliance with 1041 Permit

Prior to the lunch break, Chair Felt spoke giving the process and procedure to be followed for this hearing and raising possible issues and questions to be considered before the beginning of the hearing.

Attorney Tom responded to Commissioners' questions.

Following the lunch break, the meeting resumed at 1:03 p.m. at which time Chair Felt introduced the Public Hearing to review BTB's Annual Report and Compliance with the 1041 Permit.

Attorney Tom spoke.

Planner Barton presented the Staff Report, Exhibit A for this hearing, during which Attorney Tom spoke.

Planner Barton and Attorney Tom responded to Commissioners' questions.

David Shohet, Special Water Counsel for Chaffee County Commissioners, responded to Commissioners' questions.

Supervisor Malone responded to Commissioners' questions.

Garrett Wright with W.W. Wheeler & Associates, Inc. (WWW) stated that he will follow up with Gary Thompson of WWW to provide a response to Commissioner's question.

Larry Lawrence with BTB, 5772 Jarupa St., Ontario, CA, stated that he promised to tell the truth and addressed the Board with a PowerPoint Presentation, which he stated is a summary of the March 1, 2022 Annual Report. Lawrence responded to Commissioners' questions during and following his presentation.

Supervisor Malone responded to Commissioner's questions.

Planner Barton stated that BTB's PowerPoint Presentation will be labeled as Exhibit 1 for this hearing.

Chair Felt stated that 'Chaffee' is misspelled on Arrowhead water bottle labels. Lawrence said he would look into that.

Chair Felt went over the public comment process.

The public comment portion of the hearing opened at 2:39 p.m.

Public comments were given by:

Jenn Swacina, 132 E 7th St., Apt. 2, Salida, stated that she promised to tell the truth and spoke. Chair Felt responded to Swacina's questions.

Pursuant to Commissioner Baker's request, Swacina submitted her notes to Commissioners, which Planner Barton will label as Exhibit 2 for this hearing.

Shohet responded to the question regarding the distinction between spring water and groundwater and Commissioner's follow-up question.

PAO Helmke responded to Swacina's question regarding contributions from BTB.

Karen Lundberg, 6017 Archery Lane, Salida, stated that she promised to tell the truth and spoke. Chair Felt spoke to Lundberg's comments. The other Commissioners commented.

Kris Shurr, 13364 County Rd. 45, Coaldale, stated that she promised to tell the truth and spoke.

Angie Thompson, 16081 Hwy. 50, Coaldale, stated that she promised to tell the truth and spoke. Commissioners and PAO Helmke spoke to Thompson's comments and questions and gave this website together.chaffeecounty.org regarding opportunities for public input.

John McGowan, 13100 Coyote Valley Rd., Salida, stated that he promised to tell the truth and spoke.

Commissioners spoke to McGowan's comments and question.

Attorney Tom responded to Commissioner's question.

Tom Bomer, 225 D St., Salida, stated that he promised to tell the truth and spoke.

Commissioners spoke to Bomer's comments.

Steve Reese, 10330 W. Cherokee Dr., Salida, stated that he promised to tell the truth and spoke. Chair Felt spoke to Reese's comments and question.

Shurr spoke again.

Chair Felt spoke to Shurr's comment.

Mary Jane Cavallo, 15033 County Rd. 306, Buena Vista, stated that she promised to tell the truth and spoke.

The public comment portion of the hearing closed at 3:49 p.m.

Chair Felt spoke regarding the balance of the process, i.e., BTB responding to Public Comment followed by deliberations, which may include the County consulting with experts.

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

Chair Felt stated he wants to specifically hear from the Upper Arkansas Water Conservancy District (UAWCD) and/or the Colorado Division of Water Resources and Colorado Parks & Wildlife District Wildlife Manager Sean Shepherd regarding the status of the conservation easement and next steps and road improvements for County Rd. 300.

Lawrence spoke in response to Chair Felt's question.

Commissioner Baker moved to continue this hearing until Tuesday, May 3, 2022 at 1:00 p.m. in the Board of Commissioners meeting room in Salida. Commissioner Granzella seconded the motion and asked if an ecological study is reimbursable by BTB. The motion carried unanimously.

G. Adjourn

The meeting was adjourned at 3:59 p.m.

H. Potential Road Trip

Attest:



Lori Mitchell, County Clerk