



Chaffee County Commissioners Meeting
September 13, 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.

The regular meeting of the Board of Commissioners was held on Sept 13, 2022, at the Chaffee County Courthouse. Board members present were Chairman Greg Felt and Commissioner Rusty Granzella. Commissioner Keith Baker participated in the meeting remotely via zoom.

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, and Planner Christie Barton.

Others present remotely were Planner Greg Laudenslager, Planner Jon Roorda, Chief Deputy County Clerk Kit Kuester, and Deputy County Clerk Brandy Coscarella.

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

Commissioners determined they would remove Consent Agenda item C. 9 and move Consent Agenda item C. 8 to discuss and consider after the Consent motion. Commissioner Baker moved to approve the amended Agenda. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. Review Public Meeting List

The Board reviewed the public meeting list.

4. Public Comment

The following gave public comment on items not already listed on the agenda.

Kathy Rogers stated her address as 10660 Sunnyside Cr, Salida, promised to tell the truth and spoke.

The Commissioners and Attorney Tom spoke.

B. Minutes for Approval

1. Approve the Minutes of the Regular Meeting of September 6 2022

Commissioner Granzella moved to approve the minutes of the September 6, 2022 Commissioners' regular meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

C. Consent Agenda

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

1. Consider Retail Liquor License Renewal Application for JV Food Shop LLC
2. Acknowledge the Chaffee County Sheriffs' Office End of Month Report for August 2022
3. Acknowledge the Veterans Service Officers Monthly Report for August 2022
4. Acknowledge the Treasurer's End of Month Reports for August 2022
5. Ratify the Mineral Material Free Use Permit for Case Number COC-078132
6. Approve Resolution 2022-63 Approving the Armstrong-City of Salida Boundary Line Adjustment (as approved at the Sept 6 2022 BOCC Meeting)
7. Approve Resolution 2022-62 Approving the Reigle-Moore Boundary Line Adjustment (as approved at the Sept 6 2022 BOCC Meeting)
8. Ratify Letter of Support for Farm Bill Renewal- *This item was removed from the Consent Agenda.*

D. Regular Agenda Items

9. Approve Chaffee Housing Trust Funding Request as Presented at Sept 12 2022 Work Session
This item was discussed after the Consent agenda.

Chair Felt addressed the Board to consider the Chaffee Housing Trust Funding Request. Commissioner Granzella spoke. Read McCulloch of the Chaffee Housing Trust spoke. Commissioner Baker asked a question of Finance Director Short.

Commissioner Granzella moved to approve up to \$55,000 for the Chaffee Housing Trust request for the project at 3rd and M St in Salida and proposed a challenge to the City of Salida to match that to get it funded and moving. If Salida does not match, the \$55,000 will remain for the CHT to raise the additional funds. Commissioner Baker seconded the motion. The motion carried unanimously.

1. Consider the Special Event Liquor License for Colorado Fourteeners Initiative
Chair Felt addressed the Board to consider the special event liquor license for the Colorado Fourteeners Initiative.

The applicant Caleb Efta was online for questions, which there were none.

The public comment portion of the hearing opened at 9:26 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Baker moved to approve the special event liquor license for the Colorado Fourteeners Initiative. Commissioner Granzella seconded the motion. The motion carried

unanimously.

2. **Name of Project:** Boone & Peuser Minor Subdivision Final Plat
Applicants: Taylor Boone & Kaelen Peuser, represented by Mike Henderson
Location: 10180 County Road 190 W, Salida
Zone: Residential
Request: To subdivide Tract 1-R of the Hall Boundary Line Adjustment of 4.98 acres into two (2) lots of 2.524 acres (Lot 1, with the existing house, well and on-site wastewater treatment system) and 2.00 acres (Lot 2, vacant). Right of way for Murphy Road (0.454 acres) is proposed to be dedicated on the plat.
Planner Barton addressed the Board to consider the Boone & Peuser Minor Subdivision Final Plat. Discussion followed with the Commissioners asking questions of staff.

The applicant spoke- Kaelen Peuser Boone stated her address as 10180 W Cty Rd 190 Salida, promised to tell the truth, and spoke.

Commissioner Granzella asked questions of Planner Barton.

Applicant Taylor Boone, 10180 W Cty Rd 190, promised to tell the truth and spoke.

Mike Henderson, 203 G Street Salida, promised to tell the truth and spoke.

Chair Felt asked a question of Henderson. Additional discussion between the commissioners and the applicants followed. County Attorneys Cotton and Tom spoke.

Chair Felt asked a question of the staff. Additional discussion followed.

The Chairman asked for public comments. The public comment portion of the hearing opened at 10:23 a.m.

Public comments were given by:

Jerry Raski, 10158 Starlight Lane Salida, promised to tell the truth and spoke.
Applicant Peuser Boone spoke. Chair Felt spoke.

The public comment portion of the hearing closed at 10:27 a.m.

The Commissioners deliberated and reviewed conditions for approval with Attorney Tom. Legal and Planner Barton reviewed the language for the resolution. Attorneys Tom and Cotton spoke.

Commissioner Granzella moved to approve the Boone & Peuser Minor Subdivision Final Plat, Applicants Taylor Boone and Kaelen Peuser represented by Mike Henderson Location: 10180 County Road 190 W, Salida/To subdivide Tract 1-R of the Hall Boundary Line Adjustment of 4.98 acres into two (2) lots of 2.524 acres (Lot 1, with the existing house, well and on-site wastewater treatment system) and 2.00 acres (Lot 2, vacant) with changes to the findings as noted and directed staff to eliminate condition number 4 related to driveway standards, and adjust item 6B, then draft a resolution with signature authority to the Chair after applicants and commissioners review it.
Commissioner Baker seconded the motion. The motion carried unanimously.

3. Consider Participation in FAMLI Program

Christina Early, Payroll Accountant, addressed the Board to consider Chaffee County Government participation in the FAMLI Program.

Attorney Tom spoke. Director Short spoke.

The Chairman asked for public comments. There were none.

The public comment portion of the hearing closed at 10:50 a.m.

Commissioner Granzella moved to approve Resolution 2022-65 declining any and all employer participation in the Colorado Paid FAMLI Program. Commissioner Baker seconded the motion. The motion carried unanimously.

4. **Name of Project: Alpine West Planned Development (Additional Continuation Requested by Applicant and Staff)**

****Continued from August 9 2022****

Owner: Stackhaus LLC, Alex Telthorst

Applicant Representative: Alex Telthorst

Location: 15750 County Road 306, Buena Vista

Zone: Residential

Request: A Conceptual Planned Development Plan Review and Major Subdivision Sketch Plan at 15750 County Road 306, Buena Vista

Attorney Cottom addressed the Board to consider continuation of the Alpine West Planned Development, as requested by the applicant and staff. It is set on the Oct 4 PC agenda, and could follow on the BOCC Oct 18 meeting- in Buena Vista.

Commissioner Baker moved to continue the Alpine West Application to Oct 18. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. Consider Cancelling the Sept 20 2022 Board of County Commissioners Regular Meeting

Chair Felt addressed the Board to consider canceling the Sept 20, 2022 Board of County Commissioners Regular Meeting.

PAO Helmke spoke. Attorney Cottom spoke. Communication was discussed.

Commissioner Baker moved to cancel the Sept 20, 2022 Board of County Commissioners Regular Meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

6. Executive Sessions

The executive session was announced 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. County Attorney Tom stated that this executive session is 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. County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, County Administrator Bob Christiansen, Finance Director Dan Short, County Public Affairs Officer Beth Helmke and the Commissioners may be included in this executive session.

An additional executive session under CRS 24-6-402(4)(a) for the purpose of discussing real estate matters was also announced. County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, County Administrator Bob Christiansen, Finance Director Dan Short, County Public Affairs Officer Beth Helmke, Chaffee Housing Authority Director Becky Gray, and the Commissioners may be included in this executive session.

Attorney Tom stated that this portion of the meeting (both Executive Session topics) constituted attorney-client communication, and no further recording of this portion of the meeting was required.

Commissioner Granzella moved to go into executive session as stated in items 6 & 7. Commissioner Baker seconded the motion. The motion carried unanimously. The Board of Commissioners moved into executive session at 11:01 a.m. The Board of Commissioners came out of executive session at 12:02 p.m. with no decisions being made. Commissioner Granzella moved to move out of the Executive Session and back into the Regular Session, after a short break for lunch. Commissioner Baker seconded the motion. The motion carried unanimously.

I, Daniel Tom, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive sessions held on September 13, 2022 constituted privileged attorney-client communication.

_____/s/ Daniel Tom_____
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 sessions held on September 13, 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. **Public Hearing - 12:30 pm (continued from August 22nd)**
Land Use Code -Consider Adoption of Final Land Use Code Text Amendments: "Module 1" topics, including Site Plan Review Process; Special Event Permits; Right of Way Vacation; Wildland Urban Interface; Accessory Dwelling Units; Agritourism; Short Term Rentals; Special Event Facility; Bed and Breakfast sections and Consider Adoption of Land Use Code Text Amendments: "Module 1" topic: Private Lands Camping

Chair Felt addressed the Board to consider Land Use Code Text Amendments for "Module 1"

topics.

Commissioners Granzella and Baker spoke.
Jen Gardner of Logan Simpson joined the meeting remotely via zoom.

The Chairman asked for public comments. The public comment portion of the hearing opened at 12:40 p.m.

Public comments were given by:

Frank Parsons, 6990 CR 111B Salida, promised to tell the truth and spoke.
Commissioners spoke.

Dan Jones, 4141 CR 210 Salida, promised to tell the truth and spoke.
Commissioner Granzella spoke.

Kristy Frank, 12920 CR 270 Nathrop, promised to tell the truth and spoke.
Chair Felt spoke. Attorney Cottom spoke.

Michal Rosenoer 103 Brady Rd Buena Vista, promised to tell the truth and spoke.
Commissioner Granzella spoke. Attorney Cottom spoke.

Gwen Merrezuko 16895 CR 338 Buena Vista promised to tell the truth and spoke.
Commissioner Granzella asked a question of Merrezuko.

Jeremy Spearing, 22720 CR 292B Nathrop, promised to tell the truth and spoke.
Commissioner Baker spoke. PAO Helmke spoke.

Renee Graner, 19530 Hwy 285 Nathrop, promised to tell the truth and spoke.
Chair Felt spoke. Commissioners Granzella and Baker spoke.

Kit Garen, 18955 CR 162 Nathrop, Investment STR/ permanent resident of North Carolina, promised to tell the truth and spoke.

Brent Hall, 18780 CR 162 Nathrop, promised to tell the truth and spoke.

Deane LaRue 12144 W US Hwy 50 Salida, promised to tell the truth and spoke.
Commissioner Baker spoke. Commissioner Granzella spoke.

Kathy Rogers 10660 Sunnyside Cr Salida, promised to tell the truth and spoke.
Commissioner Granzella spoke. Attorney Cottom spoke.
Rogers spoke and Commissioner Baker spoke.

Lamar Fite 8546 CR 240G Salida/Maysville promised to tell the truth and spoke.

Joe Cooper 9325 CR 160 promised to tell the truth and spoke.

No further public comment was noted. The public comment portion of the hearing closed at 1:44 p.m.

Attorney Cottom presented the new application procedures: site plan review process. Discussion followed. Updates were noted by Attorney Cottom. Next steps were discussed.

Commissioner Granzella moved to approve language for the new application procedures: site plan review process, incorporating changes discussed to be included in the forthcoming resolution on October 11, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

Attorney Cottom addressed the Board regarding Special Event Permits (4.2.7). Discussion followed. Updates were noted by Attorney Cottom.

Commissioner Baker moved to approve language for the Special Event Permits language in the Land Use Code update incorporating changes discussed to be included in the forthcoming resolution on October 11, 2022. Attorney Cottom clarified this will be effective for events that take place on or after January 1, 2023. Commissioner Granzella seconded the motion. The motion carried unanimously.

A short break was taken.

Attorney Cottom addressed the Board regarding the Right of Way Vacation (5.2.3- H) section. Discussion followed. Updates were noted by Attorney Cottom. The current moratorium was discussed.

Commissioner Granzella moved to approve the Right of Way Vacation language in the Land Use Code update incorporating changes discussed to be included in the forthcoming resolution on October 11, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

Attorney Cottom addressed the Board regarding Special Event Facility section 7.8.35 of the Land Use Code Update.

The recommendation to continue the undiscussed items to a date certain was discussed, noting this would not reopen the Public Comment section.

Discussion followed as Attorney Cottom presented the Special Event Facility item. Attorney Cottom noted suggested edits from the Commissioners.

Commissioner Granzella moved to approve the Special Event Facility language in the Land Use Code amendments as presented and amended, and to become effective after the adoption and implementation of the limited and major impact use review or the end of the moratorium, and directed staff to draft a resolution for October 11, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

The recommendation followed to continue the undiscussed items to a Special Meeting on Sept 28 2022 at 9am for LUC text code update deliberation and decision, as well as discussion of the Nathrop Moratorium. A potential rollover is scheduled for a noon start on Sept 29, which will be canceled should it not be needed. Procedurally, public comment will not be reopened.

Commissioner Baker moved to continue the undiscussed items to Sept 28 with an additional session on Sept 29 if necessary. Commissioner Granzella seconded the motion. The motion carried unanimously.

E. Active Projects- None noted

F. Adjourn

Commissioner Granzella moved to adjourn the meeting. Commissioner Baker seconded the motion. The motion carried unanimously. The meeting was adjourned at 4:55 p.m.

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