



Chaffee County Commissioners Meeting
October 11, 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 October 11, 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/Planning Director Miles Cottom, Deputy County Clerk Brandy Coscarella, Planning Manager Jon Roorda, and Planner Greg Laudenslager (Some staff members switched between online and in person participation throughout the day).

Others present remotely were Planner Brandon Wolff, Planning Staff member Debbie Fesenmeyer, and Public Health Director Andrea Carlstrom.

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chairman Felt called the meeting to order at 9:02 a.m.

2. Approve the Agenda

Commissioners discussed items on the agenda, including those in the Consent Agenda, removing item D.1 Palpant Lot Line Elimination to the Action Items Section to accept Public Comment. Commissioners also noted the addition of an Executive Session to discuss real estate matters per Attorney Tom's request. 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

There was no public comment.

B. Minutes for Approval

1. Approve the Minutes of the October 4 2022 Regular Meeting

Commissioner Granzella moved to approve the minutes of the October 4, 2022 Commissioners' regular meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. ~9:10 a.m. - Consider Contract Amendment Number Chaffee-2022-1 / Colorado State University - Extending the Chaffee Common Ground Fund- Methodist Front Wildland Urban Interface Forest & Watershed Health Restoration Project to December 31, 2023

Josh Kuehn, CSFS, addressed the Board to consider Contract Amendment Number Chaffee-2022-1/Colorado State University- Extending the Chaffee Common Ground Fund- Methodist Front Wildland Urban Interface Forest & Watershed Health Restoration Project to December 31, 2023.

Commissioner Baker moved to approve the Contract Amendment Number Chaffee-2022-1/Colorado State University extending to December 31, 2023 the Chaffee Common Ground Fund- Methodist Front Wildland Urban Interface Forest & Watershed Health Restoration Project. Commissioner Granzella seconded the motion. The motion carried unanimously.

2. ~9:15 a.m. - Consider the Chaffee County Visitors Bureau Contracts/Agreements with Miles Media Partnership

Scott Peterson, CCVB, addressed the Board to consider the Chaffee County Visitors Bureau Contract/Agreement with Miles Media Partnership. Attorney Tom spoke. Discussion followed. Attorney Tom provided an updated cover sheet to the Commissioners.

Commissioner Granzella moved to approve Chaffee County Visitors Bureau Contract/Agreement with Miles Media Partnership with legal approval of up to \$196,971. Commissioner Baker seconded the motion. The motion carried unanimously.

3. ~9:20 a.m. - Consider Contract for Public Health with Cartvertising in the Amount of \$17,400

Attorney Tom and Director Carlstrom addressed the Board to consider the contract for Public Health with Cartvertising in the amount of \$17,400.

Commissioner Baker moved to approve the contract for Public Health with Cartvertising in the amount of \$17,400. Commissioner Granzella seconded the motion. The motion carried unanimously.

D. ~9:25 a.m. -Consent Agenda

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

(Item Moved was moved to the Regular Agenda Items)

2. Acknowledge the VSO Report for September 2022

3. Acknowledge the CCSO Report for September 2022
4. Pay the Bills

E. Regular Agenda Items

1. **Name of Project:** Palpant Lot Line Elimination
Applicants: Ted Palpant
Location: 29909 N. Highway 24, Buena Vista
Zone: Commercial
Request: To eliminate an interior lot line so that the commercial use can be expanded
Wells and on-site wastewater treatment systems will serve the property.
Planner: Jon Roorda
This item was removed from the Consent Agenda.

Manager Roorda addressed the Board to consider the Palpant Lot Line Elimination, Applicant Ted Palpant. Manager Roorda answered questions from the Commissioners.

The applicant was not at the meeting. Any changes would facilitate reaching out to the applicant.

The public comment portion of the hearing opened at 9:32 a.m. Public comments were given by:

Cindy Swisher, spoke for her mother with property at 2995 N Hwy 24, Buena Vista and promised to tell the truth.

Planner Roorda addressed questions. Attorney Tom spoke. Discussion followed.

The public comment portion of the hearing closed at 9:41 a.m.

The noted clarification will be included in the resolution for the applicant's review.

Commissioner Granzella moved to approve the Palpant Lot Line Elimination; Applicants: Ted Palpant; Location: 29909 N. Highway 24, Buena Vista; Zone: Commercial
Request: To eliminate an interior lot line so that the commercial use can be expanded
Wells and on-site wastewater treatment systems will serve the property and directs staff to prepare resolution for Nov 1 including amendments as discussed. Commissioner Baker seconded the motion. The motion carried unanimously.

1. Initial Hearing to Set the Neighborhood and Hearing Date for a Colorado Liquor Retail License Application for Trigger's Liquors LLC, 22763 W US Highway 50, Salida CO 81201

Attorney Tom addressed the Board to consider setting the neighborhood and hearing date for a Colorado liquor retail license application for Trigger's Liquors LLC, 22763 W US Hwy 50 Salida CO 81201. Discussion followed.

Commissioner Baker moved to set a one (1) mile radius and a hearing date of Nov. 15, 2022 in Buena Vista. Commissioner Granzella seconded the motion. The motion carried unanimously.

2. **9:30 a.m. - Name of Project:** Yunikar Agricultural Subdivision Exemption (Continued from Oct. 4, 2022)

Applicant: William Yunikar

Location: 9800 CR 165, Parcel No. 368322400040

Zone: Rural

Request: To subdivide 85.4 acres into Tract 1 of 6.79 acres containing the existing horse arena. The remainder Tract of 78.43 acres is designated as Tract 2 of 36.01 acres and Tract 3 of 42.42 acres, with the creation of Tract 2 & 3 being exempt from Chaffee County Subdivision regulations as they are over 35 acres. Wells and on-site wastewater treatment systems will serve the property. 1.79 acres is dedicated for CR 160 and 2.35 acres is dedicated for CR 165.

Primary Planner: Jon Roorda

Manager Roorda addressed the Board to consider the Yunikar Agricultural Subdivision Exemption. The amended staff report was in front of the Commissioners and sent to the applicant. Attorney/Manager Cottom spoke. Discussion followed. Attorney Tom spoke.

Mike Henderson, 203 G St Salida, the applicant's representative, spoke. Discussion followed.

Attorney/Planner Cottom spoke. Attorney Tom spoke. Mike Henderson requested clarification.

The Chairman asked for public comments. There were none.

Commissioners entered into deliberation.

Commissioner Granzella moved to approve the Yunikar Agricultural Subdivision Exemption; Applicant: William Yunikar; Location: 9800 CR 165, Parcel No. 368322400040; Zone: Rural; Request: To subdivide 85.4 acres into Tract 1 of 6.79 acres containing the existing horse arena. The remainder Tract of 78.43 acres is designated as Tract 2 of 36.01 acres and Tract 3 of 42.42 acres, with the creation of Tract 2 & 3 being exempt from Chaffee County Subdivision regulations as they are over 35 acres. Wells and on-site wastewater treatment systems will serve the property. 1.79 acres is dedicated for CR 160 and 2.35 acres is dedicated for CR 165; using the Agricultural Subdivision process and incorporate findings as presented and the conditions presented by staff related to augmentation for tract one and verify agriculture exemption, the 1041 may be applicable, and direct staff to prepare a resolution for Oct. 18. Commissioner Baker seconded the motion. The motion carried unanimously.

3. **9:40 a.m. - Name of Project:** Divided Sky Estates - Major Subdivision Sketch Plan

Owner: Meaghan Richmond

Applicant Representative: Crabtree Group, Inc.

Location: 6025 Archery Lane, Salida

Parcel Number: 380717100008

Zone: Residential

Request: A Major Subdivision Sketch Plan application proposing 16 lots on 38.36 acres at 6025 Archery Lane, Salida. Individual wells and on-site wastewater treatment systems would serve the new lots.

Primary Planner: Greg Laudenslager

A short break was taken prior to this agenda item.

Planner Laudenslager addressed the Board to consider the Divided Sky Estates Major Subdivision

Sketch Plan. Planner Laudenslager answered questions from the Commissioners.

Tracy Vandaveer, representative for the applicant, shared a PowerPoint presentation and answered questions from the Commissioners. Discussion followed. Planner Laudenslager spoke.

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

Public comments were given by:

Mike Rossi, 6014 Archery Lane, spoke and answered questions from the Commissioners.

Kim Rossi, 6014 Archery Lane, promised to tell the truth and spoke. Attorney/ Planner Cottom answered the Commissioners' questions. Planner Laudenslager and Attorney Tom spoke.

Craig Carter, 6016 Archery Lane, promised to tell the truth and spoke. Commissioner Baker spoke.

Pierre Lescure, 6008 Archery Lane, promised to tell the truth and spoke.

Bill Tucker, 6005 Archery Circle, promised to tell the truth and spoke.

Linda Erickson, 6005 Archery Circle, promised to tell the truth and spoke.

Tom Rosback, 6018 Archery Lane, promised to tell the truth and spoke.

John Porter, 6025 Archery Lane, promised to tell the truth and spoke.

The public comment portion of the hearing closed at 12:29 p.m.

Planner Laudenslager responded to Commissioner Granzella's question.

The applicant's representative, Tracy Vandaveer, addressed the Board in response to public comments. Discussion followed with Commissioners. Planner Laudenslager spoke.

Chair Felt announced a lunch break from 12:45 to 1:15pm.

Upon returning from the lunch break, the Commissioners began deliberations. Discussion included the Commissioners, Attorney/Director Cottom, Attorney Tom, and Planner Laudenslager. Findings and conditions were detailed and reviewed.

Commissioner Granzella moved to approve the Divided Sky Estates Major Subdivision Sketch Plan; Owner: Meaghan Richmond; Applicant Representative: Crabtree Group, Inc.; Location: 6025 Archery Lane, Salida; Parcel Number: 380717100008; Zone: Residential; Request: A Major Subdivision Sketch Plan application proposing 16 lots on 38.36 acres at 6025 Archery Lane, Salida. Individual wells and on-site wastewater treatment systems would serve the new lots; and move to adopt the findings and conditions as proposed by PC along with amendments noted today and direct staff to draft a resolution for November 1 2022. Commissioner Felt seconded the motion. The motion carried with two Aye (Granzella, Felt) and one Nay (Baker) vote.

4. **10:40 a.m. - Name of Project:** Ogden Major Subdivision Preliminary Plan-Final Plat
Applicants: Ralph & April Ogden
Location: 12806 County Road 190 E, Salida
Zone: Rural
Request: To subdivide Lot 2 of the Ogden Heritage Water Subdivision Exemption of 20.14 acres into five lots, all approximately 4.0 acres. Wells and on-site wastewater treatment systems would serve the property.
Primary Planner: Greg Laudenslager

A short break was taken just prior to beginning the Ogden item.

Planner Laudenslager addressed the Board to consider the Ogden Major Subdivision Preliminary Plan-Final Plat.

Attorney/Director Cottom spoke to address a question from Chair Felt. Attorney Tom spoke. Discussion followed.

Applicants Ralph and April Ogden with Attorney representative Kristoffer Wathne addressed the Board. Attorney/Director Cottom, Commissioners, and Attorney Tom spoke. Discussion followed.

The Chairman asked for public comments. There were none.

The public comment portion of the hearing opened at 3:45 p.m. There were no comments, and the public comment portion of the hearing was closed.

Public comments were given by:

Laramie Ogden, 271 NW118th Ave, Iowa, promised to tell the truth and spoke. Planner Laudenslager answered his question. Discussion followed.

The request for public comment on the chat of the zoom was noted by Brad Klower, the attorney for Brenda Sage. He could not remain at the meeting.

The public comment portion of the hearing closed at 3:50 p.m.

Discussion followed as the Commissioners deliberated. Continuation of this item was discussed with the limited purpose of discussing the road ownership, maintenance and use, as stated by Attorney Planner Cottom and agreed to by the applicants.

Commissioner Granzella moved to continue the Ogden Major Subdivision Preliminary Plan-Final Plat to Nov 1 with the limited purpose of discussing the road ownership, maintenance and use. Commissioner Baker seconded the motion. The motion carried unanimously.

5. Consider Resolution 2022-67 Land Use Code Module One Text Amendments as Approved- Cottom

Attorney Cottom addressed the Board to consider the draft RESOLUTION 2022-67 Land Use Code Module One Text Amendments as Approved. Discussion followed with the Commissioners as each item was reviewed.

Commissioner Baker moved to approve RESOLUTION 2022-67 Land Use Code Module One Text

Amendments as Modified in the meeting today and verified with Attorney Cottom. Commissioner Granzella seconded the motion. The motion carried unanimously.

6. Consider Land Use Code Text Amendments- Last Section of Private Lands Camping Continued from Aug 22, 2022/ Sept 13, 2022/ Sept 28, 2022/ and Oct 4, 2022
Public Comments Closed on This Item Sept 28, 2022

By consensus, the Commissioners postponed this item to Oct 18.

7. **ADDITION TO AGENDA, requested by Attorney Tom after agenda published** Executive Session Under C.R.S. 24-6-402(4)(a) For Purpose of Discussing Real Estate Matters. Administrator Christiansen, Director Short, Attorneys Tom and Cottom May Also Attend

Attorney Tom announced the Executive session under CRS 24-6-402(4)(a) for the purpose of discussing real estate matters. Attorney Tom stated this portion of the meeting would constitute attorney-client communication, and no further recording of this portion of the meeting would be required.

By consensus the Board agreed no further discussion nor action would occur following the executive session.

Commissioner Baker moved to go into executive session and then adjourn from the meeting directly following the executive session. Commissioner Granzella seconded the motion. The motion carried unanimously.

The Board of Commissioners moved into executive session at 4:59 p.m. The Board of Commissioners came out of executive session at 5:02 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 October 11, 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 session held on October 11, 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.

F. Active Projects

G. Adjourn

The meeting was adjourned at 5:02 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