



Chaffee County Commissioners Meeting
November 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 November 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, Deputy Director of Administration Beth Helmke, County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, Principal Planner Greg Laudenslager, Planner Christie Barton, and Development Engineer Gary Greiner.

Present remotely was Deputy County Clerk Barbara Tidd.

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

By consensus, Consent Agenda Items 1. and 2. are continued to the November 8, 2022 meeting, Consent Agenda Items 3. and 4. will be moved to E. Regular Agenda after Item 2., and Regular Agenda Item 3. will be moved to a date certain to be determined later in the meeting.

Commissioner Baker moved to approve the Agenda as amended. 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 18 2022 Regular Meeting

Commissioner Granzella moved to approve the minutes of the October 18, 2022 Commissioners' regular meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

There were none.

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

By consensus, Items D.1 and D.2 will be continued to November 8, 2022. Items D.3. and D.4. have been moved to E. Regular Agenda.

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

1. Consider Resolution 2022-XX Approving the Palpant Lot Line Elimination (Approved by BOCC Oct 11 2022) – CONTINUED TO NOVEMBER 8, 2022
2. Consider Resolution 2022-XX Approving the Divided Sky Estates - Major Subdivision Sketch Plan (Approved Oct 11 2022) – CONTINUED TO NOVEMBER 8, 2022
5. Pay the Bills
6. Approve the Upper Arkansas Motorized Trail Crew Letter of Support
7. Approve the Ground Lease at the Airport for Phillip Sterling per the Recommendation from the Airport Board
8. Ratify Approval of Joining Amicus Brief Appealing Surface Transportation Board Findings of Approval of Uinta Basin Railway Final Environmental Impact Statement

E. Regular Agenda Items

D.3. Name of Project: Sullivan-Finsterwald Boundary Line Adjustment

Applicants: Lorrain Sullivan and Russell & Carol Finsterwald

Location: 30266 & 30330 County Road 383, Buena Vista

Zone: Industrial

Request: To adjust property lines between two properties: Parcel 1A (Sullivan property) will increase from 1.84 acres to 2.09 acres, and Parcel 2B (Finsterwald property) will decrease from 3.62 acres to 3.36 acres.

Principal Planner: Christie Barton

Planner Barton addressed the Board to consider the Sullivan-Finsterwald Boundary Line Adjustment; **Applicants:** Lorrain Sullivan and Russell & Carol Finsterwald; **Location:** 30266 & 30330 County Road 383, Buena Vista. Planner Barton responded to Commissioners' and Attorney Tom's questions.

Chair Felt asked if the Applicant would like to speak. Applicant declined.

The public comment portion of the hearing opened at 9:17 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Baker moved to approve the Sullivan-Finsterwald Boundary Line Adjustment; **Applicants:** Lorrain Sullivan and Russell & Carol Finsterwald; **Location:** 30266 & 30330 County Road 383, Buena Vista, and directed staff to prepare a resolution for November 15, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

1. **9:15 a.m. - Name of Project:** Ogden Major Subdivision Preliminary Plan-Final Plat
Continued from Oct 11 2022 for limited discussion by BOCC

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

Planner Laudenslager addressed the Board to consider the Ogden Major Subdivision Preliminary Plan-Final Plat; **Applicants:** Ralph & April Ogden; **Location:** 12806 County Road 190 E, Salida.

Applicants April Ogden and Ralph Ogden, both of 12806 County Rd. 190 E, Salida, introduced themselves.

Applicants' Attorney Kristoffer Wathne with Robinson & Henry, P.C., 7555 E. Hampden Ave #600, Denver, addressed the Board.

Attorney Cottom addressed the Board and responded to Commissioner's question.

Attorney Tom responded to Commissioner's question.

Applicant Ralph Ogden spoke.

Chair Felt spoke.

Attorneys Wathne and Tom responded to Commissioner's questions.

Attorney Cottom spoke.

Commissioner Granzella moved to approve the Ogden Major Subdivision Preliminary Plan-Final Plat; **Applicants:** Ralph & April Ogden; **Location:** 12806 County Road 190 E, Salida, adopting the Planning Commission Findings and Conditions, adding the Findings as worded by Attorney Cottom, adding the condition that the Road Maintenance Agreement between Ogden/Sage and O'Hare/Williams is executed, and consider the resolution on November 15, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

2. **9:25 a.m. - Project:** Veltri Heritage Water Subdivision Exemption

Continued from Oct 4 2022

Applicant: Janice E. Veltri

Zone: Rural

Request: To subdivide 7.5 acres into two parcels of 5.08 and 2.45 acres. Wells and On-site Wastewater Treatment Systems (OWTS) serve the property. Tract 1A and 1B will access from an existing easement recorded at Reception #315630

Primary Planner: Christie Barton

Planner Barton addressed the Board to consider the Veltri Heritage Water Subdivision Exemption;

Applicant: Janice E. Veltri. Planner Barton responded to Commissioners' questions.

Chair Felt asked if the Applicant would like to speak. Applicant declined.

The public comment portion of the hearing opened at 9:43 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Commissioner Baker moved to approve the Veltri Heritage Water Subdivision Exemption; **Applicant:** Janice E. Veltri and direct staff to prepare a resolution to that effect for the Board's consideration on November 15, 2022. Commissioner Granzella seconded the motion. The motion carried unanimously.

D.4. Name of Project: Kuhn-Webb Boundary Line Adjustment and Lot Line Elimination

Applicants: David Kuhn & Janice Toniazio and Robert & Jamie Webb

Location: 13210 & 13290 County Road 261D, and vacant parcel 3533-074-00-013, Nathrop

Zone: Residential

Request: To adjust property lines between Lots 139, 140, and 141 of Mesa Antero Subdivision Filing 4 to merge Lot 140 into Lots 139 and 141: Lot 141-A (Kuhn-Toniazio property) will increase from 2.39 acres to 4.2 acres, and Lot 139-A (Webb property) will increase from 3.7 acres to 5.5 acres.

Principal Planner: Christie Barton

Planner Barton addressed the Board to consider Kuhn-Webb Boundary Line Adjustment and Lot Line Elimination; **Applicants:** David Kuhn & Janice Toniazio and Robert & Jamie Webb; **Location:** 13210 & 13290 County Road 261D, and vacant parcel 3533-074-00-013, Nathrop. Planner Barton and Chair Felt responded to Commissioner Granzella's question.

Chair Felt asked if the Applicant would like to speak. Applicant declined.

The public comment portion of the hearing opened at 9:47 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Commissioner Granzella moved to approve the Kuhn-Webb Boundary Line Adjustment and Lot Line Elimination; **Applicants:** David Kuhn & Janice Toniazio and Robert & Jamie Webb; **Location:** 13210 & 13290 County Road 261D, and vacant parcel 3533-074-00-013, Nathrop, and direct staff to prepare a resolution for November 15, 2022. Commissioner Baker seconded the motion. The motion carried unanimously.

3. 9:40 a.m. - Consider Land Use Code Text Amendments- Last Section of Private Lands Camping
Continued from Aug 22, 2022/ Sept 13, 2022/ Sept 28, 2022/ Oct 4, 2022/ Oct 11 2022/ Oct 18 2022
****Public Comments Closed on This Item Sept 28, 2022****

Chair Felt addressed the Board regarding Land Use Code Text Amendments-Last Section of Private Lands Camping.

Attorney Cottom addressed the Board.

Discussion ensued during which Attorney Cottom spoke.

Commissioner Baker moved to continue the Land Use Code Text Amendments-Last Section of Private Lands Camping to the January 10, 2023 regular meeting.

Director Helmke spoke.

Commissioner Granzella seconded the motion. The motion carried unanimously.

The meeting recessed at 10:02 a.m. for a 5-minute break.

The meeting resumed at 10:08 a.m.

4. ~10:00 a.m. - Consider Town of Buena Vista Staff Requests:
(2022 Budget) Release \$7500 of the Original \$25,000 of CTF Funds in the 2022 Budget to Support Trailhead and Parking Improvements in the Buena Vista River Park
(2023 Budget) Help Fund the Construction and Build-out of the Cordova Community Park and Trail in Buena Vista, Colorado in the Amount of \$51,000

Buena Vista Special Projects Manager Earl Richmond addressed the Board to consider the Town of Buena Vista Staff's request to release \$7,500 of the original \$25,000 of Conservation Trust Fund (CTF) funds from the 2022 Budget to support trailhead and parking improvements in the Buena Vista River Park.

Commissioner Baker moved to approve the Town of Buena Vista Staff's request for the release of \$7,500 of the original \$25,000 of CTF Funds from the 2022 Budget to support trailhead and parking improvements in the Buena Vista River Park.

Commissioner Granzella seconded the motion. The motion carried unanimously.

Richmond addressed the Board to consider the Town of Buena Vista Staff's request to help fund the construction and build-out of the Cordova Community Park and Trail in Buena Vista, Colorado in the amount of \$51,000 (from the 2023 budget).

Richmond and Director Short responded to Commissioners' questions.

Commissioner Baker moved to approve up to \$51,000 from the 2023 Budget to help fund the construction and build-out of the Cordova Community Park and Trail in Buena Vista, Colorado. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. ~10:15 a.m. - Discuss 2023 Projects and Use of CARES Dollars, Including ARPA and LATCF Funds

Director Christiansen addressed the Board regarding 2023 projects and use of Stimulus Funds, including ARPA and LATCF Funds.

Engineer Greiner addressed the Board.

Engineer Greiner, Attorney Tom, and Director Short responded to Commissioners' questions.

Regarding the Granite Bridge, by consensus, Commissioners agreed to proceed with negotiations for the purchase (rather than an easement) of a little square of land along the river on the southwest corner of the river.

Engineer Greiner, Directors Christiansen and Short, Attorney Tom, and Director Helmke spoke and responded to Commissioners' questions.

Engineer Greiner will present budget(s) for some construction projects at the December 6, 2022 meeting.

No formal action was taken.

F. Active Projects

E. Regular Agenda Items

6. Executive Session under CRS 24-6-402(4)(b) for purposes of receiving legal advice on legal questions and strategies involving personnel and employment matters; Attorney Tom, Attorney Cottom, Administrator Christiansen, Finance Director Short, and Deputy Director of Administration Helmke may attend.

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 strategies involving personnel and employment matters. He further 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 moved to go into executive session. Commissioner Baker seconded the motion. The motion carried unanimously. The Board of Commissioners moved into executive session at 11:40 p.m. Commissioners Keith Baker, Rusty Granzella, and Greg Felt will attend. Director of County Administration Bob Christiansen, Director of Finance Dan Short, Deputy Director of Administration Beth Helmke, and Assistant County Attorney/Planning Director Miles Cottom may also attend.

The Board of Commissioners came out of executive session at 12:37 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 November 1, 2022 constituted privileged attorney-client communication.

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 November 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 12:38 p.m.

Attest:



Lori Mitchell, County Clerk