



Chaffee County Commissioners Meeting
December 6, 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 December 6, 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, Deputy Building Official Pat Green, and Planning Manager Jon Roorda, Planner Christie Barton.

Others present remotely were Airport Manager Zech Papp and 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

Chair Felt suggested moving Item E.9 to Sec. B. as Item 3.

Commissioner Baker moved to approve the Agenda as amended, moving Item E.9 to Sec. B. as Item 3. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. Review Public Meeting List

The Board reviewed the public meeting list.

Reminder- No Work Session Next Week

The Tuesday Regular Meeting is Changed to THURSDAY Dec 15

Colorado Counties Inc (CCI) Winter Conference

4. Public Comment

Public comment was given by:

Brandon Becker, 239 E St., Salida, spoke and stated that he told the truth.

Commissioners spoke in response to Becker's comments.

Chloe Ribco, Paradise Acres, County Rd. 104, Salida, stated that she promised to tell the truth and

spoke.

Aaron Cook, 10705 Englemann Ave., Poncha Springs, spoke and responded to Commissioner's question.

Commissioners spoke in response to Cook's comments.

Salty, Paradise Acres, County Rd. 104, Salida, spoke.

B. Minutes for Approval

Commissioner Granzella moved to approve the minutes of the November 14, 2022 Executive Session portion of the Commissioners Work Session and the Commissioners' November 15, 2022 regular meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

1. Consider for Approval the Minutes of the November 14, 2022 Executive Session Portion of the Work Session
2. Consider for Approval the Minutes of the November 15, 2022 Regular Meeting

E.9. County Administrator Retirement Announcement

Director Christiansen addressed the Board regarding his retirement as County Director of General Administration effective the end of February, 2023.

Commissioners spoke.

No formal action was taken.

C. Contracts/Grant Consideration

1. Consider for Approval the Ground Lease for Mark W. Klingensmith at the Airport
Manager Papp addressed the Board to consider approval of the Ground Lease for Mark W. Klingensmith at the Airport. Manager Papp also spoke regarding Item E.3.

Commissioner Granzella moved to approve the Ground Lease for Mark W. Klingensmith at the Salida Airport at Harriet Alexander Field. Commissioner Baker seconded the motion. The motion carried unanimously.

2. Consider for Approval Contracts for the Chaffee County Visitors Bureau due January 1, 2023:

Agency Tourism Marketing Website Design Email software \$30,000

Absolute Computer Design, Inc. Web Cam Lease \$14,999

Nik and Angel Rowell Discovery Pass \$14,999

Attorney Tom addressed the Board to consider approval of the following contracts for the Chaffee County Visitors Bureau due January 1, 2023:

Agency Tourism Marketing Website Design Email software \$30,000

Absolute Computer Design, Inc. Web Cam Lease \$14,999
Nik and Angel Rowell Discovery Pass \$14,999

Director Peterson responded to Commissioner's question.

Commissioner Baker moved to approve the following contracts for the Chaffee County Visitors Bureau due January 1, 2023: Agency Tourism Marketing Website Design Email software \$30,000; Absolute Computer Design, Inc. Web Cam Lease \$14,999; and Nik and Angel Rowell Discovery Pass \$14,999. Commissioner Granzella seconded the motion. The motion carried unanimously.

D. Consent Agenda

Chair Felt asked for public comments on any of the Consent Agenda items. There were none.

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

1. Pay the Bills
2. Approve Resolution 2022-78 Approving the Elk Run Major Subdivision (approved by BOCC on Oct 4 2022)
3. Approve Resolution 2022-83 Conditionally Approving the Sketch Plan for Trilogy Harvard Major Subdivision (Approved by BOCC Nov 8 2022)
4. Acknowledge the Treasurer's Report for October 2022
5. Ratify the Letter of Support for Elements Mountain Compost
6. Approve the Release of the Lot Sales Restriction for the Peak View Subdivision (Planner Roorda)
7. Approve the Release of the Lot Sales Restriction for the North Fork Ranches Subdivision (Planner Roorda)
8. Approve the Liquor License Renewal Application for Turnip the Beet LLC dba Robin's
9. Approve Funding Award Recommendations for the 2022 METAB Grants program

E. Regular Agenda Items

1. **Consider Continuance to January 3, 2023, *per applicant's request of:***
Name of Project: Brinkmann Heritage Water Subdivision Exemption
Applicants: Daniel and Rebecca Brinkmann
Location: 32220 CR 361, Buena Vista

Zone: Rural

Request: To subdivide 25.89 acres into 2 lots with the minimum being 7.89 acres. Wells and on-site wastewater treatment systems will serve the property.

Planner: Jon Roorda

Attorney/Director Cottom addressed the Board to consider a continuance to January 3, 2023 per Applicants' request of the Brinkmann Heritage Water Subdivision Exemption; **Applicants:** Daniel and Rebecca Brinkmann; **Location:** 32220 CR 361, Buena Vista.

Commissioner Granzella moved to continue to January 3, 2023 per Applicants' request of the Brinkmann Heritage Water Subdivision Exemption; **Applicants:** Daniel and Rebecca Brinkmann; **Location:** 32220 CR 361, Buena Vista. Commissioner Baker seconded the motion. The motion carried unanimously.

2. Consider for Approval Resolution 2022-79 Approving a Partnership with Colorado Mountain College in Applying for and Distributing the Colorado Opportunity Scholarship Initiative (COSI) Matching Funds Scholarship 2022-23 Allocation

Attorney Tom addressed the Board to consider draft **RESOLUTION 2022-79 APPROVING A PARTNERSHIP WITH COLORADO MOUNTAIN COLLEGE IN APPLYING FOR AND DISTRIBUTING THE COLORADO OPPORTUNITY SCHOLARSHIP MATCHING FUNDS SCHOLARSHIP 2022-2023 ALLOCATION.**

Discussion ensued during which Marjorie Schreiber Lear representing Colorado Mountain College (CMC) along with Brandy Baze-Ballard of CMC, 700 Wade Rd., Longmont, spoke.

Commissioner Granzella moved to approve **RESOLUTION 2022-79 APPROVING A PARTNERSHIP WITH COLORADO MOUNTAIN COLLEGE IN APPLYING FOR AND DISTRIBUTING THE COLORADO OPPORTUNITY SCHOLARSHIP MATCHING FUNDS SCHOLARSHIP 2022-2023 ALLOCATION.**

Commissioner Baker seconded the motion. The motion carried unanimously.

The Board recessed as the Board of Commissioners at 9:52 a.m. and convened as the Board of Health at 9:53 a.m.

3. Convene as the Board of Health
Notice is hereby given that the Chaffee County Board of County Commissioners, acting as the Board of Health, will hold a Public Hearing to consider an application for a variance to the Chaffee County On-site Wastewater System Regulations.

Applicant: Andrew Marks

Location: 9255 County Road 140, Hangar C

Zone: Commercial

Request: To allow the installation of an OWTS vault. The Board of County Commissioners requires a variance for systems that can either not support a Soil Treatment Area or the Municipality does not allow the Soil Treatment Area. In this case, the Airport Board and the BOCC does not allow a STA at the Airport.

The Commissioners convened as the Board of Health to hold a Public Hearing to consider an application for a variance to the Chaffee County On-site Wastewater System Regulations for Applicant: Andrew Marks; Location: 9255 County Road 140, Hangar C, Salida.

Attorney Tom addressed the Board regarding this matter.

Building Official Green addressed the Board.

Discussion ensued during which Attorney Tom and Building Official Green responded to Commissioners' questions.

Commissioner Baker moved to approve an application for a variance to the Chaffee County On-site Wastewater System Regulations for Applicant: Andrew Marks; Location: 9255 County Road 140, Hangar C, otherwise known as Harriet Alexander Field, Salida, with the additional condition that Mr. Marks enter into an addendum to the lease stating that Mr. Marks specifically maintain the vault and direct staff to prepare a resolution to that effect and authorize the Chair to sign. Commissioner Granzella seconded the motion. The motion carried unanimously.

The Commissioners adjourned as the Board of Health at 10:03 a.m. and reconvened as the Board of Commissioners at 10:03 a.m.

4. **Name of Project:** Hecht Lot Line Elimination

Applicants: Robert D. Hecht and Constance E. Hecht, Trustees of the Revocable Living Trust of Robert D. Hecht and Constance E. Hecht dated April 29, 2016; Robert & Constance Hecht

Location: 22665 Indiana Ave., Garfield Townsite

Zone: Residential, Commercial, Recreational

Request: To eliminate lot lines in the Townsite of Garfield for Parcels A-H recorded in Exhibit A of the Warranty Deed at Reception No. 394357.

Planner: Christie Barton, 719-530-5572, cbarton@chaffeecounty.org

Planner Barton addressed the Board to consider the Hecht Lot Line Elimination; **Applicants:** Robert D. Hecht and Constance E. Hecht, Trustees of the Revocable Living Trust of Robert D. Hecht and Constance E. Hecht dated April 29, 2016; Robert & Constance Hecht; **Location:** 22665 Indiana Ave., Garfield Townsite.

Planner Barton and Manager Roorda responded to Commissioner's questions.

The Chairman asked for public comments. There were none.

Commissioner Baker moved to approve the Hecht Lot Line Elimination; **Applicants:** Robert D. Hecht and Constance E. Hecht, Trustees of the Revocable Living Trust of Robert D. Hecht and Constance E. Hecht dated April 29, 2016; Robert & Constance Hecht; **Location:** 22665 Indiana Ave., Garfield Townsite and direct staff to prepare a resolution to that effect for our consideration on January 3, 2023. Commissioner Granzella seconded the motion. The motion carried unanimously.

5. **Name of Project:** Ponikvar Lot Line Elimination

Applicants: Frank & Jackie Ponikvar

Location: 16530 Mt. Princeton Rd., Buena Vista

Zone: Rural

Request: To eliminate the lot lines between Lots 16 and 18 within the Lost Creek Ranch Subdivision.

Planner: Christie Barton 719-530-5572 cbarton@chaffeecounty.org

Planner Barton addressed the Board to consider the Ponikvar Lot Line Elimination; **Applicants:** Frank & Jackie Ponikvar; **Location:** 16530 Mt. Princeton Rd., Buena Vista.

The Chairman asked for public comments. There were none.

Planner Barton responded to Commissioner's question.

Commissioner Granzella moved to approve the Ponikvar Lot Line Elimination; **Applicants:** Frank & Jackie Ponikvar; **Location:** 16530 Mt. Princeton Rd., Buena Vista, and direct staff to prepare a resolution for January 3, 2023. Commissioner Baker seconded the motion. The motion carried unanimously.

6. **Name of Project:** Kirsch Lot Line Elimination

Applicants: Kenneth Kirsch

Location: 22777 County Road 292, Nathrop

Zone: Residential

Request: To eliminate lot lines in parts of Lots 2, 3, and 19, and all of Lots No. B, 17, and 28, along with a portion of an alley and the adjoining one-half of the vacated Forrest Street in Block 13, Lots 26, 27, and 28 along with the adjoining one-half of the vacated Forrest Street in Block 12 all in Alpine Townsite. This property has a single-family residence and is served by existing well and OWTS.

Planner: Christie Barton 719-530-5572 cbarton@chaffeecounty.org

Planner Barton addressed the Board to consider the Kirsch Lot Line Elimination; **Applicants:** Kenneth Kirsch; **Location:** 22777 County Road 292, Nathrop.

Discussion ensued during which Planner Barton responded to Commissioner's questions.

The Chairman asked for public comments. There were none.

Commissioner Baker moved to approve the Kirsch Lot Line Elimination; **Applicants:** Kenneth Kirsch; **Location:** 22777 County Road 292, Nathrop, which is the Alpine Townsite and direct staff to prepare a resolution to that effect for our consideration on January 3, 2023. Commissioner Granzella seconded the motion. The motion carried unanimously.

7. **Name of Project:** Campbell Lot Line Elimination

Applicants: Marguerite Campbell

Location: 22545 Barnhill St., Garfield Townsite

Zone: Residential

Request: To eliminate lot lines in Lots 8, 9, 10, the southwesterly 10 feet of the East-West vacated alley abutting Lots 8-11, inclusive, the vacated North-South alley between Lots 10 and 11, and Lots 11-20, all in Block 13 of the Townsite of Garfield. Property has an existing single-family residence, well, and OWTS.

Planner: Christie Barton 719-530-5572 cbarton@chaffeecounty.org

Planner Barton addressed the Board to consider the Campbell Lot Line Elimination; **Applicant:**

Marguerite Campbell; **Location:** 22545 Barnhill St., Garfield Townsite.

Planner Barton responded to Commissioner's questions.

Tony Komarnsky, Registered Land Surveyor, 33507 County Road 373a, Buena Vista, responded to Commissioners' questions.

Attorney Tom spoke.

The Chairman asked for public comments. There were none.

Commissioner Granzella moved to approve the Campbell Lot Line Elimination; **Applicant:** Marguerite Campbell; **Location:** 22545 Barnhill St., Garfield Townsite, and direct staff to prepare a resolution for January 3, 2023. Commissioner Baker seconded the motion. The motion carried unanimously.

8. **Name of Project:** Shively Boundary Line Adjustment

Applicants: Kenneth & Stephanie Shively

Location: 10250 Piute Drive & vacant parcel 3681-204-00-148, Salida

Zone: Residential

Request: To adjust boundary lines on two lots in Pinon Hills Subdivision: Lot 111 will decrease from 1.278 acres to 1.236 acres, and Lot 112-A will increase from 1.238 acres to 1.280 acres.

Planner: Jon Roorda 719-530-5566 jroorda@chaffeecounty.org

Manager Roorda addressed the Board to consider the Shively Boundary Line Adjustment;

Applicants: Kenneth & Stephanie Shively; **Location:** 10250 Piute Drive & vacant parcel 3681-204-00-148, Salida.

Manager Roorda responded to Commissioner's questions.

The Chairman asked for public comments. There were none.

Surveyor for Applicant Mike Henderson, 203 G St., Salida, spoke and he and Manager Roorda responded to Commissioners' questions.

Applicant Ken Shively, 10250 Piute Drive, Salida, spoke.

The Chairman again asked for public comments. There were none.

Discussion ensued.

Commissioner Granzella moved to approve the Shively Boundary Line Adjustment; **Applicants:** Kenneth & Stephanie Shively; **Location:** 10250 Piute Drive & vacant parcel 3681-204-00-148, Salida, with the variance related to increasing the non-conformance of Lot 111R and direct staff to prepare a resolution for January 3, 2023. 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 on legal questions and strategies involving personnel and employment matters; Attorney Tom, Administrator Christiansen, Finance Director Short, and Deputy Director of Administration Helmke may attend.

Chair Felt addressed the Board to consider going into executive session under CRS 24-6-402(4)(b) for the purposes of receiving legal advice on legal questions and strategies involving personnel and employment matters.

Attorney Tom, Directors Christiansen and Short, and Deputy Director Helmke may attend.

County Attorney Tom 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 meeting recessed for a short break at 10:41 a.m.

The meeting resumed at 10:42 a.m.

The Board of Commissioners moved into executive session at 10:42 a.m.

The Board of Commissioners came out of executive session at 11:00 a.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 December 6, 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 December 6, 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

Commissioner Baker moved to adjourn the meeting. Commissioner Granzella seconded the motion. The motion carried unanimously. The meeting was adjourned at 11:00 a.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