



Chaffee County Commissioners Meeting
January 3, 2023

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 January 3, 2023, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker, Chairman Greg Felt, and 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, Development Engineer Gary Greiner, EMS Director Josh Hadley, Planning Manager Jon Roorda and Principal Planner Greg Laudenslager.

Deputy County Clerk Barbara Tidd was present remotely.

1. Pledge of Allegiance

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

2. Approve Agenda

Discussion ensued.

Chair Felt stated that Consent Agenda Item 10. Consider for Approval Resolution 2023-01 Designating the Public Website for Posting Meeting Notices, Designating Exigent and Emergency Posting Place and Adopting the Schedule for Regular Meetings in 2023 would be removed from the Consent Agenda and placed on the Regular Agenda as Item E.5.

Chair Felt stated that he had an additional item for Agenda approval to be considered between Agenda Item A.4. Public Comment and B.1. Minutes for Approval.

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

Public comment was given by:

Salty, 6820 County Rd.104, Paradise Acres, Salida, stated that she promised to tell the truth and spoke.

5. Proclamation Celebrating the Contributions of Commissioner Rusty Granzella

Chair Felt read into the record the Proclamation Celebrating the Contributions of Commissioner Rusty Granzella.

Commissioner Baker moved to approve the Proclamation Celebrating the Contributions of Commissioner Rusty Granzella. Commissioner Felt seconded the motion. The motion carried with Commissioners Baker and Felt voting FOR the motion. Commissioner Granzella abstained.

B. Minutes for Approval

1. Consider for Approval the Minutes of the December 15, 2022 Regular Meeting

Commissioner Baker moved to approve the minutes of the December 15, 2022 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Consider for Approval the Design Concepts Fee Proposal with Signing Authority to the Chair
Engineer Greiner addressed the Board to consider the Design Concepts Fee Proposal with Signing Authority to the Chair and responded to Commissioner's questions.

Commissioner Granzella moved to approve the Design Concepts Fee Proposal as presented with signing authority given to the Chair. Commissioner Baker seconded the motion. The motion carried unanimously.

D. Consent Agenda

Commissioner Baker moved to approve the Consent Agenda as amended with Item 10. removed and placed on the Regular Agenda as Item E.5. Commissioner Granzella seconded the motion. The motion carried unanimously.

1. Consider for Approval Resolution 2022-87 Approving the Hecht Lot Line Elimination (Approved by BOCC Dec 6 2022)
2. Consider for Approval Resolution 2022-88 Approving the Ponikvar Lot Line Elimination (Approved by BOCC Dec 6 2022)
3. Consider for Approval Resolution 2022-89 Approving the Kirsch Lot Line Elimination (Approved by BOCC Dec 6 2022)
4. Consider for Approval Resolution 2022-90 Approving the Campbell Lot Line Elimination (Approved by BOCC Dec 6 2022)
5. Consider for Approval Resolution 2022-91 Approving the Shively Boudary Line Adjustment (Approved by BOCC Dec 6 2022)

6. Consider for Approval Resolution 2022-92 Approving Cactus Flats Major Subdivision Sketch Plan (Approved by BOCC Dec 15 2022)
7. Consider for Approval Resolution 2022-93 Approving Cattle Creek Major Subdivision Sketch Plan (Approved by BOCC Dec 15 2022)
8. Acknowledge the Treasurer's Report for November 2022
9. Consider for Approval the STATE OF COLORADO MAIN INTERGOVERNMENTAL TASK ORDER AGREEMENT Number MA 2023-2057 for Central Mountain Small Business Development Center (CMSBDC)
11. Consider for Approval the Scott C. Wright CPA 2022 Audit Engagement Letter (No Changes from Previous Year Agreement)

E. Regular Agenda Items

1. Consider Resolution 2023-02 Regarding Ambulance Relicensing

Director Hadley addressed the Board to consider **RESOLUTION 2023-02 RESOLUTION APPROVING THE RENEWAL OF THE AMBULANCE SERVICE LICENSE FOR CHAFFEE COUNTY EMS AND ISSUANCE OF AMBULANCE VEHICLE PERMITS FOR FIVE AMBULANCES OPERATED BY CHAFFEE COUNTY EMS.**

Commissioner Granzella moved to approve **RESOLUTION 2023-02 RESOLUTION APPROVING THE RENEWAL OF THE AMBULANCE SERVICE LICENSE FOR CHAFFEE COUNTY EMS AND ISSUANCE OF AMBULANCE VEHICLE PERMITS FOR FIVE AMBULANCES OPERATED BY CHAFFEE COUNTY EMS.** Commissioner Baker seconded the motion. The motion carried unanimously.

Attorney Tom stated that a Public Comment period is required regarding this item.

Chair Felt asked for public comment.
There was no public comment.

Discussion ensued during which Director Hadley and Attorney Tom spoke.

2. **Name of Project:** Adams Agricultural Subdivision Exemption #4
Owner & Applicant: Karin Adams
Location: 11460 County Road 140, Salida
Zone: Commercial & Rural
Request: Agricultural Subdivision Exemption to subdivide a total of 74.34 acres into two lots. This subdivision would result in Lot "E" comprising 2.54 acres and Lot "B" comprising the remaining 71.80 acres. Individual wells and individual on-site wastewater treatment systems are proposed to serve the property.
Planner: Greg Laudenslager / glaudenslager@chaffeecounty.org

Planner Laudenslager addressed the Board to consider the Adams Agricultural Subdivision Exemption #4; **Owner & Applicant:** Karin Adams; **Location:** 11460 County Road 140, Salida.

Attorney/Planning Director Cottom spoke.

Applicant Karin Adams, 11460 County Rd. 140, Salida, stated that she promised to tell the truth and spoke.

Commissioners Baker and Felt spoke.

The public comment portion of the hearing opened at 9:56 a.m.

Public comments were given by:

Ron Sanchez, 7735 US Hwy. 285, Salida, stated that he promised to tell the truth, spoke, and responded to Commissioners' questions. Sanchez provided the Commissioners a hard copy of his attorney's contact information.

Ron Garcia, 10610 County Rd. 148, Salida, stated that he promised to tell the truth and spoke. Commissioners Felt and Baker responded to Garcia's questions.

Rita Phelps, 13105 County Rd. 261c, Nathrop, stated that she promised to tell the truth and spoke. Attorney/Manager Cottom responded to Phelps' question. Commissioner Granzella spoke.

The public comment portion of the hearing closed at 10:15 a.m.

Applicant Adams responded to Public Comment.

Commissioners deliberated and discussion ensued during which Planner Laudenslager, Attorney/Director Cottom, and Attorney Tom responded to Commissioners' questions.

Commissioner Granzella moved to approve the Adams Agricultural Subdivision Exemption #4; **Owner & Applicant:** Karin Adams; **Location:** 11460 County Road 140, Salida, including adopting Conditions of Approval 1. of the Staff Report, not adopting Conditions of Approval 2. of the Staff report, adding an additional condition as discussed, and direct staff to prepare a resolution for January 17, 2023. Commissioner Baker seconded the motion. The motion carried unanimously.

3. **Name of Project:** Shelman Heritage Water Subdivision Exemption

Owner & Applicant: Starr Miller & Jason Shelman

Location: 9770 County Road 156, Salida

Zone: Residential

Request: Heritage Water Subdivision Exemption to subdivide a total of 5.32 acres into two lots. This subdivision would result in Lot 1 comprising 2.02 acres and Lot 2 comprising the remaining 3.31 acres. Individual wells and individual on-site wastewater treatment systems are proposed to serve the property.

Planner: Greg Laudenslager / glaudenslager@chaffeecounty.org

Planner Laudenslager addressed the Board to consider the Shelman Heritage Water Subdivision Exemption; **Owner & Applicant:** Starr Miller & Jason Shelman; **Location:** 9770 County Road 156, Salida. Planner Laudenslager and Attorney/Director Cottom responded to Commissioners'

questions.

Applicant Jason Shelman, 9770 County Rd. 156, Salida, stated that he promised to tell the truth, responded to Commissioners' questions, and spoke further.

The public comment portion of the hearing opened at 11:00 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Commissioner Baker moved to approve the Shelman Heritage Water Subdivision Exemption; **Owner & Applicant:** Starr Miller & Jason Shelman; **Location:** 9770 County Road 156, Salida, and direct staff to prepare a resolution to that effect for our consideration on January 17, 2023. Commissioner Granzella seconded the motion. The motion carried unanimously.

4. **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.

Principle Planner: Jon Roorda

Manager Roorda addressed the Board to consider the Brinkmann Heritage Water Subdivision Exemption; **Applicants:** Daniel and Rebecca Brinkmann; **Location:** 32220 County Rd. 361, Buena Vista.

Manager Roorda responded to Commissioner's question.

Surveyor Mike Henderson, 203 G St., Salida, spoke and stated that he told the truth and promises to tell the truth as he speaks further.

Manager Roorda spoke further.

Henderson responded to Commissioner's questions and comments.

Manager Roorda responded to Commissioners' questions.

The public comment portion of the hearing opened at 11:24 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated during which Attorney/Director Cottom responded to Commissioner's question.

Commissioner Granzella moved to approve the Brinkmann Heritage Water Subdivision Exemption; **Applicants:** Daniel and Rebecca Brinkmann; **Location:** 32220 CR 361, Buena Vista adopting additional condition

and direct staff to prepare a resolution for January 17, 2023.. Commissioner Baker seconded the motion. The motion carried unanimously.

5. Consider Approval of **RESOLUTION 2023-01 DESIGNATING THE PUBLIC WEBSITE FOR POSTING MEETING NOTICES, DESIGNATING EXIGENT AND EMERGENCY POSTING PLACE AND ADOPTING THE SCHEDULE FOR REGULAR MEETINGS IN**

2023 DESIGNATING THE PUBLIC WEBSITE FOR POSTING MEETING NOTICES, DESIGNATING EXIGENT AND EMERGENCY POSTING PLACE AND ADOPTING THE SCHEDULE FOR REGULAR MEETINGS IN 2023.

Commissioner Granzella spoke.

Director Helmke responded to Commissioner's questions.

Commissioner Baker moved to approve **RESOLUTION 2023-01 DESIGNATING THE PUBLIC WEBSITE FOR POSTING MEETING NOTICES, DESIGNATING EXIGENT AND EMERGENCY POSTING PLACE AND ADOPTING THE SCHEDULE FOR REGULAR MEETINGS IN 2023 DESIGNATING THE PUBLIC WEBSITE FOR POSTING MEETING NOTICES, DESIGNATING EXIGENT AND EMERGENCY POSTING PLACE AND ADOPTING THE SCHEDULE FOR REGULAR MEETINGS IN 2023** with the note as noted in several places, "subject to change." Commissioner Granzella seconded the motion. The motion carried unanimously.

6. **11:30 a.m.** - Executive Session Under 24-6-402(4)(b) for Purposes of Receiving Legal Advice on Specific Legal Questions and Strategy Involving St. Elmo Ditch Water Rights; Outside Counsel David Shohet, County Attorney Daniel Tom, County Engineer Gary Greiner, County Administrator Bob Christiansen, Finance Director Dan Short, And Deputy Director of Administration Beth Helmke May Attend.

Chair Felt addressed the Board regarding going into Executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategy involving St. Elmo Ditch water rights. Commissioners Keith Baker, Greg Felt, and Rusty Granzella will attend. County Water Counsel David Shohet, Development Engineer Gary Greiner, Director of County Administration Bob Christiansen, Director of Finance Dan Short, and Deputy Director of Administration Beth Helmke may also 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 Baker moved to go into executive session and include Commissioner-elect PT Wood in the executive session. Commissioner Granzella seconded the motion. The motion carried unanimously. The Board of Commissioners moved into executive session at 11:34 a.m. The Board of Commissioners came out of executive session at 11:57 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 January 3, 2023 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 January 3, 2023 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 11:57 a.m.

Attest:



Lori Mitchell, County Clerk