



Chaffee County Commissioners Meeting
February 14, 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. 8:00 A.M.

1. Human Service (sitting as the County Board of Human Services)
2. Public Health (sitting as the County Board of Health)
3. Landfill Committee- Written Reports Only

B. 9:00 A. M. - Call to Order

The regular meeting of the Board of Commissioners was held on February 14, 2023, at the Chaffee County Courthouse. Board members present were Vice Chair Greg Felt and Commissioner P. T. Wood. Chair Baker's absence was excused.

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 Lynda Knowles (Items. G.6., 7., and 8. Executive Session only), Assistant County Attorney/Planning Director Miles Cottom, Principal Planner Greg Laudenslager, Road & Bridge Superintendent Mark Stacy (Item G.6. Executive Session only).

Others present remotely were Deputy County Clerks Kit Kuester and Barbara Tidd.

1. Pledge of Allegiance
Following the Pledge of Allegiance, Vice Chair Felt called the meeting to order at 9:01 a.m.
2. Approve Agenda
Commissioner Wood moved to approve the Agenda. Commissioner Felt seconded the motion. The motion carried unanimously.
3. Review Public Meeting List
The Board reviewed the public meeting list.
4. Public Comment
Vice Chair Felt asked for Public Comment, asked speakers to state their name, address, and promise to tell the truth, and stated that they have 3 minutes to speak.

Public Comment was given by:

Josh Buckberg, 541 Vine St., Salida, on behalf of the Ark Valley LaCrosse Club, spoke, and

responded to Commissioner's questions.

C. Minutes for Approval

1. Consider for Approval the Minutes of the February 7, 2023 Regular Meeting
Commissioner Wood moved to approve the minutes of the February 7, 2023 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried unanimously.
2. Consider for Approval the Minutes of the February 8, 2023 Special Meeting
Commissioner Wood moved to approve the minutes of the February 8, 2023 Commissioners' special meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

D. Contracts/Grant Consideration

1. Consider for Approval the Tyler Contract for the Finance Department - D. Short

Director Short addressed the Board to consider approval of the Tyler Technologies contract for the Finance Department.

Commissioner Wood moved to approve the Contract between Chaffee County and Tyler Technologies, Inc. for a new payroll/timekeeping system in an amount not to exceed \$140,000 which includes the estimated \$130,900 set-up and first year annual software fee and an estimated \$8220 for travel. Commissioner Felt seconded the motion. The motion carried unanimously.

E. Consent Agenda

Commissioner Wood moved to approve the Consent Agenda. Commissioner Felt seconded the motion. The motion carried unanimously.

1. Consider for Approval- Entering Agreement for Transfer of Entitlement of AIP Funds with Signature Authority to the Chair
2. Acknowledge the Veterans Service Officers Report for January 2023
3. Pay the Bills
4. Acknowledge the Chaffee County Sheriff's Office Month End Report as Provided
5. Amend the Lot Sales Restriction for Elk Run Subdivision to Remove Lots 30, 31 and 32

F. Hearing- Consent Agenda- Agenda Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the

Regular Agenda

Vice Chair Felt asked for Public Comment regarding the Hearing-Consent Agenda. As there was none, he proceeded with consideration of approval of the Hearing-Consent Agenda.

Commissioner Wood moved to approve the Consent Agenda. Commissioner Felt seconded the motion. The motion carried unanimously.

1. **Box Minor Subdivision Final Plat**

Applicants: Box Living Trust, C. Robert & Marilyn C. Box, Trustees

Location: 33890 Vista Verde, Buena Vista

Zone: Rural/Residential

Request: To re-subdivide Lot 31 of Mt. Harvard Valley Development of 5.95 acres into two (2) lots with the minimum being 2.25 acres. The lot was amended from the original subdivision lot of 2.2 acres by two boundary line adjustments. Wells and on-site wastewater treatment systems will serve the property. An access easement will provide access to the new lot. Further development of either lot is restricted by steep slopes and

public land. A waiver to Section 7.3.2 D of the Land Use Code for Road Frontage is requested.

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

2. **Ferris Minor Subdivision Final Plat**

Applicant: Ronald Ferris, represented by Steve Smalzel

Location: 10217 County Road 163, Salida

Zone: Rural

Request: To re-subdivide Parcel 2 of the Holmes and Young Parcels of 5.17 acres into two (2) lots of 2.97 acres (Lot 1 with existing house) and 2.00 acres (Lot 2). Additionally, 0.23 acres of right of way for County Road 163 is dedicated with the plat. The existing driveway will be relocated and a shared driveway easement created. Wells and on-site wastewater treatment systems will serve the property.

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

3. **Searles Rezone**

Applicants: Steven Searles and Britt Searles

Location: 22485 County Road 227; and Tax Parcel numbers 3687-273-12-083 & 3687-341-12-232; Garfield Townsites

Zone: Residential, Commercial

Request: To change the portion of the property zoned Commercial to Residential zoning. The property is being reviewed concurrent with a Lot Line Elimination application.

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

G. Regular Agenda Items

1. **Name of Project:** Shaw – Heritage Water Subdivision Exemption

Applicant: JTS Development, LLC.

Location: 7381 County Road 221, Salida

Zone: Rural

Request: To subdivide 35.99 acres into two parcels of 2.5 acres and 33.49 acres. A community well and individual on-site wastewater treatment system (OWTS) is proposed to serve the newly created lot of 2.5 acres. The newly created lot will have access through an existing access easement.

Planner: Greg Laudenslager, (719) 530-5571, glaudenslager@chaffeecounty.org

Planner Laudenslager addressed the Board to consider the Shaw Heritage Water Subdivision Exemption; **Applicant:** JTS Development, LLC; **Location:** 7381 County Road 221, Salida.

Planner Laudenslager and Attorney/Planning Director Cottom responded to Commissioners' questions.

John Shaw for Applicant, 7380 County Rd. 221, Salida, stated that he promised to tell the truth and spoke.

Discussion ensued during which Planner Laudenslager and Attorney/Planning Director Cottom responded to Commissioners' questions. Vice Chair Felt recommended continuing this matter. John Shaw for Applicant concurred with a continuance.

The public comment portion of the hearing opened at 9:53 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Wood moved to continue to February 21, 2023, the Shaw Heritage Water Subdivision Exemption; **Applicant:** JTS Development, LLC; **Location:** 7381 County Road 221, Salida. Commissioner Felt seconded the motion. The motion carried unanimously.

2. **Name of Project:** Shaw Ranch – Plat Amendment

Applicant: JTS Development, LLC.

Location: 7381 County Road 221, Salida

Zone: Rural

Request: Plat Amendment to the Shaw Ranch Final Plat to add access and utility easements to accommodate a shared well. These easements are for a well pump house and water distribution lines to the individual lots.

Planner: Greg Laudenslager, (719) 530-5571, glaudenslager@chaffeecounty.org

Planner Laudenslager addressed the Board to consider the Shaw Ranch Plat Amendment; **Applicant:** JTS Development, LLC; **Location:** 7381 County Road 221, Salida.

Planner Laudenslager and John Shaw for Applicant responded to Commissioners' questions. Vice Chair Felt recommended continuing this matter. John Shaw for Applicant concurred with a continuance.

Commissioner Wood moved to continue February 21, 2023, the Shaw Ranch Plat Amendment; **Applicant:** JTS Development, LLC; **Location:** 7381 County Road 221, Salida. Commissioner Felt seconded the motion. The motion carried unanimously.

3. 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/ Nov 1 2022/ Jan 10 2023
Public Comments Closed on This Item Sept 28, 2022

Attorney/Planning Director Cottom addressed the Board to consider Land Use Code Text Amendments-Last Section of Private Lands Camping.

Discussion ensued during which Attorney Tom and Attorney/Director Cottom spoke and responded to Commissioners' questions.

Commissioner Wood moved to continue Land Use Code Text Amendments-Last Section of Private Lands Camping to the March 7, 2023 at 5:00 p.m. Joint Session of the Board of Commissioners and Planning Commission. Commissioner Felt seconded the motion. The motion carried unanimously.

4. Discuss Fairgrounds Scanga Lease- D Tom

Attorney Tom initiated discussion for the Board regarding the Scanga Lease.
Vice Chair Felt and Director Short spoke.

No formal action was taken.

5. Announce the Listing of the McFadden Brothers East Headquarters in the National Register of Historic Places

Attorney Tom addressed the Board to announce the listing of the McFadden Brothers East Headquarters in the National Register of Historic Places and Colorado State Register of Historic Places.

Vice Chair Felt stated that we acknowledge the acknowledgment of the listing of the McFadden Brothers East Headquarters in the National Register of Historic Places and the Colorado State Register of Historic Places.

No formal action was taken.

6. Executive Session Under C.R.S. 24-6-402(4)(b) For Purposes Of Receiving Legal Advice On Specific Legal Questions And Strategy Involving Weber Ditch and GeoCamp Water Court Cases. County Attorney Tom, Assistant County Attorney Lynda Knowles, Planning Director/Asst County Attorney Miles Cottom, Road and Bridge Supervisor Mark Stacy, County Administrator Christiansen, Deputy Director of Administration Helmke, And Finance Director Short May Attend

Vice Chair Felt addressed the Board to consider entering into Executive Session as to the following:

(1) under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategy involving the Weber Ditch and GeoCamp water court cases. Commissioners Greg Felt and P. T. Wood and County Attorney Tom will attend. Assistant County Attorney Lynda Knowles, Planning Director/Assistant County Attorney Miles Cottom, Road and Bridge Supervisor Mark

Stacy, Director of County Administration Bob Christiansen, Deputy Director of Administration Beth Helmke, and Director of Finance & Personnel Dan Short may attend.

(2) under CRS 24-6-402(4)(b), (c) and (d) for the purpose of receiving legal advice on legal issues and receiving updates and information on a concluded investigation and the current criminal process of an independent criminal prosecution required to be kept confidential under CRS 24-6-402(4)(c), CRS 19-1-307, and CRS 24-72-305. Commissioners Greg Felt and P. T. Wood and County Attorney Daniel Tom will attend. Assistant County Attorney Lynda Knowles, Director of County Administration Bob Christiansen, Deputy Director of Administration Beth Helmke, Director of Finance & Personnel Dan Short, Department of Human Services (DHS) Director Monica Haskell, and Sheriff John Spezze may attend.

(3) under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategy involving potential litigation. Commissioners Greg Felt and P. T. Wood and County Attorney Tom will attend. Director of County Administration Bob Christiansen, Deputy Director of Administration Beth Helmke, Director of Finance & Personnel Dan Short, Sheriff John Spezze, and Commander Tracy Jackson may attend.

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. Attorney Tom further stated that it is not anticipated that any decisions will be made following executive session.

Commissioner Wood moved to go into executive session. Commissioner Felt seconded the motion. The motion carried unanimously. The Board of Commissioners moved into executive session at 10:27 a.m.

The Board of Commissioners came out of executive session at 11:06 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 February 14, 2023 constituted privileged attorney-client communication.

Daniel Tom

Daniel Tom, Chaffee County Attorney

I, Greg Felt, Vice Chair 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 February 14, 2023 were confined to the topics described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b), (c) and (d), as applicable.



Greg Felt, Vice Chair

7. Executive Session under CRS 24-6-402(4)(b), (c) and (d) for the purpose of receiving legal advice on legal issues and receiving updates and information on a concluded investigation and current criminal process of an independent criminal prosecution required to be kept confidential under 24-6-402(4)(c), C.R.S. 19-1-307, and CRS 24-72-305. County Attorney Daniel Tom, Assistant County Attorney Lynda Knowles, County Administrator Bob Christiansen, County Deputy Director of Administration Beth Helmke, DHS Director Monica Haskell, Sheriff John Spezze, And Finance Director Dan Short May Also Attend.

See Item G.6.

8. Executive Session Under C.R.S. 24-6-402(4)(b) For Purpose Of Receiving Legal Advice On Specific Legal Questions And Strategy Involving Potential Litigation. County Attorney Daniel Tom, Assistant County Attorney Lynda Knowles, County Administrator Bob Christiansen, County Deputy Director of Administration Beth Helmke, Sheriff John Spezze, Commander Tracy Jackson, And Finance Director Dan Short May Attend.

See Item G.6.

H. Active Projects

I. Adjourn

Commissioner Wood moved to adjourn the meeting. Commissioner Felt seconded the motion. The motion carried unanimously. The meeting was adjourned at 11:19 a.m.

Attest:



Lori Mitchell, County Clerk