



Chaffee County Commissioners Meeting
February 21, 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 February 21, 2023, at the Buena Vista Community Center. Board members present were Chair Keith Baker, Commissioner Greg Felt remotely, and Commissioner P. T. Wood.

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, and Assistant County Attorney/Planning Director Miles Cottom.

Others present remotely were Assistant County Attorney Lynda Knowles (Item F.7. forward only), Principal Planner Greg Laudenslager, and Deputy County Clerks Kit Kuester and Barbara Tidd.

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chair Baker called the meeting to order at 9:00 a.m.

2. Approve Agenda

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

3. Review Public Meeting List

The Board reviewed the public meeting list.

4. Public Comment

Chair Baker asked for Public Comment. He stated that by making voluntary public comment, you are agreeing to speak only what you know to be true and you are going to follow normal rules of civility and conducting business in the public square. You have 3 minutes to speak. When called upon, please come to the mic and speak your name and address for the record.

There was no public comment.

B. Minutes for Approval

1. Consider for Approval the Minutes of the February 14 2023 Regular Meeting

Commissioner Wood moved to approve the minutes of the February 14, 2023 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried with Commissioners Wood and Felt voting FOR the motion and Commissioner Baker abstaining because he was absent

from the meeting.

C. Contracts/Grant Consideration

There were none.

D. Consent Agenda

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

1. Acknowledge the Treasurer's Report

E. 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. These items, if approved, will include signing authority to the Chair of the Board on the related Resolution(s)

Chair Baker asked if there was any discussion regarding the Hearing Consent Agenda.

Attorney/Director Cotton spoke regarding the Williams Lot Line Elimination and responded to Commissioners' question and comment.

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

1. **Name of Project:** Jury Boundary Line Adjustment
Applicants: Tim Jury for Vista Jury, LLC
Location: 18840 Wapiti Drive and vacant parcel #3163-223-00-015, Buena Vista
Zone: Residential
Request: To adjust property lines between Lots 13 and 14 of Wapiti Subdivision: Lot 13 will increase from 5.34 acres to 5.773 acres, and Lot 14 will decrease from 5.27 acres to 4.818 acres.
Planner: Christie Barton, 719-530-5572, cbarton@chaffeecounty.org
2. **Name of Project:** Williams Lot Line Elimination
Applicants: Terry Williams for the Terry and Jacqueline Williams Living Trust
Location: 18500 County Road 162, Nathrop
Zone: Rural
Request: To eliminate the lot lines between Lot 1, Jo Love Subdivision Filing 5, Lot 23 and the West Half of Lot 24, Jo Love Subdivision, and a tract as described in Warranty Deed at Reception #346425.
Planner: Christie Barton/719-530-5572/cbarton@chaffeecounty.org
3. **Name of Project:** Wekesser-Smucker Boundary Line Adjustment
Applicants: Jinohn Wekesser and Frank Smucker of Smuckers 4S, LLC
Location: 16565 County Road 323 and 16655 Mt. Princeton Road, Buena Vista

Zone: Rural

Request: To adjust property lines between Lot 17 and part of Lot 17A and Lot 19 R of Herb, Herb, McGinnis, Warren and Smucker Boundary Line Adjustment. Lot 17-R will increase from 0.94 acres to 1.15 acres, and Lot 19-R will decrease from 12.90 acres to 12.69 acres.

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

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

Applicants: Ralph & Katie Croft

Location: 5247 County Road 108, Salida

Zone: Residential

Request: To eliminate the lot lines between Parcels A & B of the Croft Boundary Line Adjustment.

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

F. Regular Agenda Items

1. Consider for Approval the Special Event Application Multi-Year (5 Year) Request for Run Through Time as Noticed

Commissioner Wood recused himself from this item because of a potential conflict of interest.

Attorney/Director Cottom addressed the Board to consider approval of the Special Event Application request for five (5) years for Run Through Time as noticed.

Kristy Falcon, 4A Hillside Drive, Salida, addressed the Board and responded to Commissioner's questions.

Attorney/Director Cottom spoke and responded to Commissioner's questions.
Discussion ensued.

Commissioner Felt moved to approve the Special Event Application request for five (5) years for Run Through Time as noticed and directed staff to prepare a resolution as stated by Attorney/Director Cottom. Commissioner Baker seconded the motion.

The public comment portion of the hearing opened at 9:25 a.m. There were no comments, and the public comment portion of the hearing was closed.

Chair Baker called for the question. The motion carried with Commissioners Felt and Baker voting FOR the motion and Commissioner Wood abstaining.

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

****Continued from Feb14, 2023****

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 Rd. 221, Salida.

Discussion ensued during which Commissioner Felt, Attorney/Director Cottom, and Planner Laudenslager spoke.

Applicant had nothing to add.

The public comment portion of the hearing opened at 9:38 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Felt spoke.

Commissioner Wood moved to approve the Shaw Heritage Water Subdivision Exemption; Applicant JTS Development, LLC; Location: 7381 County Rd. 221, Salida, as presented and with conditions, which include obtaining an augmentation certificate for the new lot and the two standard plat notes - criteria 4 and 5, and direct staff to prepare a resolution for March 14, 2023. Commissioner Felt seconded the motion. The motion carried unanimously.

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

****Continued from Feb14, 2023****

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 Rd. 221, Salida. Planner Laudenslager responded to Commissioner's question.

Applicant had nothing to add.

Chair Baker asked for public comments. There were none.

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

Commissioner Wood moved to approve the Shaw Ranch Plat Amendment; Applicant: JTS Development, LLC; Location: 7381 County Rd. 221, Salida, and direct staff to prepare a resolution for March 14, 2023. Commissioner Felt seconded the motion and offered an amendment to the motion to approve the Shaw Ranch Plat Amendment as amended through conversations with the Applicant during the public hearing regarding the approximately 2-acre lot created in the last land

use application because that was not part of *this* original application. The amendment to the motion was accepted by Commissioner Wood. The motion as amended carried unanimously.

4. Designate the 8 Days in June under the County Recreational In-Channel Diversion (RICD) when Water Rights for the RICD Shall Be 1800 cfs and Discuss and Finalize the 30-day Flow Recommendations for the RICD (Miles Cottom, Legal)
Attorney/Director Cottom addressed the Board to consider designating the 8 days in June under the County Recreational In-Channel Diversion (RICD) when water rights for the RICD shall be 1800 cfs and to discuss and finalize the 30-day Flow Recommendations of at least 1400 cfs for the RICD.

Discussion ensued during which Attorney/Director Cottom spoke.

Commissioner Felt moved to designate June 11, 2023 to June 18, 2023 under the County Recreational In-Channel Diversion (RICD) when water rights for the RICD shall be 1800 cfs, and to designate June 1, 2023 to June 30, 2023 as the 30-day high flow recommendation of at least 1400 cfs for the RICD. Commissioner Wood seconded the motion. The motion carried unanimously.

5. Discuss EMS Secure Transport and Review Regulations for a Resolution- D Tom

Attorney Tom addressed the Board to discuss the EMS Secure Transportation Services Licensing Regulations (Regulations) and consider approval of the Regulations and related Resolution.

Discussion ensued. Attorney Tom stated that a resolution would be presented to the Board for consideration in mid-March.

No formal action was taken.

6. Ratify Entering Into Stipulation In Protest To Final Abandonment List Of St. Elmo Water Rights Case N 22CW17

Attorney Tom addressed the Board to consider ratifying entering into a Stipulation and Agreement in Protest to the Final Abandonment List regarding the St. Elmo Ditch water right in Case No. 22CW17.

Discussion ensued during which Attorney Tom and Director Christiansen responded to Commissioner's questions.

Commissioner Felt moved to ratify the proposed Stipulation and Agreement in Protest to the Final Abandonment List regarding the St. Elmo Ditch water right in Case No. 22CW17 and reinforce comments made during this discussion regarding actualization of the rescue of this water right from the abandonment list. Commissioner Wood seconded the motion. The motion carried unanimously.

7. Consider Entering Executive Session Under CRS 24-6-402(4)(B) And (C) For The Purpose Of Receiving Legal Advice On Specific Legal Questions And To Determine Positions Relative To Matters That May Be Subject To Negotiations Or To Develop A Strategy For Negotiations Regarding The Hiring Process. County Attorney Tom, Assistant County Attorney Knowles, County Administrator Christiansen, Finance Director Short, And Deputy Director of Administration Beth Helmke May Also Attend.

Chair Baker and Attorney Tom addressed the Board to consider entering into Executive Session under CRS 24-6-402(4)(b) and (c) for the purpose of receiving legal advice on specific legal questions and to determine positions relative to matters that may be subject to negotiations or to develop a strategy for negotiations regarding the hiring process.

Discussion ensued.

By consensus, the Board determined not to enter into Executive Session.

G. Active Projects

H. Adjourn

Commissioner Wood moved to adjourn the meeting. Commissioner Felt seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:15 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