



Chaffee County Commissioners Meeting
March 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. Call to Order

The regular meeting of the Board of Commissioners was held on March 14, 2023, at the Chaffee County Courthouse. Board members present were Chair Keith Baker, Commissioner Greg Felt, and Commissioner P. T. Wood.

Others present in person were 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, Planner Christie Barton (Item A.5. only), and Planning and Code Compliance Technician Brandon Wolff (Item E.7. only).

Others present remotely were Chaffee Housing Authority Director Becky Gray (Item A.5. only), Principal Planner Greg Laudenslager (Item E.3. only), and Deputy County Clerks Barbara Tidd and Kit Kuester.

1. Pledge of Allegiance

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

2. Approve Agenda

There was no Public Comment on any items on Item C. Consent 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

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

Public Comment was given by:

Christy Frank, 12920 W County Rd. 270, Nathrop.

Frank's statement was written and will be available to Commissioners per Chair Baker's request.

5. Recognize Becky Gray, Chaffee Housing Authority- Acknowledge Contributions to Chaffee County- Helmke

Director Helmke addressed the Board to recognize Chaffee Housing Authority Executive Director Becky Gray and to acknowledge her contributions to Chaffee County.

Commissioner Felt spoke followed by Commissioner Wood, Planner Barton, Attorney Tom, Attorney/Director Cottom, Chair Baker, and Director Gray.

No formal action was taken.

B. Minutes for Approval

1. Consider for Approval the Minutes of the March 6, 2023 Work Session re: Executive Session

Commissioner Wood moved to approve the minutes of the March 6, 2023 Commissioners' work session regarding executive session. Commissioner Felt seconded the motion. The motion carried unanimously.

2. Consider for Approval the Minutes of the March 7, 2023 Regular Meeting

Commissioner Felt moved to approve the minutes of the March 7, 2023 Commissioners' regular meeting. Commissioner Wood seconded the motion. The motion carried unanimously.

C. Consent Agenda

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

1. Approve Update to County Policy on Written Comments - as discussed in Work Session
2. Approve Resolution 2023-23 Approving the Searles Rezone (Approved by BOCC Feb 14 2023)
3. Approve Resolution 2023-24 Approving the Box Minor Subdivision Final Plat (Approved by BOCC Feb 14 2023)
4. Approve Resolution 2023-25 Approving the Ferris Minor Subdivision Final Plat (Approved by BOCC Feb 14 2023)
5. Approve Resolution 2023-26 Approving the Shaw - Heritage Water Subdivision Exemption (as approved at the February 21, 2023 Meeting)
6. Approve Resolution 2023-28 Approving the Shaw Ranch - Plat Amendment (as approved at the February 21, 2023 Meeting)
7. Approve the Purchase Chaffee County Sheriff's Office Multi-Jurisdictional Vehicle with Signing Authority to Chair on Related Contract Following County Legal Review, as Discussed During Mar 13 2023 Work Session- J Spezze

8. Approve the Liquor License Renewal Packet for Amber Waves Adventures, LLC
9. Approve GovOS (formerly MUNIREvs) Contract with Planning and Zoning- Discussed During the March 14 Work Session
10. Approve Contract with AVHH/ Tom Syzek including Exhibit C-2 (as Discussed During the March 13 2023 Work Session) - Chaffee County Public Health, L Knowles (Legal)
11. Approve the Contract with Julie Speer (as Discussed During the March 13 2023 Work Session)- Chaffee County Public Health, L Knowles (Legal)
12. Approve the Employee Handbook v.2023 as Discussed at the March 6 2023 Work Session
13. Acknowledge the Sheriff's Office Month End Reports for February 2023
14. Approve the ERTB Grant Agreement, as Presented, and a Contract with Catalis Courts and Land Records, LLC for \$185,272 Contingent on the County Attorney's Office Approving an Acceptable Contract with the Vendor, with Signing Authority to the Chair-Chaffee County Clerk and Recorder and Legal
15. Pay the Bills

D. 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 stated that these items are those that would normally require a hearing, but no public 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).

1. Name of Project: CO Rents 2, LLC Lot Line Elimination
 Applicants: Toby Taylor for CO Rents 2, LLC
 Location: 9761 & 9771 RGP Road, Salida
 Zone: Industrial
 Request: To eliminate lot lines between Lots 4 and 5 of the RGP Industrial Park Major Subdivision. The property has existing storage units on it
 Planner: Christie Barton 719-530-5572 cbarton@chaffeecounty.org

Chair Baker asked if anyone from the public wished to testify on this item: CO Rents 2, LLC Lot Line Elimination.

There was no public comment.

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

E. Regular Agenda Items

The Board recessed as the Board of Commissioners at 9:28 a.m.

The Board convened as the Board of Health at 9:28 a.m.

1. **CONVENE AS Board of Health**

CONTINUED TO APRIL 4 2023 DUE TO APPLICANT NOT POSTING SIGN

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 Water Supply Standards.

Applicant: Dale Billeaudeaux for Billeaudeaux, LLC

Location: 16035 Jay Bird Lane, Buena Vista

Zone: Rural

Request: To allow a water cistern for provision of potable water supply for a residence, instead of a well.

Staff Contact: Gary Greiner, ggreiner@chaffeecounty.org

Engineer Greiner addressed the Board to request a continuance to April 4, 2023 of this application for a variance to the Chaffee County Water Supply Standards.; Applicant: Dale Billeaudeaux for Billeaudeaux, LLC; Location: 16035 Jay Bird Lane, Buena Vista.

Attorney/Director Cottom stated that the report in the packet would be updated.

Commissioner Felt moved to continue to April 4, 2023 the application for a variance to the Chaffee County Water Supply Standards.; Applicant: Dale Billeaudeaux for Billeaudeaux, LLC; Location: 16035 Jay Bird Lane, Buena Vista. Commissioner Wood seconded the motion. The motion carried unanimously.

2. **Adjourn as Board of Health**

Reconvene as the Board of County Commissioners

The Board adjourned as the Board of Health at 9:30 a.m. and reconvened as the Board of Commissioners at 9:30 a.m.

3. **Consider for Approval the Land Use Code Text Amendment from the Planning Commission related to the Heritage Water Subdivision Exemption portion of Chaffee County Land Use Code (Section 5.2.3.K)**

Attorney/Director Cottom addressed the Board to consider for approval the Land Use Code Text Amendment from the Planning Commission related to the Heritage Water Subdivision Exemption portion of the Chaffee County Land Use Code (Section 5.2.3.K).

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

questions.

Planner Laudenslager spoke followed by Attorney/Director Cottom.

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 moved to approve the Land Use Code Text Amendment from the Planning Commission related to the Heritage Water Subdivision Exemption portion of the Chaffee County Land Use Code (Section 5.2.3.K) as presented and direct staff to prepare a resolution to that effect for April 4, 2023. Commissioner Wood seconded the motion. The motion carried unanimously.

4. Consider for Recommendation to BOCC the Land Use Code Text Amendment Regarding WUI (From Planning Commission 3/7/23- **Continued by Planning Commission to April 4 2023**)

Chair Baker stated that this item will be continued at the request of the Planning Commission.

No formal action was taken.

5. Consider for Approval the Contractor and Budget for Granite Bridge, Direct Legal to Draft Contract with Signing Authority to the Chair (Contract Provided by CDOT)- G Greiner

Engineer Greiner addressed the Board regarding the contractor and budget for the Granite Bridge project and asked the Board how they wanted to proceed.

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

Commissioner Wood moved to send the Granite Bridge project back out to bid. Commissioner Felt seconded the motion. The motion carried unanimously.

Engineer Greiner added that the County received official approval for the bid today from the Federal Highway Administration, including its funding, which can be applied to the next bid.

6. Consider for Approval Resolution 2023-27 Approving Secure Transportation Licensing and Permitting Regulations and Directing EMS Director and Legal to Create All Applicable Forms and Procedures Consistent with Regulations - D Tom

Attorney Tom addressed the Board to consider draft **RESOLUTION 2023-27 ADOPTING SECURE TRANSPORTATION LICENSING AND PERMIT REGULATIONS IN CHAFFEE COUNTY** and to direct the EMS Director and Legal to create all applicable forms and procedures consistent with the Regulations.

Commissioner Felt moved to approve **RESOLUTION 2023-27 ADOPTING SECURE TRANSPORTATION LICENSING AND PERMIT REGULATIONS IN CHAFFEE COUNTY** and to direct the EMS Director and Legal to create all applicable forms and procedures consistent with the Regulations. Commissioner Wood seconded the motion. The motion carried unanimously.

7. Executive Session Under 24-6-402(4)(b) for purposes of receiving legal advice on specific legal questions and strategy involving land use code enforcement; County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, Planning and Code Compliance Technician Brandon Wolff, Finance Director Short, And Deputy Director of Administration Beth Helmke May Also Attend.

Chair Baker addressed the Board to consider entering into executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategy involving land use code enforcement.

Commissioner Wood moved to go into executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategy involving land use code enforcement.

Attorney/Director Cottom 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 Felt seconded the motion. Chair Baker stated that Attorney/Director Cottom indicated that this executive session would constitute attorney-client communication, and no further recording of this portion of the meeting would be required.

Attorney/Director Cottom stated that he does not anticipate any decisions being made as part of or following executive session, so the commissioners would not need to come back into regular session to make any decisions on the record.

The motion carried unanimously.

Chair Baker stated that it is March 14, 2023 at 9:55 a.m., that he is Chair of the Board of Commissioners, that the Commissioners have voted to enter into executive session, that this executive session will not be recorded unless and until attorney-client privilege is revoked by the County Attorney. The following persons will be present at the executive session: Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, Planning and Code Compliance Technician Brandon Wolff, Director of Finance Dan Short, and Deputy Director of Administration Beth Helmke.

The Board of Commissioners moved into executive session at 9:56 a.m.

The Board of Commissioners came out of executive session at 10:55 a.m. with no decisions being made.

Chair Baker stated that the executive session for purposes of discussing attorney client privileged matters concluded at 10:55 a.m., and the regular open meeting resumed being recorded. He stated that the participants in the executive session were Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, Planning and Code Compliance Technician Brandon Wolff, Director of Finance Dan Short, and Deputy Director of Administration Beth Helmke.

I, Daniel Tom, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on March 14, 2023 constituted privileged attorney-client communication.

Daniel Tom

Daniel Tom, Chaffee County Attorney

I, Keith Baker, 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 March 14, 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).



Keith Baker, Chair

Chair Baker stated that if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to enter the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, he asked that you state your concerns for the record.

Hearing none and noting no further items on the Agenda, Chair Baker asked for a motion to adjourn.

F. Active Projects

G. Adjourn

Commissioner Felt moved to adjourn the meeting. Commissioner Wood seconded the motion. The motion carried unanimously.

The meeting was adjourned at 10:55 a.m.

Attest:



Lori Mitchell, County Clerk