Chaffee County Commissioners Meeting
June 6, 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 June 6, 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 County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, and County Engineer Gary Greiner.

Others present remotely were Planner Brandon Wolff and Deputy County Clerk 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 Felt asked to pull C. Consent Agenda Item 1. and move it to the Regular Agenda. Chair Baker stated that C. Consent Agenda Item 1. would be moved to E. Regular Agenda Item 1. renumbering the other items under Regular Agenda to follow this item.

   Commissioner Felt moved to pull C. Consent Agenda Item 1. and move it to the E. Regular Agenda Item 1. renumbering the other items under Regular Agenda. Commissioner Wood seconded the motion. The motion carried unanimously.

   Commissioner Wood moved to approve the Agenda as amended. 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 stating that this is an opportunity for members of the public to express their views on topics that are *not* on the Agenda.

   He stated that the Board does not take public comment on an item that is likely to come before the Board for a public hearing or a quasi-judicial decision and asked that the public not comment on such matters.

He further stated that by giving public comment, you are agreeing to speak only what you know to be true, are going to follow normal standards of decorum and conducting public business, and have up to 3 minutes to speak. When called upon, please come to the mic and speak your name and address for the record. If you're online and wish to speak, please raise your hand.

Public Comment was given by:
Elizabeth (Betsy) Dittenber, Executive Director of Chaffee County Community Foundation, 309 Pinion Hills Dr., Howard. Dittenber stated that she was also speaking on behalf of Ark Valley Preschool Board Chair Katie Patti and Chaffee County Early Childhood Council Director Sarah Romack.

B. Minutes for Approval

1. Consider for Approval the Minutes of the May 16, 2023 Regular Meeting
   Commissioner Wood moved to approve the minutes of the May 16, 2023 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried with Commissioners Felt and Wood voting FOR the Motion. Commissioner Baker ABSTAINED because he was not present for that meeting.

C. Consent Agenda

Chair Baker stated that Item 1. was pulled and placed on the Regular Agenda as Item 1.

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

2. Approve Public Health STEPP Tobacco FY 2024 Contract in the amount of $50,000

3. Approve Resolution for One-time Contribution of $133,000 from DHS Reserves to Chaffee County Childcare Initiative, dba Ark Valley Preschool, with direction to staff to enter into formal Funding Agreement

4. Acknowledge The Treasurer's Report for April 2023

5. Pay the Bills

6. Accept Colorado Energy Office EV Readiness Grant and Direct Staff to Enter into an Agreement with the State of Colorado

7. Approve the Letter of Agreement with Envision re: Chaffee County Recreation Adopters

8. Accept Colorado State Forest Service Local Government Assistance Grant and Direct Staff to Enter into an Agreement

9. Approve the Veterans Service Officers Monthly Report and Certification for Pay for May 2023

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).

At Chair Baker's invitation, Attorney/Director Cottom spoke regarding multi-year special event permit applications and permits.

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

1. Approve the Multi-year Special Event Permit Application for the Flaming Foliage Relay Scheduled for Sept 9, 2023

2. Approve the Multi-year Special Event Permit Application for Buena Vista Pack Burro Race Scheduled for August 13, 2023

3. ****WITHDRAWN BY APPLICANT**** Consider the Multi-year Special Event Permit Application for Gold Rush Days Pack Burro Race in Buena Vista Scheduled for August 13, 2023

4. Approve the Multi-year Special Event Permit Application for the Trans Rockies Run Scheduled for July 30, 2023

5. Approve the Multi-year Special Event Permit Application for the FIBArk 10k 5k and Trail Races Scheduled for June 17 and 18, 2023

6. **Name of Project:** Southard-Rogers Boundary Line Adjustment (BLA)
Applicants: Donna Davis & Scott Rogers and the Estate of Ronald Southard
Location: 100 & 102 Tailwinds Drive, Buena Vista
Zone: Industrial
Request: To adjust (replat) boundary lines between Lot 2-R of the Southwinds BLA and Lot 4 of the Southwinds Minor Subdivision-Amended: Lot 2-R will decrease from 28.13 acres to 23.06 acres, and Lot 4 will increase from 2.05 acres to 7.12 acres.
Planner: Christie Barton/719-530-5572/cbarton@chaffeecounty.org

E. Regular Agenda Items

1. Approve Resolution 2023-55 Modifying the Denial of the Short Term Rental Permit Application at 12920 W County Rd 270, Nathrop, CO

Chair Baker introduced this item.

Commissioner Felt spoke.

Commissioner Felt moved to approve **RESOLUTION 2023-55 MODIFYING THE DENIAL OF THE SHORT TERM RENTAL PERMIT APPLICATION FOR PROPERTY LOCATED AT 12920 CR 270**. Commissioner Wood seconded the motion. The motion carried unanimously.

2. Approve Resolution 2023-56 Setting Dates for Board of Equalization Hearings, Appointing Referees For Board Of Equalization Hearings, and Appointing Arbitrators For Appeals Of Decisions Of The Board Of Equalization

   Assistant Coscarella addressed the Board to consider draft **RESOLUTION 2023-56 APPOINTING REFEREES FOR BOARD OF EQUALIZATION HEARINGS, APPOINTING ARBITRATORS FOR APPEALS FROM DECISIONS OF THE BOARD OF EQUALIZATION.**

   Commissioner Wood moved to approve **RESOLUTION 2023-56 APPOINTING REFEREES FOR BOARD OF EQUALIZATION HEARINGS, APPOINTING ARBITRATORS FOR APPEALS FROM DECISIONS OF THE BOARD OF EQUALIZATION**. Commissioner Felt seconded the motion. The motion carried unanimously.

3. Broadband Program Opportunities
   Deputy Administrator Helmke addressed the Board regarding broadband program opportunities. Chair Baker spoke.

   No formal action was taken.

4. Consider Release of Lot Sales Restriction and / or Escrow Guarantee for Shaw Ranch Subdivision – Cottom
   Attorney/Director Cottom addressed the Board to consider the release of Lot Sales Restriction and/or Escrow Guarantee for Shaw Ranch Subdivision.

   Engineer Greiner addressed the Board.

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

   Applicant John Shaw addressed the Board at the invitation of Chair Baker.

   Engineer Greiner spoke.

   Commissioner Wood moved to approve the release of the Lot Sales Restriction for Shaw Ranch Subdivision. Commissioner Wood responded to Commissioner Felt's question that this includes the building permit condition. Commissioner Felt seconded the motion. The motion carried unanimously.

   Attorney/Director Cottom clarified that he will prepare a release for the Board Chair's, Applicant's, and Clerk's signatures and for recording by the County Clerk.

5. Public Hearing: Consider for Approval Land Use Code Text Amendments Updating Amendments Adopted in "Module 1" of the Land Use Code Rewrite Project, with Proposed Resolution 2023-42
Chair Baker introduced this item providing the process to be followed for this item.

Attorney/Director Cottom stated that this item was properly noticed.

Attorney/Director Cottom addressed the Board to consider for approval Land Use Code Text Amendments Updating Amendments Adopted in "Module 1" of the Land Use Code Rewrite Project, with proposed **RESOLUTION 2023-42 ADOPTING AMENDMENTS TO THE CHAFFEE COUNTY LAND USE CODE UPDATING AMENDMENTS ADOPTED IN "MODULE 1" OF THE LAND USE CODE REWRITE PROJECT.**

Consensus of the Board was to adopt the Resolution in its entirety.

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

The public comment portion of the hearing opened at 9:52 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioners deliberated.

Attorney/Director Cottom said that he will remove 7.8.1.C.1. and add a Finding that the Board of Commissioners approved the adoption of the text amendment and approved the resolution outlining the Findings.

Commissioner Wood moved to approve **RESOLUTION 2023-42 ADOPTING AMENDMENTS TO THE CHAFFEE COUNTY LAND USE CODE UPDATING AMENDMENTS ADOPTED IN "MODULE 1" OF THE LAND USE CODE REWRITE PROJECT** and clarifying Module 1 language as adopted October 2021 and removing 7.8.1.C. Commissioner Felt seconded the motion. The motion carried unanimously.

F. Active Projects

G. Adjourn

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

Attest:

Lori Mitchell

Lori Mitchell, County Clerk