



Chaffee County Commissioners Meeting
September 5, 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 September 5, 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 Sr. Planner Christie Barton.

Others present remotely were Assistant County Attorney Lynda Knowles, Planner Brandon Wolff, Planning Manager Garry Baker, 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 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 comment stating that this is an opportunity for members of the public to express their views on topics that are *not* on the Agenda, and, therefore, Commissioners do not normally engage in a back-and-forth discussion or respond to questions during public comment.

He stated that:

- the Board of Commissioners (BOCC) cannot take public comment on an item that is scheduled or likely to be scheduled for a quasi-judicial hearing before the BOCC;
- the BOCC or a staff member may reply later, using contact information provided on the sign-up sheet;
- by making voluntary public comment, you are agreeing to speak only what you know to be true

and are going to follow normal rules of civility in conducting public business;

- you'll have up to 3 minutes to speak, and when called upon, please come to the [podium][mic] and speak your name and address for the record.

He further stated to address all your comments to the County Commissioners. In other words, do not address applicants, previous speakers, or other members of the audience. People in the room will speak first.

If you're online and wish to speak, please use the raise hand function on zoom, the chat function, or unmute and speak loudly.

Public Comment was given by:

Terry Lucas, 22100 County Rd. 196, Nathrop

Kent Wood, 22100 County Rd. 196, Nathrop

Jayne McCracken, 16165 Burt Gulch Rd., Buena Vista

Bart Myres, 14717 S Stagecoach Ln., Buena Vista

Alan Seeling, 29275 County Rd. 358a, Buena Vista

Jerry Raski, 10158 Starlight Ln., Salida

B. Minutes for Approval

1. Consider for Approval the Minutes of the August 15, 2023 Regular Meeting

Regarding the motion for item G.1., Commissioner Felt indicated that the minutes should be corrected to strike "to make sure to work on spending this money wisely and" and instead state, "Commissioner Felt moved to allocate an additional \$11,913.10 to make an even \$20,000 for the "Quin Lewis Project" at the Fairgrounds and that we also direct the Fair Committee to make sure to work in concert with an advisory group of 4-H kids presumably led by Quin."

Commissioner Felt moved to approve the minutes as amended above of the Commissioners' August 15, 2023 regular meeting. Commissioner Wood seconded the motion. The motion carried unanimously.

2. Consider for Approval the Minutes of the August 23, 2023 Special Meeting

Commissioner Wood moved to approve the minutes of the August 23, 2023 Commissioners' special meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

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. Pay the Bills
2. Approve RESOLUTION 2023-89 AUTHORIZING THE ASSIGNMENT OF THE COUNTY'S PRIVATE ACTIVITY BOND ALLOCATION FOR 2023 TO THE HOUSING AUTHORITY OF THE CITY OF AURORA, COLORADO PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT TO THE HOUSING AUTHORITY OF THE CITY OF AURORA, COLORADO/Weatherstone Apartments, per BOCC discussion at August 7, 2023 Work Session
3. Approve the Liquor License Renewal for High Peaks Liquor

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.

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).

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

Chair Baker asked if anyone from the public wished to testify on these items.

There was no public comment.

The motion carried unanimously.

1. Name of Project: Eden Hall Lot Line Elimination
Applicants: Eden Hall
Location: 5311 Silverheels Road, Salida
Zone: Recreational
Request: To eliminate the lot lines between two unplatted tracts.
Planner: Christie Barton/719-530-5572/cbarton@chaffeecounty.org
2. Name of Project: Batchelder Lot Line Elimination
Applicants: Bret & Connie Batchelder
Location: 10875 County Road 240, Salida
Zone: Recreational
Request: To eliminate the lot lines between three unplatted tracts.
Planner: Christie Barton/719-530-5572/cbarton@chaffeecounty.org

F. Regular Agenda Items

1. Presentation of the 2022 County Annual Audit - Scott Wright

Auditor Scott Wright addressed the Board to present the 2022 County Annual Audit Report.

Commissioner Felt moved to accept the 2022 County Annual Audit Report. Commissioner Wood seconded the motion. The motion carried unanimously.

2. Public Hearing To Consider Land Use Code Text Amendments From Module 2 Of The Land Use Code Rewrite Project - TO BE CONTINUED TO A DATE CERTAIN - M. Cottom

Attorney Cottom addressed the Board regarding continuing to a date certain the Public Hearing To Consider Land Use Code Text Amendments From Module 2 Of The Land Use Code Rewrite Project and suggested that this hearing be continued to October 10, 2023.

Commissioner Felt moved to continue to October 10, 2023, the Public Hearing to consider Land Use Code Text Amendments from Module 2 of the Land Use Code Rewrite Project. Commissioner Wood seconded the motion. The motion carried unanimously.

3. Consider Request for Acceptance of Limited Impact Review Application for Cell Tower on the Meadows During Temporary Moratorium in Consideration of Resolutions 2022-41 and 2022-74 - Cottom/ Barton

Attorney Cottom addressed the Board to consider a request for Acceptance of Limited Impact Review Application for Cell Tower on the Meadows during Temporary Moratorium in consideration of Resolutions 2022-41 and 2022-74.

Attorney Tom spoke and responded to Commissioner's question.

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

Commissioner Felt moved to approve a request for Acceptance of Limited Impact Review Application for a cell tower on the Meadows during Temporary Moratorium in consideration of Resolutions 2022-41 and 2022-74. Commissioner Wood seconded the motion. The motion carried unanimously.

4. Consider Request for Acceptance of Major Subdivision Application During Temporary Moratorium in Consideration of Resolutions 2022-41 and 2022-74. Applicant Joe Cooper (continued from June 20 2023, and from July 11 2023) - M. Cottom

Attorney Cottom addressed the Board to consider a request for Acceptance of Major Subdivision Application for Applicant Joe Cooper during Temporary Moratorium in consideration of Resolutions 2022-41 and 2022-74.

Discussion ensued during which Attorney/Director Cottom responded to Commissioners' questions. Attorney/Director Cottom clarified that this is not an official public hearing.

Chair Baker allowed Applicant Joe Cooper to address the Board.

Applicant Joe Cooper addressed the Board to request a continuance.

Discussion ensued with Applicant Joe Cooper during which Attorney/Director Cottom and Attorney Tom spoke.

Commissioner Felt moved to continue to November 7, 2023, the request for Acceptance of Major Subdivision Application for Applicant Joe Cooper during Temporary Moratorium in consideration of Resolutions 2022-41 and 2022-74. Commissioner Wood seconded the motion. The motion carried unanimously.

5. Delegate Commissioner to serve on CCI's Legislative Committee on behalf of Chaffee County- note if in person or virtually attending Oct 6th meeting

Chair Baker addressed the Board to delegate a Commissioner to serve on CCI's Legislative Committee on behalf of Chaffee County.

Discussion ensued.

Commissioner Felt moved to appoint Commissioner Baker as the Commissioner to serve on CCI's Legislative Committee on behalf of Chaffee County and nominate Commissioner Wood as the alternate. Commissioner Wood seconded the motion. The motion carried unanimously.

6. Consider PG Grow II, LLC Medical Marijuana License Renewal and Retail Marijuana License Renewal Application

Attorney Cottom addressed the Board to consider PG Grow II, LLC Medical Marijuana License Renewal and Retail Marijuana License Renewal Application.

Discussion ensued.

Commissioner Wood moved to approve PG Grow II, LLC Medical Marijuana License Renewal and Retail Marijuana License Renewal Application. Commissioner Felt seconded the motion. The motion carried unanimously.

7. Consider Resolution 2023-85 Appointing Katie Davis to the Chaffee County Visitors Bureau

Attorney Tom addressed the Board to consider draft RESOLUTION 2023-85 FILLING VACANCIES ON THE VISITORS BUREAU appointing Katie Davis to the Chaffee County Visitors Bureau.

Discussion ensued.

Commissioner Wood moved to approve RESOLUTION 2023-85 FILLING VACANCIES ON THE VISITORS BUREAU appointing Katie Davis to the Chaffee County Visitors Bureau. Commissioner Felt seconded the motion. The motion carried unanimously.

8. Ratify Statement of Opposition In Water Case Concerning the Application For Water Rights of the

Colorado Division of Parks and Wildlife and the Parks and Wildlife Commission

Attorney Tom addressed the Board regarding ratifying the decision to file a Statement of Opposition in Case No. 23CW3032.

Discussion ensued.

Commissioner Felt moved to ratify the decision to file a Statement of Opposition in Case No. 23CW3032. Commissioner Wood seconded the motion. The motion carried unanimously.

G. Active Projects

H. 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:

A handwritten signature in cursive script, reading "Lori Mitchell", is written over a horizontal line.

Lori Mitchell, County Clerk