



Chaffee County Commissioners Meeting
December 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 December 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 Lynda Knowles, Planning Director Miles Cottom, Deputy Assessor Dean Russell, and Planner Brandon Wolff.

Others present remotely were 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 Felt asked that the following item be added before Item C.1. Contracts/Grant Consideration:

Update and discussion on the Lewis Family Agreement with Central Colorado Conservancy ("Conservancy") as part of the Conservancy's Community Conservation Connection Program.

Chair Baker stated that Item C.1. currently on the Agenda would be deleted as that item is not ready for consideration.

Commissioner Felt moved to approve the Agenda as amended. Commissioner Wood 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;
- we expect the best from people and try to embody that ourselves, by being professional and civil, and we hope you will do the same.
- you'll have up to 3 minutes to speak, and when called upon, please come to the 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 decisively.

Public Comment was given by:

Jayne McCracken, 16165 Burt Gulch Rd., Buena Vista.

Joe Cooper, 9325 County Rd. 160, Salida.

Stan Bartel, 12997 County Rd. 190E, Salida.

B. Minutes for Approval

1. Consider for Approval the Minutes of the November 21, 2023 Regular Meeting

Commissioner Felt moved to approve the minutes of the November 21, 2023 Commissioners' regular meeting. Commissioner Wood seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Update and discussion on the Lewis Family Agreement with Central Colorado Conservancy ("Conservancy") as part of the Conservancy's Community Conservation Connection Program.

Attorney Knowles addressed the Board regarding an Agriculture Conservation Agreement dated October 30, 2020, Termination of the Agriculture Conservation Agreement, and the Contract for Bargain Sale of Conservation Easement dated November 27, 2023, all between Central Colorado Conservancy and Richard Brice Lewis and Katherine N. Lewis ("Lewis Family").

Attorney Tom spoke.

Commissioner Felt spoke.

Central Colorado Conservancy Executive Director Wendy McDermott and Conservation Program Manager Bryce Howe introduced themselves.

McDermott addressed the Board.

Howe spoke.

Attorney Tom responded to Commissioner's question.

McDermott spoke and responded to Commissioner's question.

Commissioner Wood spoke.

McDermott spoke.

Chair Baker asked for public comments. There were none.

Commissioner Felt moved to terminate the Agriculture Conservation Agreement between Central Colorado Conservancy and the Lewis Family subject to the County Legal Department's review, and to give signing authority to the Chair for any needed legal documentation. Commissioner Wood seconded the motion. The motion carried unanimously.

D. Consent Agenda

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

1. Pay the Bills

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 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).

Chair Baker stated no one indicated wanting to remove any of these items to the Regular Agenda.

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

1. **Name of Project:** Holman Agricultural Subdivision Exemption

Applicants: Frank and Sherry Holman

Location: 14110 County Road 140

Zone: Rural

Request: To subdivide a 4.24-acre Tract 2-B from Tract 2-A (39.35 acres). A well and on-site wastewater treatment system currently serve the property.

Planner: Garry Baker, 719-530-5570, gbaker@chaffeecounty.org

2. Hearing to Consider the Liquor License Renewal for Noah and Yousaf LLC, DBA Centerville Pit Stop, at 17900 Hwy 285, Nathrop, CO 81236
3. Hearing to Consider the Liquor License Renewal for Trigger's Liquors, LLC, at 22763 W Hwy 50, Salida, CO 81201

F. Regular Agenda Items

At 9:40 a.m., the Board of Commissioners recessed as the Board of Commissioners and convened as the Board of Equalization.

1. Request to Abate Taxes from Outlots 4, 5, 6, & 7 of the Two Rivers Subdivision, c/o Two Rivers Community Association for the years 2021 & 2022 - Dean Russell

Deputy Assessor Russell addressed the Board to request abatement of taxes from Outlots 4, 5, 6, & 7 of the Two Rivers Subdivision, c/o Two Rivers Community Association for the years 2021 and 2022.

John Wood, 223 Two Rivers Rd., Salida, addressed the Board as part of the Executive Board of the Two Rivers Community Association organized by the Declaration to manage the common elements of the Two Rivers Subdivision.

Attorney Tom spoke.

John Wood asked for a continuance of this hearing.

Discussion ensued during which John Wood, Attorney Tom, and Director Short spoke.

Commissioner Wood moved to continue to December 12, 2023, the request to abate taxes from Outlots 4, 5, 6, & 7 of the Two Rivers Subdivision, c/o Two Rivers Community Association for the years 2021 and 2022. Commissioner Felt seconded the motion. The motion carried unanimously.

At 10:37 a.m., the Commissioners adjourned as the Board of Equalization and reconvened as the Board of Commissioners.

2. TO BE CONTINUED - Public Hearing To Consider Land Use Code Text Amendments From Module 2 Of The Land Use Code Rewrite Project - Chapters 4, 5, 6, & 7 - (Continued From September 5, 2023, & October 10, 2023 & November 7, 2023) - M. Cottom

Director Cottom addressed the Board regarding the Land Use Code Text Amendments from Module 2 of the Land Use Code Rewrite Project - Chapters 4, 5, 6, & 7 and recommended that rather than continue this hearing again, let the hearing notice expire and re-notice this hearing when a date certain is determined to bring it before the Board for consideration of adoption.

No formal action was taken.

3. Discuss Authorizing County Attorney's Office to File Enforcement Action for Zoning Violations at 12765 CR 314, Buena Vista, Colorado - Miles Cottom

Planner Wolff addressed the Board regarding authorizing the County Attorney's Office to file an Enforcement Action for Zoning Violations at 12765 County Rd. 314, Buena Vista, Colorado.

Planner Wolff responded to Commissioner's and Attorney Knowles' questions.

Attorney Tom spoke.

Discussion ensued during which Attorney Tom spoke.

Chair Baker asked if there was anyone representing the owners of the property, occupants on the property, or any affected neighbors who wished to speak. There were no comments.

Commissioner Felt moved to direct the County Attorney to initiate an enforcement action and to use his discretion on the timing with respect to zoning violations at 12765 County Rd. 314, Buena Vista, Colorado. Commissioner Wood seconded the motion. The motion carried unanimously.

4. Discuss Authorizing County Attorney's Office to File Enforcement Action for Zoning Violations at 29635 CR 357, Buena Vista, Colorado - Miles Cotton

Planner Wolff addressed the Board regarding authorizing the County Attorney's Office to file an Enforcement Action for Zoning Violations at 29635 County Rd. 357, Buena Vista, Colorado.

Attorney Tom spoke.

Chair Baker asked if any of the affected parties wished to comment. There were no comments.

Commissioner Wood moved to direct the County Attorney to initiate an enforcement action and to use his discretion on the timing with respect to zoning violations at 29635 County Rd. 357, Buena Vista, Colorado. Commissioner Felt seconded the motion. The motion carried unanimously.

G. Active Projects

Senator Hickenlooper's Regional Director Azarel Madrigal addressed the Board providing an update and responded to Commissioners' questions.

Commissioner Wood moved to cancel the December 19, 2023, Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

H. Adjourn

Commissioner Wood moved to adjourn the meeting. Commissioner Felt seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:37 a.m.

Attest:



Lori Mitchell, County Clerk