



Chaffee County Commissioners Meeting
December 12, 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 12, 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, Assistant County Attorney Lynda Knowles, and Planning Director Miles Cottom.

Others present remotely were Planning Manager Garry Baker, 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

Chair Baker stated that Item F.1. will not be addressed as it has been resolved, and, therefore, it is to be removed from the Agenda.

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, 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.

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:

Lisa Myres, 14717 S Stagecoach Ln., Buena Vista.

Bart Myres, 14717 S Stagecoach Ln., Buena Vista.

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

B. Minutes for Approval

1. Consider for Approval the Minutes of the December 5, 2023 Regular Meeting

Commissioner Felt moved to approve the minutes of the December 5, 2023 Commissioners' regular meeting. Commissioner Wood seconded the motion. The motion carried unanimously.

C. Contracts/Grant Consideration

1. Consider engagement of Dynamic Program Management for Owner's Rep services for the Chaffee County North End Public Safety Complex construction project - Reimer/Helmke

Administrator Reimer addressed the Board to consider engagement of Dynamic Program Management for Owner's Rep services for the Chaffee County North End Public Safety Complex construction project.

Deputy Administrator Helmke spoke and responded to Commissioner's question.

Commissioner Felt moved to engage Dynamic Program Management as Owner's Representative for the County's North-End Public Safety Complex project, and direct staff to finalize negotiations for such services and establish associated agreement(s) and contract addenda as required, with signing authority to the chair. 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
2. Approve the Veteran's Service Officer's Monthly Report for November 2023
3. Consider IGA for Law Enforcement Services between Sheriff's Office and Poncha Springs
4. Acknowledge the Sheriff's Office Monthly Report for November 2023

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 asked if anyone from the public wished to testify on this/these item(s).
There was no public comment.

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

1. **Name of Project:** Ward LLE
Applicants: Ward Family Revocable Trust, Charles Douglas Ward, Trustee
Location: 37202 Highway 24 North, Buena Vista, CO 81211
Zone: Residential
Request: To eliminate lot lines between three lots
Planner: Garry Baker/gbaker@chaffeecountry.org/719-530-5572

F. Convene as the Board of Equalization

This item has been resolved and, therefore, removed from the Agenda.

1. CONTINUED FROM DECEMBER 5, 2023
Request to Abate Taxes from Outlots 4, 5, 6, & 7 of the Two Rivers Subdivision, c/oTwo Rivers Community Association for the years 2021 & 2022 - Dean Russell

G. Regular Agenda Items

1. Consider Request from American Legion, Ray Lines Post #64, for Donation to Chaffee County Veterans Memorial at Poncha Springs Visitor's Center - Don Reimer

Administrator Reimer addressed the Board to consider a request from the American Legion, Ray Lines Post #64, for a donation of \$5,400.00 to the Chaffee County Veterans Memorial Park at the Poncha Springs Visitor's Center to support the M-41 Tank Exhibit being installed at the Chaffee County Veterans Memorial Park.

Commander Dennis Hunter, 122 C St., Salida, representing the American Legion, Ray Lines Post #64, addressed the Board.

Dee Nachtrieb, PO Box 477, Poncha Springs, spoke.

Veterans Service Officer Leisl Hammond had nothing to add.

Commissioner Baker moved to approve the request from the American Legion, Ray Lines Post #64, for a donation in the amount of \$5,400.00 to the Chaffee County Veterans Memorial Park at the Poncha Springs Visitor's Center to support the M-41 Tank Exhibit being installed at the Chaffee County Veterans Memorial Park. Commissioner Wood seconded the motion. The motion carried unanimously.

2. Consider approval of 2024 allocation from Lodging Tax Reallocation Fund to Chaffee Housing Authority with related Resolution and 2024 Funding Agreement, per discussion from November 7 work session - Helmke; Knowles

Deputy Administrator Helmke addressed the Board to consider approval of the 2024 allocation from the Lodging Tax Reallocation Fund to the Chaffee Housing Authority.

Commissioner Wood moved to assign \$350,000 from the County's Lodging Tax Reallocation Fund to the Chaffee Housing Authority in 2024 for purposes as discussed at the November 7, 2023, work session, and direct staff to finalize the associated Resolution and Funding Agreement with signing authority to the Chair. Commissioner Felt seconded the motion. The motion carried unanimously.

3. Approve Resolution 2023-112 appointing Gloria Broudy to another five-year term on the Salida Regional Library board.

Chair Baker addressed the Board to consider approval of **RESOLUTION 2023-112 FILLING A VACANCY FOR THE SALIDA REGIONAL LIBRARY** appointing Gloria Broudy to another five-year term on the Salida Regional Library Board.

Commissioner Felt moved to approve **RESOLUTION 2023-112 FILLING A VACANCY FOR THE SALIDA REGIONAL LIBRARY** appointing Gloria Broudy to another five-year term on the Salida Regional Library Board with a term expiring December 31, 2028. Commissioner Wood seconded the motion. The motion carried unanimously with Commissioners Felt and Wood voting FOR the motion. Commissioner Baker does not vote because he is not on the committee for the Southern Chaffee County Regional Library District known as the Salida Regional Library.

4. Approve Resolution 2023-114 Appointing Madison Wiedemeier & Kathleen Wiechelman to the Chaffee County North Library Board

Chair Baker addressed the Board to consider approval of **RESOLUTION 2023-114 FILLING A VACANCY FOR THE NORTHERN CHAFFEE COUNTY LIBRARY DISTRICT** appointing Madison Wiedemeier and Kathleen Wiechelman to the Northern Chaffee County Library District Board.

Discussion ensued.

Commissioner Felt moved to approve a *corrected* **RESOLUTION 2023-114 FILLING A VACANCY FOR THE NORTHERN CHAFFEE COUNTY LIBRARY DISTRICT** to show the appointment of Madison Wiedemeier and Kathleen Wiechelman to the Northern Chaffee County Library District Board. Commissioner Baker seconded the motion. The motion carried unanimously with Commissioners Felt and Baker voting FOR the motion. Commissioner Wood does not vote because he is not on the committee for the Northern Chaffee County Library District.

5. Public Hearing and the Second Reading of Proposed Ordinance 2023-01 Extending the Current Ban on Retail (non-medical) Marijuana Establishments, subject to certain specific exceptions - M. Cottom

Chair Baker addressed the Board outlining the procedure regarding the Public Hearing and the Second Reading of Proposed **Ordinance 2023-01 Extending the Current Ban on Retail (non-medical) Marijuana Establishments**, subject to certain specific exceptions.

Director Cottom addressed the Board.

Attorney Knowles responded to Cottom's question stating that the entire Ordinance need not be read into the record.

Director Cottom spoke further.

The public comment portion of the hearing opened at 9:54 a.m. There were no comments, and the public comment portion of the hearing was closed.

Commissioner Wood moved to approve **Ordinance 2023-01 Extending the Current Ban on Retail (non-medical) Marijuana Establishments**, subject to certain specific exceptions. Commissioner Felt seconded the motion. The motion carried unanimously.

6. Public Hearing & Second Reading of Ordinance 2023-02 for Adoption of the 2021 Building Codes with Chaffee County Amendments, including 2021 International Building Code, 2021 International Residential Code, 2021 International Fire Code, 2021 International Fuel Gas Code, 2021 International Mechanical Code, 2021 International Plumbing Code, 2021 International Energy Conservation Code, 2021 International Existing Building Code, 2021 International Property Maintenance Code, 2021 International Swimming Pool & Spa Code, 2021 International Wildland Urban Interface Code, and the Colorado Model Electric Ready & Solar Ready Code - Pat Green

Attorney Knowles addressed the Board regarding the Public Hearing and Second Reading of **Ordinance 2023-02 for Adoption of the 2021 Building Codes with Chaffee County Amendments** and read the entire Ordinance title into the record.

Attorney Knowles confirmed that this Public Hearing was adequately noticed.

Commissioner Felt moved to accept into the record additional correspondence that had been

received. Commissioner Wood seconded the motion. The motion carried unanimously.

Official Green spoke stating that enforcement of this Ordinance would be moved to March 1, 2024.

The public comment portion of the hearing opened at 9:59 a.m.

Public comments were given by:

Matt Nykiel, 903 J St., Salida.

Cat Anderson, 423 H St., Salida.

The public comment portion of the hearing closed at 10:05 a.m.

Official Green spoke and responded to Commissioner's questions.

Attorney Knowles and Administrator Reimer responded to Commissioner's comment and question.

Discussion ensued.

Commissioner Wood moved to approve **Ordinance 2023-02 for Adoption of the 2021 Building Codes with Chaffee County Amendments**. Commissioner Felt seconded the motion. The motion carried unanimously.

Commissioner Wood moved to ask staff to take a deeper dive into the electric preferred code and come back with some proposals to incorporate that into the Building Code. Commissioner Felt seconded the motion. The motion passed unanimously.

7. Consider proposal from City of Salida for commitment to South Ark Neighborhood Phase 1 development - Miles Cottom/Bill Almquist

Director Cottom addressed the Board to consider a proposal from the City of Salida for a commitment to the South Ark Neighborhood Phase 1 development.

City of Salida Community Development Director Bill Almquist addressed the Board.
Director Cottom spoke.

Discussion ensued during which Almquist responded to Commissioner's question, Administrator Reimer spoke and responded to Attorney Knowles' question, Almquist spoke, and Director Short spoke.

Chair Baker asked for public comment. There was none.

Director Cottom spoke in response to Commissioner Baker's comment.

Commissioner Wood moved to approve a Letter of Support for up to \$1,000,000 in contributions to the City of Salida's South Ark Neighborhood development, contingent upon the City and the County adopting a Memorandum of Understanding outlining the specific terms, including, but not limited to Maintenance and Pre-Annexation Agreements for County Roads 104 and 107, requirements for connectivity between County Road 104 and County Road 107, and the cost reimbursement to the County for future tie-ins to the infrastructure and the overall reduction in cost for the project based on additional grants received. Commissioner Felt seconded the motion. The

motion carried unanimously.

At 10:43 a.m., the meeting recessed for a 5-minute break.
The meeting resumed at 10:48 a.m.

8. Approve Resolution 2023-98 for an Amendment to the 2023 County Budget - Finance Director Short

Director Short addressed the Board to consider **RESOLUTION 2023-98 A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR CHAFFEE COUNTY, COLORADO.**

Director Short responded to Commissioner's question.

Commissioner Felt moved to approve **RESOLUTION 2023-98 A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR CHAFFEE COUNTY, COLORADO.**

Commissioner Wood seconded the motion. The motion carried unanimously.

H. Active Projects

Director Cottom introduced Planning Technician Caitlynn Fortner as a new member of the Planning Staff.

I. Adjourn

Commissioner Felt moved to adjourn the meeting. Commissioner Wood seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:56 a.m.

Attest:



Lori Mitchell, County Clerk