



Chaffee County Commissioners Meeting
August 6, 2024

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 August 6, 2024, at the Chaffee County Courthouse. Board members present were Chair P. T. Wood, Commissioner Keith Baker, and Commissioner Greg Felt (remotely).

Others present in person were County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, County Attorney Daniel Tom, Deputy County Attorney Lynda Knowles, Planning Director Miles Cottom, Planning Manager Garry Baker, and Assessor Rick Roberts (Item H.1. only).

Others present remotely were Planner Brandon Wolff and Deputy County Clerk Barbara Tidd.

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chair Wood called the meeting to order at 9:01 a.m.

2. Approve Agenda

Commissioner Felt moved to approve the Agenda as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

3. Review Public Meeting List

The Board reviewed the public meeting list.

4. Public Comment

Chair Wood asked for public comment. He stated that you'll have up to 3 minutes to speak, and please give your name and address for the record.

There was no public comment.

B. Minutes for Approval

1. Consider for Approval the Minutes of the July 16, 2024 Regular Meeting

Commissioner Baker moved to approve the minutes of the July 16, 2024 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

C. Consent Agenda

Commissioner Felt moved to approve the Consent Agenda as presented. Commissioner Baker seconded the motion. The motion carried unanimously.

1. Pay the Bills
2. Ratify Letter of Support for City of Salida's application to Forest Service for expansion of their existing Adopt-A-Tree program - Helmke; Sara Law (City of Salida)
3. Approve Temporary Construction Easement for Public Service Company of Colorado
4. Ratify the Revisions to the Chaffee County Handbook Harassment Prevention Policy

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).

Commissioner Baker moved to approve the Hearing Consent Agenda as presented. Commissioner Felt seconded the motion. The motion carried unanimously.

1. **Name of Project:** Moore Lot Line Elimination
Applicant: William Moore
Location: 16181 & 16183 County Road 162
Request: To eliminate the lot line between these two parcels and create one lot that will be approximately 4.5 acres in size.
Planner: Nick Gomer / 719-530-5571 / ngomer@chaffeecounty.org
2. **Continued from July 2, 2024**
Consider a Special Event Permit Application
Name of Event: Single Speed USA
Applicant: Bryan King
Location of Event: Methodist and Arkansas Hills Trail Systems, Chavara Ranch on C.R. 140
Date of Event: October 11-13, 2024
Maximum # of Attendees: 350
Planners: Nick Gomer/ 719-530-5572/ ngomer@chaffeecounty.org
3. **Consider a Special Event Permit Application**
Name of Event: The Great Colorado Versus Texas Tomato War
Applicant: Chaffee County Hospitality, Inc
Location of Event: 8410 County Road 250
Date of Event: September 21, 2024
Maximum # of Attendees: 400 attendees, plus 12 staff

4. Hearing to Consider the GARNA Special Event Liquor Permit Application
Event Date: August 22, 2024
Event Location: Hutchinson Ranch, 6700 Old Corral Road, Salida
5. Hearing to Consider the Buena Vista Chamber of Commerce Special Event Liquor Permit Application
Event Date: August 11-12, 2024
Event Location: The Meadows Farm LLC, 14822 CR 350, Buena Vista
6. Hearing to Consider the Liquor License Renewal for Browns Canyon Brewing Company, DBA Browns Canyon Brewing Company, at 23850 US Hwy 285 S, Buena Vista, CO

E. Contracts/Grant Consideration

1. Ratify Contract for Fairgrounds for the Colorado Professional Rodeo Association - Lynda Knowles

Attorney Knowles addressed the Board to consider ratification of the Agreement for Sanction and Approval between Chaffee County and the Colorado Professional Rodeo Association (CPRA) for the CPRA's use of the Chaffee County Fairgrounds.

Commissioner Felt moved ratification of the Agreement for Sanction and Approval between Chaffee County and the Colorado Professional Rodeo Association (CPRA) for the CPRA's use of the Chaffee County Fairgrounds. Commissioner Baker seconded the motion. The motion carried unanimously.

F. Regular Agenda Items

1. Accept the 2023 County Annual Audit Report

Chair Wood addressed the Board to consider acceptance of the 2023 County Annual Audit Report.

Commissioner Baker moved to accept the 2023 County Annual Audit Report as presented. Commissioner Felt seconded the motion. The motion carried unanimously.

2. Consider request to transfer multi-year Special Event Permit (Resolution 2024-18) from Bonfire Entertainment, LLC to the Chaffee County Community Foundation - Miles Cottom

Director Cottom addressed the Board to consider a request from Bonfire Entertainment LLC (Bonfire) to transfer to Chaffee County Community Foundation (CCCF) a multi-year Special Event Permit issued to Bonfire pursuant to Resolution 2024-18.

CCCF Executive Director Betsy Dittenber addressed the Board.

Commissioner Baker moved to approve the transfer from Bonfire Entertainment LLC (Bonfire) to Chaffee County Community Foundation of a multi-year Special Event Permit issued to Bonfire pursuant to Resolution 2024-18. Commissioner Felt seconded the motion. The motion carried unanimously.

3. Continued from July 16, 2024 - Approval of Resolution 2024-50 Modifying the Planning Commission Decision for the Trilogy Harvard Subdivision Preliminary Plan

Manager Baker addressed the Board to consider approval of draft **(AMENDED) RESOLUTION NO. 2024-50 DECISION REGARDING THE APPEAL OF THE PLANNING COMMISSION DECISION FOR THE TRILOGY HARVARD SUBDIVISION PRELIMINARY PLAN.**

Commissioner Baker moved to accept the letter dated July 8, 2024 from Mr. and Ms. Eddy, into the record. Manager Baker responded to Commissioner Felt's question. Commissioner Felt seconded the motion. The motion carried unanimously.

Manager Baker responded to Commissioner's question.

Applicant was not present.

Tracy Vandaveer with Crabtree Group spoke on behalf of Applicant.

The public comment portion of the hearing opened at 9:27 a.m.

Public comments were given by:

Gail Tubbs, [address not provided].

The public comment portion of the hearing closed at 9:32 a.m.

Discussion ensued during which Manager Baker and Vandaveer responded to Commissioners' questions, Julie Kersting addressed the Board, and Attorney Knowles spoke.

Commissioner Baker moved to approve **RESOLUTION NO. 2024-50 DECISION REGARDING THE APPEAL OF THE PLANNING COMMISSION DECISION FOR THE TRILOGY HARVARD SUBDIVISION PRELIMINARY PLAN** as amended including what was just discussed here modifying the Planning Commission decision for the Trilogy Harvard Subdivision Preliminary Plan. Commissioner Felt seconded the motion. The motion carried unanimously.

4. **Name of Project:** Alpine West Planned Development Final Plan
Applicants: Stackhaus LLC, Alex Telthorst Managing Member
Location: 15750 County Road 306, Buena Vista
Request: Determine allowed residential density, uses and setbacks on 7.8 acres.
Planner: Garry Baker / 719-530-5572 / gbaker@chaffeecounty.org

Manager Baker addressed the Board to consider the Alpine West Planned Development Final Plan for Applicant Stackhaus LLC, Alex Telthorst Managing Member located at 15750 County Road 306, Buena Vista.

Manager Baker and Administrator Reimer responded to Commissioners' questions.

Alex Telthorst on behalf of Applicant, 28872 County Rd. 330, Buena Vista, addressed the Board and responded to Commissioners' questions and comments.

The public comment portion of the hearing opened at 10:37 a.m. There were no comments, and the public comment portion of the hearing was closed.

Manager Baker addressed the Board.

Discussion ensued during which Manager Baker, Director Cottom, and Attorney Tom responded to Commissioners' questions and comments.

Commissioner Baker moved to approve the Alpine West Planned Development Final Plan for Applicant Stackhaus LLC, Alex Telthorst Managing Member located at 15750 County Road 306, Buena Vista, which is **RESOLUTION 2024-53 APPROVING THE ALPINE WEST FINAL PLANNED DEVELOPMENT PLAN**, incorporating any additional amendments that are being required by on our discussion here at this meeting today and understanding that the planning department has adequate information to incorporate these amendments. Manager Baker stated that he believes so.

Manager Baker responded to Commissioner Baker's question stating that the Planning Department could bring the Development Agreement to the Commissioners if this Resolution is approved and concurred with Commissioner Baker that it would be subject to legal review, senior staff and Planning Department.

Commissioner Felt seconded the motion. The motion carried unanimously.

At 10:57 a.m., the meeting recessed for a short break.

At 11:01 a.m., the meeting resumed.

5. Discuss Annexation Impact Report for Salida Quality Farms, LLC annexation - Lots 1 & 2, Meadowlark Subdivision Exemption - into the City of Salida - Miles Cottom

Director Cottom addressed the Board to open discussion regarding the Annexation Impact Report for Salida Quality Farms, LLC annexation - Lots 1 & 2, Meadowlark Subdivision Exemption into the City of Salida.

Discussion ensued.

Chair Wood asked for public comment at 11:02 a.m.

Public Comment was given by:

Molly Chilson, 7705 Meadowlark Dr., Salida.

Director Cottom, Attorney Tom, Chair Wood, and Administrator Reimer responded to Chilson's comment/request.

CCCF Executive Betsy Dittenber, Buena Vista.

Public Comment closed at 11:09 a.m.

Commissioner Felt moved to provide positive feedback to the City of Salida on their annexation

request; that we highlight both of the comments that were made, the importance of the project for the aging in place efforts and we also clearly highlight that this property and others that are apt to be annexed on the periphery of the City do intersect or come into close proximity with agricultural properties, and that we remain very dedicated to our Right to Ranch commitments; and that the letter we are providing is premised on them doing the same.

Commissioner Baker seconded the motion. The motion carried unanimously.

6. Discuss Annexation Impact Report for Triview/Chicago Ranch annexation into the Town of Buena Vista - Miles Cottom

Director Cottom addressed the Board to open discussion regarding the Annexation Impact Report for Triview/Chicago Ranch for the annexation into the Town of Buena Vista.

Attorney Tom spoke.

Chair Wood asked for Public Comment at 11:13 a.m.
There was no Public Comment, and Public Comment closed.

Discussion ensued.

Commissioner Baker moved to accept the Annexation Impact Report for Triview/Chicago Ranch for the annexation into the Town of Buena Vista. Commissioner Felt seconded the motion. The motion carried unanimously.

G. Convene as the Board of Equalization

At 11:15 a.m., the Board recessed as the Board of Commissioners and convened as the Board of Equalization.

1. Consider Abatement of Taxes for 130 Harrison Avenue, Buena Vista, for the 2021 & 2022 Tax Years - Rick Roberts / Nick Gibb
Assessor Roberts addressed the Board to consider abatement of taxes for 130 Harrison Ave., Buena Vista, for the 2021 and 2022 tax years.

Brenda Fearn representing Sterling Property Tax Specialists as agent for property owner addressed the Board.

Discussion ensued during which Fearn, County Appraiser Gibb, and Assessor Roberts responded to Commissioners' questions.

Attorney Tom spoke.

Discussion continued during which Assessor Roberts, Appraiser Gibb, and Fearn responded to Commissioners' comments and questions.

Commissioner Baker moved to approve the assessor's valuation of taxes for 130 Harrison Avenue, Buena Vista, for the 2021 & 2022 tax years, and therefore deny the request for abatement of taxes. Commissioner Felt seconded the motion. The motion carried unanimously.

At 11:43 a.m., the Board adjourned as the Board of Equalization and reconvened as the Board of Commissioners.

H. 10:30 - Executive Session

1. Executive Session to receive legal advice on specific legal questions regarding water issues related to the Bale Ditch pursuant to C.R.S. § 24-6-402(4)(b) - County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Finance Director Dan Short, Planning Director Miles Cottom, Deputy County Attorney Lynda Knowles, and County Attorney Daniel Tom, and outside water counsel David Shohet may attend.

Chair Wood addressed the Board to enter into executive session pursuant to § 24-6-402(4)(b), C.R.S. for the purpose of receiving legal advice on specific legal questions regarding water issues related to the Bale Ditch.

Commissioner Baker moved to go into executive session pursuant to § 24-6-402(4)(b), C.R.S. for the purpose of receiving legal advice on specific legal questions regarding water issues related to the Bale Ditch.

He stated that Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom will attend, and Deputy County Attorney Lynda Knowles, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, Planning Director Miles Cottom, and outside water counsel David Shohet may attend.

Commissioner Felt seconded the motion. The motion carried unanimously.

Attorney Tom stated that this executive session would constitute privileged attorney-client communications and no further recording of the executive session would be necessary.

The following persons were in attendance for executive session: Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, Planning Director Miles Cottom, and outside water counsel David Shohet.

The Commissioners moved into executive session at 11:44 a.m.

The Commissioners came out of executive session at 11:55 a.m. with no decisions being made.

I, Daniel Tom, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on August 6, 2024 constituted privileged attorney-client communication.

Daniel Tom

Daniel Tom, Chaffee County Attorney

I, P. T. Wood, 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 August 6, 2024 were confined to the topic described in the announcement of such session and authorized by the provisions of § 24-6-402(4)(b), C.R.S.



P. T. Wood, Chair

Chair Wood 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, Chair Wood stated that there was no more business to come before the Board and if there were no objections, the meeting is adjourned.

I. Active Projects

J. Adjourn

There being no objections, the meeting was adjourned at 11:55 a.m.

Attest:



Lori Mitchell, County Clerk