



Chaffee County Commissioners Meeting
November 19, 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 November 19, 2024, at the Buena Vista Community Center. Board members present were Chair P. T. Wood, Commissioner Keith Baker, and Commissioner Greg Felt.

Others present in person were County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, Interim County Attorney Lynda Knowles, Planning Director Miles Cottom, Planner Nick Gomer, and Commissioners-Elect Gina Lucrezi and Dave Armstrong.

Others present remotely were Planning Manager Garry Baker, Planner Brandon Wolff, Assessor Rick Roberts and Commercial Appraiser Nick Gibb (item F.1. only), Weed Department Supervisor Kayla Malone (items G.1. (1:15-1:22 p.m. only) and H.1. only) and Deputy County Clerks Kit Kuester and Barbara Tidd.

1. Pledge of Allegiance
Following the Pledge of Allegiance, Chair Wood called the meeting to order at 9:00 a.m.
2. Approve Agenda
Commissioner Baker moved to approve the Agenda as published. 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 Wood asked for public comment *not* related to the Land Use Code update or any other item that is *not* on the Agenda. 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 November 12, 2024 Regular Meeting
Commissioner Felt moved to approve the minutes of the November 12, 2024 Commissioners' regular meeting. Commissioner Baker seconded the motion. The motion carried unanimously.

C. Consent Agenda

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

1. Pay the Bills
2. Approve the 2025 Holiday Schedule as Discussed at the November 18, 2024 Work Session
3. Acknowledge the Treasurer's Monthly Report for October 2024
4. Approve Letter of Support for Colorado Mountain College to Apply for the Colorado Opportunity Scholarship Initiative (COSI) Matching Students Scholarship (MSS) Program 2024-25 Allocation - Marjorie Lear, CMC

D. Contracts/Grant Consideration

1. Engagement of Sullivan Green Seavy Jarvis LLC for legal services in connection with Case No. 2024CA001593 *Brown v Chaffee County* - Lynda Knowles

Attorney Knowles addressed the Board to consider the engagement of Sullivan Green Seavy Jarvis LLC for legal services in connection with Case No. 2024CA001593 *Brown v. Chaffee County*.

Commissioner Felt moved to approve the engagement of Sullivan Green Seavy Jarvis LLC for legal services in connection with Case No. 2024CA001593 *Brown v. Chaffee County*. Commissioner Baker seconded the motion. The motion carried unanimously.

2. Engagement of Fairfield & Woods, P.C. to serve as Special Land Use Counsel for Chaffee County - Lynda Knowles, Miles Cottom

Attorney Knowles addressed the Board to consider the engagement of Fairfield & Woods, P.C. to serve as Special Land Use Counsel for Chaffee County.

Commissioner Baker moved to approve the engagement of Fairfield & Woods, P.C. to serve as Special Land Use Counsel for Chaffee County. Commissioner Felt seconded the motion. The motion carried unanimously.

E. Regular Agenda Items

1. **Public Hearing** - Annual Review of the Renewal Music Festival - Miles Cottom & Nick Gomer
Chair Wood opened the Public Hearing regarding the annual review of the Renewal Music Festival.

Planner Gomer addressed the Board regarding the annual review of the Renewal Music Festival. Gomer stated that a Renewal Music Festival in 2025 will not be pursued. Gomer responded to Commissioner's questions.

Town of Buena Vista Special Events Coordinator Annie Carlson addressed the Board and provided her comments in writing to the Board.

Carlson and Director Cottom responded to Commissioner's questions.

Buena Vista Police Chief Dean Morgan addressed the Board.

Discussion ensued.

Applicant Scotty Stoughton, Steamboat Springs, addressed the Board.
Event Director Mike Welle, Steamboat Springs, addressed the Board.

Commissioner Baker spoke.

The public comment portion of the hearing opened at 9:37 a.m.

Public comments were given by:

Barbara Seeling, 29275 County Road 358a, Buena Vista.
Commissioners commented and responded to Seeling's question.
Stoughton responded to Commissioner's question.
Commissioner Wood commented.

Betsy Dittenber, Chaffee County Community Foundation Executive Director and as a personal citizen, P.O. Box 492, Buena Vista.

The public comment portion of the hearing closed at 9:43 a.m.

Dittenber responded to Commissioner's question.
Commissioner Baker commented.

Commissioner Baker moved to accept the Staff Report of the Renewal Festival 2024 Annual Review as presented. Commissioner Felt seconded the motion. The motion carried unanimously.

2. **Consider a Special Event Permit**

Name of Event: Campout for the Cause

Applicant: Bonfire Entertainment

Location of Event: The Hutchinson Ranch, 6700 Old Corral Road, Salida

Date of Event: July 24-26th, 2025

Maximum # of Attendees: 2,000 plus 200 staff

Planners: Nick Gomer/ 719.530.5571 / ngomer@chaffeecounty.org

Planner Gomer addressed the Board to consider a multi-year (through 2029) Special Event Permit for Campout for the Cause submitted by Applicant Bonfire Entertainment.

Chair Wood spoke.

Stoughton addressed the Board during which Chair Wood commented.

Art Hutchinson, 6700 Old Corral Rd., Salida, addressed the Board.

Chair Wood asked for public comments.

The public comment portion of the hearing opened at 10:00 a.m.

Jake Rishavy, on behalf of the Chaffee County Economic Development Corp. Public Policy Committee, 123 G St., Salida.

Robin Vega, on behalf of the Coaltrain Music Academy, 518 Cedar St., Buena Vista.

The public comment portion of the hearing closed at 10:04 a.m.

Discussion ensued.

Commissioner Baker moved to approve **RESOLUTION 2024-77 CONDITIONALLY GRANTING A REQUEST FOR A MULTI-YEAR SPECIAL EVENT PERMIT SUBMITTED BY BONFIRE ENTERTAINMENT FOR A MULTI-DAY FESTIVAL KNOWN AS THE “CAMPOUT FOR THE CAUSE” TO BE HELD AT A LOCATION IN CHAFFEE COUNTY COLORADO KNOWN AS THE “HUTCHINSON RANCH”** with the addition of requirements to coordinate with the municipalities of Salida and Poncha Springs and add the annual review, and correct Holmes Ave. to be Holman Ave. Commissioner Felt seconded the motion. Chair Wood clarified that the Board's approval would be conditional upon approval of the events by the municipalities. The motion carried unanimously.

The Board of Commissioners recessed at 10:14 a.m.

F. Convene as the Board of Equalization

The Board of Commissioners convened as the Board of Equalization at 10:15 a.m.

1. Consider Abatement of Taxes for 212 N Colorado Avenue, Buena Vista, for the 2023 Tax Year - Rick Roberts / Nick Gibb

Assessor Roberts addressed the Board to consider abatement of taxes for 212 N. Colorado Avenue, Buena Vista, for the 2023 Tax Year.

Chair Wood asked if Applicant was present to speak. Applicant was not present.

Commissioner Felt moved to deny the abatement of taxes for 212 N. Colorado Avenue, Buena Vista, for the 2023 Tax Year. Commissioner Baker seconded the motion. The motion carried unanimously.

At 10:17 a.m., the Board adjourned as the Board of Equalization and reconvened as the Board of Commissioners.

The meeting recessed for a short break at 10:17 a.m.

I. 10:00 am - Public Hearing

The meeting resumed at 10:26 a.m.

1. Continued from November 12, 2024 -
Public Hearing to Consider Adoption of the Chaffee County Land Use Code as part of the Chaffee County Land Use Code Rewrite Project

Chair Wood spoke.

Director Cottom addressed the Board and public.

Commissioners spoke.

Chair Wood opened the Public Hearing to consider adoption of the Chaffee County Land Use Code as part of the Chaffee County Land Use Code Rewrite Project. He asked that comments not be repetitive, and that if you want to reiterate what was said previously, merely say that.

The public comment portion of the hearing opened at 10:40 a.m.

Public comments were given by:

Jodianna Reese, 16115 County Rd. 306, Buena Vista.

[name and address not provided] stated she lives at 3 Bar J, County Rd. 384, Buena Vista.
Commissioners and Director Cottom commented.

Tom McCracken, 16165 Burt Gulch Rd., Buena Vista.
Chair Wood commented.

Brian O'Connell, 30245 County Road 352b, Buena Vista.

Sig Jaastad, 19605 County Rd. 343, Buena Vista.

Mary Kale, 30499 Stampede Run, Buena Vista.
Commissioners responded to Kale's questions.

Danielle West, 26828 County Rd. 313, Johnson Village/Buena Vista.

Blane Clark, 16100 Pine Grove Pkwy., Buena Vista.
Chair Wood commented.

Dennis Heap, 141 N. Sangre de Cristo Ave., Buena Vista.

Gary Olson, 17151 County Rd. 240f, Salida.
Director Cottom responded to Commissioner's question.

Caroline Mahoney, 83 Kathy Dr., Buena Vista, commented on behalf of herself personally.
Chair Wood and Director Cottom responded to Mahoney's questions. Commissioner Baker commented.

Jim Thompson, 17065 County Rd. 338, Buena Vista.

Eric Warner, 9707 County Rd. 163, Salida.

John Shaw, 7381 County Rd. 221, Salida.

Jeff Keidel, 209 S. Colorado Ave., Buena Vista. Re: LUC Sec. 3.6.3.2

Mark Kostelic, 11025 Hwy. 291, Salida.

Mary Kale, 30499 Stampede Run, Buena Vista.

Chair Wood and Administrator Reimer responded to Kale's questions.

Director Cottom concurred with Chair Wood's response.

Commissioners Felt and Baker commented.

Commissioner Felt responded to Commissioner Baker's question.

Doug Abbott, 129 Grouse Rd., Buena Vista. re: property on Wood Duck Way on Ice Lake Re: LUC Sec. 3.6.2.

Chair Wood responded to Abbott's question.

Simone Meyer, 129 Grouse Rd., Buena Vista.

Chair Wood responded to Meyer's questions.

Commissioner Felt commented.

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

Chair Wood responded to Seeling's comment.

Commissioner Felt commented.

Seeling commented further.

Commissioner Baker commented.

Seeling commented further.

Chair Wood commented.

The public comment portion of the hearing closed at 12:11 p.m.

Chair Wood closed the Public Hearing at 12:11 p.m.

Discussion ensued during which Director Cottom responded to Commissioners' questions/comments and Attorney Knowles and Commissioners-Elect Lucrezi and Armstrong commented.

Commissioner Baker moved to approve **RESOLUTION 2024-78 ADOPTING A NEW CHAFFEE COUNTY LAND USE CODE AND ZONING MAP** including the amendments we have made here in this discussion, the ones amplifying, clarifying paragraph 4. about periodic reviews and the two changes to the zoning map.

Commissioner Felt seconded the motion. The motion carried unanimously.

Director Cottom responded to Commissioner's question clarifying that the Resolution regarding short-term rentals is incorporated as Appendix L to the Land Use Code.

Commissioner Felt moved to approve **RESOLUTION 2024-79 ADOPTING REGULATIONS CONCERNING THE LICENSING AND OPERATION OF SHORT-TERM RENTALS IN UNINCORPORATED CHAFFEE COUNTY**. Commissioner Baker seconded the motion. The motion carried unanimously.

Chair Wood stated that the repeal of the moratorium will occur on January 1, 2025, the date of

implementation of the New Land Use Code.

Cottom clarified that no *new* Land Use Applications will be accepted until January 1, 2025, except for certificates of zoning compliance for residential uses that are new homes or ADUs or for anyone who has scheduled a pre-application conference prior to today's adoption; that boundary line adjustments are on hold; and there are two items to come before the Planning Commission and Board before the January 1, 2025 effective date, i.e., finalizing the Application Materials Manual and the Engineering Criteria Manual.

Cottom responded to Commissioners' questions regarding electronic applications and permitting.

The meeting recessed at 12:47 p.m.

G. Executive Session

The meeting resumed at 1:03 p.m.

1. Enter into Executive session under C.R.S. §24-6-402(4)(b) for purposes of receiving legal advice on specific legal questions and strategy involving Hill Ranch - County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Finance Director Dan Short, Planning Director Miles Cottom, and Deputy County Attorney Lynda Knowles, and outside 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 and strategy involving Hill Ranch.

Commissioner Felt 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 and strategy involving Hill Ranch. He stated that Commissioners Baker, Felt, and Wood and Interim County Attorney Lynda Knowles will attend, and outside counsel David Shohet, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, and Planning Director Miles Cottom may attend. Commissioner Baker seconded the motion. The motion carried unanimously.

Attorney Knowles 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 are in attendance for executive session: Commissioners Baker, Felt, and Wood and Interim County Attorney Lynda Knowles, outside counsel David Shohet, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, and Planning Director Miles Cottom. Weed Department Supervisor was present from 1:15 p.m. to 1:22 p.m.

The Commissioners moved into executive session at 1:04 p.m.

The Commissioners came out of executive session at 1:22 p.m. with no decisions being made.

I, Lynda Knowles, Interim Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on November 19, 2024 constituted privileged attorney-client communication.

Lynda Knowles

Lynda Knowles, Interim 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 November 19, 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 moved on to Agenda Item H.1.

H. Regular Agenda Items, Continued

1. Discuss Hill Ranch Settlement Agreement and Revegetation Plan update and amendment proposal - Commissioner Felt; Don Reimer

Chair Wood addressed the Board to discuss the Hill Ranch Settlement Agreement and Revegetation Plan update and amendment proposal.

Administrator Reimer spoke.

Paul Flack, Contractor for Pueblo West at Hill Ranch, spoke.

Administrator Reimer spoke further.

Supervisor Malone spoke, and Administrator Reimer responded to Malone's question.

Administrator Reimer spoke further followed by Supervisor Malone, Commissioner

Felt, Flack, Commissioner Felt, Attorney Knowles, and Administrator Reimer.

Pueblo West Metropolitan District Board of Directors Chair Doug Proal spoke and responded to Commissioner Felt's question.

Discussion ensued.

Malone spoke followed by Ken McMurry and Brett McMurry.

Administrator Reimer indicated that if we can get a fully restated/amended/incorporated/re-engrossed document, that will be for reference, whereas the October 7, 2024 or last clean version of the Second Amendment to the Hill Ranch Settlement Agreement and Revegetation Plan would be the final legal document for approval and signing.

No formal action was taken other than by consensus to direct staff to put this on the December 5, 2024 agenda, for consideration of final approval of the document(s) as has been presented, including authorizing the Chair to sign following final adoption by Pueblo West Metropolitan District.

Discussion continued.

J. Adjourn

There being no objections, the meeting was adjourned at 1:54 p.m.

Attest:

A handwritten signature in cursive script that reads "Lori Mitchell". The signature is written in dark ink on a light-colored background.

Lori Mitchell, County Clerk