Chaffee County Commissioners Meeting  
September 5, 2017

The regular meeting of the Board of Commissioners was held on Wednesday, September 5, 2017 at the SteamPlant Event Center in Salida. Board members present were Chairman Dave Potts, Commissioner Keith Baker, and Commissioner Greg Felt.

Others present were Director of General Administration Bob Christiansen, Director of Finance Dan Short, County Attorney Jennifer Davis, Planning Manager Jon Roorda, Development Services Director Dan Swallow, Planner Christie Barton, Administrative Assistant Patty Baldwin and County Clerk Lori Mitchell.

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

Public Notices  
The Board reviewed the Public Meeting List.

Public Comment  
There were no public comments.

Agenda Item A  
Report from the County Sheriff

Agenda Item B  
Contract/Grant Consideration

- Federal Highway Administration Federal Lands Highway Agreement re: Conduit Install over Cottonwood Pass to Gunnison County. (Director of Administration Christiansen)
- Memorandum of Understanding for Prequalified Building Departments for Public School Construction. (Administrator Christiansen)

Commissioner Felt moved to approve the Federal Highway Administration Federal Lands Highway agreement regarding the Conduit Install over Cottonwood Pass to Gunnison County. Commissioner Baker seconded the motion. The motion carried unanimously.

Commissioner Baker moved to approve a Memorandum of Understanding for Prequalified Building Departments for Public School Construction. Commissioner Felt seconded the motion. The motion carried unanimously.

*Agenda Item H  
Request for an extension of time to record the plat until October 2, 2017 on the Ehrler lot line elimination.
Planner Barton outlined the request. Commissioner Felt moved to approve the request for an extension of time to record the plat until October 2, 2017 on the Ehrler lot line elimination. Commissioner Baker seconded the motion. The motion carried unanimously.

*Agenda Item L
Appoint member to the UAS Advisory Board.

Director Christiansen reported that Patty Arthur has been recommended to fill a vacancy on the UAS Advisory Board. Commissioner Baker moved to approve Patty Arthur fill the vacancy on the UAS Board. Commissioner Felt seconded the motion. The motion carried unanimously.

Agenda Item C
9:15 a.m. Public Hearing – To consider a request for an Agricultural Subdivision Exemption.
Applicant: Karin Adams Location: 11460 County Road 140, Salida Zone: Rural and Commercial Request: To divide 82.91 acres into two lots of 3.46 acres and 79.45 acres.

Planner Barton gave the staff report.

Applicant Karin Adams addressed the Board.

The Board held discussion.

Commissioner Baker moved to approve the request for an Agricultural Subdivision Exemption for applicant Karin Adams for property located at 11460 County Road 140, Salida, with the four conditions and findings indicated in the staff report. Commissioner Felt seconded the motion. The motion carried unanimously.

Agenda Item D
9:30 a.m. Public Hearing – To consider a request for a fee waiver for a Special Event Permit for the 13th Annual Vapor Trail 125 to be held September 9 and 10, 2017.

Shawn Gillis, Absolute Bikes, representing the Vapor Trail 125, described the race to the Board. Commissioner Felt moved to approve the fee waiver for the Vapor Trail 125 race to be held on September 9th and 10th. Commissioner Baker seconded the motion. The motion carried unanimously.

Agenda Item E
Consider a request from Martin Perry for a Boundary Line Adjustment. Property is located in a Lots 11 & 12, Ute Heights Subdivision.

Planner Barton gave the staff report. Commissioner Felt moved to approve the request from Martin Perry for a Boundary Line Adjustment at property located in located in Ute Heights Subdivision, lots 11 and 12. Commissioner Baker seconded the motion. The motion carried unanimously.
Agenda Item F
Consider Addendum to Subdivision Improvement Agreement for the Estates at Mt. Princeton, Phase I Subdivision.

Amanda Krost, representing Princeton Holdings, addressed the Board and answered questions. Karin Adams, also representing Princeton Holdings, answered questions from the Board.

Patty Baldwin, Board Administrative Assistant, made a suggestion to the Board that they allow extensions of two years.

Commissioner Felt moved to approve extending the addendum for an additional two years for the Estates at Mt. Princeton, Phase I Subdivision, and thereby Mt. Princeton will incur a fee of $20 per lot. Commissioner Baker seconded the motion. The motion carried unanimously.

Agenda Item G
Consider a request for release of Lot Sales Restriction and requirement for a new subdivision improvements agreement for the Westwinds Subdivision for lots 35 – 45 Filing 3 and Lots 47, 48, 52- 55, Filing 4.

Manager Roorda gave the staff report.

Commissioner Baker moved to instruct staff to negotiate and obtain the best security possible for the County. Commissioner Felt seconded the motion. The motion carried unanimously.

*Agenda Item I
Consideration of recommendation from the July 25, 2017 Planning Commission Meeting (see attached) with regard to the following matter: (Continued from the August 15, 2017 meeting)
- Remove Section 4.2.6 Temporary Uses.
- Add wording to Section 4.2.7 Special Events allowing three special events per year.

County Attorney Davis described how the sections were restructured.

Commissioner Baker moved to approve Resolution 2017-54 removing section 4.2.6 Temporary Uses and add wording to Section 4.2.7 Special Events allowing three special events per year, to the Chaffee County Land Use Code. Commissioner Felt seconded the motion. The motion carried unanimously.

Agenda Item J
Consider resolution regarding updates to the following sections of the Chaffee County Land Use Code, approved at the August 8, 2017 meeting of the County Commissioners: Sections 7.8.22.A, 4.2.3.B, 7.8.6.C.1, 6.2.8 and Table 2.1

Commissioner Felt moved to approve Resolution 2017-55 updating the Chaffee County Land Use Code. Commissioner Baker seconded the motion. The motion carried unanimously.
Agenda Item K
Consider 2017 Intersection and Corridor Priority Submission Form.

Director Christiansen gave background information on previous priority lists.

The Board held discussion. Director Christiansen will incorporate the Boards recommendations into the letter and send it in.

*Agenda Item M
Appoint member to the Colorado Counties, Inc. (CCI) 2017 Legislative Committee.

Commissioner Felt moved to appoint Commissioner Keith Baker to the Colorado Counties, Inc. 2018 Legislative Committee. Chairman Potts seconded the motion. The motion carried unanimously.

Agenda Item N
Letter of support for Colorado Central Telecom grant application.

Commissioner Felt moved to send a letter of support for Colorado Central Telecom grant application. Commissioner Baker seconded the motion. The motion carried unanimously.

Consent Agenda:
  ❖ Pay Bills

Commissioner Felt moved to pay bills. Commissioner Baker seconded the motion. The motion carried unanimously.

The Board recessed at 11:05 a.m.

The Board reconvened at 1:30 p.m.

1:30 p.m. - Public Hearing – Major Impact Review - Name of Applicant: ACA Products/Frank Holman Location: 14110 County Road 140, Salida. Zone: Rural Request: Surface mining of construction aggregates. This is a continuation of the public hearing held on June 19 and continued to June 20, June 21 and June 27, such continuation approved to allow analysis of the remaining issue of whether there can be adequate access to and from the proposed pit as required by Section 7.1.1 the Chaffee County Land Use Code (LUC), and impacts of the proposed new access in light of the of applicable standards set forth in Article 7 of the Land Use Code. As a result of the applicant’s proposed change to the access plan for the proposed pit, public testimony will be limited to input on the new proposed access plan. No other public testimony will be taken at this meeting.

This Public Hearing is a continuation a meeting which began on June 19, 2017.
Manager Roorda read the staff report. The Applicant has amending their application with a new proposed access point for the gravel pit.

Sheila Moore, ACA Products, addressed the Board and stated that the new Haul Road will be constructed to MSHAW Standards.

Thomas Moltz, ACA Products, addressed the Board regarding MSHAW Standards.

The Board held discussion.

The Chairman asked for Public Testimony and noted that testimony will be restricted to the new proposed access plan.

Tom Sisek, 8977 Amherst Trail, Salida, made comments about US Highway 50 access.

Richard Chick, 501 County Road 101, Salida, made comments about US Highway 50 access.

The Board held discussion.

Harry Brule, 8057 Buck Run, Salida, thanked applicant for the new proposed road as it will make the other County Roads safe for cyclists.

Wendy Gorie, 13656 Hidden Valley Lane, Salida, requested that the Board, if the pit is approved, restrict the size of the pit to 27.76 acres in perpetuity.

Luz Diaz-Porter, 8801 Antlers Trail, Salida, asked questions and the Board and staff replied.

Terry Porter, 8801 Antlers Trail, Salida, made comments about safety on roads.

Sherry Holman, Applicant, 14110 County Road 140, addressed the Board and responded to comments.

John Haggerty, 1515 Wynkoop, Denver, attorney representing homeowners, made remarks regarding the new access road.

Mark Anderson, 1127 Ouray, Poncha Springs, made comments about the traffic study.

Frank Holman, Applicant, 14110 County Road 140, commented that the new proposed road will only cross one ditch.

Chairman Potts closed the public testimony portion of the meeting at 3:37 p.m.

The Board recessed at 3:37 p.m.

The Board went into deliberation at 3:49 p.m.
Chairman Potts moved to approve the application as amended on July 20, 2017 allowing the applicants to construct a haul road to MSHAW standards which will intersect with US Highway 50 with the following conditions that need to be met:

1. Section 7.1.1 of the LUC regarding adequate access and demonstration that the land use change considers the natural terrain, drainage, unusual rock formations, lakes, rivers, streams, existing topsoil and vegetation, including tree masses and large individual trees, through methods used to mitigate impacts to unique natural features with respect to the proposed access.

2. Section 7.1.3 C of the LUC requiring a valid State Highway permit, and County access permit and that all new accesses be constructed in conformance with the Chaffee County Road Standards, and shall be reviewed by the County Road and Bridge Department.

3. Section 7.1.6 of the LUC regarding wildlife habitat areas with respect to the proposed access.

4. Section 7.1.7 of the LUC regarding erosion and sedimentation with respect to the proposed access.

5. Section 7.2.3.C of the LUC regarding operational characteristics.

6. Section 7.2.3.F of the LUC regarding riparian areas with respect to the proposed access and the North Fork Ditch.

7. Section 7.2.5 of the LUC regarding reclamation and noxious weed control.

8. Section 7.2.6 of the LUC regarding storm water run-off.

9. Section 7.2.7 of the LUC regarding water quality.

10. Section 7.8.23 of the LUC regarding compliance with state and federal regulations relating to mining, air quality, water quality and water law, storm water and reclamation.

Commissioner Felt seconded the motion. On the question the motion passed unanimously.

The Chairman adjourned the meeting at 4:50 p.m.

Attest:

Lori Mitchell, County Clerk