



Chaffee County Commissioners Meeting
June 24, 2021

Due to the COVID-19 pandemic and State and County safer-at-home orders, these minutes have been taken remotely via Zoom meeting. Some County staff, representatives from other governments and government agencies, and others from the public attend, including participating in the public hearing portion of the meeting, remotely via Zoom meeting as well.

A. Call to Order

The special meeting of the Board of Commissioners was held on June 24, 2021, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker, Chairman Greg Felt, Commissioner Rusty Granzella.

Others present in person were County Attorney Jennifer Davis, Deputy County Attorney Daniel Tom, Public Affairs Officer Beth Helmke, and IT Ethan Smith.

County Clerk Lori Mitchell was present remotely.

1. **Pledge of Allegiance**

Following the Pledge of Allegiance, Chairman Felt called the meeting to order at 9:02 a.m.

B. Convene as 1041 Permit Authority

The Board of Commissioners recessed as the Board of Commissioners at 9:02 a.m. and convened as the 1041 Permit Authority at 9:02 a.m.

1. **Public Hearing - Continued from June 15, May 18, May 4, April 20, March 16, February 16, 2021 and originally continued from December 15, 2020 - Applicant:** Nestle Waters North America Inc. **Location:** 12974 Hwy 24/285, Johnson Village, 22565 and TBD CR 300, Nathrop, lying in the S1/2 NE1/4, SE1/4 NW1/4, W1/2 SE1/4, and the SE1/4 SE1/4, all in Section 11, Township 15 South, Range 78 West of the 6th P.M. **Zones:** Commercial and Rural **Request:** Ten (10) year extension of an existing 1041 Permit for a spring water production process, and associated transmission pipeline and loading facility.

All documents regarding this hearing may be found on the Chaffee County Public Notice website at <http://www.chaffeecounty.org/Public-Notices>.

Chair Felt addressed the Board to introduce this continued hearing and provide a status as to the 1041 Permit Authority's (Permit Authority) review of the 1041 standards in connection with this permit. Attorney Davis spoke.

The Permit Authority deliberated reviewing the 1041 standards during which Attorney Davis spoke.

The meeting recessed for a short break at 10:22 a.m. The meeting resumed at 10:37 a.m.

Deliberations continued during which Attorney Davis spoke and responded to the Permit Authority's

questions.

It was suggested that the Permit Authority move into executive session at 12:30 p.m. and the special meeting of the Permit Authority would resume at 1:00 p.m.

Commissioner Granzella moved to recess the special meeting at 12:13 p.m., then go into executive session at 12:30 p.m., and plan to resume the public portion of the meeting at 1:00 p.m.

Commissioner Baker seconded the motion. The motion carried unanimously.

Attorney Davis stated that this executive session is under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on legal questions involving the 1041 process and procedure as well as legal questions concerning proposed conditions on the 1041 application before the Permit Authority Board. This portion of the meeting would constitute attorney-client communication, and no further recording of this portion of the meeting would be required.

Commissioners Keith Baker, Rusty Granzella, and Greg Felt, and County Attorney Jennifer Davis will attend. Deputy County Attorney Daniel Tom may also attend.

The Board of Commissioners came out of executive session at 1:15 p.m. with no decisions being made.

I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on June 24, 2021 constituted privileged attorney-client communication.

Jennifer A. Davis, Chaffee County Attorney

I, Greg Felt, Chairman of the Chaffee County Board of County Commissioners acting as the 1041 Permit Authority, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on June 24, 2021 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

Greg Felt, Chairman

The special meeting of the Permit Authority resumed at 1:20 p.m.

Commissioners spoke.

Commissioner Granzella moved to continue this hearing to July 6, 2021, at the end of the Agenda, not before 11:00 a.m. Commissioner Baker seconded the motion. The motion carried unanimously.

The Board adjourned as the Permit Authority at 1:24 p.m. and reconvened as the Board of Commissioners at 1:24 p.m.

Commissioner Baker shared some updates followed by Commissioner Granzella.

C. Adjourn

Commissioner Granzella moved to adjourn the meeting. Commissioner Baker seconded the motion. The motion carried unanimously. The meeting was adjourned at 1:32 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