Chaffee County Commissioners Meeting
August 2, 2022

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 2, 2022, at the Chaffee County Courthouse. Board members present were Commissioner Keith Baker, Chairman Greg Felt, Commissioner Rusty Granzella.

Others present in person were Director of General Administration Bob Christiansen, Director of Finance Dan Short, County Attorney Daniel Tom, Assistant County Attorney Miles Cottom, Public Affairs Officer (PAO) Beth Helmke, Assessor Brenda Mosby (item E.1 only), Administrative Assistant Brandy Coscarella (item E.1 only), and Development Engineer Gary Greiner.

Others present remotely were Principal Planner Greg Laudenslager, Emergency Manager Rich Atkins, and Deputy County Clerk Barbara Tidd.

1. Pledge of Allegiance

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

2. Approve the Agenda

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

3. Review Public Meeting List

   The Board reviewed the public meeting list.

4. Public Comment

   Public comment was given by:

   Al Seeling, 29275 County Rd. 358-A, Buena Vista, stated that he promised to tell the truth and spoke.

   Carle Linke, 32709 Columbia Ranch Rd., Buena Vista, stated that she promised to tell the truth and spoke.

B. Minutes for Approval

1. Approve the Minutes of the July 19, 2022 Regular Meeting

   Commissioner Baker moved to approve the minutes of the July 19, 2022 Commissioners' regular meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

C. ~9:15 a.m. - Contracts/Grant Consideration

1. Consider Recommendation for Little Cochetopa State Land Unit Service Work - Josh Kuehn, State Forest Service

   JT Shaver with the Colorado State Forest Service addressed the Board to consider a recommendation for the Little Cochetopa State Land Unit Service Work. Shaver responded to Commissioner's question.

   Commissioner Granzella moved to approve the recommendation for the Little Cochetopa State Land Unit Service Work, to approve CRS Timber Product's bid, direct legal to draft the contract, and authorize the Chair to sign. Commissioner Baker seconded the motion. The motion carried unanimously.

2. Award RW 6/24 Pavement Project as Recommended- Direct Legal to Draft the Contract with Signing Authority to the Board Chair - Papp

   Manager Papp addressed the Board to consider the award of the RW 6/24 Pavement Project as recommended and direct Legal to draft the Contract with signing authority to the Board Chair.

   Commissioner Granzella moved to award the RW 6/24 Pavement Project as recommended and direct Legal to prepare the draft Contract with signing authority to the Board Chair. Commissioner Baker seconded the motion. The motion carried unanimously.

3. Approve CDOT Aeronautics Grant Application and Resolution 2022-56 for State 22-ANK-02-Papp

   Manager Papp addressed the Board to consider approval of RESOLUTION 2022-56 APPROVING GRANT AGREEMENT (22-ANK-02) FROM THE COLORADO DEPARTMENT OF TRANSPORTATION, COLORADO AERONAUTICAL BOARD, DIVISION OF AERONAUTICS.

   Attorney Tom spoke.
   Manager Papp responded to Commissioner's question.

   Commissioner Granzella moved to approve RESOLUTION 2022-56 APPROVING GRANT AGREEMENT (22-ANK-02) FROM THE COLORADO DEPARTMENT OF TRANSPORTATION, COLORADO AERONAUTICAL BOARD, DIVISION OF AERONAUTICS. Commissioner Baker seconded the motion. The motion carried unanimously.

4. Approve National Cyber Intelligence Center (NCIC) Security Assessment Agreement

   Attorney Tom addressed the Board to consider approval of the Security Assessment Agreement between the County and National Cyber Intelligence Center d/b/a National Cybersecurity Center (NCC).

Commissioner Baker moved to approve the Security Assessment Agreement between the County and National Cyber Intelligence Center d/b/a National Cybersecurity Center (NCC) as presented. Commissioner Granzella seconded the motion. The motion carried unanimously.

D. ~9:45 a.m. - Consent Agenda

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

1. Approve Resolution 2022-55 Approving the Shaw Ranch Major Subdivision (Approved July 5, 2022)

2. Approve Resolution 2022-54 Approving Three Sixty West Minor Subdivision Final Plat (Approved July 12 2022)

3. Approve Resolution 2022-53 Denying the Chavara Ranch Major Subdivision Sketch Plan (Denied July 12 2022)

4. Approve the 2022 Emergency Management Performance Grant Funding And Resolution With The State Of Colorado, In Accordance With The Contract Received On July 14, 2022

F. Regular Agenda Items

1. **9:55 a.m. -**Consider the GARNA Special Event Liquor Permit Application
   Chair Felt addressed the Board to consider the GARNA Special Event Liquor Permit Application.

   Commissioner Granzella moved to approve the GARNA Special Event Liquor Permit Application. Commissioner Baker seconded the motion. The motion carried unanimously.

2. **10:00 a.m. -** Consider the Guidestone Special Event Liquor Permit Application
   Chair Felt addressed the Board to consider the Guidestone Special Event Liquor Permit Application.

   Commissioner Baker moved to approve the Guidestone Special Event Liquor Permit Application. Commissioner Granzella seconded the motion. The motion carried unanimously.

3. **10:05 a.m. -** Consider the Riverside Grill Retail Liquor or Fermented Malt Beverage License Renewal Application

   Chair Felt addressed the Board to consider the Riverside Grill Retail Liquor or Fermented Malt Beverage License Renewal Application.

   Attorney Tom responded to Commissioner's questions.

   Commissioner Baker moved to approve the Riverside Grill Retail Liquor or Fermented Malt Beverage License Renewal Application. Commissioner Granzella seconded the motion. The motion carried unanimously.

4. ~10:10 a.m. - Approve Resolution 2022-51 Bingham Plat Amendment (Approved July 5 2022)- *Continued from July 19 2022*

Chair Felt addressed the Board to consider RESOLUTION 2022-51 APPROVING A PLAT AMENDMENT FOR BINGHAM.

Attorney Cottom responded to Commissioner's question and stated that he will make a clerical revision regarding the numbering.

Chair Felt invited Shannon Bingham to speak. Bingham confirmed that he is comfortable with the resolution.

Commissioner Baker moved to approve RESOLUTION 2022-51 APPROVING A PLAT AMENDMENT FOR BINGHAM that was approved on July 5, 2022 as amended at the present meeting. Commissioner Granzella seconded the motion. The motion carried unanimously.

Attorney Cottom stated that for the record the Resolution will be titled AMENDED RESOLUTION 2022-51 to know that the changes discussed were made.

5. ~10:15 a.m. - Ratify the Letter of Support for Upper Arkansas Area Agency on Aging

PAO Helmke addressed the Board regarding ratifying the Letter of Support for Upper Arkansas Area Agency on Aging and responded to Commissioner's question.

Commissioner Baker moved to approve the Letter of Support for Upper Arkansas Area Agency on Aging. Commissioner Granzella seconded the motion. The motion carried unanimously.

8. Executive Session Under C.R.S. 24-6-402(4)(B) For Purposes Of Receiving Legal Advice On Specific Legal Questions Involving Active Litigation. County Attorney Tom, Assistant County Attorney Cottom, County Administrator Christiansen, Finance Director Short, And PAO Helmke May Also Attend.

Chair Felt addressed the Board to consider going into Executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions regarding active litigation.

County Attorney Cottom stated that this portion of the meeting would constitute attorney-client communication, and no further recording of this portion of the meeting would be required. Attorneys Cottom and Tom will attend. Directors Christiansen and Short and PAO Helmke may also attend.

Commissioner Baker moved to go into executive session. Commissioner Granzella seconded the motion. The motion carried unanimously.

The Board of Commissioners moved into executive session at 9:39 a.m.
The Board of Commissioners came out of executive session at 9:59 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 2, 2022 constituted *privileged attorney-client communication.*

Daniel Tom

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Daniel Tom, Chaffee County Attorney

I, Greg Felt, Chairman 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 2, 2022 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

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Greg Felt, Chairman

E. 9:50 a.m. - Convene as the Board of Equalization

The Board recessed as the Board of Commissioners at 10:01 a.m. and convened as the Board of Equalization at 10:01 a.m.

1. Consider The Referees' Recommendations From Property Tax Hearings

Chair Felt introduced this matter.
Assistant Coscarella responded to Commissioner's question.
Assessor Mosby addressed the Board to consider the Referees' recommendations from property tax appeals hearings.
Attorney Tom spoke and responded to Commissioner's question.
Assessor Mosby responded to Commissioners' questions and Attorney Tom spoke.

Commissioner Granzella moved to uphold the Referees' decision for Bus Stop BV LLC, uphold the Referees' decision for Elizabeth Dunn Riviere, and modify the Referees' denial and Assessor's value to read $335,714.53 for Roy Alan McDowell. Commissioner Baker seconded the motion. The motion carried unanimously. Commissioner Baker seconded the motion. The motion carried unanimously.

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

F. Regular Agenda Items

6. ~10:30 a.m. - Consider Ballot Measures on Lodging Tax Reallocation and Commissioner Term Limits

Chair Felt addressed the Board regarding ballot measures on Lodging Tax Reallocation and

Commissioner Term Limits.

Attorney Tom addressed the Board regarding the Lodging Tax Reallocation ballot measure.

The public comment portion of the hearing opened at 10:23 a.m. There were no comments, and the public comment portion of the hearing was closed.

Discussion ensued during which Attorney Tom spoke and responded to Commissioners' questions and PAO Helmke spoke.

By consensus, this matter will be continued to the August 16, 2022 meeting.

G. Active Projects

F. Regular Agenda Items

9. Executive Session Under CRS 24-6-402(4)(B) For Purposes Of Receiving Legal Advice On Legal Questions And Strategies Involving Personnel And Employment Matters; County Attorney Tom, Attorney Cottom, Administrator Christiansen, Finance Director Short, And Public Affairs Officer Helmke May Attend.

   Chair Felt addressed the Board to consider going into Executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions and strategies involving personnel and employment matters.

   County Attorney Tom stated that this portion of the meeting would constitute attorney-client communication, and no further recording of this portion of the meeting would be required. Attorneys Cottom and Tom will attend. Directors Christiansen and Short and PAO Helmke may also attend.

   Commissioner Granzella moved to go into executive session. Commissioner Baker seconded the motion. The motion carried unanimously.

   The Board of Commissioners moved into executive session at 10:57 a.m.
   The Board of Commissioners came out of this executive session with no decisions being made.
   See item F.7 for the continuing executive session.

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 2, 2022 constituted privileged attorney-client communication.

Daniel Tom

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Daniel Tom, Chaffee County Attorney

I, Greg Felt, Chairman 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 2, 2022 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).*

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Greg Felt, Chairman

7. Enter Into Executive Session Under CRS 24-6-402(4)(B) For Purpose Of Receiving Legal Advice On Specific Legal Issues Regarding The Bale Ditch, Attorneys Tom And Cottom, Water Counsel Dave Shohet, Bob Christiansen, Dan Short And Beth Helmke Will Attend.

Following item F.9, the Board remained in executive session under CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal issues regarding the Bale Ditch. This continued executive session constitutes attorney-client communication, and no recording of this portion of the meeting would be required.

Attorneys Tom and Cottom, Water Legal Counsel David Shohet, Directors Christiansen and Short, and PAO Helmke attended this executive session regarding the Bale Ditch.

The Board of Commissioners came out of executive session at 11:48 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 2, 2022 constituted privileged attorney-client communication.

Daniel Tom

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Daniel Tom, Chaffee County Attorney

I, Greg Felt, Chairman 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 2, 2022 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

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Greg Felt, Chairman

After the executive session, there was no other business, and the meeting was adjourned.

H. Adjourn

The meeting was adjourned at 11:49 a.m.

Attest:

Lori Mitchell

Lori Mitchell, County Clerk