



Chaffee County Commissioners Meeting
March 20, 2023

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 special meeting of the Board of Commissioners was held on March 20, 2023, at the Chaffee County Courthouse. Board members present were Chair Keith Baker, Commissioner Greg Felt, and Commissioner P. T. Wood.

Others present in person were Director of Finance Dan Short, Deputy Director of Administration Beth Helmke, County Attorney Daniel Tom, and County Sheriff John Spezze.

Present remotely was Deputy County Clerk Brandy Coscarella.

1. Pledge of Allegiance

Following the Pledge of Allegiance, Chair Baker called the meeting to order at 9:00 a.m.

2. Approve Agenda

Commissioner Wood moved to approve the Agenda. Commissioner Felt seconded the motion. The motion carried unanimously.

B. Executive Session

1. Executive Session to Receive Legal Advice On Specific Legal Questions Concerning Potential Litigation Matters, Pursuant to C.R.S. § 24-6-402(4)(b). County Attorney Tom, Deputy Director of Administration Helmke, Chaffee County Sheriff Spezze, And Finance Director Short May Also Attend

Chair Baker addressed the Board to enter into executive session for the purpose of receiving legal advice on specific legal questions concerning potential litigation matters pursuant to C.R.S. § 24-6-402(4)(b).

Commissioner Felt moved to go into executive session for the purpose of receiving legal advice on specific legal questions concerning potential litigation matters pursuant to C.R.S. § 24-6-402(4)(b). Commissioners Keith Baker, Greg Felt, P. T. Wood and County Attorney Daniel Tom will attend. Deputy Director of Administration Helmke, Chaffee County Sheriff Spezze, and Director of Finance Short may also attend.

Commissioner Wood seconded the motion. The motion carried unanimously.

Chair Baker asked Attorney Tom if this executive session also constituted privileged attorney-client communications. Attorney Tom stated that it does and recommended no further recording of the

executive session.

Attorney Tom also stated that he will ask for a motion for direction following the executive session.

Chair Baker stated that it is March 20, 2023 at 9:02 a.m., that he is Chair of the Board of Commissioners, that the Commissioners have voted to enter into executive session, that this executive session will not be electronically recorded because the County Attorney has determined that attorney-client privilege has been invoked. This executive session will be concerning legal advice on specific legal questions concerning potential litigation matters pursuant to C.R.S. § 24-6-402(4)(b).

The following persons are in attendance for executive session: Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, Director of Finance Dan Short, Deputy Director of Administration Beth Helmke, and Chaffee County Sheriff John Spezze.

Chair Baker cautioned each participant that all discussion must be confined to the stated purpose of the executive session, that no formal action may occur in the executive session, and that everything that occurs in this executive session is confidential and may not be disclosed to any outside parties.

The Commissioners moved into executive session at 9:02 a.m.

The Commissioners came out of executive session at 9:28 a.m. with no decisions being made.

Chair Baker stated that the executive session for purposes of discussing attorney-client privileged matters concluded at 9:28 a.m., and they returned to the open meeting which would be recorded. He stated that the participants in the executive session were Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, Director of Finance Dan Short, Deputy Director of Administration Beth Helmke, and County Sheriff John Spezze.

I, Daniel Tom, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on March 20, 2023 constituted privileged attorney-client communication.

Daniel Tom

Daniel Tom, Chaffee County Attorney

I, Keith Baker, 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 March 20, 2023 were confined to the topic described in the announcement of such session and authorized by the provisions of C.R.S. § 24-6-402(4)(b).

Keith Baker

Keith Baker, Chair

Chair Baker 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 Baker asked for a motion for direction to the County Attorney.

Commissioner Felt moved to direct staff-County Attorney to resolve the potential litigation. Commissioner Wood seconded the motion. The motion carried unanimously.

C. Adjourn

There being no further business to come before the meeting, Chair Baker asked for a motion to adjourn.

Commissioner Felt moved to adjourn the meeting. Commissioner Wood seconded the motion. The motion carried unanimously. The meeting was adjourned at 9:29 a.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