



Chaffee County Commissioners Meeting
April 11, 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 regular meeting of the Board of Commissioners was held on April 11, 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, Assistant County Attorney Lynda Knowles, and Assistant County Attorney/Planning Director Miles Cottom.

Present remotely was Deputy County Clerk Barbara Tidd.

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.

3. Review Public Meeting List

The Board reviewed the public meeting list.

4. Public Comment

Chair Baker asked for public comment on matters that are *not* on the Agenda.

He stated that if you want a response from staff or a member of the Board, to put your contact information on the Public Comment sign-up sheet.

He further stated that by giving public comment, you are agreeing to speak only what you know to be true, are going to follow normal rules of civility and conducting business in the public square, and have up to 3 minutes to speak. When called upon, please come to the mic and speak your name and address for the record. If you're online and wish to speak, please raise your hand.

Public Comment was given by:

Alyssa Boland, 440 Poncha Blvd., Salida, and Nancy Fay, 11003 County Rd. 185, Salida, for Salida Council for the Arts.

B. Minutes for Approval

1. Consider for Approval the Minutes of the April 4 2023 Regular Meeting

Commissioner Wood moved to approve the minutes of the April 4, 2023 Commissioners' regular meeting. Commissioner Felt seconded the motion. The motion carried unanimously.

C. Consent Agenda

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

1. Approve Request For Landfill Fee Waiver For Trash From The GARNA Clean Up Green Up Event On Saturday, May 20
2. Acknowledge End of Month Reports from Chaffee County Sheriff's Office
3. Approve Submission of FEMA EOC Grant for North-End Public Safety Complex project
4. Approve the Title V Operating Permit for the Chaffee Landfill

D. Hearing Consent Agenda - Agenda Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Agenda. These items, if approved, will include signing authority to the Chair of the Board on the related Resolution(s)

Chair Baker stated that these items are those that would normally require a hearing, but no public testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Agenda. These item(s), if approved, will include signing authority to the Chair of the Board on the related Resolution(s).

Chair Baker asked if anyone from the public wished to testify on this/these item(s): Florence-Garnet Boundary Line Adjustment.

There was no public comment.

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

1. Name of Project: Florence-Garnet Boundary Line Adjustment
Applicants: Madalyn Schmid & Alexander Nichols, and Charles Lindsey
Location: 15815 Garnet Mining Claim, Cleora Mining District and 5332 Florence Lode Mining Claim, Cleora Mining District
Zone: REC
Request: To adjust property lines that divide two adjacent mining claims in the Cleora Mining District. The Garnet Mining Claim would increase from 9.42 acres to 10.31 acres, and the Florence

Lode Mining Claim would decrease from 9.55 acres to 8.66 acres.
Planner: Greg Laudenslager, (719) 530-5571, glaudenslager@chaffeecounty.org

E. Regular Agenda Items

1. Consider Withdrawing Objection to Weber Ditch Change of Use

Attorney Tom addressed the Board to consider withdrawing the County's objection to the Weber Ditch Change of Use.

Commissioner Felt spoke. Attorney Tom spoke further.

Commissioner Felt moved to direct legal to withdraw the County's objection to the Weber Ditch Change of Use. Commissioner Wood seconded the motion. The motion carried unanimously.

The Board recessed as the Board of Commissioners at 9:17 a.m.

2. CONVENE AS Board of Health

The Board convened as the Board of Health at 9:17 a.m.

Consider for Approval **BOH RESOLUTION NO. BOH 2023-01 - Denying Application Pertaining To 16035 Jay Bird Lane, Buena Vista, Colorado, Denying A Variance To The Chaffee County Onsite Wastewater Treatment System Regulations And Water Supply Standards**

Chair Baker addressed the Board to consider **CHAFFEE COUNTY BOARD OF HEALTH BOH RESOLUTION NO. BOH 2023-01 DENYING APPLICATION PERTAINING TO 16035 JAY BIRD LANE, BUENA VISTA, COLORADO, DENYING A VARIANCE TO THE CHAFFEE COUNTY ONSITE WASTEWATER TREATMENET SYSTEM REGULATIONS AND WATER SUPPLY STANDARDS.**

Discussion ensued.

Commissioner Wood moved to approve **CHAFFEE COUNTY BOARD OF HEALTH BOH RESOLUTION NO. BOH 2023-01 DENYING APPLICATION PERTAINING TO 16035 JAY BIRD LANE, BUENA VISTA, COLORADO, DENYING A VARIANCE TO THE CHAFFEE COUNTY ONSITE WASTEWATER TREATMENET SYSTEM REGULATIONS AND WATER SUPPLY STANDARDS.**

Commissioner Felt seconded the motion. The motion carried unanimously.

The Board adjourned as the Board of Health at 9:20 a.m. and reconvened as the Board of Commissioners at 9:20 a.m.

F. Active Projects

E. Regular Agenda Items

3. Executive Session Under CRS 24-6-402(4)(b) and (4)(c) for the purpose of receiving legal advice on

specific legal questions and to receive specialized detail on a current investigation. County Attorney Tom, Assistant County Attorney Lynda Knowles, County Deputy Director of Administration Beth Helmke and Finance Director Dan 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) and (c). He stated that County Attorney Tom, Assistant County Attorney Lynda Knowles, Deputy Director of Administration Helmke, and Finance Director Short may also attend.

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) and (c). Commissioner Wood seconded the motion. The motion carried unanimously.

Attorney Tom stated that this executive session constituted privileged attorney-client communications, that no further recording of the executive session is necessary, and that he would not ask for direction from the Board following the executive session.

Chair Baker stated that it is April 11, 2023 at 10:02 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 for the purpose of receiving legal advice on specific legal questions and to receive specialized detail on a current investigation pursuant to C.R.S. §§ 24-6-402(4)(b) and (c).

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

The Commissioners moved into executive session at 10:03 a.m.

The Commissioners came out of executive session at 10:28 a.m. with no decisions being made.

Chair Baker stated that the executive session for purposes of discussing attorney-client privileged matters concluded at 10:28 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, Assistant County Attorney Lynda Knowles, Director of Finance Dan Short, and Deputy Director of Administration Beth Helmke.

I, Daniel Tom, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on April 11, 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 April 11, 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) and (c).



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 to adjourn.

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

G. Adjourn

Commissioner Wood moved to adjourn the meeting. Commissioner Felt seconded the motion. The motion carried unanimously. The meeting was adjourned at 10:30 a.m.

H. Jail Tour

Attest:



Lori Mitchell, County Clerk