



Chaffee County Commissioners Meeting
June 13, 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 June 13, 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 County Administrator Don Reimer, Deputy County Administrator Beth Helmke, Director of Finance Dan Short, County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, and County Clerk Lori Mitchell (Item D. 3. only)

Others present remotely were Planner Brandon Wolff and 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

Chair Baker stated that he understood that there is a change regarding Regular Agenda Item B.2. Attorney/Director Cottom stated that the Applicant requested that this item be moved to the June 20, 2023 meeting.

Commissioner Felt moved to approve the Agenda as amended. Commissioner Wood 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 stating that this is an opportunity for members of the public to express their views on topics that are *not* on the Agenda.

He stated that the Board does not take public comment on an item that is likely to come before the Board for a public hearing or a quasi-judicial decision and asked that the public not comment on such matters.

He stated that if you want a response from staff or a member of the Board, to please provide your contact information.

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 standards of decorum and conducting public business, 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:

Lori Cakamanian, 926 W Second St., Salida, regarding removal of the low head dam. (Allowed by Chair Baker)

Jennifer Harper, 308 Two Rivers Rd., Salida, regarding removal of the low head dam. (Allowed by Chair Baker)

Corey "Salty" Riggs, 218 ?? St., Salida (no address on Public Comment Sign Up Sheet; unintelligible on recording).

B. Minutes for Approval

1. Consider for Approval the Minutes of the June 6, 2023 Regular Meeting

Commissioner Wood moved to approve the minutes of the May 16, 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. Acknowledge the Chaffee County Sheriff's Office End of Month Report

D. Regular Agenda Items

1. Discuss Support for CPW Low Head Dam Removal Efforts

Commissioner Felt addressed the Board regarding support for the Colorado Parks & Wildlife (CPW) Low Head Dam Removal efforts.

Discussion ensued.

Commissioner Felt moved to allocate \$100,000 from the Conservation Trust Fund to create a challenge grant to Colorado Parks & Wildlife (CPW); Felt will write a letter to CPW and encourage them to cover that gap immediately, and to finalize plans to remove the low head dam in the fall. Commissioner Wood seconded the motion. The motion carried unanimously.

2. Consider Request for Acceptance of Major Subdivision Application During Temporary Moratorium in Consideration of Resolutions 2022-41 and 2022-74. Applicant Joe Cooper. - M. Cottom

This matter was continued to June 20, 2023 at the request of the Applicant.

3. Public Hearing on Proposed Changes to the Boundaries of Commissioner Districts 1, 2 and 3 - Daniel Tom

Chair Baker gave an overview of the process for presentation of this item.

Attorney Tom confirmed that this public hearing was properly noticed.

Attorney Tom addressed the Board regarding proposed changes to the boundaries of Commissioner Districts 1, 2 and 3.

Clerk Mitchell addressed the Board.

The public comment portion of the hearing opened at 9:27 a.m. There were no comments, and the public comment portion of the hearing was closed.

Discussion ensued during which Deputy Administrator Helmke, Clerk Mitchell, and Attorney Tom responded to Commissioners' questions.

Commissioner Felt moved to continue the public hearing on the proposed changes to the boundaries of Commissioner Districts 1, 2 and 3 to June 20, 2023. Commissioner Wood seconded the motion. The motion carried unanimously.

Attorney Tom clarified that public comment may continue until the Resolution regarding this item is presented.

4. Consider for Approval Acceptance of Right of Way for Cottonwood Pass, CO FLAP CHA 306(1), Deed to be Signed by Chair and Recorded

Attorney Tom addressed the Board to consider approval and acceptance of the Right-of-Way for Cottonwood Pass, CO FLAP CHA 306(1).

Commissioner Wood moved to approve and accept the Right-of-Way for Cottonwood Pass, CO FLAP CHA 306(1) as presented. Commissioner Felt seconded the motion. The motion carried unanimously.

5. Consider Approval of Title V CDPHE Landfill Permit, With Signing Authority to the Chair - Wilcox/Reimer/Tom

Administrator Reimer addressed the Board to consider approval of Title V CDPHE Landfill Permit with signing authority to the Chair.

Attorney Tom addressed the Board.

Commissioner Felt moved to approve the Title V CDPHE Landfill Permit as presented with signing authority to the Chair. Commissioner Wood seconded the motion. The motion carried unanimously.

6. Award Bid for Granite Bridge Project and Direct Staff to Draft Contract with Signing Authority to the Chair

Deputy Administrator addressed the Board to award the bid for the Granite Bridge Project and direct Staff to draft a Contract with signing authority to the Chair.

Administrator Reimer spoke.

Commissioner Wood moved to award the bid for the Granite Bridge Project to Native Sun in the amount of \$1,439,867.86 and direct Staff to draft and finalize a Contract regarding the awarding of this bid with signing authority to the Chair. Commissioner Felt seconded the motion. Discussion ensued during which Administrator Reimer and Attorney Tom responded to Commissioner's question. The motion carried unanimously.

7. Explore Policy Solutions for Mitigating Impacts of Rapid Growth and Visitation in Chaffee County - M. Cottom

Attorney/Director Cottom gave a presentation to the Board regarding exploring policy solutions for mitigating the impacts of rapid growth and visitation in Chaffee County.

Discussion ensued during which Attorney/Director Cottom responded to questions.

Attorney Tom spoke.

Attorney/Director Cottom responded to an additional Commissioner question.

No formal action was taken.

- 7.1 **Pay Bills** - Following Item D. 7., Commissioner Felt moved to Pay Bills. Commissioner Wood seconded the motion. The motion carried unanimously.

8. Consider Moving into Executive Session Under §24-6-402(4)(b), C.R.S. For Purposes of Receiving Legal Advice on Specific Legal Questions Pertaining to the Office of the District Attorney. County Attorney Daniel Tom, Assistant County Attorney Lynda Knowles, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, and Finance Director Dan Short may attend.

Chair Baker addressed the Board to enter into executive session pursuant to § 24-6-402(4)(b), C.R.S. for the purpose of receiving legal advice on specific legal questions pertaining to the Office of the District Attorney.

Commissioner Wood moved to go into executive session pursuant to § 24-6-402(4)(b), C.R.S. for the purpose of receiving legal advice on specific legal questions pertaining to the Office of the District Attorney. Commissioner Felt seconded the motion. The motion carried unanimously.

Chair Baker stated that Commissioners Keith Baker, Greg Felt, and P. T. Wood and County Attorney Daniel Tom will attend, and Assistant County Attorney Lynda Knowles, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, and Director of Finance Dan Short may also attend.

Attorney Tom stated that this executive session constituted privileged attorney-client communications and no further recording of the executive session is necessary. Attorney Tom stated further that he does not anticipate any decisions to be made following executive session.

Chair Baker stated that it is June 13, 2023 at 10:53 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 pertaining to the Office of the District Attorney pursuant to § 24-6-402(4)(b), C.R.S.

The following persons were in attendance for executive session: Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, and Director of Finance Dan Short.

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.

Following a short break, the Commissioners entered into Executive Session at 10:58 a.m.

Commissioner Felt moved to come out of executive session. Commissioner Wood seconded the motion. The motion carried unanimously.

The Commissioners came out of executive session at 11:25 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 June 13, 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 June 13, 2023 were confined to the topic described in the announcement of such session and authorized by the provisions of § 24-6-402(4)(b), C.R.S.

Keith Baker

Keith Baker, Chair

Chair Baker stated that the executive session for purposes of discussing attorney-client privileged matters concluded at 11:25 a.m., and they returned to the open meeting. He stated that the participants in the executive session were Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, and Director of Finance Dan Short.

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.

E. Active Projects

F. Adjourn

Commissioner Wood moved to adjourn the meeting. Commissioner Felt seconded the motion. The motion carried unanimously. The meeting was adjourned at 11:26 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