



Chaffee County Commissioners Meeting
August 23, 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 August 23, 2023, at the Chaffee County Courthouse. Board members present were Chair Keith Baker, Commissioner Greg Felt (arrived remotely at 2:06 p.m.), and Commissioner P. T. Wood.

Others present in person were County Administrator Don Reimer, Administrative Assistant Brandy Coscarella, Director of Finance Dan Short, County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, and Sheriff John Spezze.

Others present remotely were Deputy County Administrator Beth Helmke and Deputy County Clerk Barbara Tidd.

Pledge of Allegiance

Following the Pledge of Allegiance, Chair Baker called the meeting to order at 2:00 p.m.

1. **Approve Agenda**

Commissioner Wood moved to approve the Agenda. Commissioner Baker seconded the motion. The motion carried unanimously with Commissioners Wood and Baker voting FOR the motion. Commissioner Felt was not present for the vote.

B. Regular Agenda Items

1. **Ratify Purchase Contract for 7420 Hwy 50 Salida**

Administrator Reimer addressed the Board regarding ratifying the Contract to Buy and Sell Real Estate for 7420 W. Hwy. 50, Salida.

Attorney Tom spoke.

Sheriff Spezze addressed the Board.

Discussion ensued.

At 2:06 p.m., Commissioner Felt joined the meeting remotely.

Commissioner Wood moved to ratify the August 17, 2023 Contract to Buy and Sell Real Estate for

7420 W. Hwy. 50, Salida. Commissioner Felt seconded the motion. The motion carried unanimously.

2. Executive Session Under 24-6-402(4)(b) For Purposes Of Receiving Legal Advice On Specific Legal Questions And Strategy Involving Pending Land Use Litigation. To also include County Administrator Don Reimer, Finance Director Dan Short, Deputy Administrator Beth Helmke, Attorney Daniel Tom, and Planning Director/Asst County Attorney Miles Cottom.

Commissioner Baker 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 and strategy involving pending land use litigation. Commissioners Keith Baker, Greg Felt, and P. T. Wood and County Attorney Daniel Tom will attend. Attorney/Director Cottom, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, and Director of Finance Dan Short may also attend.

Commissioner Wood seconded the motion. The motion carried unanimously.

Attorney Tom stated that this executive session constitutes privileged attorney-client communications and that no further recording of the executive session is necessary.

Chair Baker stated that it is August 23, 2023 at 2:09 p.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 strategy involving pending land use litigation pursuant to § 24-6-402(4)(b), C.R.S.

The following persons are in attendance for executive session: Commissioners Baker, Felt, and Wood and County Attorney Daniel Tom, Assistant County Attorney/Planning Director Miles Cottom, 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.

The Commissioners moved into executive session at 2:10 p.m.

The Commissioners came out of executive session at 2:30 p.m. with no decisions being made.

Chair Baker stated that the executive session for purposes of discussing attorney-client privileged matters concluded at 2:30 p.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/Planning Director Miles Cottom, County Administrator Don Reimer, Deputy County Administrator Beth Helmke, and Director of Finance Dan Short.

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 23, 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 August 23, 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, 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.

C. Adjourn

Commissioner Wood moved to adjourn the meeting. Commissioner Felt seconded the motion. The motion carried unanimously with Commissioners Felt and Wood voting FOR the motion. Commissioner Felt was not present for the vote. The meeting was adjourned at 2:32 p.m.

Attest:



Lori Mitchell, County Clerk