The regular meeting of the Board of Commissioners was held on Tuesday, February 13, 2018 in the Commissioners’ meeting room at the Courthouse. Board members present were Chairman Dave Potts, Commissioner Greg Felt and Commissioner Keith Baker.

Others present were Director of General Administration Bob Christiansen, Director of Finance Dan Short, County Attorney Jennifer Davis, Development Services Director Dan Swallow, Planning Manager Jon Roorda, Planner Christie Barton, Administrative Assistant Patty Baldwin and County Clerk Lori Mitchell.

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

Public Notices
Reviewed Public Meeting List

Public Comment
No Public Comments

Minutes
Commissioner Felt moved to approve minutes from December 12th and December 19th, 2017, January 9th and 16th, and Special Meeting on January 30, 2018. Commissioner Baker seconded the motion. The motion carried unanimously.

Agenda Item A
Consider a request from the Veterans Coalition for $1,707.50 for 1/4 of the cost of 8 flagpoles for the Veterans Park in Poncha Springs, located at the Visitors Center

Dana Nachtrieb of the Veterans Coalition outlined the request.

Commissioner Baker moved to approve the request for $1,707.50 for flagpoles at the Veterans Park in Poncha Springs. Commissioner Felt seconded the motion. The motion carried unanimously.

Agenda Item B
9:15 a.m. – Public Hearing – For the purpose of considering partial road closures on June 17, 2018 for a Special Event Permit for Fib Ark Trail Run and Mountain Bike Race. Partial closures will be from 8:00 a.m. until 1:00 p.m. and will use County Roads 177, 176 and 175 Spiral Drive

Commissioner Felt moved to approve the Special Event Permit for FIBArk trail run and Mountain Bike Race contingent upon the receipt of the agency approvals listed by staff to complete the application. Commissioner Baker seconded the motion. The motion carried unanimously.
**Agenda Item D**
Consider a request from Steve Shurbet (Jeff Post, representative), for a Boundary Line Adjustment. Property is located at 8803 and 8101 County Road 150, Salida, in a Rural Zone.

Commissioner Baker moved to approve the request from Steve Shurbet for a Boundary Line Adjustment on property located at 8803 and 8101 County Road 150, Salida. Commissioner Felt seconded the motion. The motion carried unanimously.

**Agenda Item C**
9:30 a.m. – **Public Hearing** – To consider an appeal of a Limited Impact Review. Request is from Oak Leaf Energy Partners, Michael McCabe (representative) **Location:** Northeast corner of County Road 140 and Highway 285, Salida **Zone:** Commercial **Request:** Solar Farm on ten acres, Lot 3 of the Lantz Minor Subdivision.

Planner Christie Barton gave the staff report.

The Board asked questions.

Mike McCabe, President of Oak Leaf Energy Partners, Applicant, addressed the Board.

The Board asked the applicant questions.

Lee Coveney, 318 Poncha Blvd., Salida, representing the Chaffee County Heritage Advisory Board, made comments that the CCHAB will remove objections to the panels if the foliage surrounding the panels was addressed.

Derald Brady, 10757 Vista Farms Court, Salida, made comments against the panels.

Don Ostergard, 8551 Mountain View Farms Lane, Salida, spoke against the panels.

Lisa Marvel, 8220 County Road 160, Salida, owns property at Vista Farms, spoke against the panels.

Charlene Bantula, 8551 Mountain View Farms Lane, Salida, spoke against the panels.

Lonnie Lantz, 8595 US Highway 285, Salida, owner of the property, spoke in favor of the panels.

The Board went into deliberation at 11:05 a.m.

Commissioner Felt moved to continue the Public Hearing to March 1, 2018 at 1:00 p.m. Commissioner Baker seconded the motion. The motion carried unanimously.
Agenda Item E
Consider request from Ark Valley Rollers for reduced rates for use of the Event Center at the Chaffee County Fairgrounds

Michelle Ludwig representing the Ark Valley Rollers addressed the Board.

Fairgrounds Manager Steve Wyatt addressed the Board.

The Board discussed the request.

Commissioner Felt moved to approve a compromise plan for 2018 one year transition in the agreement from the unique arrangement that was historically in place to conformance with our standardized rates and policies for use of the Fairgrounds in 2019 and beyond. Commissioner Baker seconded the motion. The motion carried unanimously.

Agenda Item F
Consider approval for Chaffee County to submit a grant request to the Climax Area Investment Fund for Envision Chaffee County implementation in the amount of $30,000

Commissioner Felt moved to approve a grant request to the Climax Area Investment Fund for Envision Chaffee County implementation in the amount of $30,000. Commissioner Baker seconded the motion. The motion carried unanimously.

Agenda Item L
Consideration of contract for Fair Concert

Abby Hutchison, representing the Fair Board, described the request.

Assistant County Attorney Chip Mortimer reported that he has reviewed the rider to the contract and made modifications.

Chairman Potts moved to approve the Fair Board contract rider as accepted on February 2, 2018 with modifications made by the legal department for talent William Michael Morgan through the William Morris Agency. Commissioner Felt seconded the motion. The motion carried unanimously.

Agenda Item G
Consider appointment of members to the Airport Advisory Board, Continued from the February 6, 2018 meeting

Commissioner Felt moved to approve Resolution 2018-14 appointing members to the Airport Advisory Board. Commissioner Baker seconded the motion. The motion carried unanimously.

Agenda Item H
Consider appointment of member(s) to the Board of Review.
Commissioner Felt moved to approve the appointment of members to the Board of Review and directed the County Attorney to prepare Resolution 2018-15. Commissioner Baker seconded the motion. The motion carried unanimously.

**Agenda Item I**
Appoint one member to the Planning Commission, Continued from the January 16, 2018 meeting.

Commissioner Baker nominated Joe Stone to serve on the Planning Commission and direct the County Attorney to prepare Resolution 2018-16. Commissioner Felt seconded the motion then asked questions of Mr. Stone. Commissioner Felt asked if Mr. Stone will be covering the County for his news website. Mr. Stone responded that he will not be covering the County.

Chairman Potts then called for the vote and the motion carried 2 - 1 with Chairman Potts voting no.

**Agenda Item J**
2018 Reorganization of meeting appointments made by the Board of Commissioners, Continued from the February 6, 2018 meeting.

Chairman Potts moved to confirm areas of interest as amended today. Commissioner Felt seconded the motion. The motion carried unanimously.

**Agenda Item K**
Teller County Waste, dba Chaffee County Waste, has made application to renew their Trash Haulers License, Continued from the February 6 meeting.

Clerk Mitchell reported that the proper insurance documentation has not been provided to the County.

Finance Director Short advised that contact has been made and recommended giving time to produce the required documents. If the documents are not produced a cease and desist order will be issued.

**Agenda Item M**
Discussion regarding grant processing regarding Envision Chaffee County

This item will be brought back at a later date.

**Consent Agenda**
Report from the County Veteran’s Service Officer for the month of January, 2018
- Report from the County Treasurer for the month of January, 2018
- Pay Bills
Commissioner Baker moved to approve the Consent Agenda. Commissioner Felt seconded the motion. The motion was carried unanimously.

**Agenda Item N**
Executive Session under 24-6-402(4)(b) for the purpose of receiving legal advice on a proposed contract with ACA products regarding the mitigation of impact to CR 301 resulting from mining operations on the road.

**Agenda Item O**
Executive Session under 24-6-402(4) (b) for purposes of receiving legal advice on a potential legal claim involving a former contractor, Continued from the February 6, 2018 meeting

County Attorney Davis asked the Board to go into executive Session under Colorado Revised Statutes 24-6-402 4 B for the purposes of receiving legal advice on two specific legal questions and strategies, one involving a proposed contract with ACA products and the other involving a potential legal claim with a former contractor. In her legal opinion such would be privileged attorney client communication and no further recording is necessary.

Commissioner Baker moved to go into Executive Session. Commissioner Felt seconded the motion. The motion carried unanimously.

The Board came out of Executive Session at 2:30 p.m. with no decisions being made.

_I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on February 13, 2018 constituted privileged attorney-client communications._

______________________________
Jennifer A. Davis, Chaffee County Attorney

_I, Dave Potts, 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 February 13, 2018 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6- 402(4)(b)._ 

_____________________
Dave Potts

_I, Jennifer A. Davis, Chaffee County Attorney, do hereby attest that the unrecorded statements and discussions that took place during the executive session held on February 13, 2018 constituted privileged attorney-client communications._

______________________________
Jennifer A. Davis, Chaffee County Attorney
I, Dave Potts, 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 February 13, 2018 were confined to the topic described in the announcement of such session and authorized by the provisions of CRS 24-6-402(4)(b).

______________________________
Dave Potts

Attest:

Lori Mitchell, County Clerk