A special meeting of the Board of Commissioners was held on Thursday, March 1, 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 County Attorney Jennifer Davis, Development Services Director Dan Swallow, Planning Manager Jon Roorda, Assistant Planner Christie Barton, and County Clerk Lori Mitchell.

Following the Pledge of Allegiance, Chairman Potts called the meeting to order at 1:03 p.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. (Continued from the February 13, 2018 meeting)

Planner Christie Barton announced one update. The County had received a determination from the Federal Aviation Administration (FAA) that the panels do not present a hazard to pilots.

The Board asked questions.

The Applicant presented an actual example of the panel which will be used in the array to the Board.

Chairman Potts asked County Attorney Davis to make a statement regarding members of the Planning Commission who deliberated on this application. Those members would not be allowed to give testimony during the hearing.

Karin Adams, 11460 County Road 140, Salida, gave testimony. She testified as a neighbor to the project, not as a member of the Planning and Zoning Commission. When this project was heard at a Planning and Zoning meeting, Ms. Adams recused herself.

Bob Nichols, 8689 and 8498 Vista Farms Lane, Salida, spoke against the solar garden.

Jill Welch, 20473 County Road 282, Nathrop, spoke in favor of the solar garden.

Derald Brady, 10757 Vista Farms Ct., Salida, asked that if the project is approved he would like to see more shrubbery to camouflage.

Denise Cann, 10762 Vista Farms Ct., asked questions.

Applicant Mike McCabe, answered questions.
Don Ostergaard, 8551 Mountain View Farms, asked questions.

Applicant Mike McCabe answered more questions.

Ted Grover, 10755 County Road 148, expressed concern about wind.

Karin Adams asked more questions.

Bob Nichols added comments.

The Chairman closed public comment at 2:25. The Board went into deliberation.

Commissioner Baker moved to approve the Limited Impact Review from Oak Leaf Energy Partners for the location at the northeast corner of County Road 140 and Highway 285 with conditions in the spirit of what was depicted on the screen and to direct staff to prepare a resolution to be heard at the March 13, 2018 Board meeting.

**Conditions of Approval depicted on the screen:**
1. Vegetation shall be installed in accordance with the Landscape Plan submitted February 9, 2018, and field-located on the west and south boundaries to provide optimal screening.
2. Additional plantings shall include vegetation along the east and the northeast corner boundaries. The applicant will work with the two existing property owners to the east for specific species and locations of plantings. A plan acceptable to the applicant and the two property owners shall be mediated by County Planning and approved by autumn of 2018.
3. The plantings shall be maintained for the life of the project.
4. The solar arrays shall be re-located approximately 20-feet west and provide sufficient room for maintenance of the plantings. The applicant will work with Staff to finalize the location.
5. The following items are required to be submitted before or as part of the building permit application submittal:
   a. An access permit for a commercial use.
   b. Proof of payment of the Weed Management bond.

*Agenda Item A*
Executive session under CRS 24-6-402(4)(b) for purposes of receiving legal advice on specific legal questions and strategy involving the Spaulding Farm Rule 106 matter.

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 specific legal questions and strategy involving the Spaulding Farm Rule 106 matter. In her legal opinion such would be privileged attorney client communication and no further recording is necessary.
Chairman Potts moved that the Board go into Executive Session. Commissioner Baker seconded the motion. The motion carried 3-0.

The Board went into Executive Session at 3:15 p.m.

The Board came out of Executive Session at 3:45 p.m.

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 March 1, 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 March 1, 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