The regular meeting of the Board of Commissioners was held on Tuesday, April 3, 2018 in the Commissioners’ meeting room at the Chaffee County Courthouse. Board members present were Chairman Dave Potts, Commissioner Keith Baker, and Commissioner Greg Felt.

Others present were County Attorney Jennifer Davis, Director of Finance Dan Short, Community Development Director Dan Swallow, Planning Manager Jon Roorda, Planner Christie Barton, 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
There were no Public Comments

Agenda Item A
Proclamation for the week of April 2 – 8, 2018 as National Public Health Week.

Director of Nursing Andrea Carlstrom read the Proclamation.

Chairman Potts read the following into the record: “NOW, THEREFORE, WE, the Board of County Commissioners of the County of Chaffee, Colorado, by the authority vested in us, do hereby proclaim the week of April 2-8, 2018 as “National Public Health Week” in the County of Chaffee, Colorado and call upon the people of Chaffee to observe this week by helping our families, neighbors, co-workers and leaders better understand the value of public health and supporting great opportunities to adopt preventative lifestyle habits in light of this year’s theme “Healthiest Nation 2030”.

Agenda Item B
Report from the County Sheriff

Sheriff John Spezze updated the Board on the recent fire. The reverse 911 system, Everbridge, worked well.

Agenda Item C
Contract/Grant Consideration:
  - George K Baum & Company Underwriter Engagement Agreement
Commissioner Felt moved to approve the agreement for the Cottonwood Pass Project. Commissioner Baker seconded the motion. The motion carried unanimously.

- CenturyLink/Quest Corporation Agreement “CenturyLink Line Volume Plan.” Commissioner Baker moved to accept the CenturyLink/Quest Corporation Agreement. Commissioner Felt seconded the motion. The motion carried unanimously.

- History Colorado/Grant for construction documents for Brown’s Canyon Bridge. Commissioner Baker moved to approve the grant. Chairman Potts seconded the motion. The motion passed 2 – 1 with Commissioner Felt voting no.

- Martin/Martin, Inc./Construction documents for Brown’s Canyon Bridge. Chairman Potts moved to approve payment of $7538 to Martin and Martin to complete the study on the Brown’s Canyon Bridge. Commissioner Baker seconded the motion. The motion passed 2 – 1 with Commissioner Felt voting no.

- Elevator Maintenance Agreement with Chaffee County/City of Salida. Chairman Potts moved to approve the agreement with Kone Elevator for maintenance on elevators at the Courthouse and the Touber Building. Commissioner Felt seconded the motion. The motion carried unanimously.

* Agenda Item G
Consider a resolution for the Senter Agricultural Subdivision Exemption. Commissioner Felt moved to approve Resolution 2018-24 for the Senter Agricultural Subdivision Exemption. Commissioner Baker seconded the motion. The motion carried unanimously.

*Agenda Item D
Open and possible award for the following bids:
- ½ inch chip for chip seal operations
- CRS 2P Road Oil for chip seal operations
- 2 asphalt overlay bids for: Project A – County Road 154 (approx. 800 tons), Project B – County Road 162 (approx. 3,000 tons)
- Price quotes for 125,000 gallons +/- of magnesium chloride applied to approx. 24 miles of roadways in Chaffee County, beginning May 2018.

The Board opened all of the sealed bids. The bids were submitted to Road and Bridge Supervisor Mark Stacy for his review and recommendations.

Agenda Item E
Consider a request for a Boundary Line Adjustment at 16885 & 16951 Mt. Princeton Road. Request is from Michael John Wagner, Trustee Michael John Wagner Living Trust and James W. & Joan B Stough, Trustees of the James W. & Joan B. Joint Trust.
Commissioner Baker moved to approve the Boundary Line Adjustment at 16885 and 16951 Mt. Princeton Road. Commissioner Felt seconded the motion. The motion carried unanimously.

**Agenda Item F**  
Consider release of Lot Sales Restriction and acceptance of a Letter of Credit for the Longhorn Ranch Subdivision.

Eric Smalz and Kent Towndsend, representatives from Longhorn Ranch, addressed the Board.

Commissioner Felt moved to approve the release of the Lot Sales Restriction for the Longhorn Ranch Subdivision in exchange for a cashier’s check for $10,000 to cover the intended landscaping. Commissioner Baker seconded the motion. The motion carried unanimously.

**Agenda Item H**  
Consider a resolution for Updates to the Chaffee County Land Use Code: Add to Article 15 – Definitions – Animal Shelter. 2. Add new Section: 5.2.3.K – Heritage Water Subdivision Exemption

Commissioner Felt moved to approve updates to the Chaffee County Land Use Code, Add to Article 15 – Definitions – Animal Shelter. 2. Add new Section: 5.2.3.K – Heritage Water Subdivision Exemption. Commissioner Baker seconded the motion. The motion carried unanimously.

**Agenda Item I**  
Consider a resolution for the Road Vacation of County Road 154.

Commissioner Felt moved to approve Resolution 2018-26 regarding the road vacation of County Road 154. Commissioner Baker seconded the motion. The motion carried unanimously.

**Agenda Item J**  
Consider resolution “Renaming the Chaffee County Fair Board & Establishing the Chaffee County Fair Committee.

Commissioner Baker moved to approve Resolution 2018-27 establishing the Chaffee County Fair Committee. Commissioner Felt seconded the motion. The motion carried unanimously.

**Agenda Item K**  
Consideration of request by Xcel Energy for a license to use certain County real property as a “lay down yard.”

Commissioner Baker moved to approve the licensing agreement for the Xcel Energy lay down yard. Commissioner Felt seconded the motion. The motion carried unanimously.

**Agenda Item L**
Appoint 3 Planning Commission members to the Salida Regional Planning Commission. (Continued from the March 6, 2018 meeting)

Commissioner Felt moved to approve Resolution 2018-28 filling vacancies on the Salida Regional Planning Commission. Commissioner Baker seconded the motion. The motion carried unanimously.

**Agenda Item M**
Consideration of a request by the Finance Director to sell shares of MetLife stock owned by the County.

Commissioner Baker moved to approve Resolution 2018-29 authorizing the sale of a portion of the MetLife stock owned by the County. Commissioner Felt seconded the motion. The motion carried unanimously.

**Agenda Item N**
Consideration of Chaffee County’s participation in pending national opioid litigation.

Chairman Potts moved that the County retain the law firm of Speights and Worrich Colorado, LLC to represent Chaffee County in the pending multi-district opioid litigation and directing the County legal department to negotiate an engagement agreement between the County and the law firm. Commissioner Baker seconded the motion. The motion carried unanimously.

**Consent Agenda:**
- Ratify contract with Sirius America Insurance Company
- Pay Bills

Commissioner Felt moved to approve the consent agenda. Commissioner Baker seconded the motion. The motion carried unanimously.

**Agenda Item O**
Executive session under CRS 24-6-402(4)(b) for purposes of receiving legal advice on specific legal questions and strategy involving the ACA/Spaulding 106 action.

County Attorney Davis stated that this executive session would be under C.R.S. 24-6-402 (4) (b) for the purpose of receiving legal advice on legal questions and strategies involving the ACA/Spaulding Rule 106 action and that this portion of the meeting would constitute attorney client communication and no further recording of this portion of the meeting would be required. She does not anticipate and actions being taken following the meeting as actions would likely be scheduled at a future meeting.

Chairman Potts moved to go into executive session. Commissioner Felt seconded the motion. The motion carried unanimously.

The Board came out of executive session 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 April 3, 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 April 3, 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