



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room
 June 14th, 2017 at 9:07 A.M.

WE VALUE

- *Honesty, integrity and respect for the rights of all individuals*
- *Quality service to all*
- *Respect for our culture and history*
- *Clear communication and transparency*
- *Efficiency & fiscal responsibility*
- *Recognition of employee and citizen contributions*
- *Partnerships and collaborations*
- *Planning for the future*
- *Cooperative leadership and professional development*

VISION: Elbert County is recognized by our citizens and employees as the best place to live, work, and conduct business in Colorado; led in a responsive, effective, transparent, and professional manner.

A. CALL TO ORDER AND ROLL CALL Commissioner Thayer – Here; Commissioner Richardson – Here; Commissioner Willcox - Here

B. INVOCATION/PLEDGE OF ALLEGIANCE: Pastor John Smith, Majestic View Church

C. APPROVAL OF AGENDA

Motion: Approval of Agenda

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | x | | |
| Thayer | | x | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |
| Thayer | x | | |
| Willcox | x | | |

D. CONSENT AGENDA:

1. Approval of CDS Mylars as needed
2. Approval of Vouchers as needed
3. Wal Mart 3.2 Beer License Renewal
4. Building and Road Agreement with Adduddell & Grad
5. Department of Health and Human Services Approved Task Order Contract-Waiver #154 with CDPHE
6. Department of Health and Human Services Task Order Amendment with Department of Public Health and Environment

Motion: Approval of Consent Agenda

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | |

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| | | |
|------------|---|--|
| Richardson | x | |
| Thayer | x | |
| Willcox | x | |

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Jerri Spear, HHS Director, wanted to report on the status of their building and space issues. They will be adding on additional space to their current facility, with a temporary unit rented until a more permanent space is fixed. This will free up the space on 307 Pawnee. The new construction has been budgeted and money is in the Public Health portion of the budget. The target date is July 1.

Troy McCoy, Elbert County Undersheriff, relayed that the jail is overcrowded. They are currently having to utilize courts and holding cells. They are overcrowded for toilet facilities. Most prisoners are rom out of the county and some even out of State. They are contacting surrounding counties to see if they can house some of the inmates. Due to the reclassifying of crimes, they have many more inmates in the County and being held for a longer period of time. They currently have 40 in lock up. They are currently housing 8 women.

F. OPEN PUBLIC COMMENT (See Note 1)

Rick Brown, Kiowa, CO

He inquired as to the status of the County Manager. He assumes that they will need to hire a County Manager soon and hopes that the Commissioners apply recognized standards to find a new County Manager. He offered up suggestions and offered links to see a model job description.

Commissioner Thayer stated they are taking the position search very seriously.

Linda Krausert, Sun Country Meadows,

Ms. Krausert stated she would like to see a ballot measure to allow the Treasurer to serve a 3rd term. She listed several positive aspects of the current Treasurer and his importance to the leadership team. She also asked for a ballot measure to the Sheriff to serve a 3rd term. She also talked about the positive attributes of the Sheriff and believes the people should have a choice in the matter in who they have in office.

G. DISCUSSION ITEMS: (See Note 2)

1. Future Tax Projections for Rush Creek Wind Energy Project (Paul Simon, Excel)

John Dominic and Paul Simon presented the Future Tax Projections. Mr. Dominic wanted to make it clear that the numbers discussed today are estimates.

Mr. Simon gave a power point presentation. He outlined the statutory requirements and a general discussion on Wind Farms. There were some clarifying questions from the Commissioners. There was a slide showing the amount that the separate districts would receive based on the turbine value of \$19,688,100 and substation value of \$3,185,650 with the first payments made in April of 2020.

2. Discussion on Plan for the Building Fees from the Rush Creek Energy Project (Rick Pettitt, Treasurer)

Mr. Pettitt commented that previous presentation was close to their projections. He stated that the County has received in excess of \$4 million on the Wind Farms. He shared his thoughts on how the \$4 million should be utilized. Trigger points to use: decrease more than 5% of the previous year, contingency monies and budget should be exhausted before the fund is touched. He stated there would need to be a resolution along with the trigger points.

Michael Buck, 26822 Richards circle, Elizabeth

Mr. Buck inquired about the possibility of retiring some debt with the money.

Commissioner Richardson stated the focus was on the stabilization fund.

Commissioner Thayer stated that liquidity was an important aspect to the decision.

Rick Brown, Kiowa, CO

Mr. Brown thought it was a good idea but would ask for ideas that would generate income.

Mr. Pettitt stated that is being evaluated and the money is currently in COLOTRUST.

3. Presentation by Elizabeth Parks & Recreation (Mike Barney, Director)

Mr. Barney wanted to appraise the Board the EPR Board is looking at a ballot initiative. There is a bond expiring in 2018 and they are considering asking the people to allow the mil to continue and to be used for ongoing operations. They are looking to enhance the various parks and improving services. He stated he would like to come back and share ballot language and to ask for support in the initiative.

4. County Road Discussion (Sean O'Hearn, County Engineer)

Mr. O'Hearn shared that he is here to share a report on County Road Conditions. He gave a brief history of the Elbert County Master Transportation Plan. Mr. O'Hearn gave an appraisal of each subdivision that has pavement. The comparisons were from evaluations from 2010 and 2017.

Clarifying questions were asked by Commissioners and answered by Mr. O'Hearn.

5. Discussion on Public Improvement Districts/Local Improvement Districts

There is a meeting set up tomorrow so further evaluate the option.

6. Status of Temporary Permit Process (Kyle Fenner, CDS Director)

7. Building Permit Fees for Commercial Solar Installations, Communication/Radio Towers and Pipelines (Kyle Fenner, CDS Director)

Ms. Fenner was not present at meeting.

8. Presentation on proposed adjustment of Precincts 2 & 5 (Dallas Schroeder, Clerk and Recorder)

Dallas Schroeder, Elbert County Clerk & Recorder, presented the need to adjust the lines on Precincts 2 and 5. Precinct 2 is very close to going over the 2000 Active Eligible Voters for a precinct. Precinct 5 has a much lower number and can accept more voters to alleviate the issue. The proposal is for every parcel that is currently in precinct 2 that is east of County Rd 13 be moved to Precinct 5.

Motion: Approval of Resolution approving the adjustment of Precinct lines 2 and 5 as presented.

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | x | | |
| Thayer | | x | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |
| Thayer | x | | |
| Willcox | x | | |

9. Appointments Policy

Commissioner Richardson stated there had adjustments made and he will work with the county Attorney to have a final draft.

10. Discussion of Listing the Property at 307 Pawnee in Kiowa for Sale.

Motion: Allow Chairman to sign and listing agreement.

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |
| Thayer | x | | |
| Willcox | x | | |

H. ACTION ITEMS: (See Note 3)

1. Approval of May 24, 2017 Minutes

Motion: Approval of May 24, 2017 Minutes

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | Abstain |
| Richardson | | | |
| Thayer | x | | |
| Willcox | x | | |

2. Approval of May 31, 2017 Minutes

Motion: Approval of May 31, 2017 Minutes

| | Moved | 2nd | Comments |
|------------|-------|-----|--|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | Abstained. Absent from the meeting on the 31 st . |
| Richardson | | | |
| Thayer | x | | |
| Willcox | x | | |

I. BOARD PLANNING

1. Agenda Items for Next Meeting

a. Resolution Approving Adjustments to Precincts 2 & 5.

2. Workshops/Study Sessions

3. Pending Hearings

Motion: Recess called at 11:21 AM until 1 PM

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |

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| | | |
|---------|---|--|
| Thayer | x | |
| Willcox | x | |

J. LAND USE HEARINGS 1:09 P.M. (See Note 4)

Motion: Open Hearing for Land Use Items

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |
| Thayer | x | | |
| Willcox | x | | |

1. DB Speed Rezone and Minor Development

Jaxson Fagan, Baseline Planner, presented the Staff report for the DB Speed Rezone and Minor Development. The usage would allow for construction of an all-terrain vehicle and automotive repair facility. Staff found the application to be in compliance with the master plan and the CDS department recommended Approval with conditions. The Planning Commission recommended approval with conditions.

David Brill, the applicant, reported the DB Speed is a 13 year old family owned and operated business. He said that phase one is a 60 x 160 primary building with phase two adding another 60 x 100 building for future expansion. He brought up questions in regards to the paving of Wind Spirit Lane.

There was an extensive discussion on the new road options available on Wind Spirit Lane.

Motion: Approval of the Resolution for the DB Speed Rezone and Minor Development, subject to Conditions of Approval.

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | x | | |
| Thayer | | x | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |

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| | | |
|---------|---|--|
| Thayer | x | |
| Willcox | x | |

2. Fulmer Rezone and Minor Development

Ethan Wattell, Sr. Baseline Planner, gave the Staff Summary. This Rezone and Minor Development was started in 2014. Mr. Wattell stated the Colorado Division of Water Resources has held up the process. The applicants have now satisfied the requirements of the Colorado Division of Water Resources. The Planning Commission recommended approval, as does the Staff.

Steve Wilson, Big Sandy School District Superintendent, spoke of behalf of the applicants. The applicants worked with the Big Sandy School District and sold some land that would benefit the new school when it was built. The applicants were only trying to help the school. They have no intention of moving or further sub-dividing their property.

Motion: Approval of the Fulmer Rezone and Minor Development, with the agreed conditions

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |
| Thayer | x | | |
| Willcox | x | | |

ADJOURNMENT

Motion: Adjournment at 2:46 PM

| | Moved | 2nd | Comments |
|------------|-------|-----|----------|
| Richardson | | x | |
| Thayer | x | | |
| Willcox | | | |
| | AYE | NAY | |
| Richardson | x | | |

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| | | |
|---------|---|--|
| Thayer | x | |
| Willcox | x | |

ADJOURNMENT

NOTES ON PUBLIC COMMENT:

Note 1: General Public Comment - This portion of the agenda is reserved for citizens who wish to comment to the BOCC on items of county interest that are not scheduled for Discussion or Action. This time will not be used to make political speeches nor will personal attacks be tolerated. Individuals will be limited to one opportunity to speak for a period of up to three minutes during this portion of the agenda.

Note 2: Discussion Items - This portion of the agenda is intended to introduce items that may require future board action. It allows for shaping of final decisions, and allows for public input to ensure all aspects of the issue are fully considered before decisions are made. After each item, the chair will offer time for public comment limited to three minutes per person.

Note 3: Action Items - This portion of the agenda is intended for items requiring a board decision. Prior to taking action, the chair will offer time for any final public input, limited to three minutes per person, prior to a vote.

Note 4: Land Use Hearings - Hearings for Land Use Items will be held at 1:00pm on meeting days. If all other agenda items are completed earlier, the chair will recess until this scheduled time. If previous agenda items are not complete by 1:00pm, the land use hearings will be opened and completed before proceeding to any remaining agenda items. Land use hearings will follow the following sequence:

- Open Land Use Hearing
- Staff Presents Application and Recommendation of Planning Commission
- Applicant Presents
- Public Input on Application (three minutes per person)
- BOCC Questions and Discussion
- BOCC Decision
- Close Land Use Hearing

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