

ELBERT COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

MINUTES

We welcome all of our visitors today, we appreciate your participation. If you need to have personal conversations if you would please step outside, we would appreciate it. Also if you have cell phones, we would ask that you put them on silent during today's meeting.

CALL TO ORDER ROLL CALL:

Robert Rowland

Kelly Dore

Larry D. Ross

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 26th day of August, 2015 at 9:03 a.m.

INVOCATION: Prayer given by Pastor Jim Emig, Kiowa Community Church

PLEDGE OF ALLEGIANCE:

AGENDA: Commissioner Dore moved to accept the Agenda as presented. Commissioner Ross 2nd.

ALL IN FAVOR

CORRESPONDENCE:

CONSENT AGENDA: The consent agenda consists of matters that occur in the normal course of business between BOCC meetings. These items are summarized and available to citizens, and are approved and enacted at this time by the BOCC in one (1) motion.

- a. Approval of minutes from 7/22/15 & 7/30/15
- b. Vouchers/Warrants/Mylar signing
- c. MOU with El Paso county regarding Holtwood Road Bridge Replacement Construction and Maintenance
- d. Professional Services Agreement with Enertia Consulting Group for Elbert County Road 9-15/132 Roadway design
- e. MOU with Kit Carson County for Developmental Screening
- f. Core Plan Contract with Colorado Department of Health and Human Services
- g. Letter of Authorization for Bank of the West Accounts
- h. Mylar Signing (Elkhorn Ranch Amendment #4)
- i. Mylar Signing (Cross Exemption from Subdivision/SB35 Exemption
- j. Signing of any received MOU's and IGA's for November election

Commissioner Dore moved to accept the Consent Agenda as presented. Commissioner Ross 2nd.

ALL IN FAVOR



AWARDS & RECOGNITION:

ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORT(S): This is the time when any county elected official, department head or employee may use the podium to report on any matter of interest to the citizens and the BOCC. This is an open format and does not require prior approval or disclosure of the subject matter to be discussed and therefore cannot be added to the agenda at this time, but may be added at a later time for follow up or consideration by the BOCC if appropriate.

Commissioner Ross relayed that there has been productive meetings with the Town of Elizabeth in completing an IGA as a condition for a grant for the Master Plan update. Elbert County needs to do this process with all incorporated towns and Elizabeth is first. He asked for public input and commented the current Master Plan is on the web-site.

Commissioner Rowland stated the Grant was not the reason to do the IGA with the incorporated towns. He believed that the County the incorporated Towns need to work together. The Grant for the Master Plan is not enough to make it the deciding factor. The County is working with Dick Eason from the Town of Elizabeth as well as DOLA (Department of Local Affairs).

There was then a conversation between, Commissioner Rowland, Wade Gateley (County Attorney) and Ed Ehmann (County Manager) on the timeline and procedures of finalizing the IGA.

Commissioner Ross then asked Mr. Ehmann about item d on the Consent Agenda. Mr. Ehmann answered the question by stating this was an updated proposal first passed by the BOCC in 2011.

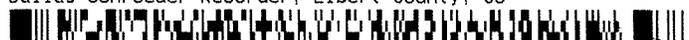
Commissioner Rowland stated he is still looking for places for the wounded servicemen to hunt.

Mr. Ehmann explained how to find the Master Plan on the web-site. The directions are as follows: Go to "Departments", then to "CDS", then to "Zoning Regulations" and it should be on the front page.

PUBLIC COMMENT(s): The public comment is a time when any citizen may bring forth items of interest or concern. During this time each individual will have three minutes to present view(s) on County matters(s). In the interest of time, please have your comments prepared for presentation as each person will be allowed one (1) opportunity to approach the podium. Please keep your comments to a three (3) minute maximum. No formal action will be taken on these items during this time due to open meeting provision; however, the items may be placed on a future posted Agenda if action is required. If you have comments on a regular Agenda item(s), please hold your comments until that item is up for consideration. The public comment portion of the BOCC meeting is not to be used for political or campaign purposes; comments/questions should be limited to matters of current County affairs and business. When you approach the podium please identify yourself and spell your last name and give your address.

OLD BUSINESS:

NEW BUSINESS: (Public comment may be provided for items as deemed appropriate)



- a. Resolution Certifying Costs of Prosecuting Crimes Alleged to have been Committed by Persons in the Custody of the Colorado Department of Corrections
Wade Gateley, County Attorney explained that this is mainly a housekeeping issue requesting reimbursement or certifying costs of prosecuting state prisoners being housed in the County Jail.

Commissioner Dore moved to approve resolution 15-TBD for certifying costs of prosecuting crimes allegedly to have been committed by persons in the custody of the Colorado Department of Corrections.
Commissioner Ross 2nd.

Sheriff Shayne Heap and Mr. Gateley went on to explain the entire process.

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- b. Resolution Designating Bank of the West as a Depository Bank and Authorizing Signature Powers
This resolution is a formality to show that the BOCC authorizes Bank of the West as a depository for the County.

Commissioner Dore moved to approve resolution 15-TBD designating Bank of the West as a depository bank and authorizing signature powers.
Commissioner Ross 2nd.

Commissioner Ross wanted to know if the signatory list was available. Answer was yes.

Discussion ensued between Commissioner Rowland and Mr. Ehmann clarifying that the primary reason for doing this was suggested by FEMA to track the FEMA funds that will be coming to the County, due to the disaster declaration.

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- c. FEMA Assistance Update (Ed Ehmann, County Manager & Brandon Lenderink, OEM Director)
Mr. Lenderink gave a detailed report on the FEMA disaster assistance progress. It was determined that Elbert County was not eligible for the "Category B" assistance, which is defined as Emergency Protective Measures. Most of the work has been identified as permanent work and moves this work to "Category C". As "Category B" the county would have been eligible only for overtime.

"Category A" is debris removal. Estimates are that there is 1000 cubic yards of debris at the Fondis pit. Kiowa could reach the 1000 cubic yards. Simla could reach 3000 cubic yards. Mr. Lenderink is actively working to identify the cost of chipping and following all state and local regulations for procurement.

"Category C" is what FEMA identifies as permanent work. Comanche Creek Road is being used as a trial to create a baseline of costs. Direct administrative costs are also being tracked.

Commissioner Rowland asked who the administrative leads are.

Mr. Lenderink replied that he was the lead with Kyrei Zion and Johanna Saunders as back ups.

Commissioner Rowland wanted to make sure that we stayed in compliance with all the FEMA regulations.

Mr. Lenderink said they were keeping in contact with FEMA, doing all the tracking that we necessary and documenting the procurement process.

Mr. Ehmann also relayed that the Administrative team is in contact with Eide Bailey to make sure the county was in compliance.

d. County Attorney Contract

Commissioner Dore moved to approve the County Attorney contract. Commissioner Ross 2nd.

Discussion:

There was discussion between Commissioner Dore, Commissioner Rowland and County Attorney Wade Gateley on the following topics: the difference of dismissal with cause and without cause, the budget process of funding the position, and details on the unique nature of the position of County Attorney and the fact that the County Attorney reports to the entire BOCC.

Commissioner Ross moved to make the following correction to page 1, paragraph 3, sentence 2 to read, "You will be compensated on a salary basis and not on an hourly basis."

Commissioner Dore 2nd.

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Commissioner Ross asked for clarification of "Conflict of Law Principles" and on the non-waiver provision.

Commissioner Dore asked for correction to remove Commissioner Schlegel's name and add Commissioner Dore's name on the front page.

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LAND USE:

ATTORNEY TO THE BOCC:

ADJOURNMENT 9:57 A.M.

WORK/STUDY SESSION (following regular meeting)

1. Discussion regarding implementation of Complaint Policy
2. Determination of amount of statutorily-authorized salary increase for county elected officials, commencing in 2017
3. Discussion of building permit fees, impact fees and other fees (Kyle Fenner, CDS Director)
4. Discussion of IGA with the Town of Elizabeth
5. Cancellation of Taxes (Rick Pettitt, Elbert County Treasurer)





BOARD OF COUNTY COMMISSIONERS
ELBERT COUNTY, COLORADO

Larry D Ross, Chairman

Kelly Dore, Vice Chair

Robert Rowland, Commissioner

ATTEST: Dallas Schroeder

County Clerk

