

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

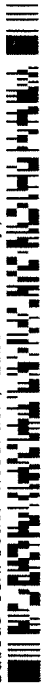
Larry D. Ross

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 22nd day of July, 2015 at 9:00 a.m.

INVOCATION: Prayer given by Chuck Norwood, Bible Missionary Church, Elizabeth, CO

PLEDGE OF ALLEGIANCE:

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Dallas Schroeder, Recorder, Elbert County, Co



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

ALL IN FAVOR

CORRESPONDENCE: Commissioner Rowland shared his involvement with the Wounded Warrior Project in attempting to find hunting locations for 13 wounded warriors and one son to hunt antelope and deer in Elbert County. Please contact Commissioner Rowland if there is a place you know of where these heroes can hunt.

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 7/8/15
- b. Vouchers/Warrants

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.

Brandon Linderink, OEM Director, gave an update on the declared state of emergency. After the July 16th disaster declaration now opens citizens for public assistance and hazard mitigation assistance. Grants and Loans are now available. Updates will be continuing on the County Web-site.

Commissioner Dore thanked Mr. Linderink for all his hard work and initiated a discussion on how to market and communicate to the citizens their options for assistance.

Sheila Kelly, CSU Extension Office, gave a preview of the fair. Related their working relationship with the Forest Service and shared that the best way to interrupt the cycles of the sawflies is to knock them off of the trees.

Commissioner Dore explained the purpose and the activity of NACO; National Association of Counties, a lobbying group in Washington DC that lobbies for local issues. Commissioner Dore sits on the Human Services and Education Sub-Committees. She also sits on the Rural Caucus Committee.

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.

Susan Shick, 4122 Downwest Ride, Elizabeth, CO. Ms. Shick thanked county manager Ed Ehmann and the Finance team for getting the audit done in time.

Sheila Kelley, 27615 E. Broadview, Kiowa, CO. Ms. Kelly thanked the Road and Bridge Department for the work on County Rd 49 and addressing the safety issues there. She said it was much appreciated.

OLD BUSINESS:

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

- a. Waiver for the ECCA tower application fee (Jim White)

Mr. White came before the BOCC to request a waiver of fees for the tower east of Elizabeth. There is no cost to the County and will allow for future mobile broadband for first responders.

Commissioner Dore moved to waive fees for the ECCA Tower. Commissioner Ross 2nd

Discussion:

Kyle Fenner, CDS Director explained this is a waiver for 3 fees totaling approximately \$3500. Ms. Fenner said that is not an infrequent happening to waive fees with other governmental and quasi-governmental agencies. This is common practice.

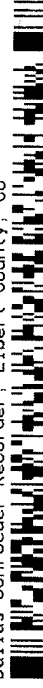
Consensus that County was receiving a bigger benefit that the waiving of fees were worth.

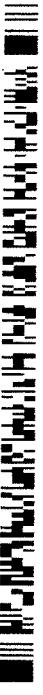
VOTE: ALL IN FAVOR

- b. Rescission and Approval of MOU for Mustang Creek, LLC (Kyle Fenner, CDS Director)

Housekeeping item newly signed and notarized MOU with the changes discussed in previous meetings.

Commissioner Dore moved for the Rescission and Approval of MOU for Mustang Creek, LLC, as presented. Commissioner Ross 2nd.





ALL IN FAVOR

- c. Resolution proclaiming September as Childhood Cancer Awareness Month
Commissioner Dore moved to accept the resolution proclaiming September as Childhood Cancer Awareness Month. Commissioner Ross 2nd
ALL IN FAVOR

- d. Request of Ballot question for removal of term limits for the Elbert County Sheriff (Chris Richardson, Citizens For Free Elections in Elbert County)
Chris Richardson, 955 Harmon Ridge Circle, Elizabeth, rose to request approval for a ballot question removing term limits for the Elbert County Sherriff. Mr. Richardson explained that when term limits were imposed to two terms, the General Assembly did allow for counties to make changes. He believes the citizens should have a right to choose who serves them and term limits takes this choice away. He stated the Sheriff was a unique Elected Position as a professional law enforcement person is required. He shared, that while not needed, they have a signed petition of 1001 5 citizens of Elbert County urging the Commissioners to put the question on the ballot.

Wade Gateley, County Attorney, explained what the procedure would be to move forward. There would be a Resolution written, then approval by the BOCC to put on the ballot and if passed, term limits for the Office of Sheriff would be eliminated

Dallas Schroeder, Elbert County Clerk & Recorder answered question regarding the election and specifically the cost to the County. Mr. Schroeder explained the he budgets for the entire election costs each year and any money spent on this election is budgeted. The impact would be on the amount of re-imbursement from the Special Districts who co-ordinate with the County. This re-imbursement will be less if the County has a question on the ballot. He estimated the re-imbursement reduction to be between \$4000 and \$5000.

Clarification and discussion on Fair Campaign Practice Act between Mr. Gateley, Commissioner Ross and Commissioner Rowland

Public Comment

Don Draper, 28734 County Rd 17, Elizabeth. Mr. Draper spoke in favor of the question, stating a person shouldn't be fired after eight years for doing a good job.

Dave Peontek, 39438 Jo Cir, Elizabeth. Mr. Peontek said that as an executive he always had an option to renew a good employee. He stated the Sheriff Heap was a good leader with good management and leadership qualities. He was in favor of the question,

Paul Nasrallah, 18502 Wedemeyer Rd, Kiowa. Mr. Nasrallah spoke in favor of removing term limit and offered to donate to the County to cover the costs.

Paul Davy, 3508 Cherokee Trail, Elizabeth. Mr. Davy spoke in favor of removing the term limits.

Tony Baker, 7482 Patrick Trail, Elizabeth. Mr. Baker spoke in favor of the question. He did not want to see the mistakes of the past happen again and wanted to be able to vote for the best candidate

Bob Lewis, 1845 Buttercup Rd., Elizabeth. Mr. Lewis in support of the question and said it was in the best interest of the County to continue with our current Sheriff.

Carol Hinds, 7490 Patrick Trail, Elizabeth. Ms. Hinds spoke in support of the question. She wants the liberty to choose who we want for a Sheriff and noted that Sheriff Heap is committed to our community.

Carol Peontek, 39438 Jo Cir, Elizabeth. Ms. Peontek spoke in favor of the question stating that the citizens should have the liberty and freedom to make a choice and that people can make a decision.

Scott Wills, 11953 Lasso Pl, Kiowa. Mr. Wills thought this question was about principle. He believes we have an opportunity for term limits every election and artificial limits are not needed.

J. H. Schroeder, 77 Overlook Rd., Elizabeth. Mr. Schroeder spoke against the question. Mr. Schroeder thought it was waste of money to put the question on the ballot, as this issue has been on the ballot several times before. He likes Sheriff Heap and voted for the sheriff and believes the reason Sheriff Heap is the Sheriff is due to term limits. He opposes the resolution on principle.

Ursula Hummel 11340 Copper Canyon Rd., Ms. Hummel spoke in support of the resolution and would like to have a choice.

Commissioner Ross moved for short recess.

10:37 In Recess

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Dallas Schroeder Recorder, Elbert County, Co



10:41 Back in Session

Commissioner Dore moved to direct the County Attorney to draft a resolution for term limits removal for the Office of the Sheriff be placed on the ballot. Commissioner Ross 2nd.
ALL IN FAVOR

- e. 2014 Annual Financial Report presentation (Eide Bailly, Staff)
Kim Higgins from Eide Bailly gave the 2014 Annual Financial Report to the commissioners. Three different reports were generated. Ms. Higgins noted that 2014 was a stable year. Eide Bailly is seeing a cohesiveness of all Elected Officials and Department Heads and this is having a beneficial impact on the audit process and in how the county works. She presented the Audit, Federal Audit Report and Letter of Governance.
Ed Ehmann, County Manager, noted the audit was done a month ahead of last year. He thanked all Elected Officials, Department Heads and staff for working diligently with the auditors. He noted the improvements that have been made, goals to shoot for and plans for improvement.

Discussion followed between Mr. Ehmann, commissioner Rowland and Commissioner Ross pertaining to 1) Depreciation and 2) Grant Procurement.

Jeri Spear, HHS Director responded to issues of and explanations of downgrades in response to the TANF & LEAP funds.

Jim Rae, Poysti & Adams

Mr. Rae stated he believed that the procedures that led to this audit was a reflection of a solid audit process.

Commissioner Dore moved to accept the 2014 Financial Statements. Commissioner Ross 2d.
ALL IN FAVOR

Commissioner Rowland called for a 7 minute recess at 12:03 p.m.
12:03 p.m. in Recess
12:10 p.m. Back in Session

LAND USE:

ATTORNEY TO THE BOCC:

EXECUTIVE SESSION – CONTRACT NEGOTIATION

BOCC entered into Executive Session for Contract Negotiation at 12:17 p.m.

BOCC exited Executive Session at 12:57 p.m.

ADJOURNMENT

Commissioner Rowland moved to adjourn at 12:59 p.m. Commissioner Ross 2nd.

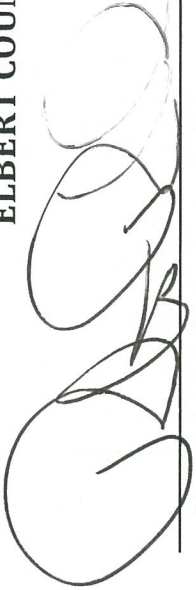
ALL IN FAVOR

Work/Study Session (Following Regular Meeting)

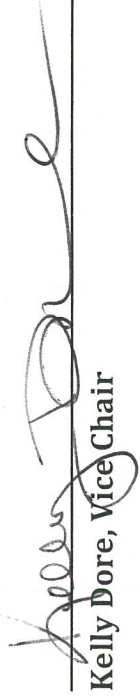
1. Impact Fee Adoption of 2004

BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



Robert Rowland, Chairman



Kelly Dore, Vice Chair



Larry D. Ross, Commissioner

ATTEST: Dallas Schroeder

County Clerk

BY: 

Clerk to the Board of County Commissioners

