

# 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 24th day of June, 2015 at 9:00 a.m.

**INVOCATION:** Prayer given by Dallas Schroeder, Elbert County Clerk & Recorder

**PLEDGE OF ALLEGIANCE:**

### AGENDA:

Commissioner Dore moved to accept Agenda as presented. Commissioner Ross 2<sup>nd</sup>.

ALL IN FAVOR

### CORRESPONDENCE:

Commissioner Ross shared that the Cowboy Up Rodeo is this Friday and Saturday at the fairgrounds. He has posters available for any business that wanted to post them at their location.

**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.

Commissioner Dore moved to accept Consent Agenda as presented. Commissioner Ross 2<sup>nd</sup>.

Commissioner Ross complimented Mr. Ehmann, County Manager, for all the detail that was provided on the chip seal project.

Mr. Ehmann said he would pass the compliment on to the staff.

ALL IN FAVOR

- a. Approval of minutes from 4/8/15, 5/13/15 & 5/27/15
- b. Vouchers/Warrants/Mylar signing
- c. MOU between ECCA and Elbert County for providing GIS updates to Douglas County

- d. Child Protection Agreement for Mental Health Services between eastern counties and Centennial Mental Health Center
- e. MOU for Title IV-E Waiver Demonstration Projects
- f. Acceptance of Bid from A-1 Chip Seal for Elbert Road, Kiowa Bennett Road and CR 29
- g. Approval of Notice of Award to A-1 Chip Seal for Elbert Road, Kiowa Bennett Road and CR 29
- h. Approval of Contract from A-1 Chip Seal Elbert Road, Kiowa Bennett Road and CR 29
- i. Approval of Notice to Proceed to A-1 Chip Seal for Elbert Road, Kiowa Bennett Road and CR 29
- j. Addendum Number One to Contract between Elbert County and Kansas State Bank for Substitution of Collateral

**AWARDS & RECOGNITION:**

- a. Douglas County Firearms  
Commissioner Rowland recognized and thanked Josh Barton from Douglas County Firearms in their support of the 4-H Shooting Sports. Douglas County Firearms donated in excess of 8000 .22 caliber rounds. The Donation was accepted by Steve Villyard, Elbert County 4-H Director of Shooting Sports.
- b. Fair Royalty Introductions  
Mary Louise Jacobson introduced the Elbert County Fair Queen, Ms. Kayla Denton and the Elbert County Fair Princess, Ms. Kendall Kline. Ms. Jacobson said it has been a joy to travel with and have these two girls represent the county. They attended many events and talked up the Elbert County Fair and Rodeo as the place to be.  
Ms. Denton shared that she and Ms. Kline worked over 60 hours at the National Western Stock Show alone in representing the Elbert County Fair and Rodeo. They did a lot of traveling and even met the CEO of the David Hat Co. She complimented the fair board for their support and encouragement not only for them but all of 4-H as well.
- c. Recognition of Ric Morgan receiving the Bill Conway Award  
Commissioner Ross was instrumental in putting this application and recommendation forward. Mr. Ric Morgan serves as Veterans Officer and assists Veterans in many different arenas.  
Commissioner Rowland spoke highly and thanked Mr. Morgan for his service. Commissioner Ross read the letter he submitted when he recommended Mr. Morgan for this award.

**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.

Dallas Schroeder, Clerk and Recorder

Mr. Schroeder reported the Motor Vehicle department had an increase in overall transactions from 2013 to 2014 of 5%. Increase from 57006 to 59859 total transactions.

Ed Ehmann, County Manager

There has been speculation in the public that the plans for the 15 miles of recycled asphalt scheduled to be applied during the summer has been put on hold. This is not the case. Bids are being accepted and this was budgeted for 2015 and will be completed.

**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.

Audrey Steffon 41550 Vista Ridge

Ms. Steffon asked for help in getting assistance to their area from the flooding from Deer Creek Farms. They still have standing water after two weeks.

Katherine Bernardini 41610 Vista Ridge

Ms. Bernardindi asked that Deer Creek start to take care of their run off water. They are still being affected.

**OLD BUSINESS:**

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

- a. Revised Fairgrounds Policy (Ed Ehmann, County Manager)  
Revision of Policy needed due to the completion of the conference room at the fairgrounds. The new conference room will accommodate 25-40 people. Staff polled other counties to see their comparable rates. The for-profit charges are \$25 a day and Non-Profit charges is \$18 a day.  
Commissioner Dore moved to approve the policy as presented. Commissioner Ross 2<sup>nd</sup>.

Ed Ehmann, County Manager, shared all the improvements that have been at the fairgrounds.  
Commissioner Rowland wanted to make sure we were covering the County's cost.  
Ed Ehmann, County Manager, explained this is evaluated annually.

**ALL IN FAVOR**

- b. Revised County Purchasing Policy (Ed Ehmann, County Manager)  
Revision of Policy needed as it now ties the county manager policy with the purchasing policy so that there are no discrepancies. Also includes Department Head/Elected Official guidelines. The major changes involves Emergency Spending procedures are defined.

Commissioner Dore moved to approve the Revised County Purchasing Policy as presented.  
Commissioner Ross 2<sup>nd</sup>.

Discussion on what is defined as a "routine service".

Discussion on what purchases are required BOCC authorization.

Discussion on the Capitalization Policy outlines on page 10.

**ALL IN FAVOR**

c. MOU for Mustang Creek Oil and Gas Exploration (Kyle Fenner, CDE Director)  
Ms. Fenner came before the BOCC requesting approval of the MOU for Mustang Creek Oil and Gas Exploration. All submittal requirements have been submitted. There are representatives from Mustang Creek including environmental engineers as well as County Engineer available to answer questions.

Commissioner Dore moved to approve the MOU for the Mustang Creek Oil and Gas Exploration.  
Commissioner Ross 2<sup>nd</sup>

Public Hearing/Comment

Bob Davis, VP of Land for Mustang Creek

Mr. Davis gave a brief outline of the activity that Mustang Creek has done in Lincoln, El Paso and Elbert Counties and introduced several of the other representatives present from Mustang Creek.

Public Hearing/Comment Closed

Mr. Ross clarified that there would be no open pits, except as defined as fresh water pits.

Mr. Ross had question on storm water management plan. Ms. Fenner answered.

Mr. Ross had question on spill containment. Sean O'Hearn, County Engineer, answered.

Mr. Ross had a question if agreement with local fire department agreement was in place and if letter had been obtained. Staff assumed fire protection agreement was redundant, but can be obtained. Mr. Ehmann shared that Big Sandy Fire is the local fire agency and they have signed Big Sandy Fire Protection agreement.

Mr. Davis asked for safety engineer to speak. Ken Gilbert, Operations Manager for Mustang Creek, shared many of the safety measures in place for the site. He declared that safety is their number one goal and want to be a good neighbor to the citizens of Elbert County.

Mr. Rowland clarified that this is our standard MOU and explained the purpose and intent of the MOU.

Ms. Fenner confirmed this is the case.

Mr. Ross asked for clarification on a redundancy and meaningless language that is in our standard MOU.

Mr. Rowland asked that this be adjusted in the future.

Mr. Ehmann recommended that we go through the process and then evaluate what may need to be adjusted. Mr. Ehmann agreed that this needs to be addressed in the future. We do not want to make adjustments in the MOU for individual projects.

Mr. Ross agreed.

Mr. Ross had a comment on baseline water testing.

Mr. Ehmann was aware of that question as well.

ALL IN FAVOR

Mr. Ehmann showed on a map where the proposed well is to be located

- d. Resolution For Declaring A Local Disaster Emergency due to Road Damage from Excessive Rainfall and Flooding in Elbert County, Colorado

Mr. Ehmann explained as to why Elbert County did not meet the threshold for the immediate declaration. The State has expanded the dates for the Local Disaster Emergency. Now Elbert County qualifies. Mr. Ehmann showed pictures of the extensive damages that have occurred throughout county. Estimates are now at 1.2 million in damages. The declaration may open up additional options for local citizens to receive assistance. Generally, Elbert County has to match 25% of assistance offered. County may be limited to amount received based on the amount of reserves that the County has available. He also shared the amount of rainfall that some areas have received.

Mr. Rowland clarified that the 25% match would come from the Road and Bridge fund.

Mr. Ehmann explained the different funds and where they are funded from. They have had to re-assess some purchases and allocations.

Mr. Ross clarified that this just starts the assessment process and does not obligate Elbert County to spend any matching funds.

Mr. Rowland complimented Mr. Linderink and his efforts in the recent weeks and pointed out that he had personal flooding as well.

Mr. Ehmann high-lited Mr. Linderink, Sheriff Heap and Undersheriff Shefellbein that they all have had personal loss, but have put the county ahead of their personal situation.

It was pointed out that Mr. Ehmann has also had some losses.

Brandon Linderink, OEM

EOC (Emergency Operation Center) has been opened several times this year. The purpose is to help coordinate many different agencies and departments to make the response the best it can be. Mr. Linderink has already been working with State agencies and has had contact with FEMA. The State may seek a Presidential Declaration which would open up assistance to individuals. OEM is continuing to evaluate effectiveness. He is very glad we have not had loss of life in the county.

Mr. Ross questioned how the word would get out for the public.

Mr. Linderink said the County web-page and he also uses social media as much as he can.

Mr. Rowland asked if perhaps the newspapers could be utilized.

Mr. Ehmann wanted to wait until all the information has become available and at the proper time will make efforts in many avenues to get the word out.

Commissioner Dore moved to approve the resolution declaring a local disaster emergency due to road damage from excessive rainfall and flooding in Elbert County Colorado.  
Commissioner Ross 2<sup>nd</sup>  
ALL IN FAVOR

LAND USE:

ATTORNEY TO THE BOCC:

ADJOURNMENT 10:57 AM

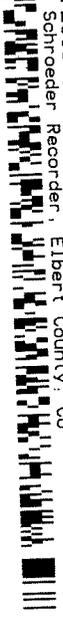
WORK/STUDY SESSION (Following regular meeting)

1. Discussion regarding the IGA with the Town of Elizabeth and sales tax/PIF issues
2. Discussion regarding procedure for BOCC directives to staff and policy statements
3. Discussion regarding proposed Complaint Policy
4. Discussion regarding the Code of the West

554024 B: 762 P: 957 MM

09/22/2015 03:21:09 PM Page: 6 of 7 R 0.00 D

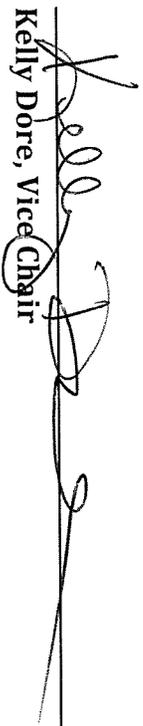
Dallas Schroeder Recorder, Elbert County, Co



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

554024 B: 762 P: 957 MM  
09/22/2015 03:21:09 PM Page: 7 of 7 R 0.00 D  
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