

ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a regularly scheduled meeting on Wednesday, Apr. 24, 2013 with roll call of members as follows:

Robert Rowland- PRESENT

Kurt Schlegel- PRESENT

Larry Ross- PRESENT

The BOCC convened at 9:00 a.m., Chairman Robert Rowland called the meeting to order.

Prayer given by Pastor Nathan Smith of Majestic View Church

Pledge of Allegiance

The Board of County Commissioner's meetings are streamed live via the Internet and are recorded for later use

1. Agenda:

Commissioner Ross moved that the BOCC adopt the Agenda as presented.
Commissioner Schlegel seconded, motion passed.

2. Correspondence: None

3. Consent Agenda: All matters listed on the Consent Agenda are considered routine by the Board and will be enacted by one (1) motion in the form below. There will be no separate discussion of these items. If discussion is desired on any item(s) and permitted by the Board, those items will be considered separately.

a. Approval of minutes from April 10, 2013.

Commissioner Ross moved that the BOCC accept the Consent Agenda.
Commissioner Schlegel seconded, motion passed.

4. Awards/Recognition: None

5. Elected Official/Department Heads/Staff Report: The Elected Officials/Department Heads/Staff Report comments is a time when any elected official or department head may bring forth items of interest or concern.



- a. Chairman Rowland gave updates on the Budget and Compactor Site.
 1. They are currently working to close out the 2012 budget and finances. Finance Director Stan Wilmer stated they changed their accounting systems and budget format, which revealed journal entries that had been posted in the wrong portion of the budget and are currently being corrected. He stated at this time the actual cash balance was \$79,685.89. Commissioner Schlegel asked if this was the General Fund Cash Balance. Mr. Wilmer advised yes.
Commissioner Rowland said monthly reports are now being generated for the BOCC to access and procedures are now in place to improve our situation.
 2. A technical meeting with the Colorado Department of Public Health and Environment (CDPHE) concerning the Compactor Site is scheduled for May 8, 2013 at their request. The ultimate goal is resolving the environmental and liability issues surrounding the compactor. Ed Ehmman, Director of Public Works stated the meeting is to talk about the soil sampling that took place and the results from those samples, and if any additional samples will be required. The preliminary results from the original samples look good.
- b. Billie Mills, Elbert County Assessor. Ms. Mills advised that starting May 1, 2013 the Notice of Values will start going out in the mail, so property owners should start receiving them.
- c. Commissioner Schlegel advised there are 2 pieces of legislation being heard at the State House today. One is Senate Bill 252, which has already passed the Senate and is being heard by the House today, and if passed, will significantly increase our electric bills. The other one is House Bill 1303, which if passed will allow same day voter registration and voting, and change the way we vote from precincts to vote centers.

Diana Hartsough, Elbert County Clerk and Recorder explained if the new legislation passes, these changes would affect Elbert County:

1. Over the next 2 years the cost to the County would INCREASE \$147,000.00 (for the same number of elections as the last 2 years).
2. Vote centers would be required for primary elections as well as general elections, which would in turn require more Judges, more training and more employees to handle the voter registration.
3. The bill would require each vote center (3 in Elbert County based on population) to be open and manned 15 days before each election.



4. Every voter would be forced to be registered as a mail-in voter whether or not they want it, and there would be extra expense in the production and mailing of those ballots. Even though every voter would receive a mail-in ballot, they would have the option of NOT using that ballot and voting in person at the vote center instead. Commissioner Rowland added this would raise the question of accountability of the mail-in ballots, causing the County to fund the expanded mail-in ballot to everyone and then fund the expanded staff and technology to assure that the voter had not voted twice. Commissioner Schlegel advised the upgraded technology part is going to be costly and what Elbert County has asked for is an amendment to make it “permissive” instead of mandatory over the next 4-5 years, so that as counties can afford it, they can then implement that system. Ms. Hartsough also mentioned another important point is the County having an option not to have those 15 days in every election as it will be a huge expense to the County. Commissioner Schlegel agreed, adding this bill has several flaws in it like allowing anyone to walk into a vote center on the day of the election and register to vote without any kind of ID. He said if anyone is concerned, to contact our Representative Tim Dore or be there and testify at 3:00 this afternoon.

Commissioner Rowland stated the new legislation requiring IREA to increase operations from 10% renewable energy sources (which they are currently struggling to meet due to the cost) to 30% within the same deadline as the 10%, will effectively force them to buy energy from other producers who already have the money and the technology. IREA would then become the middle man and have to re-sell us the power they could have generated in their own plants anyway without these new requirements. Commissioner Rowland concluded by saying the bottom line to all of this is that our bills could effectively double.

d. Cory Stark (Director Emergency Management) gave an update on the Shell Station at CR 13 & Hwy. 86 saying the property owner had received a letter from the State Office of Oil and Public Safety addressing a potential contamination on this property and was requesting a corrective action plan to clean it up with a deadline of June 10, 2013. The Elizabeth Town Board feels that no further action needs to be taken except by the property owner. Commissioner Rowland clarified that these are underground tanks that have possibly contaminated the ground and there is NO water contamination and is not under County jurisdiction at this time.

6. Old Business: NONE



7. New Business:

- a. Rick Pettitt, Elbert County Public Trustee. Mr. Pettitt gave the Quarterly Public Trustee Report, stating foreclosures are significantly down from the same quarter in 2012.
Commissioner Ross moved that the BOCC approve the Elbert County Public Trustee Quarterly Report as submitted. Commissioner Schlegel seconded, motion passed.
- b. Cory Stark, Director of Emergency Management. Mr. Stark requested the BOCC approve the 2013 Annual Fire Operating Agreement which includes changes implemented by House Bill 12-1283 which consolidated homeland security functions by renaming the Office of Preparedness, Security and Fire Safety to the Division of Homeland Security, and moved the Agency participation from the Colorado State Forest Service (CSFS) to the Colorado Division of Fire Protection and Control (DFPC).
Commissioner Ross moved that the BOCC approve and execute the 2013 Annual Fire Operating Agreement between Elbert County, the Colorado Division of Fire Prevention and Control, the Elbert County Fire Chiefs Association, and the Elbert County Sheriff's Office, which will be effective through May 1, 2014. Commissioner Schlegel seconded, and the motion passed.
- c. Ed Ehmann, Director of Public Works. Mr. Ehmann requested that the BOCC approve the purchase (through the 2013 Conservation Trust Fund) of a John Deere Utility Vehicle for use primarily at the Fairgrounds.
Commissioner Ross asked for clarification (for the public) what the sources of these funds are. Mr. Ehmann advised there is no general fund 10 money being used, the Conservation Trust is ALL Lotto funds and it carries stringent guidelines that must be followed to utilize these monies from it.
Commissioner Ross moved that the BOCC approve the request to purchase one (1), John Deere XUV 625i Utility Vehicle from Potestio Brothers Equipment in the amount of \$19,870.43. Commissioner Schlegel seconded, and the motion passed.
- d. Ed Ehmann, Director of Public Works. Mr. Ehmann requested that the BOCC approve a request to purchase four (4) bucking chutes for the Fairgrounds.
Commissioner Schlegel clarified that this purchase will help to promote the Fairgrounds for other rodeo events and bring in money from advertisers for those chutes. These upgrades are all part of the Fairgrounds Master Plan and are also funded out of the Conservation Trust Fund.
Commissioner Ross moved that the BOCC approve the request to purchase four (4), Bucking Chutes from WW Livestock Systems in the amount of \$14,400.00. Commissioner Schlegel seconded, motion passed.
- e. Ed Ehmann, Director of Public Works. Mr. Ehmann requested that the BOCC approve the salvage of certain equipment and vehicles through the Lions Club Sale at the Fairgrounds next week.



Commissioner Ross moved that the BOCC approve the salvage of the following equipment and vehicles:

1981	Chevy	Plow Truck	1GBHK34W3BJ169234	Maintenance	\$2250.00
1989	Dodge	Pick Up	1B7FL1G5LS737425	Maintenance	\$1750.00
N/A	N/A	Roping Cute	N/A	Fairgrounds	\$ 125.00
N/A	N/A	100 Hmde Cattle Panels	N/A	Fairgrounds	\$4000.00
N/A	N/A	Obsolete Veh. Filters	N/A	Road & Bridge	\$ 5.00
N/A		Micro Precision Bubble Tire Balancer	N/A	Road & Bridge	\$ 15.00
N/A		Featherlite Weed Wacker	N/A	Road & Bridge	\$ 2.00
N/A		Mcculloch Weed Wacker	N/A	Road & Bridge	\$ 2.00
N/A		Ryobi Weed Wacker	N/A	Road & Bridge	\$ 2.00
1984	Alltrade	16" Drill Press	A-5247	Road & Bridge	\$ 150.00
N/A	N/A	2 - 100 gal Trk Fuel Tanks	N/A	Road & Bridge	\$ 50.00
N/A		Coats 2020 Tire Changer	39354	Road & Bridge	\$ 25.00
N/A		Winkel Portable Semi Loading Chute	N/A	Fairgrounds	\$ 500.00
2006	Ford Crown Victoria	Patrol Car	2FAHP71W06X144285	Sheriff	\$ 200.00
2006	Ford Crown Victoria	Patrol Car	2FAHP71W76X144297	Sheriff	\$ 200.00
2006	Ford Crown Victoria	Patrol Car	2FAHP71W46X144287	Sheriff	\$ 100.00
Estimated Total:					\$9376.00
Commission:				20%	\$1875.20
Subtotal:					\$7500.80

Commissioner Schlegel seconded, motion passed.

- f. Ed Ehmann, Director of Public Works. Mr. Ehmann requested that the BOCC approve the road closure of 800' of CR 17 for the completion of the paving project, to commence in a couple of days in order to notify traffic. Commissioner Ross moved that the BOCC approve the road closure of 800' of CR 17 for the completion of paving project. Commissioner Schlegel seconded, motion passed.
- g. Jerri Spear, Director of Health and Human Services. Ms. Spear requested that the BOCC approve a two-month Independent Contractor Agreement (ICA) between Elbert County on behalf of the Department of Health & Human Services, and Arnold & Associates for departmental legal services. Commissioner Ross moved that the BOCC approve and execute the Independent Contractor Agreement between Arnold & Associates and the Board of County Commissioners, on behalf of the Department of Health & Human Services, regarding the provision of certain legal services to the Department for a term of two months through June 30, 2013, at a rate of \$100 per hour for Attorney's general and litigation services, \$40 per hour for paralegal services and \$25 per hour for services of legal assistants. Commissioner Schlegel seconded, motion passed.
- h. Jerri Spear, Director of Health and Human Services. Ms. Spear requested that the BOCC approve an Independent Contractor Agreement for the provision of certain Child Support Enforcement Services, as the one qualified Elbert County staff person has resigned. Commissioners Schlegel and Rowland both clarified that this is to replace an employee who resigned and is at no additional expense to the County.



Commissioner Ross moved that the BOCC approve and execute the Independent Contractor Agreement between Young Williams Child Support Service, P.C. and the Board of County Commissioners, on behalf of the Department of Health and Human Services, regarding the provision of certain child support enforcement services to the Department of Health and Human Services for a five (5) week period through May 30, 2013 for a total cost of \$6,147.60. Commissioner Schlegel seconded, motion passed.

- i. Jerri Spear, Director of Health and Human Services. Ms. Spear requested that the BOCC participate in the Proclamation by Governor Hickenlooper in declaring May as Mental Health Month in Colorado.

Commissioner Ross moved that the BOCC accept the Proclamation Declaring May 2013 as Mental Health Month. Commissioner Schlegel seconded, motion passed.

- j. Jen Grote, Information Technology Director. Ms. Grote requested that the BOCC approve Staff issuing a request for Bid/Proposal ending Thursday May 16, 2013 for the purpose of re-designing and updating the Elbert County Website. Commissioner Rowland confirmed that the County's technology and website are seriously deficient and at risk. Commissioner Ross asked Ms. Grote if the ending date gave adequate timeframe for a sufficient number of proposals in. Ms. Grote advised yes. Commissioner Schlegel commented that if we don't receive an adequate number of proposals, we can extend the ending date.

Commissioner Ross moved that the BOCC approve the request to issue a Request for Proposal for the purpose of the redesign of the county website and content management system. Commissioner Schlegel seconded, motion passed.

- k. Jen Grote, Information Technology Director. Ms. Grote gave a presentation on Elbert County's insufficient data back-up system and requested that the BOCC approve a proposed agreement with Phoenix Technology Group, LLC for the provision of certain I.T. Infrastructure equipment and monthly backup services. Commissioner Schlegel agreed that this is a big issue and needs immediate attention. Commissioner Rowland reiterated that the initial cost is for the hardware, and the ongoing cost is for the software that will be ours. Commissioner Ross asked Ms. Grote to address the funding for this project. She admitted the funding for this project is not in the IT budget but this is a significant issue that needs to be addressed immediately. Commissioner Rowland advised some reorganizational changes were made in the 2013 budget model which will save approximately \$125,000.00, while at the same time several expenses came up that were not anticipated. The present model allows prioritized projects of such a critical nature as this one to be added into those expenditures that have to be taken care of.

Commissioner Ross moved that the BOCC approve and execute the proposed Agreement between Elbert County and Phoenix Technology Group, LLC, regarding the provision of certain equipment and monthly backup services, for an initial contract price of \$9,098.94 and \$925 per month thereafter. Commissioner Schlegel seconded, motion passed.



- l.** Cory Stark, Director of Emergency Management (Speaking for Sheriff Heap). Mr. Stark requested that the BOCC approve a Memorandum of Understanding (MOU) between the Elbert County School District, the Elbert County Sheriff's Office, the Douglas County School District and the Douglas County Sheriff's Office for the use of the County Text-A-Tip Program that would allow high school students a safe and secure way to secretly share safety and crime information with authorities. Commissioner Schlegel voiced his support and read aloud an email from Sheriff Heap regarding the success Douglas County has had with the program. Commissioner Rowland expressed his concerns about possible misuse of the program, but will rely on expert opinions to decide this issue.

Commissioner Ross moved that the BOCC approve and execute the Memorandum of Understanding between the Elbert County School District, Elbert County Sheriff's Office, the Douglas County School District and the Douglas County Sheriff's Office for the use of the Douglas County Text-A-Tip Program for an annual cost of \$250.00. Commissioner Schlegel seconded, motion passed.

Commissioner Ross moved that the BOCC take a brief recess and reconvene and 10:45 a.m. Commissioner Rowland seconded, motion passed.

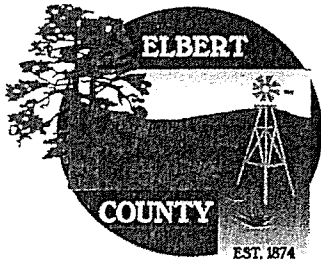
Chairman Rowland reconvened the BOCC Meeting at 10:41 a.m.

- m.** Commissioner Ross gave the following announcement: "There is an air strip up in the northwest corner of the county, originally referred to as the Everett Air Field. It has been there for a very long time from back in the days when the area was completely rural. A development was placed there a number of years ago and has come to be known as the Rocky Mountain Airpark. There were conflicts that occurred beginning clear back in 2010. Numerous hearings, discussions, arguments, fights, accidents, any number of things that happened over the course of the years have made it a contentious issue. Having only been in office for three months now, I began to study this issue and realized the complexity of it. Our former Planning Director, Richard Miller was directly involved in it as was our Planning Commission at one point. It appears that the various issues involved in this airpark were never concluded or resolved, and in an effort to do that, we have been having discussions, and a letter was sent out to the developer, Mr. Thomas Schader, on April 18, 2013 which I did not endorse. In fact, my indication was that I had not yet had the time nor had I concluded what I would call my due diligence in studying the matter. There was box after box of testimony, petitions, videos and so forth that go into this matter. So I don't feel up to speed on making any determination or making any definitive communication to these folks until it has been completely studied, and I continue to hold that position. I intend to get to the bottom of this but at this point in time, I do not endorse this letter which was sent on April 18, 2013. Furthermore, I think it is a big part of the Commissioners' job to re-study and understand and be fully informed on all these issues before doing something



on behalf of you citizens of Elbert County. That is my intention and I will continue to do that and insist that decisions as to corresponding on legal matters and so forth, be done in open public meetings with decisions made in front of the public.”

In the interest of transparency, a copy of the above mentioned letter has been included on the next page:



COUNTY OF ELBERT

P.O. Box 7
Kiowa, CO 80117
303-621-3126

April 18, 2013

Mr. Tom Schader
c/o Everitt Airfield, LLC
7221 Hyperion Way
Parker, CO 80134

Mr. Schader,

As you may recall on December 22, 2010 the Elbert County Director of Community and Development Services brought a request to the Elbert County Board of County Commissioners to “open a review of any potential noncompliance by Rocky Mountain Airpark as they were approved”.

After reviewing the facts and historical issues regarding the Rocky Mountain Airpark Estates Planned Unit Development (PUD), the Elbert County Board of County Commissioners has determined that Rocky Mountain Airpark Estates is not in compliance with the approved Development Guide in the following area:

- *An Oversight Committee shall be formed, consisting of any two (2) landowners within Rocky Mountain Airpark Estates PUD, Kitty Hawk Hills minor development, or Everitt minor development, and any two (2) neighbors of Rocky Mountain Airpark Estates PUD who own property that lies within 880 yards of any border of Rocky Mountain Airpark Estates PUD. The Committee shall meet annually on a date that is convenient for the Committee members. The primary function of the Committee shall be to oversee the following:*
 - *Landowners who use the airstrip*
 - *Proof of insurance*
 - *Flight approach and departure corridors*
 - *Hours of operation*
 - *General aviation related issues*

The Oversight Committee has not met regularly as prescribed in the Development Guide. A suggestion was made by you on or about July 16, 2011 to modify the membership of the Oversight Committee from four (4) to six (6) members, to include one (1) representative from Elbert County and one (1) representative from Douglas County. We believe the proposed change to the Oversight Committee structure is wise and can be accomplished by simply amending the bylaws of the committee.



Please address this outstanding issue in writing to the Elbert County Office of Community and Development Services no later than May 31, 2013.

cc: Everett Airfield Association
56 Skyhawk Way
Parker, CO 80138



Commissioner Schlegel stated the Developer wanted a letter or something to protect them from complaints of noncompliance. A letter was drafted and he recommended they send it and after receiving no more recommendations or comments from the other Commissioners, the letter was sent.

Chairman Rowland admitted this complicated and challenging issue has been going on since before these three Commissioners came together and stated this is one of those issues where there is disagreement among the Commissioners that brings about good stout debate and benefits the citizens of Elbert County.

Commissioner Rowland agreed that there had been discussions and study sessions about this issue and despite not being able to resolve all the issues, one thing they (including the Developer) had definitively decided that had not been completed was an issue of not having formed a citizens committee (oversight committee).

Commissioner Rowland stated all he is trying to say today is, "This letter, which was not a letter signed or voted on by the Commissioners, but represents the Board in its design obviously, from my point of view was intended for one purpose and one purpose only; to address the single issue that we needed them to come into compliance with the PUD on the oversight requirement of that Development Guide, nothing else." Commissioner Ross wanted to add that this letter in his opinion could be construed incorrectly as a dismissal of all responsibilities and liabilities except for this one mentioned here and so for that reason he objects to the letter. He feels decisions of this magnitude of a legal nature should always be made in a posted public meeting through a vote of the County Commissioners.

8. Land Use:

- a. Curtis Carlson (Community and Development Services). Mr. Carlson requested that the BOCC approve a resolution approving a Use be Special Review by Haulin Hass Tire Recycling to operate a tire recycling business on their Ag-Zoned Property.

Commissioner Ross wanted to confirm that Big Sandy or Limon Fire Departments (being the closest to respond), will still respond if there is a medical emergency or fire. Mr. Carlson said yes.

Commissioner Schlegel stated first responders have a duty to respond to emergencies. He then asked several questions about zoning since this is a commercial enterprise. Mr. Carlson responded by saying they felt the Use by Special Review was the direction to go and that the AG District lists 15 permitted uses and any other use should be addressed through the Special Use Process.

Commissioner Schlegel stated his concern is that they might be setting a precedent, as there are questions about properties within the County that maintain agriculture status that perhaps are not agriculture in nature. Mr. Carlson said it is his understanding that this type of thing has come about because of the lack of specifications at the State level.

Commissioner Rowland asked Counsel if in considering this Special Use Permit today, do they need an answer for the classification of the zoning of the 1.6 acres



to be used for this operation or can they approve it today and let the Assessor make that determination. Alex Beltz (Attorney to the BOCC) advised they need to discuss that issue with the Assessor but it does not affect today's decision by the BOCC.

Commissioner Ross commented if the petitioners decide sometime in the future to no longer be in the agriculture business they would lose their agriculture status, and their operation would likely fall under the Rubbish Ordinance. Commissioner Ross moved that the BOCC approve and execute a resolution approving SU 12-0003 Haulin Hass Tire Recycling Special Use Permit to permit the operation of a tire recycling business. Commissioner Schlegel seconded, motion passed.

- b. Curtis Carlson, Community and Development Services. Mr. Carlson first recognized and thanked the Water Advisory Committee for their dedication, time and help in bringing the proposed Special District Regulations before the BOCC, and recognized Planning Commission members in the audience. He then gave an explanation of: (including but not limited to) the application timeline, requirements, standards of approval, definitions, hearings, Special District Service Plan and Special District Financial Plan. **For a complete recording of this presentation, please go to the Elbert County Website, click on Facebook and click on the video recordings made on Apr. 24, 2013.**

Commissioners Rowland and Ross both confirmed that the document before the BOCC and the copies of it in the audience are copies of the exact document that came out of the Planning Commission.

Chairman Rowland opened his comments by referring to Colorado Revised Statute 29-20-102 "...the policy of this state is to clarify and provide broad authority to local governments to plan for and regulate the use of land within their respective jurisdictions." He then thanked all the various people involved in bringing the document to this point and stated there WILL be public comment allowed on this very important issue.

Commissioner Schlegel asked Mr. Carlson several questions about the purpose and history of the document and the outside advice that was obtained in its conception.

Commissioner Ross stated he is still prepared to move forward with this document with a few amendments.

Commissioner Schlegel and Mr. Carlson discussed and clarified the difference between Referral Committees and Review Committees. Commissioner Schlegel stated he believes there should be a policy or procedure in place to clearly define what is expected and that this regulation is premature and not ready.



Chairman Rowland opened for Public Comment.

1. Attorney Rick Morgan asked the BOCC to consider 3 amendments to the proposed Regulations:
 - a. Bottom of first page, clarify a definition in paragraph 2
 - b. Bottom of second page, ensure there is no collision with State Statute
 - c. Middle of third page, avoid confusion with issue of material modification

Commissioner Rowland asked Mr. Morgan if he felt the document they have before them at this point best serves the interest of this County and is in fact legally sound and does not interfere or frustrate the State Regulations. Mr. Morgan said yes and recognized the many people involved in putting the document together.

2. Robert Thomason – Elbert. Mr. Thomason commended the BOCC for encouraging public participation and comments. He stated based on his long history of being an advocate relating to Governmental matters, you CAN offer further extensions (beyond State Statute) to this issue as long as it is not mandated.
3. John Dunn – Elbert. Mr. Dunn stated he is a former Commissioner of this County and he believes these regulations need to be passed today.
4. Susan Shick – Elizabeth. Ms. Shick stated that the letter that went out to the Rocky Mountain Airpark indicated to her that the BOCC were lacking some sort of approval process which could make us liable to lawsuits. She then thanked Commissioner Ross for his due diligence to the residents of Elbert County.

Chairman Rowland closed public comments and suggested if there are any motions, they will be heard at this time.

Commissioner Ross moved that the BOCC make the following changes to the proposed Special District Regulations, Part II, Section 26, Special District Service Plans, Section B, Paragraph 2; as follows:

Delete the words: “and is subject to these Special District Regulations, and the public approval process set forth here.”

Add the words: “for the purposes of these Special District Regulations.”

Commissioner Rowland seconded, Commissioner Schlegel Nayed. With a two to one vote, the motion passed.



Commissioner Ross moved that the BOCC make the following changes to the proposed Special District Regulations, Part II, Section 26, Special District Service Plans, Section B, Paragraph 4; as follows:

Delete (in the last sentence) the words: “and are in addition to all applicable statutory requirements.”

Add the words: “to the extent they are not inconsistent with those organizing statutes.”

Commissioner Rowland seconded, Commissioner Schlegel abstained. With a two to one vote, the motion passed.

Commissioner Ross moved that the BOCC make the following changes to the proposed Special District Regulations, Part II, Section 26, Special District Service Plans, Section B, Paragraph 8; as follows:

Delete the words: “and shall not be required for changes required necessary only for the execution of the original Service Plan, Meaning, or for changes in the boundaries of the Special District.”

Add: a period after the final word remaining, after “District”.

Commissioner Rowland seconded, Commissioner Schlegel nayed. With a two to one vote, the motion passed.

Commissioner Ross moved that the BOCC adopt and approve the proposed Special District Regulations, Part II, Section 26, Special District Service Plans as amended. Commissioner Rowland seconded, Commissioner Schlegel nayed. With a two to one vote, the motion passed.

9. Alex Beltz, Attorney to the Board of County Commissioners: NONE

10. Public Comment: The public comment period is a time when any citizen may bring forth items pertaining to County business. During this time each individual will have three minutes to present their view(s) on County matter(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. The public comment portion of the BOCC meeting is not to be used for political or campaign purposes; comments and questions should be limited to matters of current County affairs and business. When you approach the podium please identify yourself, spell your last name and give your address.

- a.** Robert Thomason – Elbert. Mr. Thomason asked Commissioner Schlegel to clarify his position with regards to Board Members disclosing vested interest in the Elkhorn Meetings. Commissioner Schlegel stated he has a vested interest only as a property owner in Elkhorn.
- b.** Jill Duvall – Elizabeth. Ms. Duvall expressed concern over the letter sent to the Rocky Mountain Airpark.
- c.** Susan Shick – Elizabeth. Ms. Shick wondered why the Rocky Mountain Airpark issue has been going on for 28 months with no resolution and why the County was behind one \$85,000.00 payment for the employee health benefits. Commissioner Rowland advised that a former employee was responsible for getting it paid and didn't, and they just recently found out.
- d.** Brooks Imperial – Kiowa. Mr. Imperial kindly requested that Commissioners Ross and Rowland please pronounce Commissioner Schlegel's name correctly!

Meeting Adjourned at 1:00 p.m.



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

Robert Rowland, Chairman

Larry Ross, Vice Chair

Kurt Schlegel, Commissioner

ATTEST: Diana Hartsough

County Clerk

BY:

Clerk to the Board of County Commissioners

