



ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a specially scheduled meeting on Thursday, January 16, 2014 with roll call of members as follows:

Robert Rowland- PRESENT

Kurt Schlegel- PRESENT

Larry Ross- PRESENT

The BOCC convened at 2:00 p.m., Chairman Robert Rowland called the meeting to order.

Pledge of Allegiance

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

1. Agenda:

- a.** Commissioner Schlegel requested to add item a. under old business: update on status of 2012 Audit, and add approval of BOCC Meeting Minutes from Dec. 11, 2013 under Consent Agenda.

Commissioner Ross moved that the BOCC accept the Agenda as amended. Commissioner Schlegel seconded. All three Commissioners voted AYE. 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 December 11, 2013.**
- b.** Request from family of John Gates for permission to serve alcoholic beverages at Life Celebration Event on Saturday, January 25, 2014 at the Elbert County Fairgrounds.

Commissioner Ross moved that the BOCC accept the Consent Agenda as amended. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.



4. Awards/Recognition: NONE

5. Elected Official/Department Heads/Staff Report: The Elected Officials, Department Heads and Staff Report comments is a time when any elected official or department head may bring forth items of interest or concern. **NONE**

6. 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. **NONE**

7. Old Business:

- a.** Commissioner Schlegel gave an update on the status of the 2012 Audit, stating the financial statements and draft audit have made it through Eide Bailly's Executive Review Committee and once the transmittal letter of acceptance with the BOCC Chairman's signature is received by Eide Bailly, they will transmit it to the State and meet with the BOCC in a special public BOCC meeting to formally accept the completed audit. Right now it looks like the earliest date to do so will be Monday, Jan. 27, 2013 and Commissioner Schlegel suggested it be done in the morning rather than later.

Commissioner Schlegel moved that the BOCC execute the single audit letter to Eide Bailly LLP for transmittal of the 2012 Audit.

Commissioner Ross seconded. All three Commissioners voted AYE. Motion passed.

8. New Business:

- a. Alex Beltz, Attorney to the BOCC gave a brief description of case number OS 2013-0012: Jill Duvall vs. BOCC, regarding violation of campaign practices, and explained the BOCC will discuss and determine whether or not to pursue an appeal of the Administrative Law Judge decision, which ruled against the County.

Commissioner Schlegel moved that the BOCC direct the County Attorney to pursue an appeal of case number OS 20130012. Commissioner Rowland seconded.

Commissioner Ross stated he felt an appeal of this decision would use County resources, thereby taxing the taxpayers further and so he opposes the appeal.

Commissioner Schlegel spoke in favor of the appeal saying it is our right to an appeal process and feels it is in the best interest of the County to appeal, and therefore supports the motion.

Commissioners Rowland and Schlegel voted AYE. Commissioner Ross voted NAY. Motion passed.

9. Land Use: NONE

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

Meeting Adjourned at 2:12 p.m.



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

Robert Rowland, Chairman

Larry Ross, Vice Chair

Kurt Schlegel, Commissioner

ATTEST: Dallas Schroeder

County Clerk

BY:

Clerk to the Board of County Commissioners

