



# ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a regularly scheduled meeting on Wednesday, January 23, 2013 with roll call of members as follows:

**Robert Rowland- PRESENT**

**Kurt Schlegel- PRESENT**

**Larry Ross- PRESENT**

The BOCC convened at 9:03 a.m., Chairman Robert Rowland called the meeting to order.

Prayer given by Associate 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:**

- a. Commissioner Schlegel added one item to Consent Agenda, an Application for Liquor License Renewal by Elbert Country Store.
- b. Commissioner Schlegel added one item to #9, (Land Use) Request by Community and Development Services for an Extension until Feb. 27, 2013 for reviewing the Amendments to the Elbert County Zoning Regulations regarding Oil and Gas Operations.  
Commissioner Ross moved that the BOCC accept the Agenda as amended.  
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.

Chairman Robert Rowland gave a brief explanation that Consent Agenda items are the normal, routine, operational, day to day actions by the BOCC that will start being made available to the public in the near future in the form of a detailed report or summary at each BOCC meeting.

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



**4. Awards/Recognition:**

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

- a. Mike Graeff, Elbert County Coroner. Mr. Graeff commented on the subject of “green burials on personal property” that was brought up 5 years ago which resulted in no State Statute, but rather instructions and policies being drawn up by the State of Colorado. Mr. Graeff passed out copies of those papers and asked that these be formally reviewed and a resolution made by the BOCC which would allow Elbert County Residents to bury their loved ones on their personal property and legally record such burials.
- b. Richard Miller, Community and Development Services. Mr. Miller reported there would be a Planning Commission Meeting to discuss the Elbert County Draft Oil and Gas Regulations and Draft Memorandum of Understanding (MOU) tomorrow, Jan. 24, 2013 at 7 p.m. in the BOCC Meeting Room. Public is invited to attend.
- c. Chairman Robert Rowland made comments about the following items:
  - a. Compactor/Landfill. Mr. Rowland stated the County has received a \$25,000.00 written citation regarding the unauthorized excavation at the site, disturbing the soil where there were possible hazardous materials dating back to the Air Force Missile Site at that location and also from dumping in the 1970’s of materials now deemed to be hazardous to humans. He said jurisdictions, responsibilities and liabilities will all be worked out with the Colorado Department of Public Health and Environment (CDPHE) and the County’s Insurance provider (CTSI) and others, and the people who did the unauthorized excavation are certainly in the mix legally and otherwise; but we are headed towards a resolution and some of it depends on the soil results still pending.
  - b. BOCC Meeting Format. Mr. Rowland reminded everyone that while Robert’s Rules of Order are a guideline for the BOCC Meetings, they will never be allowed to keep the public from being a part of the meetings or from feeling like they were adequately involved during the meetings.
  - c. Sunshine and Open Meetings Laws of Colorado. Mr. Rowland stated that the Commissioners CAN interact with the public at any time as long as no discussion or decisions are made. Executive Sessions will be posted the



same as public meetings, but the agenda will only say, "Executive Session".

- d. Motor Vehicle Staffing. Mr. Rowland admitted this is a huge issue in Elbert County, having spent many hours talking with the public in the long lines waiting for Motor Vehicle services and he is happy to announce that Motor Vehicle is hoping to have online services available in the very near future. Diana Hartsough, Clerk and Recorder agreed, stating the State's goal is to have Elbert County up and running by the first part of February and she will keep the public informed as to the status of this development. Ms. Hartsough also said the online services will allow the public to take care of their registration fees regardless of whether they are current or late.
- e. Assessor's Staffing. Mr. Rowland said the Budget is the controlling factor in both of these issues, but they are aware that they must meet statutory requirements and that they are not blind to the facts.
- f. Legal Postings. Mr. Rowland advised the BOCC will be discussing this topic today.
- g. Information Technology (IT). Infrastructure. Mr. Rowland admitted they are aware of the seriousness of the County's I.T. system shortfalls, and will be actively working to bring us up to 21<sup>st</sup> Century technology.
- h. Appointments for 2013. Mr. Rowland stated that Citizen's Advisory and Oversight groups are extremely important in the administration of this County's Business and he urged everyone that has any expertise and could provide input, to become involved as an appointed member of these advisory groups.
- i. Outreach and Transparency. Mr. Rowland said use of workshops, study sessions, town hall meetings, and invitations to speak at public events are all very important to the County and he commits to being available for the public.
- j. Budget. Mr. Rowland gave a brief summary of what Elbert County's Budget is, explaining the difference between the General Fund and the other funds in the County, which are separate and rigidly regulated. He pointed out that while the Road and Bridge Department seems to have a lot of money in its fund, that money is from Intergovernmental Agreements and Grants and we are prevented by law from using that money to supplement our General Fund. Mr. Rowland continued by explaining Colorado State Statute says the County must pay all its expenses in a fiscal year, using money that was generated in that same fiscal year. So we can't spend money in 2013 that we generated in 2012



without re-appropriating it. Mr. Rowland then gave a simple explanation of the difference between our General Fund and our Cash Flow.

- d. Stan Wilmer, Finance Director for Elbert County then gave his first Monthly Budget Status Report to the BOCC. Mr. Wilmer stated the Auditors would be here in early April to start their interim work on the 2012 Audit and back in early June to finish up their work and turn in their statutorily required report by June 30, 2013. He said his other big push will be to develop Policies and Procedures for the County regarding petty cash and expenditures as the current procedures are lacking. Mr. Wilmer then advised the public of his open door policy if anyone has any questions about where we stand and what the issues are.
- e. Commissioner Ross re-emphasized his promise to Elbert County to re-study and understand every issue that is brought before him before he makes a decision on it.

**6. Staff Report: NONE**

**7. Old Business: NONE**

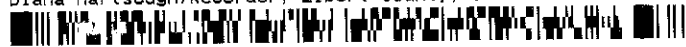
**8. New Business:**

- a. Rick Pettitt, Elbert County Public Trustee. Mr. Pettitt gave the Public Trustee Quarterly Report, stating comparisons including sales, deeds and foreclosures were slightly down in 2012 from 2011.  
Commissioner Ross moved that the BOCC accept the Public Trustee Quarterly Report. Commissioner Schlegel seconded, motion passed.
- b. Rick Pettitt, Elbert County Public Trustee. Mr. Pettitt gave the Treasurer's six (6) month Report with an ending balance in the General Fund of \$596,103.58 as of Dec. 31, 2012.  
Commissioner Ross moved that the BOCC accept the Treasurer's six (6) month Report. Commissioner Schlegel seconded, motion passed.
- c. Ed Ehmman, Public Works Director. Mr. Ehmman requested the BOCC to approve a refund to Frazee Construction Company for overpayment on Public/Private Improvement Permit #PI-2012-35.  
Commissioner Ross moved that the BOCC approve the request for refund to Frazee Construction Company in the amount of \$120.00. Commissioner Schlegel seconded, motion passed.
- d. Ed Ehmman, Public Works Director. Mr. Ehmman requested the BOCC to approve the 2012 Highway Users' Tax Fund (HUTF) Mileage Certification.



Commissioner Ross moved that the BOCC approve the 2012 State HUTF Mileage Certification. Commissioner Schlegel seconded, motion passed.

- e. Ed Ehmann, Public works Director. Mr. Ehmann requested the BOCC to approve release of final payment to Schmidt Construction.  
Commissioner Ross moved that the BOCC approve the release of the final payment to Schmidt Construction for the construction and paving of the Kiowa Bennett Road in the amount of \$83,305.74. Commissioner Schlegel seconded, motion passed.
- f. Ed Ehmann, Public Works Director. Mr. Ehmann requested the BOCC to approve Staff to go out for bid for 3 Motor Graders. If this request is approved, the down payment for these machines will come from either the guaranteed buy back or trade in of the vehicles, whichever is more.  
Commissioner Ross moved that the BOCC approve the request to go out for bid for two (2), 5 year/5,000 hour lease purchase with guaranteed buy back and one (1), 5 year/7,500 hour lease purchase on a 2013 Model 140M, 772GP, 772G, G946 or equivalent motor graders. Commissioner Schlegel seconded, motion passed.
- g. Ed Ehmann, Public Works Director. Mr. Ehmann requested the BOCC to approve a proposed Property Damage Release between Elbert County and the Great West Casualty Company in exchange for the discharge of claims and liabilities arising from the occurrence on or about Aug. 4, 2012. Commissioner Ross stated for the public this occurrence was an accident caused by a large piece of drilling equipment falling off of a trailer during transport over Elbert County Roads, causing damage to the road and that the driver was cited for careless driving. Commissioner Schlegel asked Mr. Ehmann how this damage will be fixed. Mr. Ehmann explained the damage will be repaired by grinding the asphalt where the gouge took place, then overlaying the asphalt and restriping that section, per the Engineer's report.  
Commissioner Ross moved that the BOCC approve and execute the Property Damage Release between Elbert County Board of County Commissioners, on behalf of Elbert County Road and Bridge, and the Great West Casualty Company, for the discharge of claims and liabilities arising from the occurrence on or about August 4, 2012 in Kiowa, CO in exchange of \$19,000.00 payable to Elbert County Road and Bridge. Commissioner Schlegel seconded, motion passed.
- h. Ed Ehmann, Public Works Director. Mr. Ehmann requested the BOCC to approve a work order with Flatirons, Inc. for land title survey services on the Elbert County Fairgrounds parcel. Commissioner Ross stated he reviewed the history of this property including its legal description and asked why we need further surveying and where are the funds coming from to pay for it. Mr. Ehmann said in order for CDOT to approve the improvements at the Fairgrounds funded by the Transportation Enhancement (TE) Grant, a survey must be done, so while they have a surveyor there they want to find the physical boundaries of the Fairgrounds and locate the improvements on the grounds on a surveyor map. The funds will come from the Conservation Trust



Fund and is part of the TE Grant. Commissioner Rowland asked if the Elected County Surveyor could do this work and save the County some money. Mr. Ehmann said the County Surveyor could do this work, but would have to bid on it like everyone else. Commissioner Schlegel stated that the County Surveyor does draw a monthly wage but it does not cover this type of work.

Commissioner Ross moved that the BOCC approve and execute the Work Order and Authorization between Elbert County and Flatirons, Inc., for the provision of ALTA/ACSM Land Title Survey services on the Elbert County Fairgrounds Parcel, located in the East ½ of Section 12, Township 8 South, and Range 63 West for an estimated fee amount of \$9,400.00. Commissioner Schlegel seconded, motion passed.

- i. Jerri Spear, Director of Health and Human Services. Ms. Spear requested the BOCC to approve the Independent Contractor Agreement with Dr. Marisa Moritz for provision of medical practitioner services. Commissioner Rowland reminded everyone that this professional is providing these services for only \$500.00/year.

Commissioner Ross moved that the BOCC approve and execute the Independent Contractor Agreement between Elbert County on behalf of the Elbert County Department of Health and Human Services, and Dr. Marisa Moritz, regarding the provision of medical services, from January 1, 2013 through December 31, 2013 at a rate of \$500.00 per year. Commissioner Schlegel seconded, motion passed.

- j. Jerri Spear, Director of Health and Human Services. Ms. Spear requested the BOCC approve a resolution to establish environmental service fees for certain environmental services, specifically use permits for operation of septic systems, inspection of summer camps and public and semi-public swimming pool inspections. Commissioner Schlegel called Gary Hartzell (Environmental/Public Health Services) to the podium. Mr. Hartzell stated he already does these inspections for the County but they are not charged to the public, but are paid for out of the General Fund. A survey of 9 other Counties showed these services are charged to the public and the fees requested today are in line with these other Counties and will cover the cost of these services. Commissioner Ross moved that the BOCC approve and execute the proposed resolution to establish environmental service fees for the Department of Health and Human Services to offset the administrative costs for providing such environmental service fees. Commissioner Schlegel seconded, motion passed.

- k. Jerri Spear, Director of Health and Human Services. Ms. Spear requested the BOCC approve the extension of the agreement for legal services between Arnold & Associates and Elbert County Department of Health and Human Services for one month, from Feb. 1, 2013 until Feb. 28, 2013. Commissioner Ross moved that the BOCC approve and execute the Attorney Agreement between Arnold & Associates and the BOCC, on behalf of the Department of Health and Human Services, regarding the provision of certain legal services to the Department of Health and Human Services for a term of



one month through February 28, 2013, at a rate of \$100.00 per hour for Attorney's general and litigation services, \$40.00 per hour for paralegal services and \$25.00 per hour for services of legal assistants. Commissioner Schlegel seconded, motion passed.

- l.** Jerri Spear, Director of Health and Human Services. Ms. Spear requested the BOCC approve Staff to go out for bid for Attorney Services for the Department of Health and Human Services.

Commissioner Ross moved that the BOCC approve pursuing bids on legal services for the Department of Health and Human Services. Commissioner Schlegel seconded, motion passed.

- m.** Jerri Spear, Director of Health and Human Services. Ms. Spear requested the BOCC approve an amendment to the Independent Contractor Agreement for the provision of Intensive Family Therapy Services by Lee Dudley.

Commissioner Ross moved that the BOCC approve and execute the Independent Contractor Agreement between Elbert County on behalf of the Elbert County Department of Health and Human Services and Lee Dudley, increasing the previously approved maximum contract price of \$2,000.00 to \$7,000.00. Commissioner Schlegel seconded, motion passed.

Chairman Robert Rowland moved for a 10 minute break at 10:55 a.m. Commissioner Ross seconded, motion passed.

Chairman Robert Rowland called the BOCC Meeting back to order at 11:06 a.m.

- n.** Commissioner Schlegel advised the BOCC that back in 2009, Elbert County executed a Grant program through the State called the Colorado Wireless Initiative Network (CWIN). This gave Elbert County funds to put in place some equipment for the Digital Trunk Radio System (DTRS). This agreement required Elbert County to transfer back to the State the DTRS related equipment at the end of the 5<sup>th</sup> year at no cost. Elbert County still owns the tower, the land, and the building that houses all the radio equipment.

Commissioner Ross moved that the BOCC approve and execute the proposed Bill of Sale, between Elbert County and the State of Colorado, acting by and through the Governor's Office of Information Technology (OIT), in order to transfer telecommunications equipment received by Elbert County through the Department of Local Affairs (DOLA) Wireless Interoperability Network (WIN) grant program as agreed upon in the Intergovernmental Agreement dated November 2009. Commissioner Schlegel seconded, motion passed.

- o.** Commissioner Schlegel recommended that the BOCC approve a price quote that has been proposed between Elbert County and Correctional Healthcare Companies for the provision of inmate healthcare services (a state mandated requirement).

Commissioner Ross moved that the BOCC approve and execute the Price Quote, between Elbert County Board of County Commissioners, on behalf of Elbert County Sheriff's Office, and Correctional Healthcare Companies, for the



provision of inmate healthcare services for 2013, for the contract amount of \$133,753.92 annually. Commissioner Schlegel seconded, motion passed.

- p.** Commissioner Schlegel recommended that the BOCC approve a Quit Claim Deed transferring ownership of the Matheson Grain Elevators located on underlying land previously transferred to Harlan J. Williams by the Elbert County Treasurer through a tax sale. The grain elevators have not been used since 1987, have not been maintained, are deteriorating and this would actually benefit Elbert County by removing a liability.

Commissioner Ross moved that the BOCC approve and execute a quitclaim deed between Elbert County and Harlan J. Williams to order transfer ownership of certain real property with the legal description of Section 15 Township 10 Range 59 ELEVATOR STORAGE ON LSD LND, parcel number 58092-20-016 to Mr. Williams. Commissioner Schlegel seconded, motion passed.

- q.** 2013 Organizational Meeting Appointments and Reappointments. Commissioner Rowland advised that the BOCC is addressing only a partial list of appointments today as some are critical due to Expiration dates. However, there will be more appointments in the near future, including those for the Planning Commission as there have been procedural questions raised. Commissioner Schlegel did advise staff that the terms of the current members of the Planning Commission are extended and there is no change at this time. Commissioner Ross moved that the BOCC approve and execute a resolution to adopt the 2013 Appointments and Reappointments, the Designated Hours of Operation for County Offices and the Designated Posting Place for the Board of County Commissioners of Elbert County as follows:

STATE OF COLORADO    }  
                                      } ss  
COUNTY OF ELBERT    }

At a regular meeting of the Board of County Commissioners (BOCC) for Elbert County, State of Colorado, held at the Elbert County Courthouse in Kiowa on Wednesday, the 23<sup>rd</sup> day of January A.D. 2013, there were present:

Robert Rowland	Commissioner; District 1
Kurt Schlegel	Commissioner; District 2
Larry Ross	Commissioner; District 3
Sheryl Caldwell	Clerk to the BOCC

When the following proceedings, among others were had and done, to wit:

**RESOLUTION 13-\_\_\_\_\_**  
**ORGANIZATIONAL MEETING**  
**2013 APPOINTMENTS & REAPPOINTMENTS**





**BE IT THEREFORE RESOLVED**, by the Board of Commissioners, County of Elbert, State of Colorado, the Appointments and Reappointments, to serve at the pleasure of the Board, for the year 2013 are as follows:

**DESIGNATED HOURS OF OPERATION:**

The Board of County Commissioners of Elbert County, in accordance with Section 30-10-109 C.R.S., designates all county offices to be open for the transaction of business Monday through Thursday from 7:30 a.m. to 5:00 p.m. However, all Clerks of the Court, the County Sheriff, and Sheriff's Deputies shall be subject, at all times to the command of the people, and each thereof shall at all hours, night and day be prepared to attend such duties as may reasonably be required of them.

Chair of the Board of County Commissioners (BOCC):	Commissioner Robert Rowland
Vice Chair of the BOCC:	Commissioner Larry Ross
Attorney to the BOCC:	Alex Beltz, Esq.
Finance Director and County Budget Officer:	Stan Wilmer
County Auditor:	EideBailly
<a href="http://www.eidebailly.com">www.eidebailly.com</a>	
Community and Development Services (CDS) Director:	Richard Miller
Chief Building Official & Local Government Designee (LGD):	Richard Miller
Public Works Director:	Ed Ehmann
CSU Extension Director:	Sheila Kelly
Department of Health & Human Services Director:	Jerri Spear
Health Officer:	Kathy Kruse-Sylvester
Office of Emergency Management (OEM) Director:	Cory Stark
Public Information Officer (PIO):	Cory Stark
County Medical Officer:	Marissa Moritz, MD
East Central Council of Government Representative:	Commissioner TBD
<a href="http://www.eccog.com/">http://www.eccog.com/</a>	
East Central Colorado Resource Conservation and Development Council (RC&D) Representative:	Commissioner TBD
<a href="http://www.corcd.org/page12.html">http://www.corcd.org/page12.html</a>	
Colorado East Community Action Agency Representative:	Commissioner TBD
<a href="http://www.cecaa.org/">http://www.cecaa.org/</a>	
East Central Colorado Regional Board for Developmental Disabilities Representative:	Commissioner TBD
Unusual Deaths of Children Representative:	Commissioner TBD
Insurance Carrier:	County Technical Services, Inc.
	<a href="http://www.ctsi.org/">http://www.ctsi.org/</a>
Employee Assistance Program Provider:	Mines and Associates
	<a href="http://www.minesandassociates.com/">http://www.minesandassociates.com/</a>

**ELBERT COUNTY BUILDING AUTHORITY:**

TBD (3 Members)



**CENTENNIAL MENTAL HEALTH:**

<http://www.centennialmhc.org/>

Regular Board: TBD  
Regular Board: PattyAnn Maher  
Advisory Board: TBD

**PRAIRIE DEVELOPMENT CORPORATION:**

<http://www.prairiedevelopment.com/>

Dorothy Stone  
Commissioner Robert Rowland

**BOARD OF ADJUSTMENTS:**

BOCC Appointee: TBD  
Public at Large: TBD  
Public at Large: TBD  
Public at Large: TBD  
Planning Commission: TBD  
Planning Commission (alternate): TBD

**SENATE BILL 218 – CITIZEN REVIEW PANEL:**

Lucy Hoffhines

**18<sup>TH</sup> JUDICIAL DISTRICT SENATE BILL 94 JUVENILE SERVICES PLANNING**

**COMMITTEE:**

Heather Harcourt

**CHILD PROTECTION TEAM & PLACEMENT ALTERNATIVES COMMISSION:**

Jerri Spear	Chief Jim Leach	Amy Fordyce
Kelly Tarr	Kelly Purcell	Joni Brandsted
Pam DeHart	Katrina Wall	Chief Sam Swofford
Dan Kail	Chief Michael Phibbs	Kathy Kruse-Sylvester
Bonnie Adams	Cindy Nunnelle	Christine Fitzsimmons
Patty Ann Maher		

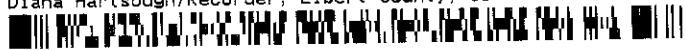
**ADULT PROTECTION TEAM**

Christine Fitzsimmons	Joni Congleton	Cindy Nunnelle
Jerri Spear	Chief Michael Phibbs	Bonnie Adams
Kathy Kruse-Sylvester	Travis Teague	Debbie Studer
Pam Witucki	Amy Fordyce	Marc White
Frank Hurst	John Skoglund	Louise Mills

**ELBERT COUNTY COMMUNICATIONS AUTHORITY (ECCA):**

<https://sites.google.com/site/ecca911/>

BOCC Designee: Commissioner Kurt Schlegel  
BOCC Alternate: Cory Stark



Elbert County Sheriff's Office (ECSO) Designee:  
ECSO Alternate:

Sgt. Mike Moore  
Sheriff Shayne Heap

**MILE HIGH REGIONAL EMERGENCY TRAUMA ADVISORY COMMITTEE  
(RETAC):**

<http://www.milehighretac.org/>

Commissioner Kurt Schlegel

Pamela Struthers

Deputy Chief Cass Kilduff; Rattlesnake F.P.D.

**COLORADO STATE UNIVERSITY COOPERATIVE EXTENSION ADVISORY  
COMMITTEE:**

Susan L. McMullen	term expires 1 January, 2014
Duane Owens	term expires 1 January, 2014
Laurie Duke	term expires 1 January, 2014
Gail Ralston	term expires 1 January, 2015
Bill Thomas	term expires 1 January, 2015
Chad Thieman	term expires 1 January, 2015
Gwen Listul	term expires 1 January, 2015
Diane Evans	term expires 1 January, 2016
Pam Witucki	term expires 1 January, 2016
Brad Hendersdon	term expires 1 January, 2016



**FAIR BOARD:**

Dan Carpenter	Russ Steen	Ben Duke
Dave Rook	Mark Daughenbaugh	Jill Duvall
Kristi Strahan	Trevor Smith	Ray Hardy
Ric Miller	J.W. Zion	Pat Kelley
Charlie Carnahan	Amy Fordyce	Sarah Patterson
Robert Hall	Brad Henderson	Vicki Whitman
Sheila Kelley; ex-officio	Carol Von Feldt; ex-officio	

**LIBRARY BOARD:**

<http://www2.youseemore.com/eclid/default.asp>

Suzanne O'Neil  
Susan Saint Vincent  
Karen Suchan  
Ron Vermillion

Vacancy – pending Library Board meeting on Wednesday – 23 January, 2013

**ECISO FORFEITURE BOARD:**

BOCC Designee:	Commissioner Kurt Schlegel
BOCC Alternate:	Commissioner Robert Rowland
ECISO Designee:	Undersheriff Joe Winkel
ECISO Alternate:	Sheriff Shayne Heap
District Attorney's Representative:	Doug Bechtel

**LOCAL EMERGENCY PLANNING COMMITTEE (LEPC):**

OEM Director:	Cory Stark
Health & Human Services Director:	Jerri Spear
CDS Director:	Richard Miller
Public Works Director:	Ed Ehmann
ECISO:	Undersheriff Joe Winkel
Elbert County Fire Chief's Association:	Chief Gerry Lamansky; Kiowa FPD

**ELBERT COUNTY VETERAN'S SERVICES OFFICER:**

Ric Morgan

**DESIGNATED DEPOSITORIES:**

Wells Fargo Bank  
Community Banks of Colorado  
Colorado Trust  
U.S. Bank

**OIL AND GAS ADVISORY COMMITTEE:**

TBD

**WATER ADVISORY COMMITTEE**

TBD



**DESIGNATED POSTING PLACE:**

The Board of County Commissioners of Elbert County, in accordance with Section 24-6-402(2)(c) C.R.S., hereby designates the Bulletin Board on the first floor of the Elbert County Administration Building next to the Clerk & Recorder's Office and the bulletin board next to the Commissioner Meeting Room on the second floor of the Elbert County Administration Building as the designated places for posting of notices and public meetings.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

\_\_\_\_\_  
**ROBERT ROWLAND, CHAIRMAN** AYE

\_\_\_\_\_  
**LARRY ROSS, VICE CHAIR** AYE

\_\_\_\_\_  
**KURT SCHLEGEL, COMMISSIONER** AYE

**ATTEST: DIANA HARTSOUGH  
COUNTY CLERK**

**BY:** \_\_\_\_\_  
**CLERK TO THE BOARD; Sheryl Caldwell**

Commissioner Schlegel seconded, motion passed.



- r. Stan Wilmer, Elbert County Finance Director. Mr. Wilmer requested that the BOCC approve the Engagement Letter with Eide Bailly for providing financial auditing services for the year ending December 31, 2012. Commissioner Rowland reminded everyone that we are entering into the 2<sup>nd</sup> year with this auditing firm and that they did a very good job on last year's completed audit. Commissioner Schlegel recommended the BOCC approve this Engagement Letter.

Commissioner Ross moved that the BOCC approve and execute the Engagement Letter between Elbert County and Eide Bailly, LLP, for the provision of financial auditing services for the year ended December 31, 2012 for an estimated fee amount of \$54,600.00. Commissioner Schlegel seconded, motion passed.

- s. Commissioner Schlegel requested that the BOCC authorize Staff to go out to bid for the Newspaper services to provide the Official Paper of Record for Elbert County Publications. Commissioner Ross advised that this bid advertisement will include the C.R.S. Statute governing it.

Commissioner Schlegel moved that the BOCC authorize Staff to go out to bid for the Newspaper services to provide the Official Paper of Record for Elbert County Publications. Commissioner Ross seconded, motion passed.

## 9. Land Use:

- a. Richard Miller, Community and Development Services. Mr. Miller requested that the BOCC reschedule the presentation of the modified draft MOU and Oil and Gas Regulations for Elbert County for Feb. 27, 2013 at their regularly scheduled BOCC meeting. Commissioner Schlegel so moved, Commissioner Ross seconded, motion passed.

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

11. **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.

Chairman Rowland reminded the public that if they need more than 3 minutes to make their comments, please give the Commissioners prior notice so they can be put on the Agenda.

- a. Don Draper – Co Rd 17 - commended the previous Commissioners for their handling of the financial situation.
- b. Norm Happel – Elizabeth. Mr. Happel commended the Road and Bridge Department for their response to a neighborhood's request. However, he is not satisfied at all with the BOCC's response to the situation in the Motor Vehicle Department, reminding them that they refused the Clerk's request for the replacement of a Motor Vehicle employee, labeling it an additional position, not a replacement. He then reminded the BOCC of the Statutes relating to staffing the MV Department and his belief that the BOCC is overriding the power of the Clerk and Recorder and failing to uphold the law by not providing service to our County citizens for the mandatory registration of their vehicles. Commissioner Schlegel answered by stating that each elected official can hire all the additional staff they desire as long as it is within the budget the BOCC appropriated for them for 2013.

Norm Happel responded by saying the money is there and the BOCC does not have the prerogative to say the money is not there for the Clerk to provide mandatory services the people of Elbert County.

**Meeting Adjourned at 11:50 a.m.**



**BOARD OF COUNTY COMMISSIONERS**

**ELBERT COUNTY, COLORADO**

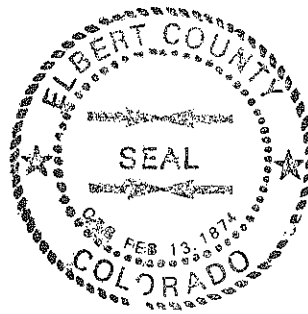
**Robert Rowland, Chairman**

**Larry Ross, Vice Chair**

**Kurt Schlegel, Commissioner**

**ATTEST: Diana Hartsough**

**County Clerk**



**BY:**

**Clerk to the Board of County Commissioners**