



# ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a regularly scheduled meeting on Wednesday, July 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 Jeremy Rose of Grace Way Bible 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 requested that Item a. under old business be removed until a later date.
- b.** Commissioner Schlegel requested that Item g. under new business be removed.

Commissioner Ross moved that the BOCC approve the Agenda as amended. Commissioner Schlegel seconded, all three Commissioners voted AYE. Motion passed.

## **2. Correspondence:**

- a.** Commissioner Rowland stated that with the BOCC's approval he is issuing a Letter of Thanks to Big R for the donations of approximately \$730.00 made by them during the Black Forest Fire Event.

- 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 May 8, 2013 & June 26, 2013.**



Commissioner Ross moved that the BOCC approve the consent agenda. Commissioner Schlegel seconded, all three Commissioners voted AYE. Motion passed.

**4. Awards/Recognition:**

**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.

- a. Kyle Fenner, Director of Community and Development Services. Ms. Fenner gave updates on the Building Department and the Community and Development Services Department concerning Oil and Gas, adding that she has just finished annual State training and certification as a Local Government Designee (LGD). Ms. Fenner stated a complete explanation is available on the COGCC website.

Commissioner Ross stated since the County seems to be heading towards an MOU process; he asked who will be at the table with the individual Oil and Gas Company negotiating to get the best protection for Elbert County? Ms. Fenner advised the point of contact at the table would be herself as the Local Government Designee (LGD). However that would be an excellent work session topic but the ultimate decision is with the BOCC and needs to be determined up front.

Commissioner Rowland advised the COGCC has offered to train and certify Dave Bower, one of our qualified Water Advisory Committee (WAC) members, to become a field inspector for Elbert County, giving us another option.

Ms. Fenner thanked Commissioner Ross for helping her get everything that is happening in Elbert County in 2013 (and numerous events scheduled for 2014) on the Colorado Central Plains Events Guide called Fairs, Fun, Festivals. 9 News is also doing a 6 minute spot to promote Elbert County and the Camp Drafting News on August 5, 2013.

Commissioner Rowland gave a budget update.

Commissioner Ross commented on night meetings and stated Mr. Ron Turner has invited all three Commissioners to speak at the Conservative Breakfast on August 10, 2013.



Commissioner Schlegel commented that the Assessor's Office is projecting a 1% decrease in property revenues which will affect the 2014/2015 Budget. He also said the deadline for letters of interest and resumes to fill the term for the Clerk and Recorder position is tomorrow and once these are reviewed, they will set up some form of selection process. Once the position is filled, the Clerk and Recorder will hire someone for the Elections position. The Secretary of State and Douglas County have agreed to help us out with this year's election.

Commissioner Ross commented on how implementing a Tool Tax would help Elbert County Revenues.

Ed Ehmann, Director of Public Works. Mr. Ehmann reminded everyone that the Elbert County Fair will be from July 24, 2013 through August 4, 2013 and will include several new events.

## **6. Old Business:**

- a.** Ed Ehmann, Director of Public Works. Mr. Ehmann requested that the BOCC approve the bid from Foothills Paving and Maintenance, Inc. for the purchase and installation of roadway chip seal for approximately 12.5 miles of Elbert County paved roadways.

Commissioner Ross moved that the BOCC approve the bid for chip seal as submitted by Foothills Paving and Maintenance, Inc. in the amount of \$497,100.00 for 4 miles of County Road 1 (Delbert Road), 3.1 miles of County Road 166 (Singing Hills) from County Road 1 to County Road 13 and 5.4 miles of County Road 13 from County Road 166 to the town limits of Elizabeth. Commissioner Schlegel seconded, all three Commissioners voted AYE. Motion passed.

## **7. New Business:**

- a.** Rick Pettitt, Public Trustee. Mr. Pettitt gave the Public Trustee Quarterly Report for April 2013 through June 2013.

Commissioner Ross moved that the BOCC accept the Public Trustee Quarterly Report as presented by Public Trustee Rick Pettitt. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.



- b.** Rick Pettitt, Elbert County Treasurer. Mr. Pettitt gave the Treasurer's 6 month Report.

Commissioner Schlegel asked if the reason some of the Towns and Special Districts show up with ending balances is because they still have some disbursements to make.

Mr. Pettitt answered yes.

Commissioner Ross moved that the BOCC approve the Treasurer's six (6) Month report as presented by the Elbert County Treasurer Rick Pettitt. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

- c.** Jerri Spear, Director Health and Human Services. Ms. Spear requested that the BOCC approve the appointment of Barbara Martin-Worley (Director of the Consumer Fraud Protection District Attorney's Office, 18<sup>th</sup> Judicial District) to the Adult Protection Team.

Commissioner Ross moved that the BOCC approve and execute a resolution approving the Elbert County Department of Health and Human Services recommendation to appoint Barbara Martin-Worley to serve on the Adult Protection Team to replace John Skoglund. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

- d.** Jerri Spear, Director Health and Human Services. Ms. Spear requested that the BOCC approve the commercial propane sales agreement with Suburban Propane. This propane fuels the back-up generator in case of power outage to insure no loss of vaccine stored in the refrigerators.

Commissioner Ross moved that the BOCC approve and execute the Suburban Propane Commercial Propane Gas Sales Agreement on behalf of the Elbert County Department of Health and Human Services for the provision of propane gas services. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

- e.** Jerri Spear, Director Health and Human Services. Ms. Spear requested that the BOCC approve the federally funded Chafee Foster Care Independence Program agreement with Arapahoe, Lincoln and Douglas Counties.

Commissioner Ross moved that the BOCC approve and execute the Chafee Foster Care Independence Program Collaborative Services Plan on behalf of the Elbert County Department of Health and Human Services to request for state approval of the plan for the provision of independent living resources to youth in out-of-home care who are at risk of aging out of foster, through federally supported funds. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.



- f. Jerri Spear, Director Health and Human Services. Ms. Spear requested that the BOCC approve the Independent Contractor Agreement with Heather Harcourt for Team Decision Making services.

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 Heather Harcourt regarding the provision of Team Decision Making services for a contract price up to \$5,000.00. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

- g. Alex Beltz, Attorney to the BOCC. Mr. Beltz explained the Elizabeth Fire Protection District and the Rattlesnake Fire Protection District are developing a joint facility along County Road 166 (Singing Hills Rd.) and they are needing a 100ft. strip of land along the westerly side of their parcel in order to secure access and other facility needs. Mr. Beltz is requesting that the BOCC approve a quit claim deed involving approximately 1.6998 acres between Elbert County and the Elizabeth Fire Protection District to facilitate their joint facility. T.J. Steck, Chief of the Elizabeth Fire Department. Chief Steck commented on how this joint facility will help many residents.

Commissioner Ross moved that the BOCC approve and execute a quitclaim deed between Elbert County and Elizabeth Fire Protection District in order to transfer ownership of approximately 1.6998 acres of certain real property located within the Southwest one-quarter of Section 4, Township 7 South, Range 64 West to Elizabeth Fire Protection District. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

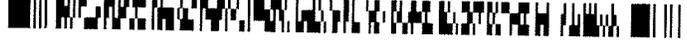
Commissioner moved that the BOCC take a recess until 10:30 a.m.  
Commissioner Schlegel seconded.

Commissioner Rowland called the BOCC meeting back to order at 10:30 a.m.

## 8. Land Use:

- a. Carolyn Parkinson, Community and Development Services. Ms. Parkinson gave a slide presentation on the proposed Front Range Pipeline Special Use Permit. She requested that the BOCC approve the Special Use permit and 1041 Permit for the Front Range Pipeline Special Use.

Rick Blake, Director of Land Department for Enterprise Products Pipeline. Mr. Blake gave a slide presentation overview of the Front Range Pipeline project and answered several questions from the Commissioners.



T.J. Steck, Chief of Elizabeth Fire Department and representing the Elbert County Chief's Association. Chief Steck advised it is common for some of the smaller Fire Departments to not respond to the Special Use Permit referrals. However, Front Range Pipeline has reached out and developed a relationship with all the agencies on the referral list.

Commissioner Rowland opened the floor at this time for Public Comment regarding the Front Range Pipeline Special Use Permit. There was none.

Commissioner Ross moved that the BOCC approve and execute a Resolution approving SU 13-0001 Front Range Pipeline Special Use and SR 13-0002 Front Range Pipeline 1041 Permit, with the fifteen (15) conditions of approval as recommended by Staff. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

**9. Alex Beltz, Attorney to the Board of County Commissioners:**

- a. Attorney Alex Beltz commented that Elbert County is looking into an Intergovernmental Agreement with Douglas County for help with our elections as both the Clerk and Recorder and the Elections Manager have recently resigned.

**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. Ron Turner – Elizabeth. Mr. Turner brought it to the BOCC's attention that the Planning Commission is short some members.

**Meeting Adjourned at 12:12 p.m.**



**BOARD OF COUNTY COMMISSIONERS**

**ELBERT COUNTY, COLORADO**

**Robert Rowland, Chairman**

**Larry Ross, Vice Chair**

**Kurt Schlegel, Commissioner**

**ATTEST: Mandy Taylor**

**Interim County Clerk**

**BY:**

**Clerk to the Board of County Commissioners**

