



ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a regularly scheduled meeting on Wednesday, March 27, 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 Chuck Norwood of Bible Missionary Church

Pledge of Allegiance

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

Chairman Robert Rowland introduced Cody Hancock, President of the High Plains 4H Club, who will be sitting with the Commissioners today, and nominated him as Today's Honorary Jr. Chair for the BOCC.

Commissioner Ross moved that the BOCC appoint Cody Hancock as Honorary Jr. Chair of the BOCC at the March 27, 2013 BOCC Meeting. Commissioner Schlegel seconded, motion passed.

1. Agenda:

a. Commissioner Schlegel requested item H. be added under New Business: Ground Engineering Consultants Proposal.

Commissioner Ross moved to add item H under New Business. Commissioner Schlegel seconded, motion passed.

Commissioner Ross moved to approve the Agenda as amended. Commissioner Schlegel seconded, motion passed.

2. Correspondence:

a. Commissioner Schlegel noted that in the March 2013 SDA (Special District Association) News, Susan St. Vincent, who is active in several Elbert County boards and commissions, was recognized as recently being appointed to the SDA Board of Directors.



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** March 4, 2013, March 27, 2013 and Dec. 12, 2012
- b.** Cowboy Up in Kiowa Rodeo request to sell liquor at the County Fairgrounds June 28th & 29th, 2013.
- c.** Elbert County 4H Leaders' Council request to serve alcoholic beverages at the Fairgrounds April 13, 2013.
- d.** Elbert County Republican Central Committee request to serve alcoholic beverages at the Fairgrounds on April 27, 2013.

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

4. Awards/Recognition:

- a.** Cory Stark (Director Emergency Management) was recognized and awarded a plaque by John Hillman of the Big Sandy Fire Protection District, on behalf of the Elbert County Fire Chiefs Association, for his devoted service, leadership and dedication to the citizens of Elbert County.

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. NONE

6. Staff Report:

- a.** Honorary Jr. Chair Cody Hancock notified the public of the 4H Gala on April 13, 2013 in the Exhibit Hall at the Elbert County Fairgrounds. Mr. Hancock advised they will serve dinner, have a raffle, a silent auction and music will be provided by the 4H'rs. He also said the moneys raised from events such as this go towards scholarships.
- b.** Commissioner Ross advised the Water Advisory Committee (WAC) has finalized their Mission Statement and it reads as follows:

The Water Advisory Committee (WAC) shall provide information and recommend policies that affect water resources in Elbert County. The WAC shall base these recommendations upon facts substantiated by scientific analysis and data. The recommendations and studies shall promote the broad interests in Elbert County

including, but not limited to, agricultural, ranching, urban development, industrial development and homeowners.

- c. Cory Stark (Office of Emergency Management) introduced Elizabeth Fire Protection District Fire Marshal Kara Gerczynski. Ms. Gerczynski gave a presentation on safety recommendations that the Elbert County Fire Chiefs Association would like added to the Oil and Gas Regulations. Commissioner Schlegel asked if they could get those recommendations in writing. Ms. Gerczynski advised yes. Commissioner Rowland asked if OSHA regulations cover these deficiencies. Ms. Gerczynski advised not really. Commissioner Ross thanked everyone who was involved in this presentation and who is involved in this process.

7. Old Business:

- a. Ed Ehmann, Director Public Works. Mr. Ehmann requested that the BOCC approve the purchase of 3 replacement Motor-graders, two (2) John Deere and one (1) Volvo, which are budgeted in the 2013 budget. Commissioner Ross moved that the BOCC approve the bid for two, five year/5,000 hour lease purchases for the 772 GP John Deere motor-grader, as submitted by Honnen Equipment Company for a total cost of \$525,634.00. Down payment in the form of a trade in of two (2) 2008 143M Cat is in the amount of \$329,000.00. The total amount to be financed will be \$196,634.00. Quarterly payments in the amount of \$10,498.29 will be funded out of the Fund 20 approved budget under leases. Commissioner Schlegel seconded, motion passed.

Commissioner Ross moved that the BOCC approve the bid for one (1) five year/7,500 hour lease purchase for a Volvo G946B motor-grader as submitted by Power Equipment Company for a total cost of \$249,212.00. Down payment in the form of a trade in of one (1) 2008 143M CAT is in the amount of \$165,000.00. The total amount to be financed will be \$84,212.00. Quarterly payments in the amount of \$4,494.73 will be funded out of the Fund 20 approved budget under leases. Commissioner Schlegel seconded, motion passed.

8. New Business:

- a. Jen Grote, Information Technology (IT) Director. Ms. Grote requested that the BOCC approve a Maintenance Quote #25558845, for a software license



renewal of certain Geographic Information System (GIS) mapping software used by various Elbert County Departments.

Commissioner Ross moved that the BOCC approve and execute the ESRI Maintenance Quote #25558845 between Elbert County and the Environmental Systems Research Institute, Inc. regarding the renewal of specific software programs for the Elbert County Assessor's Office mapping Department for \$6,400.00. Commissioner Schlegel seconded, motion passed.

- b.** Ed Ehmann, Director Public Works. Mr. Ehmann asked the BOCC to approve the request to Public Notice for Bids on cutting edges for motor-graders. Commissioner Ross moved that the BOCC approve the request to Public Notice for bids on cutting edges for motor-graders for the remainder of 2013. Commissioner Schlegel seconded, motion passed.
- c.** Ed Ehmann, Director Public Works. Mr. Ehmann asked the BOCC to approve the request to Public Notice for Bids to Chip Seal approximately 12 miles of paved roads in Elbert County. The 2013 budget includes funds to do this chip sealing. Commissioner Ross moved that the BOCC approve the request to Public Notice for Bids on Chip Seal for approximately 12 miles of paved roadways. The project area will include 2 miles of County Road 1 (Delbert Road), 2 miles of County Road 166 (Singing Hills) from County Road 1 to County Road 13 and then County Road 13 from County Road 166 to the town limits of Elizabeth. Commissioner Schlegel seconded, motion passed.
- d.** Ed Ehmann, Director Public Works. Mr. Ehmann requested that the BOCC approve the Professional Services Agreement with Enertia Consulting Group for Elbert County roads chip seal bid preparation and administration, and update of the 2010 pavement evaluation report. Commissioner Ross moved that the BOCC approve and execute the Enertia Consulting Group Professional Services Agreement between Enertia Consulting Group and Elbert County for the preparation and administration of Elbert County roads chip seal bids and update of the 2010 pavement evaluation report for the lump sum of \$8,660.00. Commissioner Schlegel seconded, motion passed.
- e.** Sunni Ward, Elbert County Sheriff's Office. Ms. Ward requested that the BOCC approve a proposed Intergovernmental Agreement (IGA) with the Town of Simla regarding the State mandated Shared Victim Services Unit. Ms. Ward advised Elbert County is responsible for 45.5% of the total budget with the remainder being covered by Victim Assistance and Law Enforcement (VALE) and Victims of Crime Act (VOCA) grant funds, and this IGA is an agreement for the Town of Simla to cover \$1,430.00 of Elbert County's responsibility. Commissioner Ross moved that the BOCC approve and execute the proposed IGA between Elbert County BOCC, on behalf of the Elbert County Sheriff's Office, and the Town of Simla, on behalf of the Simla Police Department, regarding the Shared Victim Services Unit, through December 31, 2013. Commissioner Schlegel seconded, motion passed.



- f.** Blake Hepburn, Elections Manager. Mr. Hepburn made a presentation on the proposed (and State mandated) Redistricting Precinct Line Revisions for the three (3) Commissioner Districts in Elbert County. These revisions were reviewed by the Elbert County Republican and Democrat Party Chairs as well as Elbert County IT department, the Elections Manager and the Elbert County Assessor's GIS Specialist. In the proposal, Commissioner District 3 boundaries would remain the same. The changes would affect District 1 and District 2. The proposed Commissioner District lines, in the opinion of the party chairs, created a more equal representation of the population within each district, with the smallest impact on the existing lines and the overall difference between the highest population district and the lowest population district would be only 144, a difference of 0.6%.
Chairman Rowland advised this process has a statutory 30 day Public Comment Period. He then asked for any public comment at this time. There was none.
- g.** Commissioner Ross stated Elbert County has not yet made its selection of a non-government, private sector representative to serve on the East Central Council of Local Governments (ECCOG) Board. Therefore, Commissioner Ross moved that the BOCC designate Ms. Kyle Fenner to serve as the Elbert County private sector representative to the ECCOG Board. Commissioner Schlegel seconded motion passed.
- h.** Ed Ehmann, Director Public Works. Mr. Ehmann requested that the BOCC approve the Ground Engineering Consultants Proposal for materials testing and special inspection services for County Road 17, County Road 29 and County Road 194 improvements.
Commissioner Schlegel asked Mr. Ehmann if this is an item that has been budgeted for in 2013. Mr. Ehmann advised yes.
Commissioner Ross moved that the BOCC approve and execute Proposal # 1303-0430 between Elbert County and Ground Engineering Consultants, Inc., regarding the provision of materials testing and special inspection services for the County Road 17, County Road 29 and County Road 194 improvements for an estimated project cost of \$36,755.00.
Commissioner Schlegel seconded, motion passed.

Commissioner Schlegel then advised there was a special meeting at Sun Country last Tuesday with the people being affected by the paving project. Mr. Ehmann confirmed, stating it was re-iterated to the public there must be no road use to certain marked roads before paving starts, as it is most important for those roads to set before actual paving is done. The public was reminded once again not to ignore the signs and go around the cones as it will only set back the paving, and to follow all traffic re-routes. He said only four (4) sections would be coned off at a time and one (1) lane would be open at all times. The project, which has already begun, is scheduled to be complete by August 31, 2013.



Commissioner Ross asked if there was a risk of head-on collisions. Mr. Ehmann advised yes, so it is very important for the public to obey the type 2 barricades and automated signals.

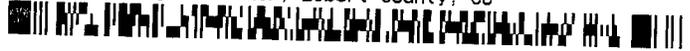
9. Land Use: NONE

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.

a. Michael Hedgpeth – Elbert County Resident –Mr. Hedgpeth presented the following:

My name is Michael Hedgpeth. I am a resident of Elbert County. First I would like to express my gratitude to all of the public service employees in the room. Your dedication is appreciated. I would like to direct my comments to the Elbert County Sheriff. Sheriff Heap, we greatly appreciate the way in which you represent our county, especially as it relates to gun control. I understand this is a very sensitive and difficult subject. I liken the issue to the magic trick where three cups on the table hide a ball that seems to mysteriously and unpredictably move from cup to cup. I would compare the ball to an evil person seeking to do damage to those around him. The cups represent the weapon of destruction that the evil person chooses to hide behind. It could be an airplane. It could be a yellow rental truck filled with barrels of fertilizer. It could be an assault rifle. Believing the problem can be solved by controlling or eliminating weapons is stupid and naive. You can pass all the legislation you want, but controlling or eliminating weapons will not change the sick determination of the person seeking to destroy. He will continue....likely appearing under a different cup, but still finding a means to destroy.



I attend a prominent firearms training institute in order to learn gun safety, be proficient with my weapon, and understand how best to protect my family. At that institute, we learn that one of the most effective home protection weapons is an assault rifle. Sheriff Heap, there are times I know you must feel like David going up against Goliath. You need to know how much I appreciate your stand on gun control. I, too, believe I have the right to the weapon of my choice to protect my family. God bless you, Sheriff Heap, in your stand.

- b.** Jody Powers – Elbert County. Ms. Powers extended thanks to the Sheriff and expressed her appreciation for his standing up for Elbert County in regards to the anti-gun legislation.
- c.** Marty Powers – Elbert County. Mr. Powers also thanked Sheriff Heap for his stand concerning the anti-gun legislation.
- d.** Bill Thomas extended thanks to the Commissioners for appointing people to boards and commissions regardless of political party affiliation, which in his opinion is a positive step.
- e.** Molly Stark also thanked Sheriff Heap for his stand concerning the anti-gun legislation.

Chairman Rowland gave the adjournment to Honorary Jr. Chair Cody Hancock. Honorary Jr. Chair Cody Hancock declared the BOCC

Meeting Adjourned at 10:35 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