



# ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a regularly scheduled meeting on Wednesday, May 28, 2014 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 Kurt Schlegel called the meeting to order.

Pledge of Allegiance

**This Board of County Commissioner's meeting is recorded for later use**

## **1. Agenda:**

- a. Commissioner Ross moved item a. under consent agenda (approval of minutes) be removed.  
Commissioner Rowland seconded. All three Commissioners voted AYE.  
Motion passed.
- b. Commissioner Rowland moved to add item b. under Land Use (Request to rescind previous red-tag fee of Bereznyak property).  
Commissioner Ross seconded. All three Commissioners voted AYE. Motion passed.

Commissioner Rowland moved that the BOCC accept the agenda as amended.  
Commissioner Ross seconded. All three Commissioners voted AYE. Motion passed.

## **2. Correspondence:**

- a. Letter of thanks from Kiowa County BOCC ref: Ballot initiative for limited gaming
- b. Current issue of Colorado Water available for anyone interested



- 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 by the BOCC for Elizabeth Celtic Festival Association to serve alcoholic beverages during July 19<sup>th</sup> & 20<sup>th</sup> festivities at Casey Jones Park in Elizabeth, CO.
  - b.** Final BOCC approval on contracts for four (4) Motor Graders (approved by BOCC on Feb. 26, 2014).
  - c.** Request for BOCC to approve the Family of Dennis Shy to serve alcoholic beverages during a wedding reception at the Fairgrounds on June 7, 2014.
  - d.** Signal Behavioral Health Network Service Agreement, Jerri Spear (Director of Health and Human Services).
  - e.** Child Protection Agreement for Mental Health Services, Jerri Spear (Director of Health and Human Services).
  - f.** Independent Contractor Agreement between Elbert County Department of Human Services and Dr. James Baroffio, Jerri Spear (Director of Health and Human Services).
  - g.** Independent Contractor Agreement between Elbert County Department of Human Services and Lee Dudley, Jerri Spear (Director of Health and Human Services).
  - h.** Independent Contractor Agreement between Elbert County Department of Human Services and Rebecca Gale, Jerri Spear (Director of Health and Human Services).
  - i.** Independent Contractor Agreement between Elbert County Department of Human Services and Jeff Kendig, Jerri Spear (Director of Health and Human Services).
  - j.** Independent Contractor Agreement between Elbert County Department of Human Services and Life Behavioral Institute, Inc., Jerri Spear (Director of Health and Human Services).
  - k.** Independent Contractor Agreement between Elbert County Department of Human Services and Martinich Enterprises, LLC, Jerri Spear (Director of Health and Human Services).
  - l.** Independent Contractor Agreement between Elbert County Department of Human Services and David Nahum, Jerri Spear (Director of Health and Human Services).



- m.** Independent Contractor Agreement between Elbert County Department of Human Services and Savio House for Home-based Intervention CORE Services, Jerri Spear (Director of Health and Human Services).
- n.** Independent Contractor Agreement between Elbert County Department of Human Services and Savio House for Multi-systemic Therapy CORE Services, Jerri Spear (Director of Health and Human Services).
- o.** Independent Contractor Agreement between Elbert County Board of County Commissioners and Four Feathers Counseling, for providing mentoring supportive services for the Elbert County Department of Health and Human Services, Jerri Spear (Director of Health and Human Services).
- p.** Chafee Foster Care Independence Program Plan and MOU between Elbert County and Lincoln County, Jerri Spear (Director of Health and Human Services).

Commissioner Rowland moved that the BOCC accept the Consent Agenda as presented.

Commissioner Ross 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.

- a.** All three Commissioners commented on Meet and Greet Meeting scheduled for July 1, 2014 between the BOCC, Staff and members of water districts within Elbert County to discuss the future of Elbert County and any interest in a Master Plan for water and sanitary sewer infrastructure for development in the County, and is open to the public.
- b.** Kyle Fenner (Director of Community and Development Services) stated an executive order was issued last year by Governor Hickenlooper to the 9 water basins in the State to put together a Basin Implementation Plan (BIP) which is due to the State by July. Elbert County, which sits in 3 basins, has been having outreach meetings to inform people of the BIP and encourage input in the informative meetings being held.



**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:** NONE

**8. New Business:**

**a.** Request for approval of 2014 Emergency Fire Fund Agreement.

Attorney Wade Gateley stated it is a Cooperative Agreement with the State of Colorado to allow them to come in and help us financially in the event of a fire emergency.

Commissioner Schlegel commented on this item, stating nearly every County in the State belongs to the Emergency Fire Fund; Elbert County has participated in the past and feels it is a good idea to continue the participation.

Commissioner Rowland moved that the BOCC approve the 2014 Emergency Fire Fund Agreement.

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

**b.** Ed Ehmann (County Manager) requested that the BOCC approve the surplus of Sheriff's Office Vehicle: 2003 Ford Explorer, Serial #1FMZU72K83ZB00376 to Simla Fire District, who is willing to pay for repairs.

Commissioner Ross moved that the BOCC approve the request to surplus one County Vehicle: 2003 Ford Explorer, Serial #1FMZU72K83ZB00376.

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

**9. Land Use:**

- a. Kyle Fenner (Director of Community and Development Services) presented the BOCC with an appeal by Applicant Garth Willson on the Willson Administrative Plat Amendment that has been denied by Community and Development Services.

Tom Maroney, Representative for the applicant, presented the Applicant's case for appeal.

All three Commissioners asked questions of Staff and Mr. Maroney for clarification.

Commissioner Schlegel opened Public Comment.

- 1. Randy Keller Marquez – Elizabeth, is opposed to the applicant's request.

Commissioner Schlegel closed Public Comment.

Commissioner Rowland moved that the BOCC support the denial of the Willson Administrative Plat Amendment Appeal.

Commissioner Ross seconded.

Commissioner Schlegel spoke against this motion and does not support Staff's recommendation to deny this application.

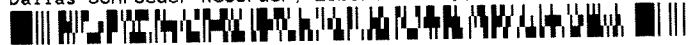
Commissioner Ross voted AYE. Commissioners Schlegel and Rowland voted NAY. Motion failed.

Commissioner Schlegel moved that the BOCC approve the appeal to allow the building envelope to be moved or re-positioned.

Commissioner Rowland seconded.

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

- b. Kyle Fenner (Director of Community and Development Services) advised in the interest of transparency, they are requesting the Bereznyak red tag fee be waived as there was actually no non-compliance.



Commissioner Rowland moved, based on Staff's recommendation, that the BOCC rescind the red tag issued to Ms. Bereznyak.

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

**10. Wade Gateley, Attorney to the Board of County Commissioners: NONE**

Commissioner Rowland moved that the BOCC meeting be adjourned at 10:02 a.m. Commissioner Ross seconded. All three Commissioners voted AYE. Motion passed.

**Meeting Adjourned at 10:02 a.m.**



**BOARD OF COUNTY COMMISSIONERS**

**ELBERT COUNTY, COLORADO**

Kurt Schlegel, Chairman

Robert Rowland, Vice Chair

Larry Ross, Chairman

ATTEST: Dallas Schroeder

County Clerk

BY:

Clerk to the Board of County Commissioners

