



ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners (BOCC) met in a specially scheduled meeting on Tuesday, Nov. 26, 2013 with roll call of members as follows:

Robert Rowland- PRESENT

Kurt Schlegel- PRESENT

Larry Ross- PRESENT

The BOCC convened at 9:02 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:

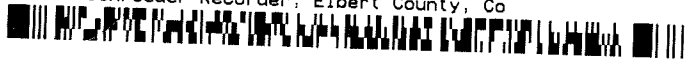
a. Commissioner Schlegel requested 3 modifications:

1. Remove item b. (precinct maps) from new business, staff is not ready to present.
2. Add under new business Public Works DOLA Grant application for the improvement of County Road 29.
3. Add under new business Contract with Douglas County 9-1-1 Regional Dispatch for providing dispatch services to the Sheriff's Office for 2014.

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** Nov. 13, 2013.
- b. Approval of escrow payment to Evertia Consulting Group, LLC in the amount of \$650.00 for ELA Self Storage Project.

Commissioner Ross moved that the BOCC adopt consent agenda as presented. 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.

- a. Kyle Fenner, Director of community and Development Services. Ms. Fenner gave update on scheduled Oil and Gas meetings and time change for Board of Adjustments meeting. Web site is continuing to grow and they hope to post weekly status reports soon.

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.

- a. Norm Happel – Elizabeth. Mr. Happel commented on concerns about front page newspaper articles regarding Elbert County and his hopes that everyone's New Year's resolutions will include sitting down together and making Elbert County once again a place to be proud of.

7. Old Business: NONE

8. New Business:

- a.** Alex Beltz, Attorney to the BOCC brought before the BOCC the Elbert County Local Emergency Management Support (LEMS) 2013 Award (Grant) Agreement regarding the financial support of Elbert County's local emergency management program.

Commissioner Ross moved that the BOCC approve and execute the proposed Grant Agreement #13EM1422, between Elbert County and the State of Colorado, on behalf of the Department of Public Safety, Division of Homeland Security and Emergency Management, for the financial support of Elbert County's local emergency management program, through June 30, 2014, awarding \$36,000.00 in federal Emergency Management Performance Grant (EMPG) funding.

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

- b.** Commissioner Rowland commented on the precinct map item that was removed at the start of the meeting, stating questions have been raised concerning the formatting of the numbering for the precincts and would like to make sure the exact type of numbering conforms to State Statute requirements before this comes before them again.
- c.** Attorney to the BOCC Alex Beltz brought before the BOCC the proposed resolution for the Elbert County 2014 holiday schedule.

Commissioner Ross moved that the BOCC approve and execute a resolution to Colorado Revised Statutes Section 30-10-109, to designate Elbert County office hours and holiday schedule for the year 2014.

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

- d.** Planning Commission Appointments, Commissioner Ross. Commissioner Ross gave an update on the importance of the Planning Commission and the need to keep appointments by the BOCC to the Planning Commission current.

Commissioner Ross stated his desire to fill a vacant position and nominate Grant Thayer to serve on the Elbert County Planning Commission. Therefore, Commissioner Ross moved that the BOCC approve and execute a resolution appointing Grant Thayer to serve as a member to the Elbert County Planning Commission. There was no Second. Motion died.



- e. Alex Beltz, Attorney to the BOCC brought before the BOCC the proposed 401(a) Participation Agreement Amendments with Colorado County Officials and Employees Retirement Association (CCOERA). The proposed Agreement, if executed, will allow (1) Eligible Borrowers to obtain a loan against the Eligible Borrower's vested retirement account with certain limitations.

Commissioner Schlegel moved that the BOCC approve and execute the proposed 401(a) Participation Agreement.

Commissioner Rowland seconded. Commissioner Schlegel spoke in favor of this Agreement. Attorney Alex Beltz commented the last time the BOCC reviewed this item (2009) they voted against. All three Commissioners voted AYE. Motion passed.

- f. Attorney Alex Beltz also brought before the BOCC the Proposed 457 Participation Agreement between CCOERA and Elbert County regarding the County's participation in the CCOERA Retirement Plan. The proposed agreement, if executed, will allow Roth contributions, which were not previously an option.

Commissioner Ross moved that the BOCC approve and execute the proposed 457 Participation Agreement. Commissioner Schlegel seconded. All three Commissioners voted AYE. Motion passed.

- g. Ed Ehmann, Director of Public Works. Mr. Ehmann requested that the BOCC support the Elbert County Public Works' application for the Energy and Mineral Impact Assistance Program Fund Grant from the Department of Local Affairs (DOLA) to be used in the paving of 3.5 miles of unpaved County Road 29 but does not include straightening it. Mr. Ehmann advised they will have to adjust their Master Plan as the matching funds were previously earmarked for another project. He said this change is justified by pipeline traffic and damage to the road. sales and use tax money to contribute 1.5 mill

Commissioner Ross moved that the BOCC approve and execute a resolution supporting the Elbert County Public Works' application for the Energy and Mineral Impact Assistance Program Fund Grant from the Department of Local Affairs for Tier 2 funding of an amount between \$900,000.00 and \$1,000,000.00 to be used to offset the social and economic impacts caused by the development, processing or energy conversion of minerals and mineral fuels. Commissioner Schlegel seconded.

Commissioner Ross asked: Did we recoup any of the damage costs from the forming of the pipeline yet? Mr. Ehmann advised as damage occurred the Pipeline Company repaired it and we are still holding their bond.



Commissioner Schlegel asked: Are we going to write off straightening County Road 29? Mr. Ehmann said they will keep it in their master plan to eventually straighten the road when necessary right-of-ways are obtained.

Commissioner Rowland expressed concern about safety if they just pave the existing curves that people already speed on. Mr. Ehmann advised that can be discussed at any time and it could possibly come from reserves which will still have to be diverted from where they are currently designated for, but it is hard to pass up an opportunity for a grant.

Commissioner Rowland asked Mr. Ehmann about the consequence of deferring the current project for this one. Mr. Ehmann said their analysis of the two projects is close but this one has a higher priority.

All three Commissioners voted AYE. Motion passed.

- h.** Commissioner Schlegel brought before the BOCC a proposed Intergovernmental Agreement (IGA) with Douglas County Regional Dispatch, for providing emergency response communications and dispatch services to the Elbert County Sheriff's Office and gave a brief history of how we have come to the point of needing this IGA.

Commissioner Ross asked for clarification on the difference between this Agreement and previous ones.

Commissioner Schlegel advised we will be directly responsible to Douglas County for our portion of the bill instead of going through Elbert County Communications Authority (ECCA).

Commissioner Ross stated since he was just handed this information approximately 15 minutes before the meeting, he may have some questions.

Commissioner Rowland questioned the costs per call by the Sheriff's Office associated with the new Agreement.

Commissioner Schlegel said the anticipated cost for Elbert County Sheriff's Office dispatches based on the 2013 call numbers will be approximately \$136,607.24.

ECCA collects 9-1-1 surcharge fees (which have recently been approved to increase from \$0.70 per phone line with an Elbert County billing address, to \$1.20 per phone line) which will pay approximately 62 % of these costs, leaving our portion at \$51,910.75 for 2014. The main difference with this contract is Elbert County will now be directly responsible to Douglas County instead of ECCA (due to a strained relationship) for our portion of dispatch costs.

Commissioner Ross clarified contract remains same just relationship changes.



Commissioner Rowland clarified the estimated cost for Elbert County in 2014 and asked if the \$0.50 increase in 9-1-1 surcharges by ECCA will offset any increase in Elbert County dispatches.

Commissioner Schlegel advised yes and in fact, he has been pushing for the percentage ECCA currently pays be increased (hopefully up to 100%) to help cover our dispatch fees.

Commissioner Ross asked for clarification on the need for immediate decision on this item.

Attorney Alex Beltz explained Douglas County needs this agreement for their BOCC to approve at their next meeting so we can have an active agreement ready to execute on January 1, 2014. We must maintain our relationship with Douglas County and we don't have any other options.

Commissioner Schlegel moved that the BOCC approve and execute the Intergovernmental Dispatch Agreement between the Board of County Commissioners for Elbert County, on behalf of the Elbert County Sheriff's Office, and the Board of County Commissioners for Douglas County, on behalf of the Douglas County Sheriff's Office, for the provision of emergency response communications and dispatch services to the Elbert County Sheriff's Office for a base contract amount of \$136,607.24, from January 1, 2014 through December 31, 2014.

Commissioner Rowland seconded. Commissioners Rowland and Schlegel voted AYE. Commissioner Ross abstained. Motion passed.

9. Land Use: NONE

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

Meeting Adjourned at 10:00 a.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

