

ELBERT COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

MINUTES

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 15th day of October, 2013 at 1:06 PM

We welcome all of our visitors today, both those here in person and those watching the live video feed, we appreciate your participation. If you need to have personal conversations if you would please step outside, we would appreciate it. Also if you have cell phones, we would ask that you put them on silent during today's meeting.

CALL TO ORDER ROLL CALL:

Robert Rowland - Present

Kurt Schlegel – Absent

Larry Ross - Present

INVOCATION:

PLEDGE OF ALLEGIANCE:

AGENDA: Commissioner Ross made a motion to approve agenda as presented. Commissioner Rowland seconded. All in favor. Motion passed.

CORRESPONDENCE:

AWARDS & RECOGNITION:

ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORT(S): This is the time when any county elected official, department head or employee may use the podium to report on any matter of interest to the citizens and the BOCC. This is an open format and does not require prior approval or disclosure of the subject matter to be discussed and therefore cannot be added to the agenda at this time, but may be added at a later time for follow up or consideration by the BOCC if appropriate.

Commissioner Ross: Asked for clarification on Planning Commission Work Session scheduled on Oct 24, 7 PM at Liberty Plains Baptist Church, Simla, CO. Why this venue?

Commissioner Rowland: Point of Order. Asked Mr. Alex Beltz, county attorney, if this discussion topic should have been part of the agenda.

Mr. Beltz: Up to the board discretion.

Commissioner Rowland withdrew Point of Order but thought it was inappropriate.



Ms. Kyle Fenner, Planning Director: The BOCC room not was not available nor was fair grounds. She has heard that Simla is feeling out of loop. Thought it was a good timing to go to Simla and there is a drilling proposal not far from Simla.

Commissioner Ross: Understands the Work Session is to discuss Oil and Gas regulations. Will the regulations be formally presented?

Ms. Fenner: Yes, they will be formally presented with the oil and gas amendment draft. Planning Commission will not vote. They have 30 days to review and have already asked for additional time. At the end of that time period, the Planning Commission will vote and may make recommendations at that time

Ms. Fenner said she would defer to Mr. Beltz on further procedures for the meeting.

Mr. Beltz will get with Ms. Fenner to find out nature of meeting.

Commissioner Ross: This meeting to start sequence of events for the proposed regulations.

Ms. Fenner: There has been some confusion on the public notification and will respond later to clarify.

OLD BUSINESS:

NEW BUSINESS: (Public comment may be provided for items as deemed appropriate)

- a. Approve and Execute a Letter of Engagement for the 2012 Audit Preparation.

Commissioner Ross moved that the Board approve and execute the Engagement Letter between Elbert County and Poysti & Adams, LLC for the provision of services for the compilation of financial statements for the year ended December 31, 2012. Commissioner Rowland 2nd.

Discussion:

Commissioner Ross: Has been just going over entire packet of proposal from Poysti & Adams. He has also received a proposal from the Elizabeth firm, Robinson and Jones. He believes that the Elizabeth proposal has at least equal if not better terms than that of the Poysti proposal. Stated that Robinson and Jones were worthy of examination and consideration.

Commissioner Rowland: Gave a little foundational history. County is struggling to achieve benchmarks to complete 2012 audits. These are statutory benchmarks. One has already been missed. Staff has been unable to provide the information to get the audit going, and the county has incurred additional expenses. The whole process needs complete review. Many different items must be accomplished to get audit on the way. There is also a 130+/- page financial statement to be compiled. This has to be done by statute. They had decided to act quickly. EideBailey, the auditing firm was asked for advice and get audit moving forward. They recommended Poysti and Adams. Poysti and Adams have 23 years of government auditing experience. They can do all that we need to have done. Inquiry was sent to Robinson and Jones. Their proposal received today. His understanding is that they are mainly a tax firm. They have no government experience. He also called Poysti, informing them he needed a more concrete to get final number. His answer was \$24,750 total, to get audit completed. The savings of salary and benefits from the vacated Finance Director position is \$18,000+ so the net expense to finalize audit is \$6,598.80. We are behind. Any delay increases the probability to fail to meet audit deadline. He strongly recommends approval of proposal.



Commissioner Ross: Stated he hates to make hasty decisions. The three commissioners have a gentleman's agreement that no important decisions will be made without the out full board present. Commissioner Schlegel through e-mail instructed to proceed in his absence. He has spoken with both partners with Robinson and Jones. Believes they are competent. Their rates are comparable rates, perhaps slightly lower from Elizabeth firm. They are ready to proceed as well. He wants to proceed with motion. He is anxious to get ball rolling and get it complete. Also believes there could be some advantage to have an ongoing relationship with a local firm that could be beneficial in other matters.

Commissioner Rowland: Doesn't doubt ability of local businesses. If any other situation, then yes, he would be in favor of local businesses. Believes we need a firm with some experience in government accounting. He does not want to have a chance of taking a step backward.

Commissioner Ross: Stated that Poysti is not a known commodity. No more than the other. He is also concerned and questions the appropriateness of the auditor recommending the firm that will provide foundation of their work.

Vote called for.

Commissioner Rowland - AYE, Commissioner Ross – Nay Motion Failed.

Commissioner Ross made a motion that the Board approve and execute the Engagement Letter between Elbert County and Robinson and Jones, LLC, for the provision of services for the compilation of financial statements for the year ended December 31, 2012.

There was no second to the motion. Motion died on the floor.

b. Appointment of Budget Officer

Commissioner Ross moved the Board approve and adopt a Resolution appointing Johanna Sanders to serve as the Elbert County Budget Officer, in accordance with the discretionary authority vested in the Board pursuant to C.R.S . 30-11-107(1)(n), superseding in whole or in part all prior Resolutions with the respect to the appointment of such office. Commissioner Rowland 2nd.

Discussion:

Commissioner Ross : For clarification, the Director of Finance was also the budget officer. Ms. Sanders has filled this role before.

Vote Called for.

Commissioner Rowland – Aye, Commissioner Ross - Aye. Motion passed.

c. Intergovernmental Agreement (IGA) between El Paso County Clerk and Recorder and Elbert County for Administration Support of 2013 Coordinated Election

Commissioner Ross moved that the Board approve and execute the Intergovernmental Agreement between the El Paso County Clerk and Recorder and Elbert County regarding the provision of administration support during the 2013 coordinated election for a cost to Elbert County of up to \$250 per day for each El Paso County employee utilized under the IGA. Commissioner Rowland 2nd.

Commissioner Ross: Question to Dallas Schroeder, Clerk and Recorder, as to the necessity of bringing in El Paso County when Douglas County was already helping with the upcoming election.

Mr. Schroeder: Due to the late date of filling the Clerk's position and the Elections Manager position, Douglas County has been helping with pre-election paperwork, such as voter registration, etc... While Sherry McNeil,

Elections Manager and Mr. Schroeder have been attending election specific training at both Douglas and El Paso Counties, the Secretary of State's office recommended some outside help to assure a smooth election. Wayne Williams, El Paso Clerk and Recorder, offered one of their employees who was in charge of a Voter Service Center for El Paso County. She is able to work through any issue that may come up. She is also a Motor Vehicle Supervisor for El Paso County and will be able to assist in MV when not busy with election issues.

Commissioner Ross: Questioned if this would be an ongoing issue or would staff be ready for the next election as he was under the impression that Ms. McNeill was familiar with the elections process.

Mr. Schroeder: Assured that staff would be ready by next election. Explained Ms. McNeil's prior experience with elections was with the Secretary of State's office so she understands the State side of things, but is learning the County side quickly.

Vote Called For.

Commissioner Rowland – Aye, Commissioner Ross -- AYE. Motion passed.

LAND USE:

ATTORNEY TO THE BOCC:

OPEN PUBLIC COMMENT: This is the time when any citizen may take the floor to bring forth items pertaining to County Business. We would ask that persons speaking limit their comments to three (3) minutes. No action will be taken on these comments or items at today's meeting, however, item(s) may be placed on a BOCC meeting in the future if appropriate. For the record, please state your name, spelling of last name, and your address.

Susan Shick, Elizabeth, CO. Asked for a clarification on votes on 2012

Commissioner Ross: On the first motion vote was one to one so motion failed. The second motion failed for lack of a second.

Ms. Shick: Was Eidebailly the auditors for 2011?

Commissioner Ross: Believed it was Eidebailly. Asked Commissioner Rowland to clarify.

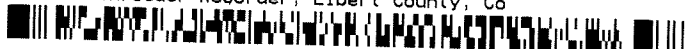
Commissioner Rowland: Stated this was a Public Comment time, not a Q & A.

Ms. Schick: Were they or were they not the auditors?

Mr. Beltz: They may have been. I can go back and check. What we were doing today was to try and find someone to prepare financial statements.

Ms. Schick: At Rattlesnake Public meeting we were told that the financials were in the hands of the auditors. Mis-statement? Mis-understanding? Lie?

Commissioner Ross: Can comment to the extent he was at the meeting at Rattlesnake for most of the presentation and left before the comments were made.



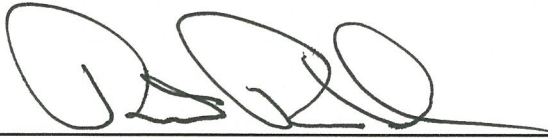
EXECUTIVE SESSION – IF NEEDED

ADJOURNMENT 1:40 pm



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

