

# 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 9th day of October, 2013 at 9:00 a.m.

*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 - Present

Larry Ross - Present

**INVOCATION:** Prayer given by Pastor Roger Miller, Elbert Christian Church

### PLEDGE OF ALLEGIANCE:

**AGENDA:** Commissioner moved to approve the Agenda as amended. Commissioner Schlegel 2<sup>nd</sup>. All in favor.

### CORRESPONDENCE:

Commissioner Ross attended meeting last evening of Platte River Basin Roundtable, of which he is a member. Summary given that the Governor has issued executive order to all basin roundtables to feed into one committee in regards to oil, gas and developers in regards to water usage with the goal to find new sources of water, perhaps from the western slope.

**CONSENT AGENDA:** The consent agenda consists of matters that occur in the normal course of business between BOCC meetings. These items are summarized and available to citizens, and are approved and enacted at this time by the BOCC in one (1) motion.

- a. Approval of minutes from Sept. 25, 2013

Commissioner Ross moved to adopt agenda as presented. Commissioner Schlegel 2<sup>nd</sup>. All in favor.

### 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.



Ed Ehmann, Director of Public Works

1. Restoration of Landfill. Work has been going for one week. Not finding anything but trash. Project is moving along and is being continually monitored.

Commissioner Rowland added State is on standby to look at anything in case anything else is found.

Ed Ehmann: CDPHE has inspected site. Over 100 samples pulled. All came back clean. Three professionals are on site during all the work. At the end of the project, an Environmental Engineer must sign on off the completed project. Looking at completion at the end of the month

CR 194 is still being worked on. That is the reason for the reduced speed limits. Road and Bridge still working on washouts in SE part of county. Evaluation was conducted to see if county qualified for any funds from the flood. County was not. CR 194 was a soft spot in the road that created the issue with the heavy rain.

Commissioner Ross: Questioned if there was a process to help out Thunder Hill in Sun Country, very slick.

Ed Ehmann: Mag Chloride has been put on 5 miles roads. Purpose is to control dust. The county is required to have a dust control plan. Mag Chloride suppresses dust and stabilizes soil. The negative is that water trucks are necessary to re-activate Mag Chloride. Issue with Mag Chloride is traction. Mag Chloride is very slick when it gets wet.

Commissioner Ross: Can we caution public about when it gets slick? Have any new sources of road base or larger gravel been found?

Ed Ehmann: No time to check extensively on larger gravel. Recycled asphalt is cheaper. The recycled must be mixed with new material.

Commissioner Ross: Is there a way to work on getting the public to slow down?

Ed Ehmann: Road and Bridge works with Sheriffs Office and message boards. Mr. Ehmann is looking forward to being able to post info on new web-site which will provide the public greater and quicker access to information. Road and Bridge has received a mixed response from the public. Mag Chloride appears to be cost effective. The results are being evaluated and adjustments will be made as needed.

Commissioner Ross: Expressed appreciation of all work done. He understands that with +1000 miles of unpaved roads, it is hard to keep it up.

Commissioner Schlegel: What happens in we don't use mag chloride?

Ed Ehmann: Dust fines, from the state are \$15000 a day if dust mitigation is not done. Cost for mag chloride is \$9000 a mile, \$90000 for recycled asphalt, and \$640000 mile on paving. With current sales and use tax, county can currently pave only about 2 miles a year.



Commissioner Schlegel: Reported that two of the town halls have been completed. October 22<sup>nd</sup> at Legacy Academy and October 23<sup>rd</sup> at the fair grounds are the last two. Commissioner Schlegel invites everyone to come to one of the last two town halls.

Commissioner Rowland: He is a member of the Metro Basin water roundtable. He attended the meeting of all basins last week as observer. Governor expects a statewide water plan in next two years. Believes it is important for Elbert County to be represented on these roundtables. If the later proposed motion passes, the county will be represented on all 3 basins that affect Elbert County. Stated that we have a vested interest in these water usage issues and must have our voices heard.

Commissioner Ross: Statements concerning the process and procedures of BOCC. Commissioner Ross stated he uses Attorney Beltz extensively. He has been looking at rules versus customs and habits. He recently found out that in Roberts Rules of Order, he has neglected certain protocol, i.e: Calling the question. He intends to study and be able to utilize the proper protocol. Proper protocol for "Calling the Question" is: Motion then discussion, then the vote. Calling the Question is for calling the vote when no new info is being presented, not to curtail discussion. Reminded everyone about Sunshine laws and posting areas. Concerned that a posting on Thursday afternoon for Monday morning meeting about healthcare for county employees. Meeting was not convened officially and recorder was not informed. Believes decisions were made in the meeting. He wanted to identify that error and to insure that this doesn't happen anymore.

Commissioner Schlegel: Clarified that the meeting in questions was for a request for proposals on the new health insurance and whether to go with a new broker or stay with CTSI. Due to not enough info, CTSI continued to be the provider. No new business decided.

Commissioner Rowland: He concurred with Commissioner Schlegel re-iterated the there was no decision made at the meeting. Meeting was posted. Additionally, the county had a deadline from CTSI to be met by Tuesday otherwise county wouldn't have any insurance. Commissioner Rowland is looking forward to having Web-site that will make things easier to communicate with public. Counties are encouraged to do it in one location. All legal requirements have been used and to the best of county's ability.

Commissioner Ross: Stated he wasn't implying statutes were not followed.

#### **OLD BUSINESS:**

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

- a. Memorandum of Understanding (MOU) for Control of Confidential Data, Rick Pettitt (Elbert County Treasurer). Rick Pettitt, Treasurer. MOU to appoint a person to access the Department of Revenue web-site. Mr. Pettitt has done this before, just needs new approval. No reports are downloaded, just looks at the information online to check on tax sale info. Grants access to confidential information and the document assures that designee will not give out passwords etc. Mr. Pettitt will to control access. This is done annually. Commissioner Ross moved that the Board approve and execute the Memorandum of Understanding between the Colorado Department of Revenue and Elbert County to appoint Elbert County Treasurer Richard Pettitt to



receive confidential data collected and administered by the Department of Revenue. Commissioner Schlegel 2<sup>nd</sup>. All three commissioners voted AYE. Motion passed.

- b. Government Obligation Contract for financing one (1) 2013 Dodge Charger for Sheriff's Dept., Ed Ehmann (Director of Public Works).

Ed Ehmann, Director of Public Works. This is a contract for one new Dodge Charger for Sheriff's Office for one vehicle on a 5 year lease. The contract has been reviewed by counsel and ready for approval.

Commissioner Ross: What vehicle is this to take the place of? The one recently totaled?

Ed Ehmann: To replace one of 7 that needs to be replaced.

Commissioner Rowland: Verified with Ed Ehmann that this is part of long term fleet rotation and maintenance. And part of the normal schedule. It is a challenge to provide services needed coupled with the balancing act to maintain finances. To that end, there must be a plan and kept on schedule.

Ed Ehmann: The maintenance costs of old vehicles will pay for the lease on the new vehicles. Reducing maintenance costs and using retired vehicles in the different departments is part of that schedule. Another goal is to remove a vehicle from the fleet before it is just worth scrap price.

Commissioner Schlegel: In addition to the vehicle, we must have equipment that goes along with the vehicle. In house installation of lights, radios etc...

Shayne Heap, Sheriff: We have two techs with Sheriff's Office to install the equipment which saves money.

Commissioner Ross: Stated he understands the cost of aging fleet and understands the replacement plan. He wants to understand the process and budget impact as this is his first time working through these issues.

Commissioner Ross moved that the Board approve and execute the Government Obligation Contract, and any ancillary documentation thereto, between Elbert County and Kansas State Bank of Manhattan regarding the provision of financing for the purchase of one (1) 2013 Dodge Charger for the contract price of \$40,835.00, payable at \$2,224.24 quarterly for a period of five years with a first payment due at closing. Commissioner Schlegel seconded. All three commissioners voted AYE. Motion Passed.

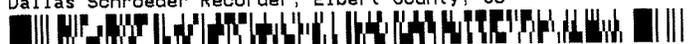
- c. Arkansas Basin Roundtable Appointment

Commissioner Rowland: This to appoint staff to a 3<sup>rd</sup> Basin Roundtable.

Commissioner Ross moved that the Board appoint Kyle Fenner to serve as the Elbert County representative on the Arkansas Basin Roundtable. Commissioner Schlegel seconded. All three commissioners voted 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.

Rich Kozlowski, Elizabeth: Is there a timeframe for when and if the landfill will re-open?

Commissioner Rowland: No. Commissioner Rowland reminded that the landfill and compactor are two different things. Current project is for land to be put back together. Re-opening transfer station is a separate issue. Transfer station possibilities will be addressed at a later time for Board to look at opening another transfer station, there or elsewhere.

Commissioner Schlegel made a motion for a brief recess to reconvene at 10:12. Commissioner Rowland seconded.

All in favor. Motion passed.

Meeting reconvened 10:26 AM. Recess Over.

Commissioner Rowland moved Board enter into Executive Session in to Executive Session. Commissioner Schlegel seconded. Vote: Commissioner Rowland -Aye, Commissioner Schlegel – AYE, Commissioner Ross-Nay

**EXECUTIVE SESSION – IF NEEDED**

Commissioner Rowland moved Board enter into Executive Session in to Executive Session. Commissioner Schlegel seconded. Vote: Commissioner Rowland -Aye, Commissioner Schlegel – AYE, Commissioner Ross-Nay

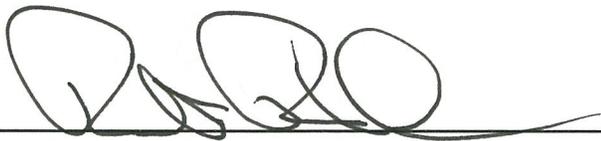
Out of Executive session

**ADJOURNMENT**

11:36 AM Meeting is now adjourned.

**BOARD OF COUNTY COMMISSIONERS**

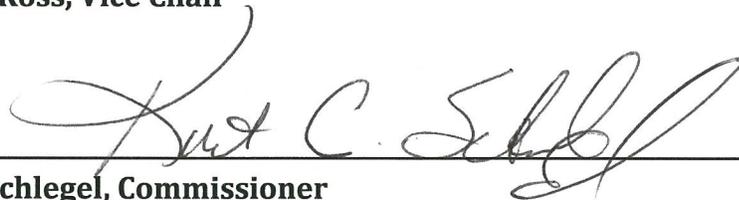
**ELBERT COUNTY, COLORADO**



**Robert Rowland, Chairman**



**Larry Ross, Vice Chair**



**Kurt Schlegel, Commissioner**

**ATTEST: Dallas Schroeder**

**County Clerk**

**BY:**



**Clerk to the Board of County Commissioners**

