

# ELBERT COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

## MINUTES

*We welcome all of our visitors today, 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 -Here

Kelly Dore - Here

Larry D. Ross - Here

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 27th day of April, 2016 at 9:00 a.m.

**INVOCATION:** Pastor Roger Miller, Elbert Christian Church

PLEDGE OF ALLEGIANCE:

### AGENDA:

Commissioner Rowland moved to remove item F from New Business.

No 2<sup>nd</sup>. Motion died.

Commissioner Dore moved to move Item D in new business to Item B, making Item B, Item C and to continue Item E to a date certain 30 days from now or May 25, 2016.

Commissioner Ross 2<sup>nd</sup>.

County Attorney, Wade Gateley, recommended waiting until Item E was up for discussion before continuing.

Commissioner Dore restated her motion to move Item D in New Business to Item B, making current Item B, Item C and current Item C to Item D.

Commissioner Ross 2<sup>nd</sup>.

ALL IN FAVOR

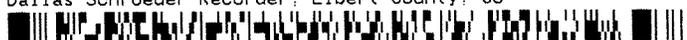
Commissioner Dore made a motion and then rescinded the motion.

Commissioner Dore moved to cancel the Work/Study Session.

Commissioner Ross 2<sup>nd</sup>.

Commissioner Ross moved to remove the minutes from December 9, 2015 from Item A in the Consent Agenda.

Commissioner Dore 2<sup>nd</sup>



ALL IN FAVOR

Commissioner Dore moved to accept the Agenda as amended.

Commissioner Rowland 2<sup>nd</sup>

ALL IN FAVOR

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**CORRESPONDENCE:**

**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 12/9/15~~
- b. Vouchers/Warrants/Mylar signing
- c. Amended Independent Contractor Agreements (Martinich Enterprises) with Department of Human Services
- d. Approval of CDS Vouchers
- e. Approval of HI-Test Liquor Ltd. Liquor License Renewal
- f. DOLA Local Government Marijuana Impact Grant Application

Commissioner Dore moved to accept the Consent Agenda as amended.

Commissioner Rowland 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.

**PUBLIC COMMENT(s):** The public comment is a time when any citizen may bring forth items of interest or concern. During this time each individual will have three minutes to present view(s) on County matters(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. If you have comments on a regular Agenda item(s), please hold your comments until that item is up for consideration. The public comment portion of the BOCC meeting is not to be used for political or campaign purposes; comments/questions should be limited to matters of current County affairs and business. When you approach the podium please identify yourself and spell your last name and give your address.

Rick Brown, 24953 Sherwood Forest Trail

Mr. Brown would like to see the Board Packets on the web-site and would like copies made available to the public.

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick reminded everyone of the Water Advisory Committee meeting that will be held next Wednesday at the Elizabeth Library. She attended the Douglas County BOCC meeting where there was a discussion on the Bandera development. She also said she thought Wade Gateley bullied Commissioners Ross and Dore and also CDS Director Kyle Fenner and that Commissioner Rowland was an enabler.

**OLD BUSINESS:**

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

- a. Public Trustee's Quarterly Report (Rick Pettitt, Elbert County Treasurer)  
Rick Pettitt, Elbert County Public Trustee gave his Quarterly Report.

Commissioner Dore moved to accept the Public Trustee's Quarterly Report.  
Commissioner Rowland 2nd.

ALL IN FAVOR

**\*\*OPEN PUBLIC HEARING ON ITEMS B, C, D & E\*\***

- b. Resolution Amending Resolution 06-42 and Adopting an Increased Building Permit Fee Schedule

Kyle Fenner, CDS Director, gave an extensive background on why she believes the Building Permit Fees need to be increased. She explained the proposed changes.

There was an extensive time of questions from the Commissioners on the proposed changes.

Rick Brown, 26493 Sherwood Forest Trail

Mr. Brown had questions on a couple of different items and suggested some ideas to make the document more clear.

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick state she supported Mr. Browns' comments and the suggested changes.

Chris Richardson, 955 Harmony Ridge Cir

Mr. Richardson said he believed the document should be passed as presented.

Commissioner Dore moved to approve the Resolution Amending Resolution 06-42 and Adopting and Increased Building Permit Fee Schedule as presented.

Commissioner Rowland 2<sup>nd</sup>

There were additional comments made by Commissioners Dore and Rowland.



Commissioner Dore – AYE  
Commissioner Ross – AYE  
Commissioner Rowland – NAY

Commissioner Ross declared a recess at 10:11 AM

RECONVENE AT 10:31

c. Resolution for Fee Schedule Changes – Community and Development Services

Kyle Fenner, CDS Director, gave a detailed presentation on why she believes the Fee Schedule needs changed.

There was an extensive amount of questions and discussion items with the Commissioners.

Barbara Miller, 1266 County Rd 90, Elizabeth

Ms. Miller stated she is in favor of the increased cost proposed. She suggested that the fees continue to go up at 2% being a reasonable amount to go along with inflation.

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick noted she had a 21% increase in property value and believes it works. She encouraged the Commissioners to pass the fee increase.

Commissioner Dore moved to approve the Resolution for Fee Schedule Changes as presented.  
Commissioner Ross 2<sup>nd</sup>.

Commissioner Rowland spoke of his concerns with the 21% jump in Fees.

Commissioner Dore spoke in favor of the Fees stating this is necessary to keep up with growth and not having the current tax payers pay for the developments.

Commissioner Ross thanked the Planning Commission and Ms. Fenner.

Commissioner Ross – AYE  
Commissioner Dore – AYE  
Commissioner Rowland – NAY

d. Resolution Revising Elbert County Zoning Regulations – Part 1, Section 8: Fees

Commissioner Dore moved to postpone Item D to May 25' 2016.

Commissioner Ross 2<sup>nd</sup>

There was discussion between the Commissioners on the matter.

Commissioner Ross moved to call the question.

Commissioner Dore 2<sup>nd</sup>



Commissioner Ross - AYE  
Commissioner Dore – AYE  
Commissioner Rowland – Nay

Vote on Original Motion  
ALL IN FAVOR

- e. Resolution Amending Impact Fees Imposed under Resolution 08-17 and Resolution 04-01  
Commissioner Dore moved to postpone Item E to May 25, 2016.  
Commissioner Ross 2<sup>nd</sup>.  
ALL IN FAVOR

**\*\*CLOSE PUBLIC HEARING ON ITEMS B, C, D & E\*\***

- f. Location & Protocol for Attorney to BOCC for Public Meetings  
Commissioner Ross moved to direct the County Attorney to adhere to the following protocol; to sit at the staff table and address the BOCC from the Podium.

Commissioner Dore 2<sup>nd</sup>.

Commissioner Rowland read a statement in opposition to the motion.

Commissioner Dore said that she found that the practices of other counties followed the motion proposed.

Commissioner Rowland – NAY

Commissioner Dore – AYE

Commissioner Ross - Aye

**LAND USE:**

**ATTORNEY TO THE BOCC:**

**ADJOURNMENT**

**Commissioner Dore moved to adjourn at 11:18 AM.**

**Commissioner Ross 2<sup>nd</sup>.**

**ALL IN FAVOR**

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**Work/Study Session (following regular meeting)**

1. Update to the Elbert County Employee handbook: Ed Ehmman/Wade Gateley



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

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Robert Rowland

ABSTAIN

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Danny Willcox, Vice Chair

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Larry D. Ross, Chairman

ATTEST: Dallas Schroeder

County Clerk

BY:



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Clerk to the Board of County Commissioners