



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room
 August 30, 2017 at 9:00 A.M.

WE VALUE

- *Honesty, integrity and respect for the rights of all individuals*
- *Quality service to all*
- *Respect for our culture and history*
- *Clear communication and transparency*
- *Efficiency & fiscal responsibility*
- *Recognition of employee and citizen contributions*
- *Partnerships and collaborations*
- *Planning for the future*
- *Cooperative leadership and professional development*

VISION: Elbert County is recognized by our citizens and employees as the best place to live, work, and conduct business in Colorado; led in a responsive, effective, transparent, and professional manner.

A. CALL TO ORDER AND ROLL CALL 9:02 AM Commissioner Thayer – Here, Commissioner Richardson – Here, Commissioner Willcox – Via Phone

Note: Commissioner Richardson chaired the meeting in the physical absence of Commissioner Willcox

B. INVOCATION/PLEDGE OF ALLEGIANCE: J.H. Schroeder

C. APPROVAL OF AGENDA

Motion: Approval of Agenda with the removing of Item D, number 2.

	Moved	2nd	Comments
Richardson			
Thayer	x		
Willcox		x	
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

D. CONSENT AGENDA:

1. Approval of Elbert County Sheriff's Office Inmate Housing IGA
2. ~~Approval of Special Event Permit for Elizabeth Chamber of Commerce, Oktoberfest~~

Motion: Approval of Consent Agenda as amended.

	Moved	2nd	Comments
Richardson			
Thayer		x	
Willcox	x		
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

574515 B: 783 P: 218 MM
 12/21/2017 02:44:15 PM Page: 1 of 8 R 0.00 D
 Dallas Schroeder Recorder, Elbert County, Co



E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

OUR MISSION: Provide essential statutory services and supportive infrastructure to our citizens in a professional, respectful, cost-effective manner while creating a working environment that supports their endeavors, western lifestyle and rights as individuals.

F. OPEN PUBLIC COMMENT (See Note 1)

Rick Brown, Sherwood Forest Dr. Kiowa

Mr. Brown referenced an email he had sent to Commissioner Richardson concerning his perceived conflict of interest with Commissioner Richardson sitting on the Elizabeth School Board and as a current Commissioner. He stated he thought Commissioner Richardson should recuse from the Independence vote, or resign from the school board.

Commissioner Richardson stated he is considering his response and the appropriate place to comment is at the opening of the hearing.

G. DISCUSSION ITEMS: (See Note 2)

H. ACTION ITEMS: (See Note 3)

1. Approval of Resolution on Term Limits to be placed on the November 2017 Ballot

Commissioner Richardson read the proposed resolutions.

Commissioner Thayer opened by stating this is a difficult decision. He would prefer that all positions be open to the vote, except for the Commissioners.

Commissioner Willcox stated that with people bringing forth the measure, he didn't want to stand in the way of people exercising their right to vote.

Public Comment

Diana Richerbach

Ms. Richerbach stated she is a 10 year resident and speaks in favor of the resolution. She believes the Sheriff is honest and trustworthy and doing well with limited resources.

Sandy Glass, Sun Country

Ms. Glass asked for more information.

Commissioner Richardson gave a brief history of process to bring her up to date.

Rick Brown, Sherwood Forest, Kiowa

Mr. Brown stated his comments were not about the merits, but the process. He thought if the Commissioners were using a de facto petition, process that is should be spelled out.

Commissioner Richardson responded that they just wanted to see the level of public support.

John Dorman

Mr. Dorman had concerns about the number of people that signed the petition. He believes the term limit question has been defeated 6 times in the past. He encourages a procedure for placing items on the ballot.

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick is against term limits for all elected officials. She suggested to modify the resolution to propose removal of term limits for all elected offices. She asked for the number of people who signed the petition.

Provide essential statutory services and supportive infrastructure to our citizens in a professional, effective manner while creating a working environment that supports their endeavors, western lifestyle and rights as individuals.

Paul Nisaralah

Mr. Naisarahah stated there are two right now as other are not up for election. He didn't think the language was clear last time and even if this passes in November, the people will still have to vote to re-elect them. He is for the resolution.

Marlene Groves, 33300 Ridge Rd, Kiowa

Ms. Groves stated she likes term limits and that the citizens can't be afraid of new people and new ideas. This proposal is not about the position but the individuals. She suggested tabling the issues and consider removing term limits on all offices.

Randy Dotsun, Sun Country

Mr. Dotsun suggested implementing a program where if an individual received a certain percentage of the vote in the previous election, that would make them eligible for an additional term.

J.H. Schroeder, 77 Overlook Rd, Elizabeth

Mr. Schroeder stated he voted for both Shayne and Rick. His issue is with some who keep trying to extend term limits. He thinks this is an example of nepotism and changing the law for a few people. It has been defeated by large margin in the past and he thought some may need to recuse themselves.

Scott Wills, 11953 Lasso Pl, Kiowa

The only way to put a measure on the ballot is through the Commissioners. He believes citizens should have the right and the obligation to vote and for the Commissioners to allow the people to vote.

Commissioner Thayer stated he thought the measure should be position oriented and pointed out that this does not extend but creates as exception. He stated he is internally conflicted.

Commissioner Willcox stated in keeping his personal opinion out of the equation, he sees it as his duty to allow the voters to decide. He hopes support for the other positions will come forth before September 8.

Commissioner Richardson stated there will always be issues to disagree on. He thought term limits should have started at the federal level, not the county level. This measure allows for a all the citizens to decide. There were 150-200 signatures on the petitions presented, and many were names he did not know. He asked the County Attorney if he is obligated to recuse himself. The answer was no.

Motion: Approve the resolution to extend the term of Sheriff by one term

	Moved	2nd	Comments
Richardson	x		
Thayer			
Willcox		x	
	AYE	NAY	
Richardson	x		
Thayer		x	
Willcox	x		



Motion: Approve the resolution to extend the term of Treasurer by one term

	Moved	2nd	Comments
Richardson	x		
Thayer			
Willcox		x	
	AYE	NAY	
Richardson	x		
Thayer		x	
Willcox	x		

Commissioner Thayer stated he would support a a question for the postion, not an individual.

Commissioner Richardson went over the rules for County employees in regards to a County issue on the ballot.

- Public Hearing: Consideration of adopting a resolution which establishes a Public Improvement District, board jurisdiction of the Public improvement District, declaring a PID formed of organized, with the BOCC acting as governing body of PID, and the ordering of the submission of tax and debt questions to eligible electors of the PID in a specific service area, in an election to be conducted in accordance with Section 20 of Article X (:TABOR”) of the Constitution of the State of Colorado

Motion: Open Public Hearing

	Moved	2nd	Comments
Richardson			
Thayer	x		
Willcox		x	
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

Commissioner Richardson gave the history of the process that got us to this point.

County Attorney, Bart Greer, gave a greater summary of the process. He explained this is a resolution to establish the Sun Country Public Improvement District.

Commissioner Richardson stated what the specific project would be. There are other PIDs in the County. Taxpayer dollars have never put pavement in subdivisions and this is a vehicle for the subdivisions to get their roads paved. He outlined the duties of the county.

OUR MISSION: Provide essential statutory services and supportive infrastructure to our citizens in a professional, respectful, cost-effective manner while creating a working environment that supports their endeavors, western lifestyle and rights as individuals.

Commissioner Thayer stated that this subdivision was approved before there were rules on subdivisions and the developer could put in dirt roads. Now they would have to be paved and the new houses would be paying for the cost of the roads. He complimented Linda on all her work.

Commissioner Willcox clarified that the mil would be in place until the bond is paid off.

Commissioner Richardson stated the ballpark amount that will be bonded is \$2.8 million and it won't happen without community support.

574515 B: 783 P: 218 MM
12/21/2017 02:44:15 PM Page: 5 of 8 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co

Public Comment

Lynn Robro Wagner, Sun Country

Ms. Wagner stated she has lived their 27 years and like why they moved to the country. She stated she was disappointed in a few people and thought this violated the HOA rules. She thought the money was too high and said this is a lesson on buyer be ware—don't move to a rural area.

Diana Edwards, Sun Country

Ms. Edwards is a school bus driver and believes the roads are a safety issue for the kids and is an important thing to do.

Unidentified Resident

He stated is a 27 year resident and comes from a long time family of the County. He believes the HOA rules were not followed. He thinks there may be some legal issues and is against the issue.

Unidentified Resident

She stated this is for 3.9 miles of road and though everyone would want paved roads.

John Duffield. Sun Country

Mr. Duffield stated that as past president of the HOA, past Commissioners always promised to pave the roads. He thought this was a worthwhile price and is glad the tax sunsets.

Mr. Rogers, Sun Country

Mr Rogers stated he worked for the County for 17 years and the problem with the roads is the speeding that occurs.

Sandy Glass, Sun Country

Ms. Glass stated she is not for this measure. She is for better roads but it is not fair for the whole community to pay for a portion of the roads to be paved. She thought all the roads in sun country should be paved. She didn't think it was fair for her to pay for others to have their road paved.

Kelly McMeeking, Sun Country

Ms. McMeeking stated she was in favor of the project. She said she is glad the back road is now open. She encouraged the measure to move forward and talked about safety, fire access and air quality.

Randy Dotsun, Sun Country

Mr. Dotsun asked for clarification on what will be on the ballot and what else the PID could do.

The answer received was that this was just for the roads.

Pam Brewster, Sun Country

Ms. Brewster stated that they moved to Sun Country in 1992 and enjoyed the fresh air. Now there is dust all over and thinks the air quality is better in Denver. She asked the Commissioners to let the Sun Country people vote on this issue.

Linda Kreuzert, Sun Country

Ms. Kreuzert made in clear that this was not a HOA issue. A lot of people have said that something should be done about the roads. There is safety issues and health concerns for people and animals. She encouraged people to slow down.

Commissioner Willcox stated that the C0unty would become responsible for maintenance of the roads when completed.

Commissioner Richardson clarified that would take place after the warranty period is completed and accepted to County standards.

Commissioner Thayer stated this is a mechanism for the people to decide what they want to do.

Motion: Establish a Public Improvement District in Sun Country Meadows.

	Moved	2nd	Comments
Richardson			
Thayer		x	
Willcox	x		
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

I. BOARD PLANNING

1. Agenda Items for Next Meeting (9/13/17)
 - a. Update on Budget (Rick Pettitt, Elbert County Treasurer & Chief Budget Officer)
 - b. Update on new regulations (CDS Director, Kyle Fenner)
 - c. Update on road and Bridge (Rory Hale, Public Works)
 - d. Hiring Process for County Manager (BOCC)
 - e. Approval of minutes from 8/23/17
 - f. Approval of minutes from 8/30/17
2. Workshops/Study Sessions
3. Pending Hearings
 - a. Sept 5, 6 & 7 Independence Development Hearing

J. LAND USE HEARINGS 1:00 P.M. (See Note 4)

ADJOURNMENT

Motion: Adjourn

574515 B: 783 P: 218 MM
12/21/2017 02:44:15 PM Page: 6 of 8 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co



Provide essential statutory services and supportive infrastructure to our citizens in a professional, effective manner while creating a working environment that supports their endeavors, western lifestyle and rights as individuals.

	Moved	2nd	Comments
Richardson			
Thayer	x		
Willcox		x	
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

NOTES ON PUBLIC COMMENT:

Note 1: General Public Comment - This portion of the agenda is reserved for citizens who wish to comment to the BOCC on items of county interest that are not scheduled for Discussion or Action. This time will not be used to make political speeches nor will personal attacks be tolerated. Individuals will be limited to one opportunity to speak for a period of up to three minutes during this portion of the agenda.

Note 2: Discussion Items - This portion of the agenda is intended to introduce items that may require future board action. It allows for shaping of final decisions, and allows for public input to ensure all aspects of the issue are fully considered before decisions are made. After each item, the chair will offer time for public comment limited to three minutes per person.

Note 3: Action Items - This portion of the agenda is intended for items requiring a board decision. Prior to taking action, the chair will offer time for any final public input, limited to three minutes per person, prior to a vote.

Note 4: Land Use Hearings - Hearings for Land Use Items will be held at 1:00pm on meeting days. If all other agenda items are completed earlier, the chair will recess until this scheduled time. If previous agenda items are not complete by 1:00pm, the land use hearings will be opened and completed before proceeding to any remaining agenda items. Land use hearings will follow the following sequence:

- Open Land Use Hearing
- Staff Presents Application and Recommendation of Planning Commission
- Applicant Presents
- Public Input on Application (three minutes per person)
- BOCC Questions and Discussion
- BOCC Decision
- Close Land Use Hearing



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



CHRIS RICHARDSON, Vice-Chair, COMMISSIONER District 1



DANNY WILLCOX, Chair, COMMISSIONER District 2



GRANT THAYER, COMMISSIONER District 3

ATTEST: Dallas Schroeder

County Clerk

BY:



Clerk to the Board of County Commissioners

