

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 - Present Danny Willcox – Absent (Excused) Larry D. Ross - Present

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 31st day of August, 2016 at 9:02 a.m.

INVOCATION: Pastor Roger Miller, Elbert Christian Church

PLEDGE OF ALLEGIANCE:

AGENDA:

Commissioner Rowland moved to accept the Agenda as presented.

Commissioner Ross 2nd.

ALL IN FAVOR

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. Vouchers/Warrants/Mylar signing
- b. Approval of Minutes from 8/10/16
- c. Approval of CDS Vouchers
- d. Approval of Core Services Program Plan for State Fiscal Year 2016-17
- e. Approval of Chafee Foster Care Independence Program for October 1, 2016 through September 30, 2017
- f. Approval of MOU with Walmart for a mail ballot drop box for the 2016 General Election
- g. Approval of MOU with Spring Valley Golf Club to be a Voter Service and Polling Center for the 2016 General Election
- h. Approval of MOU with Elizabeth American Legion to be a Voter Service and Polling Center for the 2016 General Election
- i. Approval of IGA with the Town of Elizabeth to Coordinate with the Elbert County Clerk's Office in the 2016 General Election



- j. Approval of IGA with the Town of Kiowa to Coordinate with the Elbert County Clerk's Office in the 2016 General Election
- k. Approval of IGA with the Town of Simla to Coordinate with the Elbert County Clerk's Office in the 2016 General Election
- l. Approval of IGA with the Elizabeth Fire Protection District to Coordinate with the Elbert County Clerk's Office in the 2016 General Election
- m. Approval of Liquor License Renewal for Singing Hills Liquor, LLC
- n. Approval of Liquor License Renewal for Big Ed's Steakhouse and Lounge, DBA Western Trails Steakhouse and Lounge
- o. Approval of the Chip Seal Contract/Notice of Award/Notice to Proceed for a portion of CR 21 and CR 186 with Foothills Paving and Maintenance.
- p. Approval of Software License and Services Agreement between Elbert County Treasurer and Government Technology
- q. Approval of Payroll Notice of CDS Technical Coordinator

Commissioner Rowland moved to accept the Consent Agenda as presented.

Commissioner Ross 2nd.

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.

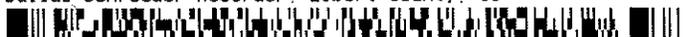
Sheila Kelly, Director, Elbert County Extension Office

Ms. Kelly commented that she was awed at the quality of kids in the County. The fair was a tremendous success. In order to qualify for State Fair, you must have two Blue Ribbons. Elbert County had 79 members in general projects to qualify for State. This was 2nd only to Larimer County. 86% that showed placed in the top ten; 26 1st place and 25 2nd place. Elbert County also had 24 Individual Class Champions and 22 Reserve Class Champions. Elbert County also had 6 Reserve Grand Champions and 7 Grand Champions as well as one High School Senior was awarded a trip to National Congress. Elbert County did well in all the shooting sports, with kids placing at State with .22 pistol, air rifle, air pistol and archery. Ms. Kelly thanked the Commissioners and the County for supporting 4H.

Ms. Kelly also shared that there are some Master Food Classes coming and past attendees took many top prizes at the fair.

Commissioner Ross thanked Ms. Kelly for all her efforts.

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.

Jim Whistler, 36123 County Rd 17, Elizabeth, CO

Mr. Whistler noted that at the last meeting he had asked about the accumulated depreciation and what that shows in the audit. He referred to Page 15 in the 2015 Elbert County Financial Statements to find where the expense was asserted. In his opinion, the County would have to increase spending 1.7 million just to handle the depreciation. He stated he didn't know where the money would come from, but believed the County needs to plan to address the situation and put down new roads, not just patch the existing ones.

He also asked about the County Water Rights and how the value is calculated and if that number changes.

Eric Gingrich, 45900 Deer Trail Rd, Deer Trail

Mr. Gingrich expressed frustration with buildings being put up around him and not being properly permitted. He stated he has notified the planning department and was told there would be an investigation. Three more have started. He stated when talking with the Planning Department he felt stonewalled, dismissed and lied to. He said it was time for him to do something else because calling the Planning Department does not help. His biggest concern is that without permits and inspections are not up to the Zoning Regulations and feels like the Planning Department will issue permits, just to make it go away.

Commissioner Ross offered for Kyle Fenner, Director of CDS, to make a statement.

Ms. Fenner stated she has spoken many times with Mr. Gingrich. There has been code violation letters sent and then later hand delivered. This will have to have retroactive permitting as they are working to permit the building. She said these were Modulars on a Foundation. She said the department is following regulations.

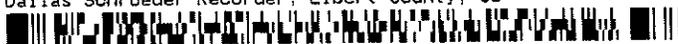
Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick stated that the 2017 budget review is woefully late, according the CTSI recommendations. She stated some departments are underfunded like the Assessor and CDS. She said there are no inspections from the Assessor's office and suggested eliminating the County Attorney and County Manager and re-allocate those funds. The current budget meetings are not solving the problem and she wants to see a percentage breakdown per department.

Commissioner Ross clarified that the meeting going on now are more like a workshop and not a hearing.

OLD BUSINESS:

564396 B: 773 P: 209 MM
12/06/2016 01:02:39 PM Page: 3 of 6 R 0.00 D
Dalias Schroeder Recorder, Elbert County, Co



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

- a. IGA between Elbert County and the Town of Limon for Cooperative Planning within the Three Mile Radius of the Town

Commissioner Rowland moved to adopt the IGA between Elbert County and the Town of Limon for Cooperative Planning within the Three Mile Radius of the Town.

Commissioner Ross 2nd.

Commissioner Rowland stated this is an agreement that speaks to the future and clarified that this does not give away any County autonomy. He spoke in favor of the IGA

Commissioner Ross spoke in favor of the IGA as cooperative dialog and action with our neighbor. He then read a portion of the IGA regarding that the County has final approval. He said this was beneficial to us, Limon and Lincoln County.

Commissioner Ross moved to have the Elbert County point of contact be County Manager, Ed Ehmann and CDS Director, Kyle Fenner.

Commissioner Rowland 2nd.

ALL IN FAVOR

ALL IN FAVOR of Original Motion

- b. Direct County Attorney to advise BOCC regarding Hudick/Cole matter, in particular the validity and enforceability of agreements of prior Boards as per ECZR and CRS and to advise whether to engage Josh Marks due to the complexities of the Issue and work with CDS Staff to generate a Staff Report and Legal Advisements

Commissioner Ross moved to direct the County Attorney to advise the BOCC regarding Hudick/Cole matter, in particular the validity and enforceability of agreements of prior Boards as per ECZR and CRS and to advise whether to engage Josh Marks due to the complexities of the issue and work with CDS Staff to generate a Staff Reports and Legal Advisements.

Commissioner Rowland 2nd.

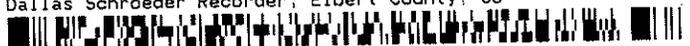
ALL IN FAVOR

Mr. Gateley gave a brief update on the Hudick/Cole issue. He, Ed Ehmann and Kyle Fenner had already met once. There will be a site visit by CDS. This is a thirty year old agreement. It was recorded in September of 1987. He will work on the additional issues.

Commissioner Rowland explained why this step was taken.

Commissioner Rowland moved to adjourn.

Commissioner Ross 2nd.



Meeting adjourned at 9:44 AM

LAND USE:

ATTORNEY TO THE BOCC:

ADJOURNMENT

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Dallas Schroeder Recorder, Elbert County, Co

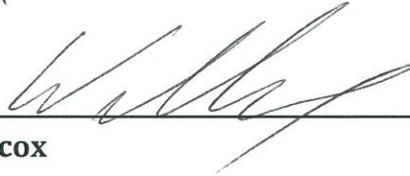


BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



Robert Rowland



Danny Willcox



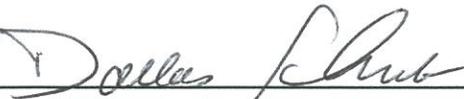
Larry D. Ross, Chairman

ATTEST: Dallas Schroeder

County Clerk



BY:



Clerk to the Board of County Commissioners

