



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room
 August 8th, 2018 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 - here
- B. INVOCATION/PLEDGE OF ALLEGIANCE:** Dallas Schroeder, Elbert County Clerk & Recorder
- C. APPROVAL OF AGENDA**

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Motion: Approval of Agenda

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

- D. CONSENT AGENDA:**
1. Approval of Vouchers/Mylars as needed
 2. Acknowledgement of CDS Pipeline Report
 3. Liquor License Renewal for Meadows Market
 4. Liquor License Renewal for Western Trails Steakhouse & Lounge
 5. Approval of IGA/MOU Template between County Clerk and Special Districts/Remote VSPC Sites with approval for County Clerk to Enter into the Agreement

Motion: Approval of Consent Agenda

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

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E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

1. County Fair Wrap Up (Kali Benson, CSU Extension)

Ms. Benson felt that the fair was like second Christmas. She appreciated all those involved as their efforts made the fair a success. They recognized Betty Hood for 50 years of involvement in 4H. She recognized the extension for their efforts. She thanked Public Works, Facilities and Maintenance for their efforts. She thanked those Alex Jabukowski and Sheriff Heap for the safety measures they put in place. She thanked the Commissioners and the fair Board for their efforts as well. In response to a question, Ms. Benson relayed that Elbert County 4H is growing when many other counties are seeing declining numbers.

Shawn Carpenter, Facilities Manager

Mr. Carpenter thanked extension and staff as their coordination made their job easier. His staff did a great job. From a facilities standpoint, the struggles come from an aging facility. He outlined some of these issues. He also talked of improvement plans that have been discussed.

2. Jerri Spear, HHS Director

Ms. Spear introduced Rachel Larson as the new Public Health Director. She feels this is the right person to manage that part of the Department.

Ms. Larson stated she was excited to be here. She lives in Elizabeth. She outlined her extensive background in the industry.

3. Christian Stanton, CDS Director

Ms. Stanton and the consultant are working through the zoning regulation updates. There has been an idea of a joint Planning Commissioner/Commissioner meeting on October 17. The first three are complete but there are still several to go over. The goal would be for this to be done by the end of the year.

Ms. Stanton was asked to give an update on what is new the Pipeline report at the next meeting.

F. OPEN PUBLIC COMMENT (See Note 1)

Beth Shelley, West Elbert County Sun

Ms. Shelley requested wifi access be available in the building. She thought this would be beneficial to the public.

G. DISCUSSION ITEMS: (See Note 2)

1. Update on Livestock Markets and Drought Situation (Troy Applehans, CattleFax)

Sam Albrecht, County Manager

Mr. Albrecht informed that this will be a phone presentation.

Mr. Applehans was contacted via phone. There was no answer so skipped to number 2.

2. Update on USDA Emergency Programs Authorized (Justin Klassen, Director of Administration)

Mr. Klassen gave an update on the Programs that have been authorized. Elbert County is been declared a drought area. This opens CRP lands for grazing. FSA expects about 80% of the county

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CRP will be open grazing. There are options for loans and various assistance available for ranchers. The time period is important. This grazing must be applied for by the end of August. The County will try assist in getting the word out.

- Mr. Applehans was reached. Mr Albrecht introduced CattleFax and Mr. Applehans. Mr. Applehans outlines what he does and how they project the following months' precipitation. He gave a history of the cattle prices, profitability, inventory and cycles.

Commissioner Thayer thanked him for his presentation.

Mr. Albrecht asked about the impact the trade with China. Mr. Applehans said things are progressing slowly. The forecast the China sales will be slow.

Mr. Albrecht asked about hay production on the local area. He did not know locally but overall the hay is down about 3% nationwide.

- Update on Marijuana Moratorium in the County and discussing the possibility of an amended Ordinance (Bart Greer, County Attorney)

Mr. Greer stated that an update is being worked on from the current ordinance. This is ready for a formal review and this will be moved forward to replace the current ordinance. He said they are close to presenting to the Commissioners. This update is in regards to State and Federal law changes and needs to be addressed in the ordinance. This is to keep the ordinance up to date.

H. ACTION ITEMS: (See Note 3)

- Consideration of July 25, 2018 Minutes

Motion: Approval of Minutes

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

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- Consideration of July 30, 2018 Minutes

Motion Approval of Minutes

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

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3. Consideration of Draft Fee Schedule Policy

Mr. Albrecht stated this is a comprehensive guidance policy in developing fees. This brings everything together. Only minor changes since last meeting. He recommends approval. He hopes in two weeks to have an outline of what the fees will be. They will probably be in three separate documents.

Motion: Approve the Draft Fee Policy as presented

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

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Public Hearing:

4. Consideration of appropriations for Sun Country Meadows PID

Motion: Open public hearing

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

Mr. Albrecht explained the process and how we got to this point. This is just the next item to be completed. The bond is ready to go. The loan from the County is what is left.

Public Comment

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick asked that her comments be added to the minutes. She reviewed her previous concerns and questions about the financing of the road in Sun Country. She thought this changed from the original understanding of the citizens. She asked a series of questions. She requested a recension of the original resolution.

Commissioner Willcox stated they have explained the process at the last meeting. He is not going to explain it all again.

Motion: Approval of inter-fund loan agreement as presented

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

Motion: Approval of resolution to supplemental appropriation for the 2018 budget

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

Motion: Close public hearing

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

I. BOARD PLANNING for August 22, 2018

1. Agenda Items for Next Meeting
 - a. August 8, 2018 Minutes
 - b. GIS Update
 - c. Strategic Plan Update
2. Workshops/Study Sessions
3. Pending Hearings

Recess at 10:17 AM

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

Out of Recess 1:00 PM

Request to call roll again.

Commissioner Thayer – Here, Commissioner Richardson – Here, Commissioner Willcox - Here

a. 44 Delbert Minor Subdivision

Motion: Open land use hearing for 44 Delbert Minor Subdivision

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

Ethan Wattel, from Baseline on behalf CDS.

Planning Commission recommended approval with conditions of approval. One condition has not been met. Mr. Wattel recommended that this be tabled until September 12.

Motion: Postpone hearing on 44 Delbert Minor subdivision until September 12 at 1:00 PM

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

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b. Burmaster A-2 Rezone

Motion: Close on Delbert 44 and open on Burmaster

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

Thayer	x	
Willcox	x	



Ethan Wattel, Sr. Planner with Baseline on behalf of CDS

Mr. Wattel gave the staff summary. This outlined the desire of changes zoning and location of property. This is next to Legacy Business Park and across from Summit Business Park. This is intended to clean up zoning. Staff recommends approval. Planning Commission recommended approval as well

Motion: Approval of Burmaster A-2 Rezone

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

Motion: Close Burmaster Hearing and open EDZ map adoption hearing

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

c. Consider adoption of EDZ Map

Vince Hooper, Baseline on behalf of CDS

This is to amend the official map of the Economic Development Zone. He outlined that this has been a multi-step process that has been completed. This is the final step. The intent is to implement 2018 goals of comp plan update and promote economic activity. This is linked to high traffic corridors. This defined 1320 feet on each side as being part of the EDZ. He outlined exclusions to the EDZ. He further explained how the EDZ zoning effects current properties and zoning. Elizabeth fire responded as a referral agency as did the Town of Elizabeth. The Town is opposed to the EDZ zoning. The Planning commission recommended approval with a few conditions, which were summarized by Mr. Hooper. He explained what the criteria for review would include. CDS staff recommends approval with conditions that were outlined.

There have been recent developments in discussion with the town of Elizabeth.

Sam Albrecht, County manager

Mr. Albrecht relayed the recent changes in regarding to conversations with the town of Elizabeth. He thanked the Town of Elizabeth for working with the County. These involved Hwy 86 west of the town and along CR 13 past the Eliz HS property. This also from CR 13 up to CR 146 for one year. They also may ask for extensions. Staff recommends modifying the IGA to notate that.

Meghan Vasquez, Mayor of Elizabeth

Ms. Vasquez believes that this has been a good compromise. They are no longer opposed due to the changes. They are still concerned how the EDZ will affect the entire region.

Commissioner Willcox cautioned that these change would require major changes to documents and the map. This would almost require a start over.

Commissioner Richardson stated that the Land Use issues are the most contentious that they hear. He agrees with the notification proposals, but does not think this can be done with the map. As long as an application follows the rules, the bar is pretty high to deny. This is a quasi-legislative project. He outlined the time frame and how long this has been discussed with the BOCC and Planning Commission.

Commissioner Thayer stated he agreed with Commissioners Willcox and Richardson. Their preference is that the activity takes place in town limits. He discussed the importance of private property rights. He does not see it as starting over, but as fixing the edges. He wanted to clarify that this is an option for landowners. He did not think the rezoning should be post-poned indefinitely. He agrees in principle of notifying adjacent landowners. He thinks there are small points that need some editing.

Motion: Deny the EDZ map in current form and return map and language in resolution to Planning Commission to reflect the agreement with the Town of Elizabeth and to re-notice as appropriate

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

Cindy Pulsipher, 34114 Prairie Loop, Elizabeth

She stated the history of Elizabeth. She expected the town of Elizabeth and how additions to the Elizabeth community. She does not want to see strip malls in the Elizabeth area.

John Benz

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Mr. Benz said he would hold most of his comments until later. He thought the map was hard to understand. He asked for labeling roads on the maps.

Amy Gornelson

Ms. Gornelson stated she hopes that Elizabeth carefully thought out the areas that they want to control. She is concerned of big groups come in and bring things that can be hobbled by eyesores. She wants growth in a controlled fashion.

Ward Van

He is in favor of the EDZ zones. He has been watching this for a long time. He said the problem is that there will always be objections but eventually this needs to be done. He is not trying to do something he could not do any way. The EDZ is for the process and for it to move forward quicker. A commercial tax base is necessary to keep the tax burden off residential owners.

Kendra McGregor

Ms. McGregor moved here 4 years ago from Parker and outlined why she moved here. Parker was like that 17 years ago when she first moved to Parker. She thought this would open the floodgates to development and the only thing she did not think was listed a penitentiary. She was concerned where the workers would come from. She thought this was irresponsible with no thought tout plan. She thought this would decrease property values.

Susan Schick

Ms. Schick stated the while not a resident she felt part of the community. She was pleased to hear that the Commissioners would step back and take another look. She was encouraged that the Commissioners are listening to the citizens.

Debbi Ullum 11195 Copper Canyon Circle.

She is glad that is getting another look. Her question was why the people were not notified about the map. She is concerned how the 35 acre lots fit into the process. She wondered if covenants override EDZ. She would like to see the businesses flying under the radar need to be addressed first.

Liz Alvarez, meadow station circle.

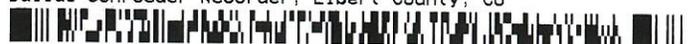
She has been in the County less than a year. She appreciated the due diligence by the Commissioners on reviewing the safety. She addressed the site planning comment of Commissioner Richardson and believes that the public needs to have input in that plan. She wanted to be careful in the 35 acre parcels and how they are used. She wants the neighbors to be able to come in and express their concerns.

Margie Schwartz Grey Stone Circle

Ms. Schwartz in concerned about the uses that are available and read from the list of what was available to be put in. She did not think some of the uses made sense. She is opposed to the uses by right and that some of these things need to be reviewed. She was surprised by the EDZ. The neighbors need to be notified of what could be coming in. She is against apartment complexes.

Christine Ware, Gold Creek Dr

Ms. Ware thanked the people who showed up today. She outlined her activity in getting the word out. She was glad of the collaboration and is encouraged that the Commissioners listened



Ann Marks, Buckskin Rd

Ms. Marks outlined her business is that making things more effective and efficient. The criteria is too broad and vague. She thought the uses by right should be attached to the map. It needs to include what criteria is being used to determine the EDZ. She gave additional ideas and she asked that some of these meetings be done at night.

Michelle Kohl

Ms. Kohl said that she does not think people moved here for the growth. She thought it was for the open spaces and rural areas. She wants horse parks and trails.

Miguel Alvarez, Meadow Station

Mr. Alvarez thought it was important to have a clear process. He wanted everyone to have a clear process to outline the criteria and would help people stay on topic. He thought this would help the meetings go more smoothly.

Jacqueline Eden 34544 Columbine Trail W

Ms. Eden wanted to reiterate that people should be notified. She was concerned of adjacent landowner rights and she requested that those were at the beginning of the process instead of the end. She was concerned about people changing to commercial and having 5 neighbors that would be negatively impacted.

Holly Ferris, Columbine Trail W

Ms. Ferris thought evening meetings would be helpful and more clarification on the map. She thought the community needed to be more involved.

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

d. ADJOURNMENT

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Motion: Adjourn @ 2:33

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

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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

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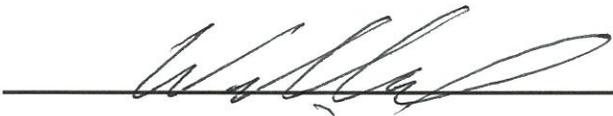
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BOARD OF COUNTY COMMISSIONERS

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; Dallas Schroeder

