

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

Danny Willcox – Via Phone

Larry D. Ross - Here

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 21st day of December, 2016 at 9:07 a.m.

INVOCATION: Dallas Schroeder, Elbert County Clerk & Recorder

PLEDGE OF ALLEGIANCE:

AGENDA:

Commissioner Ross moved to removed Item G from New Business.

No 2nd.

Motion died.

Commissioner Ross moved to remove Item I from New Business.

Commissioner Rowland 2nd

ALL IN FAVOR

Commissioner Rowland moved to accept the Agenda as amended.

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. Approval of minutes from 12/7/16, 10/26/16 & 9/14/16
- b. Approval of Vouchers





c. Approval of CDS Vouchers

Commissioner Rowland moved to accept the Consent Agenda.

Commissioner Ross 2nd.

ALL IN FAVOR

AWARDS & RECOGNITION:

Ed Ehmann, County Manager, pointed out the plaques recognizing Commissioner Ross and Rowland's service to the County.

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.

Art Evans, 40820 Madrid Dr, Elizabeth

Mr. Evans thanked the County Commissioners for their service to the County. Mr. Evans is a board member of the Kiowa Conservation District and asked that the Conservation District have some consideration for some funds in the 2018 Budget.

Bob Ware, 2681 Gold Creek Meadows, Elizabeth

Mr. Ware disclosed he is a member of the Water Advisory Committee. He relayed a concern he had about the study only encompassing approximately 1/5 of the County and was concerned about what part of the Water Study was devoted to the other 4/5 of the County. He believed the contract was for the entire County to be studied and read from the contract to reinforce that belief. He would like to have a time to sit down and study this after the Holidays.

OLD BUSINESS:

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

- a. Resolution for the Elbert County 2017 Budget Adoption and Appropriation

Commissioner Ross moved to approve the Resolution for the Elbert County 2017 Budget Adoption and Appropriation.

Commissioner Rowland 2nd.

Ed Ehamnn, County Manager, stated this is the same budget that the Commissioners have been studying.

Commissioner Rowland thanked the Staff for a very professional budget that gives a clear, concise picture of the state of the County

ALL IN FAVOR

- b. Resolution for the Elbert County 2017 Mill Levy Certification

Commissioner Ross moved to approve the Resolution for the Elbert County 2017 Mill Levy Certification.

Commissioner Rowland 2nd.

ALL IN FAVOR

- c. Resolution for Supplemental Appropriation for Fund 40

Commissioner Ross moved to approve the Resolution for Supplemental Appropriation for Fund 40.

Commissioner Rowland 2nd

Commissioner Rowland explained this was a timing issue with the Sherriff's Office and asked for an explanation.

Ed Ehamnn, County Manager, explained that this was a timing issue from the end of last year when some leases were retired and the vehicles purchased outright and by the time it the transaction was complete it was into this year.

ALL IN FAVOR

- d. Resolution Approving and Amended 401 (a) Participation Agreement with CCOERA to Increase matching Contributions by Elbert County and Elbert County Employees to Five Percent

- e. Commissioner Ross moved to approve the Resolution Approving and Amended 401 (a) Participation Agreement with CCOERA to Increase matching Contributions by Elbert County and Elbert County Employees to Five Percent

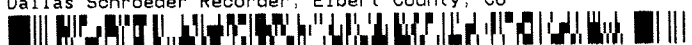
Commissioner Rowland 2nd.

Ed Ehamnn, County Manager, explained that since the beginning of the program in 1968, the funding has been at 4%. Based on funding via a mill levy to this account the dollars are there to fund the increase. The hope is to eventually get it to a 7 or 8% match.

ALL IN FAVOR

Commissioner Ross moved to approve the Elbert County 2017 mill levy certifications public improvement districts for Meadow Station and Foxwood Estates and Foxwood Ranches, acting as their Board.

Commissioner Rowland 2nd



ALL IN FAVOR



- f. Public Hearing on Coyote Meadow Rezoning Application and Minor Residential Development (MRD) Application, RE-16-0015 and MD-16-0016 (CDS Director, Kyle Fenner)

Kyle Fenner, CDS Director, introduced Ethan Watel, from Baseline who will make the presentation on the coyote Meadow Rezoning and Minor Residential Development.

Mr. Watel recommended opening the Public Hearing.

Commissioner Ross moved to open the Public Hearing on Coyote Meadow Rezoning Application and Minor Residential Development (MRD) Application, RE-16-0015 and MD-16-0016.

Commissioner Rowland 2nd.

ALL IN FAVOR

Mr. Watel gave a detailed report, giving an overview of the project, summary of previous meetings and about the different zoning of the neighbors. He explained how the concerns from the residents on Ranch Road were addressed.

The Planning Commissioner voted 6-0 in favor of the rezone and 5-1 in favor of the MRD.

Public Comment

CJ Kearse, 5730 Eastern Trail Avenue suite 200, Centennial

Mr. Kearse is a representative for the applicant and is here to answer any questions. He said staff did a good job of summarizing the project. The applicant is willing to accept all conditions of approval.

Mark Wells, 40700 Ranch Rd

Mr. Wells wanted to clarify that Ranch Road is rated a type 1 road and is actually a type 6. The traffic assessment done says the road can handle up to 200 trips a day. He believes engineers' assessment is erroneous and should be redone. He said a road maintenance agreement hasn't been provided to the others. He doesn't want part of the bill for the road damage during construction or for changes in the road due to this development.

Sam Strand 40544 Ranch Rd

Mr. Strand stated he is the last house on the Ranch road is concerned about the entrance to the proposed development and the lights to the new development will go into his bedroom. He is concerned about the maintenance of the road. He is also concerned about personal liability since this is a private road. He stated that they are not trying to keep Mr. Abel off his property.

Tim Goodwin, 21655 Cattle Dr, Elizabeth

Mr. Goodwin stated that Ranch Road and Singing Hills road is a dangerous intersection. He is concerned this will be a gateway for other properties to the south to develop and create a burden on the road.

Fred Skillen, 544 DTC Parkway, Suite 800, Greenwood Village

Mr. Skilleen shared his opinion on easements across the state. He explained the different types of easements and gave a detailed explanation of what easements allow the easement holder to do.

Ann Strand, 40554 Ranch Rd, Elizabeth

Ms. Strand is concerned about the maintenance agreement. She is opposed to the option of a motocross tracks. The various covenants proposed are not in respect to the current home owners as the owner will be able to have all the say based on the maintenance agreement. She doesn't think the builder should have all the say about the maintenance on the road.

Miles Hamburg, 10970 S Parker Rd, Parker

Mr. Hamburg is an attorney helping those who are against the MRD and Rezone. He thought those who spoke against the development did a good job and he was there to make himself available to the BOCC if they had any questions.

Brian Abel, 10952 Pikes Peak Drive, Elizabeth

Mr. Abel stated he did not want to upset the community and the original intent was to have thirty acre parcels. That has changed. He tried to start a development that would fit into the neighborhood and not disrupt. He stated he is doing nothing more than what was done 15 years ago. He stated he had conformed and have met all the County obligations. The easements were in place and the road was there when these other home owners bought.

Brittany Wells, 40700 Ranch Rd, Elizabeth

Ms. Wells stated they had not heard from Mr. Abel in a year. There has been no contact with them and even at the initial meeting concession was asking if they wanted the road widened.

Close Public Comment

Commissioner Ross moved to approve the resolution for Coyote Meadow Rezoning Application and Minor Residential Development (MRD) Application, RE-16-0015 and MD-16-0016.

Commissioner Rowland 2nd.

ALL IN FAVOR

Close Public Hearing

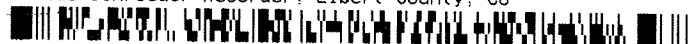
- g. Decision on Letter Requesting Extension from DOLA regarding the Master Plan Grant Agreement
Kyle Fenner, CDS Director, explained the need for the extension due to the involvement of the Planning Commission in the Master Plan Grant. It is set to expire on 1/31/17 and they are asking for an 18 month extension.

Commissioner Ross moved to approve the Letter Requesting Extension from DOLA regarding the Master Plan Grant Agreement.

Commissioner Rowland 2nd.

ALL IN FAVOR

- h. Decision regarding Director of Public Works



Commissioner Rowland moved to direct the County Manager to develop a job description for the position of Public Works Director reporting directly to the County Manager, and to include all duties associated with oversight of the Road and Bridge department and Community Development and Facilities Departments and to immediately proceed with the job posting to begin the process of recruiting, interviewing and ultimately selecting and hiring for the position as soon as practicable, with the understanding and condition that the incoming BOCC to be sworn in on January 10th will review approve the final job description before such posting is done.

Commissioner Willcox 2nd.

Commissioner Willcox wanted to make sure that the new Board would be included in the future.

Commissioner Ross thought it was not appropriate to put in motion that will involve the next Board. He also thought there was potential problem in changing the operational structure. He spoke against the motion.

Commissioner Rowland – AYE

Commissioner Willcox – AYE

Commissioner Ross – NAY

- i. Approval of Minutes from 12/9/15, 4/27/16, 6/15/16, 7/6/16

Commissioner Rowland moved to approve minutes from 12/9/15, 4/27/16, 6/15/16, 7/6/16.

Commissioner Willcox recused himself from the vote as he was not Commissioner at the time of these minutes.

Commissioner Rowland – AYE

Commissioner Ross – AYE

Commissioner Willcox – Recuse

- ~~j. Elbert County Open Lands Study – Final Rev. 2~~

Commissioner Willcox thanked Commissioners Ross and Rowland for their service.

LAND USE:

ATTORNEY TO THE BOCC:

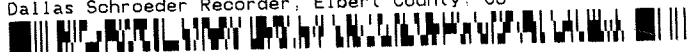
ADJOURNMENT

Commissioner Ross moved to Adjourn.

Commissioner Rowland 2nd.

ALL IN FAVOR

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Dallas Schroeder Recorder, Elbert County, Co



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

Chris Richardson - ABSTAIN

CHRIS RICHARDSON, COMMISSIONER

Danny Willcox - ABSTAIN

DANNY WILLCOX, COMMISSIONER

Grant Thayer ABSTAIN

GRANT THAYER, COMMISSIONER

ATTEST: Dallas Schroeder

County Clerk

BY: *Dallas Schroeder*

Clerk to the Board of County Commissioners

