

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

Kelly Dore

Larry D. Ross

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 9th day of December, 2015 at 9:02 a.m.

MOMENT OF SILENCE

Brandon Linderink, OEM Director led the group in a moment of silence for all those who sacrifice so much in service to our country.

INVOCATION: Prayer given by Scott Wills.

PLEDGE OF ALLEGIANCE:

AGENDA: Commissioner Dore moved to accept the Agenda as presented.

Commissioner Ross moved to add an Item D to new business entitled: Management/Oversight of CDS Department."

Commissioner Dore 2nd.

Commissioner Rowland objected that this was not discussed at the Agenda meeting, or discussed with the full board, wasn't included in the official posting of the meeting and thought it was out of order.

Commissioner Rowland – Nay

Commissioner Dore – Aye

Commissioner Ross - Aye

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~~
- b. Vouchers/Warrants/Mylar signing
- c. Grant Agreement for \$24,500.80 between Elbert County and the Colorado Division of Homeland Security and Emergency Management
- d. ~~Agave MOU Revision~~



Commissioner Ross noted that there was no minutes to approve, no mylars to sign and item D has been removed to be brought up at a later date. He also moved to add the signing of lein releases for Chaparral Valley Special District.

Commissioner Dore moved to approve the Agenda as amended. Commissioner Ross 2nd.

ALL IN FAVOR

AWARDS & RECOGNITION:

a. "Thank-You" Presentation (CSU Extension/4H)

Lori Benson, Elbert County Extension office, wanted to take this time to thank the commissioners for their support of 4H. The participants in 4H learn leadership, citizenship, and life skills to help them bring productive citizens. She introduced five members involved in Elbert County 4H, all who hold leadership positions in their respective clubs. Each spoke for a few minutes.

Kaitlyn Boykin, 6 year veteran in 4H who shows market lambs. She has been the treasurer of her club for the past two years. She is heavily involved in many aspects of 4H.

Riley Moranfield, 7 year veteran of 4H. She has been involved with her family ranch since she could walk and talk. She currently judges livestock and wants to be a judge at the collegiate level. She wants to become a meteorologist and own her own cow/calf operation.

Brooklyn Snyder is in her first year of 4H. She is having fun and really enjoys being part of 4H.

Brendolyn Snyder is a 5 year veteran of 4H. Her family has a rich family heritage with 4H, having been involved with the program for over 80 years.

Kaden Henderson is a 10 year veteran of 4H. Both sides of his family have been in Elbert County for five generations. He shows market steers. He stated 4H is a lifestyle. He is also a 4H Senator, representing Elbert County across the state. He wants to be an engineer.

A presentation of "thank-you" wreaths were presented to the commissioners along with a check to ECCO on behalf of 4H.

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.

a. FEMA Update (Ed Ehmman, County Manager & Brandon Lenderink, Director of OEM)



Mr. Lenderink brought the commissioners up to date on the latest progress for the FEMA update. Commissioners asked for a copy of his presentation. Mr. Lenderink complimented the team on going above and beyond to make the process work.

All three commissioners praised the work of Mr. Lenderink.

Jerri Spear, Director of Health and Human Services, introduced the new Public Health Director, Katye Boyer. Today is her 6th day on the job.

Ms. Boyer shared she has a nursing background with a masters in Nursing Leadership and Public Health.

Commissioner Rowland reminded everyone in the wake of the San Bernardino shooting that everyone needs to be aware and vigilant in security and work environment and encouraged the reporting of suspicious or unusual behavior.

Commissioner Rowland also noted the USGS water monitoring study reports and updates are available. He hopes to have Rhett Everett at a meeting to fully explain the data. There will be a link posted to the report on the web-site.

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.

Kurt Schlegel, 2370 Antelope Ridge Trail.

Mr. Schlegel stated that he is representing developers and the opportunity to bring infrastructure into the county and due to the events over the last few weeks, they are thinking of pulling out. He believes that the Commissioners duty is to set policy but that those decisions can have far reaching effects. He asked the commissioners to think long and hard before they make their decisions. He thanked the other elected officials and staff for coming together as a team and working together to the benefit of the County.

OLD BUSINESS:

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

- a. Resolution for Rukavina Special Use Permit (Kyle Fenner, CDS Director)

Ms. Fenner made a presentation on the SUR and concluded with the assurance that all requirements were met.



Tom Maroney, PO Box 902, Elizabeth, representing the parties applying for the SUR.

Mr. Maroney said they were not going back to the Planning Commission does not know what they are doing. Mr. Maroney commented that SUR does allow for amendments. There is a disagreement on the number of animal units between staff and the Planning Commission. He doesn't agree with staff's assessment on the number of animal units but they are OK with the 18.5 animal units.

Commissioner Dore moved to approve Resolution 15- TBD SU-15-0011 Rukavina Special Use Permit Resolution for a Special Use Permit for Acadia Equine Rehabilitation and Rocky Mountain School of Accupressure and Massage.

Commissioner Rowland 2nd.

ALL IN FAVOR

Commissioner Rowland moved for a 10 minute recess.

Commissioner Ross 2nd.

ALL IN FAVOR

Meeting reconvened at 10:44 AM.

- b. Resolution for the Elbert County 2016 Budget Adoption and Appropriation (Ed Ehmann, County Manager)
Mr. Ehmann, County Manager, gave a presentation on the proposed budget for 2016. Mr. Ehmann went through each fund and their budgeted revenues and expenditures.

Commissioner Rowland thanked Jim Wray from Poysti and Adams and his assistance in the budget process. This is a version that we've seen. He asked for a report on the differences.

Mr. Ehmann went over the differences.

Commissioner Dore stated she was not comfortable with voting on the budget if she is not going to meet with the Department Heads and Elected Officials individually.

Commissioner Rowland commented he refers the details to the Staff and the County Budget Officer and he looks to make sure certain amounts are not exceeded. He has seen the line item budget.

Commissioner Ross stated that they didn't have binders like before and that it was important for all three commissioners to speak unanimously on the budget.

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

No Second. Motion Died.

Wade Gateley, County Attorney, explained why this was important to do in December.

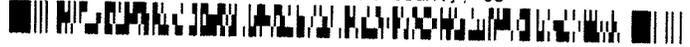
There was further discussion on the matter.

Commissioner Dore moved to approve the 2016 budget and make appropriate adjustments later.

Commissioner Rowland 2nd.

565974 B: 774 P: 772 MM
01/30/2017 04:49:45 PM Page: 5 of 8 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co

ALL IN FAVOR.



Commissioner Ross read from the numbers on the Resolution.

- c. Resolution Committing \$180,000.00 of the Ending General Fund Balance to Future Expenditures (Ed Ehmann, County Manager)

Ed Ehmann, County Manager, explained this if for future debt services payments.

Commissioner Rowland moved to approve the Resolution Committing \$180,000 of the Ending General Fund Balance to Future Expenditures.

Commissioner Dore 2nd.

Commissioner Dore asked if the intent for these monies it to take care of the balloon payment at the end of the current bond, and the County re-finances that bond, what is the plan for these monies?

Mr. Ehmann said they would be looking putting those monies towards new facilities.

ALL IN FAVOR

- c. Management/Oversight of the CDS Department

Commissioner Ross moved that effective immediately, the BOCC assume direct supervision of the CDS department with Ms. Fenner reporting directly to the BOCC.

Commissioner Ross withdrew his motion.

Commissioner Dore moved that effective immediately, the BOCC temporarily assume oversight of CDS.

Commissioner Ross 2nd

Commissioner Rowland stated he was shocked and stunned as there was no warning for the amending the agenda for the 2nd time in as many meetings. This item was not added to the Agenda and he believes it is unfair and dishonorable. He believes there needs to be time to think about this action and discuss it. He said no reasons have been given for this to have been put on the agenda. He believes it is untimely and inappropriate and the action needs to be explained.

Commissioner Dore stated she was not at the Agenda meeting and wants to meet with the CDS Director and the County Manager.

Commissioner Rowland again asked for a concrete reason for this action.

Wade Gateley, County Attorney, pointed out that this actin violates the Commissioners Code of Conduct.

Commissioner Ross stated that the Commissioners have the authority to make decisions.

Mr. Gateley questioned the legal status of the action. The BOCC Code of Conduct as well as the County Attorney and County Manager policies must go through the proper procedures if they are changed. The statues are clear on personnel issues. There has not been and Executive Session and no full disclosure.

Commissioner Rowland stated that this action is unfair to the participants. Encouraged the Commissioners to back down.

Commissioner Dore stated she has been concerned about CDS as a whole. She stated she has also heard concerns from the public.

Commissioner Rowland asked that the question be called.

Public Comment

565974 B: 774 P: 772 MM
01/30/2017 04:49:45 PM Page: 6 of 8 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co

Kurt Schlegel, 2370 Antelope Ridge Trail.



Mr. Schlegel again stated that decisions made by the BOCC have long lasting implications. He encouraged the BOCC to not change the organizational structure.

Commissioner Ross stated the procedure today was influenced by the previous attempt for protocol and insurrection by the County Staff. There were attempts made to circumvent the process. Ed has done well but decisions have to take place in the department.

Susan Shick, 4122 Downwest Ride, Elizabeth.

Ms. Schick encouraged Commissioners Ross and Dore to continue with their action. She believes this is a necessary step due to the personalities involved.

Danile Rosales, 3672 Deer Creek Dr.

Mr. Roasles raised concerns that the BOCC has not filled some vacant seats on the Planning Commission, the staffing of CDS and that these positions need to be filled. He stated it takes the three Commissioners and Mr. Ehmann to make the Planning Commission successful and the Planning Commission would like to be involved in the selection process. He feels like they are being ignored.

Scott Wills, 11953 Lasso Place, Kiowa

Mr. Wills asked what problem would be solved by this move. He also asked why they would take the duties back to the County Manager and what expertise the BOCC has to supervise CDS.

Commissioner Dore responded that is why she added the word temporarily. The problem needs to be found and this is to protect the County Manager.

Commissioner Rowland stated he does not feel qualified or able to manage CDS. He stated three people cannot do it. He will not take on the role of oversight to the CDS department. He believes to undo this makes no sense and this is just going back to the good old days.

Donna Dryer, 38590 Ridge Rd,

Ms. Dryer stated that CDS used to be under the Commissioners and didn't remember CDS going under the County Manager.

Commissioner Dore moved that the BOCC take immediate, temporary direct management and oversight of CDS.

Commissioner Ross 2nd

Commissioner Dore – Aye

Commissioner Ross – Aye

Commissioner Rowland – Nay

LAND USE:

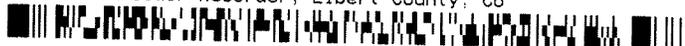
ATTORNEY TO THE BOCC:

ADJOURNMENT

Commissioner Dore moved to adjourn at 12:07 pm.

Commissioner Ross 2nd.

ALL IN FAVOR



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



Robert Rowland

ABSTAIN

Danny Willcox, Vice Chair



Larry D. Ross, Chairman

ATTEST: Dallas Schroeder

County Clerk



BY: 

Clerk to the Board of County Commissioners

