



**ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES**

Regular Meeting Held in the BOCC Meeting Room
February 14th, 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 9:00 AM

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

B. INVOCATION/PLEDGE OF ALLEGIANCE: Elbert County Chaplain, Jason Pearson

C. APPROVAL OF AGENDA

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Dallas Schroeder Recorder, Elbert County, Co

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 as needed
2. Approval of CDS Mylars as needed
3. HUTF Certification
4. Acknowledgement of Planning Pipeline Report
5. Six Month Schedule of Receipts and Disbursements

Motion: Approval of Consent Agenda

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

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Sam Albrecht, County Manager

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.

Mr. Albrecht discussed the status of vacancies in appointed boards, the appointment policies and the plan going forward to fill the vacancies.

Dallas Schroeder, Elbert County Clerk and Recorder

Mr. Schroeder shared with the Commissioners the great work that Rachel Buchanan is doing for the Clerk's Office and Treasurer's Office. She splits time with the Elections Department and Treasurer's Office. During the property tax collecting season, she is with the Treasurer's Office. He complimented her work as back up to the Clerk to the BOCC and her ability to multi-task while collecting tax payments and posting documents on the website at the same time. He ended by stating she is doing all her jobs well.

Mr. Schroeder was asked to give an update on Tasha Gomez and her project with the new State Motor Vehicle system.

Mr. Schroeder relayed she is doing well and he is in almost daily contact with her. As the only small/medium county representative for the entire development period, she is doing a good job standing up for the smaller counties. He shared that she has relayed several conversations that illustrated that the bigger counties have no idea smaller counties operate and is an advocate for the new system to work for everyone.

F. OPEN PUBLIC COMMENT (See Note 1)

Marlene Groves, 33300 Ridge Rd

Ms. Groves thanked whoever was responsible that the documents for the meeting were on the web site.

G. DISCUSSION ITEMS: (See Note 2)

1. Pines and Plains Library Annual Report to Commissioners (Tim Miller, Pines and Plains Library Director)

Mr. Miller reminded the public that Commissioner Thayer was on the Library board and presented Mr. Thayer with a certificate of appreciation. He stated they are working from the 2016 survey to meet the needs of the community which has led to additional hours the branches are open, new computers are being purchased and more learning opportunities for all ages. He stated the financial reserves are increasing and they expect to be able to meet their balloon payment no later than 2021. He relayed the activity numbers in the Library.

Commissioner Thayer pointed out that they do not see the Board independent of the County, but is part of the services the County provides. He cautioned on that thought process as we go forward.

Commissioner Richardson pointed out that there is a symbiotic relationship and they are part of the County. Mr. Richardson asked for the report to be completed, as the statute requires. There was a request for an addendum that will complete the report.

Commissioner Thayer complimented the Library on the progress that progress has been made financially on their bottom line. There was significant changes that helped change the direction of the Library.

Susan St. Vincent, President of Pines and Plains Board.

Ms. St. Vincent acknowledged there were problems in the past. The building has been refinanced couple of times and tough decisions had to be made to put the Library back on sound footing. She thanked the support of the County to help make the change.

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Public Comment

Frank Reeves, Elizabeth, Co.

He stated he was an early supporter of the Library and complimented on improving of service and increasing hours. He was concerned that elections to the board are not free and open elections. He thought working with a partisan group was a mistake.

Marlene Groves, 333300 Ridge Rd

Ms. Groves stated she loves the library and goes then many times. She does not think the library is partisan. Many different groups operate and meet at the various locations.

2. CDS Update (Sam Albrecht, County Manager)
 - a. Master Plan/Comprehensive Plan Update

Mr. Albrecht relayed that progress is being made on the Master Plan. Stakeholder groups will met on March 5. He is expecting rollout in June to the BOCC

- b. Subdivision and Zoning Regulations Update
Mr. Albrecht is expecting an August or September rollout for BOCC.
 - c. Compliance Patch Update
 - d. EDZ Overlay Patch Update.

Mr. Albrecht relayed that both of the patches have been approved by the Planning Commission and now he is coordinating with SO, and Town and Elizabeth and Fire Departments. There will be future meetings for collaboration moving forward. The CDS Director position has been posted and the plan is to take their time to find the right candidate for the Department.

There were additional, comments, questions and direction given by the Commissioners in the area of CDS.

3. Building Department Update (Sam Albrecht, County Manager, Rory Hale, Public Works Director)
 - a. Building Regulations Update

Mr. Albrecht talked about building codes and what needs to be included in any new codes. They are in contact with Fire Departments to assure the codes meet ICC codes. This is the top priority. The zoning regulations need to be updated. There have been updates made to the paper application. The Building Department is stressed with the extra workload due to the increased activity.

- b. Fee Schedule Update for Buildings and Projects

Mr. Albrecht stated the new fee schedule will be pushed back until codes are reworked.

Commissioner Thayer stated that the Project Fees are different from Building fees.

4. Strategic Plan Update (Sam Albrecht, County Manager)

Mr. Albrecht stated there would be a draft survey that will be going out to the Staff that incorporates a SWOT analysis. They are also seeing some responses from the community survey. These will all help put together a strategic plan for the County.

5. Emergency Management Update (Alex Jakubowski, Emergency Management Director)

Mr. Jakubowski stated that the Emergency Operations plan is being updated from the 2015 plan. This will help in the event there is an incident and will allow for quicker responses from other agencies. This is a playbook for an incident and how react to an incident.

There were clarifying questions, comments and requests made by the Commissioners that were answered by Mr. Jakubowski.

6. HHS Building Addition Update (Justin Klassen, Director of Administration)

Mr. Klassen provided a brief update on where we are in bringing in the contractor to prep the site. The building is ready but cannot be moved until the site is ready.

Jerri Spear, Director of HHS, relayed some additional information. The contract called for the building to be done by the end of December. The building was ready at that point, but the site is not ready. Payments are being made. This needs to be done by mid-April. She addressed more financial details and which fund payments will be allocated from.

7. Policy Updates

a. BOCC Meeting Policy (Justin Klassen, Director of Administration)

Mr. Klassen still in draft form. This is an update to the current policy. Will look for approval on the 28th.

b. Open Records Policy (Justin Klassen, Director of Administration)

This is also an update to the current policies. These are for internal use and defines how the county will operate. He stated that they needed to keep track of how policies are referenced in different policies and how they might be effecting the other policies.

Rick Brown, 26493 Sherwood Forest Trail

Mr. Brown thanked Sam for getting the documents online. He thought there was an omission and that the discussion of policy must take place in an open meeting. He questioned the syntax of how many times a person can speak and changing an "or" to an "and". He questioned the notice of referencing a policy that does not exist yet. He talked about the oversight of employees for meetings and questioned its relevance for this policy. He thinks there is contradictory language as to who is the official custodian of records.

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick related that this ORR policy is an improvement over past policy and asked for some clarifying questions. She questioned about the use of the term "adopted" records and what exactly that means.

8. Industrial Hemp Report (Sam Albrecht, County Manager)

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Mr. Albrecht relayed that there has been questions about the growing of industrial hemp. It is an agricultural product. It is regulated by State Department of Agriculture. They had a couple come in to explain why and what they want to do with the industrial hemp. Other counties have been contacted and asked about their processes. There are some operations already within the county. The county is at the point a permitting processing needs to be pursued. He asking for authority to draft permit fee and language. He stated there are testing levels throughout the process to assure that it is not for the growing of marijuana.

Bart Greer, County Attorney, relayed some concerns and ideas as to ways to proceed.

Michael Buck, 26822 Richards Circle.

Mr. Buck asked what the benefit would be to the County. There seems to be lot of work and administrative work involved.

Commissioner Thayer stated the County cannot ban it but it is being investigated to see what the procedure will be.

Bill Harris, Simla, Co

Mr. Harris stated this is agricultural. He is part of Farm Bureau and it protects this and other Ag issues. He said there is discussion of using reclaimed water for watering the industrial hemp. He thought that it should not be prohibitive for people to grow industrial hemp. If these producers do not meet the letter of the law, they will be out of business.

H. ACTION ITEMS: (See Note 3)

1. Approval of January 31, 2018 Minutes

Motion: Approval of Minutes from January 31, 2018

	Moved	2nd	Comments
Richardson		x	
Thayer	x		
Willcox			
	AYE	NAY	
Richardson	x		576046 B: 784 P: 931 MM 03/05/2018 12:51:32 PM Page: 5 of 10 R 0.00 D Dallas Schroeder Recorder, Elbert County, Co 
Thayer	x		
Willcox	x		

I. BOARD PLANNING

1. Agenda Items for next meeting held on February 28, 2018:
 - a. Approval of February 14, 2018 Meeting Minutes
 - b. CDS Update (Sam Albrecht, County Manager)
 - c. Building Update (Sam Albrecht, County Manager)
2. Regulations Update
3. 2018 Budget Update
4. Fee Schedule Update for Buildings and Projects
5. Septic Update
 - a. 2019 Budget Update (Sam Albrecht, County Manager)
 - b. Approval of BOCC Meetings Policy (BOCC)
6. ECZR Amendments:

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- a. Elbert County Zoning Regulation Amendments: New Part II, Section 27, Economic Development Zone (EDZ) Overlay District
- b. Elbert County Zoning Regulation Amendments: Revisions to Part I, Section 6, Rezoning Procedures and Requirements
- c. Elbert County Zoning Regulation Amendments: Revisions to Part I, Section 7, Enforcement of the Zoning Regulations
- 7. Workshops/Study Sessions
- 8. Pending Hearings
 - a. Sundance Solar 1041 Permit & Special Use Review (SU-17-0036 & 10-17-0037)

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

Call to Order: 1:05 PM

Roll Call: Commissioner Thayer – Here, Commissioner Richardson – Here, Commissioner Willcox – Here

Motion: Open Hearing Spring Valley Development Guide

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

Vince Harris, Baseline Engineering, suggested opening hearing of bot both issues as the presentation is a combined presentation.

Motion: Open Hearing on Final Plat Spring Valley Ranch, Filing 4.

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

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- a. Spring Valley Development Guide Agreement
- b. Final Plat Spring Valley Ranch, Filing 4

Vince Harris of Baseline Engineering gave the Staff summary of the proposed items before the BOCC today. Both CDS and Planning Commission recommend approved of Spring Valley Ranch subdivision filing 4 final Plat. There were 8 Conditions of Approval, which were outlined and some have already been completed.

Jim Marshall, Centennial Colorado.

Mr. Marshall said he would speak towards the DGA. Mr. Marshall explained some of the history and why the DGA needed addressed. He outlined what they needed to change as far as what they needed to build for roads. He also talked about the impact fees that they would agree to. He also said they would voluntarily contribute to the Economic overlay. His adjustments would alleviate the County of some road obligations and the developer would take on some of the roads at a 100% of their cost. Currently, there are 315 homes occupied.

There were clarifying questions asked by the Commissioners and answered by Mr. Marshall.

Jack Reitsaol, Denver

Mr. Reitsol is representing the owner, primarily for the final plat. He believes staff has done thorough job. This is consistent with the current zoning. This is consistent to the plan put in place during the early 2000's. He agrees with the final plat conditions.

Commissioner Thayer asked for a set aside on drill sites. Mr. Marshall explained that those are already in place.

Commissioner Thayer had a question on the TAZ fees. Mr. Marshall stated they did some front-end investment in some roads and TAZ fees were waived at that point.

Commissioner Richardson asked for clarification that there were no substantial objections. Mr. Harris stated that was correct.

Public comment

Douglas Bissonette, Elizabeth C-1 Superintendent, wanted to make some comments on the anticipated impact to the filing 4. He said that growth was good for the school district. There has been a moderate decline in enrollment since 2007. People have moved away. Teacher turnover is high as housing there are issues in the district and more options for teachers for housing could reduce teacher turnover. More students will increase funding to the schools. The impact fees will also help with infrastructure needs. Elizabeth C-1 is in favor of the development.

Commissioner Thayer asked for clarification on water augmentation plan. Mr. Marshall said they were not required to have an augmentation plan.

Staff had no response to the applicant's presentation.

Motion: Approval of Spring Valley Ranch DGA

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

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Motion: Approval final plat for Spring Valley Ranch, filing 4 with conditions of approval, as outlined in the packet.

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

Motion: Adjourn at 2:02 PM

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

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- *Applicant Presents*
- *Public Input on Application (three minutes per person)*
- *BOCC Questions and Discussion*
- *BOCC Decision*
- *Close Land Use Hearing*

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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