ELBERT COUNTY, COLORADO

BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room
March 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

B. INVOCATION/PLEDGE OF ALLEGIANCE: Pastor Roger Miller, Elbert Christian Church

C. APPROVAL OF AGENDA

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
3. Update TANF Policies for Emergency Assistance

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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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.

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Sam Albrecht, County Manager

Mr. Albrecht presented a certificate of appreciation for 12 years of service with Elbert county to Gary Hartzell. He is retiring.

Mr. Albrecht informed the room that there is a new camera system and reminded everyone who is speaking to speak directly into the microphones.

Alex Jakubowski, OEM Director

Mr. Jakubowski gave an update on the Forest Ridge and Creekside fire. 374 acres burned. There were 3 homes lost and 7 outbuildings. They are working homeowners and their insurance. Clean up continues. He also gave an update on the Creekside fire. There is now a recovery committee from local to state representation to help in recovery efforts. ECCO is taking the lead in this effort. There were 2 minor injuries to first responders.

Jerri Spear, HHS Director

Ms. Spear spoke about Mr. Hartzell and stated that he is the face of environmental and public health. His work has been trusted by the county. The department is sorry to see him go. He worked many hours and did work on weekends when necessary. She reminded everyone of a reception tomorrow at the fairgrounds from 2-4 PM.

F. OPEN PUBLIC COMMENT (See Note 1)

Roger Miller, 22631 Eagle Dr, Elbert

Mr. Miller expressed his disappointment in that when two different county agencies (Library and BOCC) sue each other, no one wins. He also stated that there has been a lot of attention paid to the roads by his house, particularly CR 17/21 and he appreciated it.

Marlene Groves, 33300 Ridge Rd

Ms. Groves spoke to a video that was put on the county website and speaking about a citizen. She wondered how they speak to the women in their lives. There will be complaints to the County leadership and they should expect it. She asked for a public apology.

G. DISCUSSION ITEMS: (See Note 2)

1. Elbert County Investment Policy (Rick Pettitt, County Treasurer)

Rick Pettitt, County Treasurer

Mr. Pettitt shared a summary of what the policy allows the Treasurer to invest. Safety is the number one priority, liquidity is 2nd and the yield is the 3rd priority. They investment will follow state statute. The policy also talks to the responsibility of the Treasurer.

Commissioner Willcox added there needed to be a role of Commissioners added to the policy, which though discussion was determined the defined role of Commissioners would be best addressed in the Finance Policy. He liked the outline of responsibility for the Treasurer.

No Action to be taken since it is the Treasurer's policy.

2. 2019 Budget Update (Sam Albrecht, County Manager)
   Mr. Albrecht stated the County is on schedule of the 2019 budget process. 2017 budget close

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out is under way. Auditors will be in the first week of April. 2019 budget planning meeting will be taking place tomorrow talking about the 2019 budget goals.

3. Citizen Response Survey (Sam Albrecht, County Manager)

Mr. Albrecht addressed the different ways that the survey has gone out. There are only 665 responses so far. He recommends closing the survey period and he will begin to compile the information. He will share with the Departments and Elected Officials.

Mike Buck, 26822 Richards Circle.
Mr. Buck asked that the survey not be closed yet. . He thought it was hard to find on the website and the flyer was not in his tax bill. He suggested another 30 days for it to be available.

4. GIS Update (Sam Albrecht, County Manager)

Mr. Albrecht stated there has not been much change. He has a conference call next week to talk about data transfer.

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

Mr. Albrecht reported the significant events are moving forward with the comp plan. The stakeholder meetings have occurred. The Planning Commission met last night to go over the stakeholder comments. The next step is to refer these back to contractor, along with the Planning Commission comments. A public meeting will take place in late April.

The CDS position posting closed last night at midnight. He will start looking at the application.

Jim Duvall, 40753 CR 21

Mr. Duvall brought to the Commissioner's attention that the Planning Commission meeting was not noticed to Sunshine list and website.

6. Building Department Update (Sam Albrecht, County Manager/ Rory Hale, Public Works Director)
   a. Building Regulations Update
   b. Fee Schedule Update for Buildings and Projects
      Mr. Albrecht relayed that the work continues on the Building Regulations and on the revised Fee Schedule.

7. Road and Bridge Tower Update (Rory Hale, Public Works Director)

Mr. Albrecht stated they are looking at getting a bid on the Simla tower. Both the County Road and Bridge department and the Simla school use the tower.

Mr. Albrecht shared what the County Road & Bridge and other agencies did to help save many structures. They did have problems getting emergency vehicles to the area due to tremendous citizen involvement in moving horses.

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8. Review of Open Records Request History (Bart Greer, County Attorney)

Mr. Greer shared that they have investigated ORRs since 2016. 2016 had 147 requests and total labor costs was nearly $2K and 73-73 hours to compile. 62 requests was from one individual.

2017 24 requester with 74 total requests. $1k in labor costs and 37 hours of staff time. Top requester had 15 of those

2018 16 requests. 5 from one individual. 8 hours of staff time and cost of labor is about $200.

Susan Schick, 4122 Downwest Ride, Elizabeth

Ms. Schick stated that she has three storage boxes of open records. She is more informed than most. She found out she could formally oppose the budget from DOLA. She thinks the taxpayers should get more information. She shared how other counties post documents and listed what she thought should be on the website. She shared a document with those sites listed.

Commissioner Thayer stated that is exactly what they are working on. He said policies and workflow should be upgraded. He noted that most of her complaints pre-dated the current BOCC. They are working it.

Marlene Groves, 33300 Ridge Rd

Ms. Groves thought the declining numbers is due to the increased posting of documents on the website. She suggested that those items that are requested be put on the website the next time around.

Rick Brown, 2649 Sherwood Forest Trail, Kiowa

Mr. Brown thanked Mr. Greer for his comment of putting more documents on the website will decrease ORRs. He pointed out that he did not think it was fair to state the costs since the employees are being paid anyway. He opined that the actual requests in the past had been talked about being made public but cautioned the BOCC on some limitations on those who utilize county facilities can not be released.

9. Industrial Hemp Discussion (Doug Chimenti, Veteran Workfellow)

Mr. Chimenti stated that there is no current policies in the county. There are currently 9 state licensed farms in the County. Mr. Chimenti gave an overview of Industrial Hemp, requirements for state registration, recommended qualifications Counties should have in a policy, Colorado State Rules for testing, rules for non-compliance, destruction of non-compliant hemp, county requirement summaries, other states' requirements, the Routt Count Planning Commission Site Plan Review, various Sheriff Office Observations, various concerns from across the State, proposed hemp grow permit fees and requirements, and a timeline for implementation.

There were various questions asked by the Commissioners and they were answered.

Sam Albrecht, County Manager, shared some additional comments.

Mr. Chimenti explained his position as a Veteran Workfellow.

Mike Buck, 26822 Richards Cir.

Mr. Buck agreed with Mr. Albrecht. He thought that only thing not addressed was the opportunity costs between the SO and fire Departments. He asked that be considered in addressing the proposed requirements.

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Bill Harris, 403 Caribou, Simla

Mr. Harris stated the County needs to be proactive with this. They are looking at doing some chemical treating to be able to feed to cows. It is an Ag product and uses less water than other crops. He is representing Colorado Farm Bureau.

Susan Schick, 4122 Downwest Ride

Ms. Schick relayed that the S.O has 37 employees and 37 vehicles so she thinks there is plenty of resources to drive around the county to check on the Industrial Hemp grows.

Commissioner Thayer stated he thought the numbers relayed by Ms. Schick numbers were dated. Now there is a Fleet Manager in place to catalog the vehicles, and progress is being made.

Mr. Albrecht shared that assets are being evaluated. Old stuff is being moved out and sold. He thinks access for the Sheriff to Industrial Hemp grows is important but the county is also looking at a compliance officer.

Mr. Harris stated the biggest problem was the lack of knowledge by the people. He thinks this needs to be a cooperative process.

H. ACTION ITEMS: (See Note 3)

1. Approval of February 28, 2018 Minutes

Motion: Approval of February 28, 2018 Minutes

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

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

Motion: Approval of BOCC Meeting Policy and to replace previous policies, with an amendment with unanimous approval, that this policy also replaces the old policy.

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

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Public Comment

Rick Brown, 26493 Sherwood Forest Trail

Mr. Brown stated he presented extensive written comments and met with commissioner Willcox. He said he would address the important issues. He suggested to repeal the previous policy. He thought there was an incomplete aspect on what meetings would be posted. He also commented on the exceptions to the posting of the open meetings. He asked for the policy approval to be deferred.

Commissioner Richardson responded to Mr. Brown's comments.

3. Approval of Open Records Policy (Justin Klassen, Director of Administration)
   Commissioner Thayer amended his motion to replace the old policy.

Motion: Approval of Open Records Policy and rescind the previous ORR policy

	Moved	2nd	Comments
Richardson		x	Commissioner Richardson responded to the Public comr
Thayer	x		
Willcox			
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

Susan Schick 4122 Downwest Ride
Ms. Schick thought the requirement to provide name or address was not proper. She shared a letter that supported her position that anonymity can be protected in ORR requests. She asked for that provision to be eliminated.

Mr. Greer, County Attorney clarified the County's practice and clarified the ORR Policy's intent.

Rick Brown, 26493 Sherwood Forest Trail
Mr. Brown responded the Mr. Greer's comments and that is was a narrow number of people. He stated there is a pre-existing policy. He is concerned about the citizen's right to receive by mail, person or by email. He thinks it should reflect all the statute requirements and the policy is incomplete. He thought the waiting period should be adjusted so that documents can be made available immediately.

Commissioner Richardson responded to Public Comment.

Commissioner Thayer does not see why someone would object to providing identification. He thinks this is important.

J. LAND USE HEARINGS 1:00 P.M. (See Note 4) None

ADJOURNMENT

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Motion: Adjourn at 11:11 AM

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

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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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