



**ELBERT COUNTY, COLORADO  
 BOARD OF COUNTY COMMISSIONERS AGENDA  
 Regular Meeting Held at BOCC Hearing Room  
 March 22, 2017 at 9:00 A.M.**

**A. CALL TO ORDER AND ROLL CALL:**

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

**B. INVOCATION/PLEDGE OF ALLEGIANCE:** Pastor Jim Kimbriel, Harvest Bible 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 CDS Mylars as needed
2. Approval of Vouchers as needed
3. Approval of Variance Reports
4. Renewal of Liquor License for Spring Valley Country Club

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

1. Update on changes to Zoning Regulations for properties described as XX and Oil and Gas MOU's (Kyle Fenner, CDS Director)

Ms. Fenner asked to discuss other topics instead. Her conversations with Commissioner Thayer has gone many directions and recommended other topics available. She recommended that Historic Community District and Simplified Admin Lot line Consolidations.

Commissioner Thayer recommended that e

2. Update on Work Force Co-location with Elbert County DHHS (Jerri Spear, DHHS Director)

Ms. Spear reported that the Elbert County Workforce is now located in her office. This will benefit the families they both serve; as they can visit both offices at one stop. Their hours are 8-5, Mon – Thurs. Open house Friday, the 31<sup>st</sup>, 3-6 pm.

## F. OPEN PUBLIC COMMENT

John Dorman, 1968 Carlson Rd, Parker

He has had a problem with the code violation recently. He read from the regulations that stated there were penalties in the regulations and that the County is missing money by not enforcing the regulations. He stated there were nine that he knew of that were in violation. He presented his ideas amendments to Code Enforcement and asked the Commissioners consider them.

Rick Brown, Sherwood Forest Dr, Kiowa

Mr. Brown's comments were in reference to the new County Manager Policy that was passed last month. He referred to the public document that was on the website and thought it was mis-leading in contrast to the actual policy. He believed the public needs another opportunity to comment on the County Manager Policy. He believed that the purchasing policy does not address his concerns with the County Manager Policy.

Marlene Groves, 33300 Ridge Rd, Kiowa

She wanted to make everyone aware of her Citizens page. Her postings to the page is not trying to be aggravating, but just trying to relay information. She invites other people to get involved. She said if she was not representing accurately for others to reach out and let her know.

## G. DISCUSSION ITEMS

1. Presentation on Child Abuse Prevention Awareness Month

Ms. Spear introduced Sherry Hanson. This is reflective of a national campaign on prevention of child abuse. Ms. Spear read the proclamation.

Ms. Hanson shared some numbers for perspective. In Colorado (2016) there were 99649 calls on suspected abuse and neglect. 37% were assigned for investigation. In Elbert County 290 calls, 30% assigned for investigation. Currently have 5 staff to investigate. 3 Caseworkers for ongoing work with the family. Currently working with 13 families and 29 cases that are the



ongoing. 21 have court involvement. Others are voluntary. They have been focusing on preventive and currently have 18 preventive cases. They have reduced amount of kids removed from home has dropped from 13 to 8. Outreach with community partners; law enforcement, schools and other services to make available for the families they work with.

Ms. Spear complimented Ms. Hanson on getting the numbers down and the County is fortunate to have her.

Motion: Approval of proclamation declaring April 2017 as Child Abuse Prevention Awareness Month

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

2. Presentation by Elizabeth in the Pines Homeowner Representatives (Chuck Etherington)

The current President stated the reasons for the starting of the Elizabeth in the Pines Homeowners Open Space Committee, with the primary reason being so the local citizens could have more local control of the open space. There was an initial twenty-year lease. That is now expired. They understand the County is open to an MOU. There has been discussions that this become a County Policy using MOUs to manage the open spaces.

Commissioner Richardson agreed that all open space needs to be managed. He believes a countywide policy is the better direction to go.

Wade Gateley, County Attorney, stated this lease expiration came before the previous board. This is the first time for this Board to look at. It appears that the direction desired is to move ahead with a County Policy on all Open Space properties in the County.

There was further discussion as to the limitation in the expired lease.

3. Presentation by Pines and Plains Library Board (Susan St. Vincent, Board President)

Ms. St. Vincent stated she would answer the questions that were sent to her prior to the meeting. She started with the history of the Libraries in Elbert County. Eventually the Library board became its own independent special district. She cited the MOU that transferred authority from the County to the Special District. They are slowly building reserves while upgrading the materials and staff. The other Trustees select openings on the Library board. She said they are accountable in the fact that the citizens can reject their Title 24 Status. They also follow the requirements of TABOR and financial transparency, in regards to the posting of audits and budgets. They are looking at making



lease space available for the space not utilized by the Elizabeth library. She introduced Tim Miller as director of the library districts and noticed that many of the Trustees were present as well.

Commissioner Thayer stated from his time on the Library board that the financial aspect of the Library was taken seriously.

The Commissioners asked various questions in regards to the building in Elizabeth and the planning to make the entire building used.

#### 4. Appointments Policy

The BOCC still needs to talk to the WAC and the Fair board before the Appointments policy is completed.

#### 5. Strategic Plan and County-wide Organizational Adjustments

Ed Ehmann, county Manager,

They are working on implementing the change and division of duties for CDS. No change in the GIS at this point. A team of effected departments is being developed to discuss the changes to GIS. OEM has not changed as of yet.

Commissioner Willcox stated they plan to have open study session next Wednesday on the organization plan for the County.

#### 6. ORR Policy

Wade Gateley, County Attorney, reported that the current proposed legislation was amended yesterday. The bill has a discussion on CORA requirements and electronic response. He gave a summary of our current policy. The statute is being followed and realize that there may be changes that need to be made, depending on the results of the legislation this year. The ORR policy will have to be amended if the bill passes.

Marlene Groves 33300 Ridge Rd,

Ms. Groves wanted to make sure that changes would not effect on what is currently being done on the website.

Rick Brown,

Mr. Brown stated that he believes the current policy is not in compliance and hopes that is addressed in the new policy.

Motion: Ten Minute Break at 10:37 AM

	Moved	2nd	Comments
Richardson	x		
Thayer		x	
Willcox			
	AYE	NAY	



Richardson	x	
Thayer	x	
Willcox	x	

Back in Session at 10:58 AM

7. Bank of the West Contract

Ed Still in discussion and will hopefully bring something in the near future

Jill Duvall, 40753 CR 21 Elizabeth

She sent an email to the commissioners and hopes that there would be a CMA on the building and find out the value of the building.

8. Presentation by Craig Curl regarding Small Business Development Corporation and Trade Zones

Mr. Curl gave a power point presentation and noted they are an agency from the State of Colorado. SBDC is involved in consulting and training for businesses, both startups and existing businesses. He explained all the services that they provide. They do not charge the clients for any of the services they offer.

Don Draper asked if they were assisting in marijuana production.

Mr. Curl said they do not fund any businesses with marijuana or those associated with marijuana.

9. Update from the Water Advisory Committee

Bob Ware, Chair of WAC, stated they serve the BOCC and the citizens of Elbert County. Water is a complicated topic. They have taken on an educational aspect to the citizens. They have 138 people on their email distribution list. He gave an overview of what they had done in their meetings over the last 18 months.

Commissioner Richardson stated they thought they were overextended and that it seems the Water Study completes their mission. His concerns is covering the water basins, and the WAC is a County appointed body and wants to make sure what is going on.

Commissioner Willcox stated that when he came in as a commissioner he did not get much information from or about the WAC. He asked if the Board was involved in discussions with the previous board. He wants the Commissioners to be involved in what material is being given to the Citizens.

Mr. Gary Lauer stated they had numerous study sessions with previous boards.

Commissioner Thayer asked that the Commissioners be notified by the WAC if they have something on interest to be brought to the commissioners so it can be put on the Agenda

John Dorman



He stated that the WAC was a great resource. They provide lots of information and provide a valuable service. In 2005, the county had water advisory board and worked as a referral agency. The referral board was disbanded in 2008 and then the WAC was formed about 4 years ago.

10. Appointments to Water Basin Roundtables

**H. ACTION ITEMS**

1. ~~Proclamation declaring April 2017 as Child Abuse Prevention Awareness Month~~
2. Approval of March 8, 2017 BOCC Meeting Minutes

Motion: Approval of March 8, 2017 BOCC Meeting Minutes

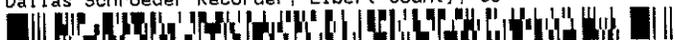
	Moved	2nd	Comments
Richardson		x	
Thayer	x		
Willcox			
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

3. IGA with Eastern Transportation Planning Region

Motion: Approval of IGA with Eastern Transportation Planning Region

	Moved	2nd	Comments
Richardson	x		This is an established committee the supports 9 NE counties. The ETPR evaluates where money will be spent. This IGA formalizes the relationship.
Thayer		x	
Willcox			
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

4. IGA for Emergency Services Impact Fees imposed by Rattlesnake Fire Protection District



Motion: Approval of IGA for Emergency Services Impact Fees imposed by Rattlesnake Fire Protection District

	Moved	2nd	Comments
Richardson		x	
Thayer	x		This is a methodology for collecting impact fees.
Willcox			
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox	x		

5. Resolution for Approval of Mica Reilly Claim

Wade Gately, County Attorney, gave a brief summary of what the claim is about and a summary of the resolution. CTSI is covering 100% of the settlement.

Motion: Approval of Resolution for Approval of Mica Reilly Claim

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

Motion: Approve 5 minute recess at 12:07 and to enter public hearing on land use when back in session

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

Back in Session : 12:14



**I. LAND USE**

1. ECCA Communications Tower SUR

Jaxon Fagen from Baseline. Presented the SUR for the ECCA Communications tower. The planning commission approved and passed it on to the Commissioners. He gave a detailed presentation covering the area, improvements and location of the tower. CDS recommends approval with conditions.

He introduced Lloyd Standard, Asst Chief of Rattlesnake Fire dept.  
 He stated this project does not cost the county any money. They collect funds on phone lines and they have a 50% grant.

Motion: Approval of ECCA Communications Tower SUR

Commissioner Willcox acknowledged

	Moved	2nd	Comments
Richardson		x	
Thayer	x		
Willcox			Commissioner Willcox stated he would recuse, as he is a member of ECCA.
	AYE	NAY	
Richardson	x		Commissioner Willcox recused.
Thayer	x		
Willcox			

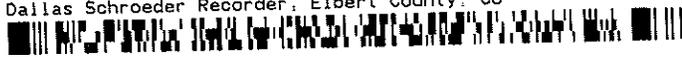
2. Commnet Wireless Communications Tower SUR

Cory Miller for Baseline presented the SUR for Commnet Wireless Communications Tower. The Planning commission approved and passed it on the Commissioners. He gave a detailed presentation covering the area, improvements and location of the Tower. CDS recommends approval with conditions.

Kristen Hubbard, Commnet Wireless representative. They need to move their current tower and due to the cost of renting on their current tower. The new tower will improve coverage. Allows emergency communications equipment on tower with no charge. ECCA has already contacted them.

Motion: Approval of Commnet Wireless Communications Tower SUR

	Moved	2nd	Comments
Richardson	x		
Thayer		x	
Willcox			
	AYE	NAY	



Richardson	x	
Thayer	x	
Willcox	x	

3. Temporary Asphalt Plant for contracted CDOT projects SUR – Request for Continuance to a date certain of April 12, 2017.

Kyle Fenner asked for a continuance until April 12, 2017. She explained why there was a need for a continuance.

Motion: Approval of Continuance to a date certain of April 12, 2017, location will be at the Fairgrounds.

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

#### 4. Economic Development Update

Commissioner Thayer stated that this presentation was at his request, and finds this to be an important topic.

Kyle Fenner, CDS Director, stated this her presentation will focus on the Northwest part of the County. She gave a power point presentation that gave an overview the process and what are impediments to business growth. She also talked about proposed changes to make it easier for business to come to Elbert County.

There were ongoing discussions on how to move this forward.

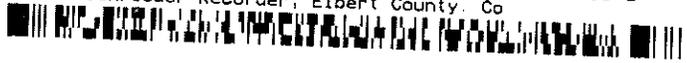
Commissioner Thayer stated that they are receiving negative comments on time and cost. He asked to see the ap, pre-ap and list in steps and what the range of expected costs might be. A third column costs that are flow through costs and time frame costs. Commissioner Thayer wants to be able to respond to complaints and concerns the commissioners receive from the public.

#### Public Hearing Closed

#### J. BOARD PLANNING

1. Determination of Tentative Agenda for the April 12, 2017 BOCC Regular Meeting
2. Land Use

Lion's Gate SUR Hearing  
Temporary Asphalt Plant SUR



**ADJOURNMENT**

**Motion: Adjournment at 1:30 PM**

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



**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: Dianna Hiatt

Deputy County Clerk

BY:



Deputy Clerk to the Board of County Commissioners