

# 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 - Here

Larry D. Ross - Here

With a quorum present I call to order this meeting of the Elbert County Board of County Commissioners, convening this 12th day of October, 2016 at 9:03 a.m.

**INVOCATION: Pastor Jim Kimbriel, Harvest Bible Church**

**PLEDGE OF ALLEGIANCE:**

**AGENDA: Commissioner Willcox moved to approve the agenda as presented.**

**Commissioner Rowland 2<sup>nd</sup>**

**ALL IN FAVOR**

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Dallas Schroeder Recorder, Elbert County, Co



**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. Vouchers/Warrants/Mylar signing
- b. Approval of Minutes from 9/21/16, 9/28/15, 10/4/16
- c. Approval of CDS Vouchers
- d. Intergovernmental Agreement with ECCA for the Removal of an Existing Communications Tower and the Construction, Maintenance, Leasing and Operation of a New Communications Tower at the Elbert County Landfill Property.

Commissioner Willcox moved to accept the Consent Agenda as written.  
Commissioner Rowland 2<sup>nd</sup>.

**AWARDS & RECOGNITION:**

**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.

Dallas Schroeder, Clerk and Recorder

Mr. Schroeder shared his thoughts, clarified and responded to the first two pages of the presentation that was made at the last BOCC meeting about a Citizen's Finance Committee.

Commissioner Rowland pointed out that there would be a Study Session after the BOCC meeting with the Water Advisory Committee. This was noticed under a separate posting.

Ed Ehmann, County Manager, shared that the county had several grass fires recently. One was started during a baling operation and others by fire. All agencies and staff worked together to get everything under control and safe.

Additional comments made by Commissioners Ross, Rowland and Willcox. Sheriff Shayne Heap also added comments.

**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.

Rick Brown, 26493 Sherwood Forest Trail, Kiowa

Mr. Brown noted that the Clerk's comments did not include an argument against such a committee and thought that having a policy to review special presentations would be intimidating to citizens.

Jay North, 8115 Sun Country Dr, Elizabeth

Mr. North suggested that a way to reduce costs would be to return neighborhood roads to the HOAs and for them to take care of their own roads. He also thought an engineering company could take care of the Building Inspections.

Paula Wilderman, 47073 Silver Fir,

Ms. Wilderman asked about a transcript of the 11/18/15 meeting. She offered to pay for the transcription and would like to see more BOCC minutes on the website. She also pointed out that eth Website shows District 2 as still vacant.

Jill Duvall, 40753 County Rd 21, Elizabeth

Ms. Duvall commented on the Clerks comments saying that the minutes are not on the web site but he has time to tear apart a citizens presentation.



**OLD BUSINESS:**

1. USGS Well Monitoring Study (Rhett Everette)

Mr. Everette explained the USGS Well Monitoring Study that is on the web-site. There was an extensive, ongoing discussion with many questions from the Commissioners. The monitoring goes through February of 2018 and there will be a report compiled at the end of the study.

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

- a. Discussion regarding renewal of lease of Elizabeth in the Pines Park (Park Association Representative Jim Carlson)

Jim Carlson, President Pro Tem, 4576 Park Lane, Elizabeth

Mr. Carlson presented the history of the 30 acre parcel and how it came to be under a lease agreement with the County. The local residents wanted local control of trees, open space and engage in a weed management program on the property by digging up weeds. They are seeking a renewal of the lease.

County Attorney, Wade Gateley, stated he has read the lease and the insurance minimums have to be increased.

Discussion of use and maintenance followed and probably will be on next meeting.

No fire mitigation has been done.

- b. Resolution Certifying Costs of Prosecuting Crimes Alleged to have been Committed by Persons in the Custody of the Colorado Department of Corrections.

Commissioner Ross moved to approve Resolution 16- TBD Certifying Costs of Prosecuting Crimes Alleged to have been Committed by Persons in the Custody of the Colorado Department of Corrections.

Commissioner Rowland 2<sup>nd</sup>.

ALL IN FAVOR

- c. Public Hearing on the Quail Hills Rezone Request (RZ-16-0007)  
d. Public Hearing on the Quail Hills Minor Residential Development (MD-16-0008)

Kyle Fenner, CDS Director, introduced Ethan Wittel, the appointed planner from Baseline. She explained that items C and D, the rezone and development go together.

Mr. Wittel gave an in depth presentation on the rezone and the minor residential development. The Planning Commission recommended approval with standard conditions.

Public comment on the rezone and minor residential opened.

No Public Comment



Public Comment Closed

Commissioner Willcox moved to accept RZ-16-007 and MD 16-0008 regarding Quail Hills residential development and to accept both.

Commissioner Rowland 2<sup>nd</sup>

ALL IN FAVOR

e. Receipt of 2017 Proposed Budget

County Manager, Ed Ehmann, provided an updated memo on the changes that had been made to the budget. This included an updated draft budget and satisfies the statutory requirements.

Commissioner Ross moved that the Board of County Commissioners acknowledge receipt of the 2017 proposed budget.

Commissioner Rowland 2<sup>nd</sup>.

ALL IN FAVOR

f. Decision regarding engagement letter from Outside Counsel Nathan, Dumm and Mayer

Commissioner Ross moved that the BOCC execute engagement letter with outside counsel Nathan, Dumm and Mayer dated 10/4/16 regarding an employment matter.

Commissioner Rowland 2<sup>nd</sup>.

Commissioner Willcox commented broadly on why this action was being taken.

Commissioner Rowland – AYE

Commissioner Willcox – AYE

Commissioner Ross – AYE

Commissioner Ross moved to take a recess until 11 AM.

Commissioner Rowland 2<sup>nd</sup>.

ALL IN FAVOR

11:07 AM Back in Session



**EXECUTIVE SESSION:** Attorney-Client Privileged Communication with Outside Counsel Andy Nathan and Ashley Barr

Commissioner Ross moved to enter Executive Session with outside counsel.

Commissioner Rowland 2<sup>nd</sup>

ALL IN FAVOR

Out of Executive Session at 11:44 AM.

**LAND USE:**

**ATTORNEY TO THE BOCC:**

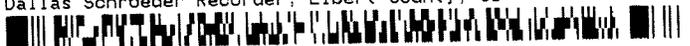
**ADJOURNMENT**

Commissioner Rowland moved to adjourn.

Commissioner Willcox 2<sup>nd</sup>.

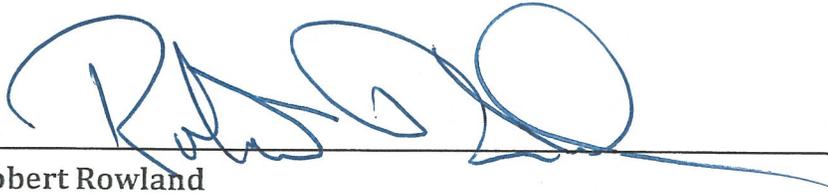
ALL IN FAVOR.

Meeting adjourned at 11:45 AM



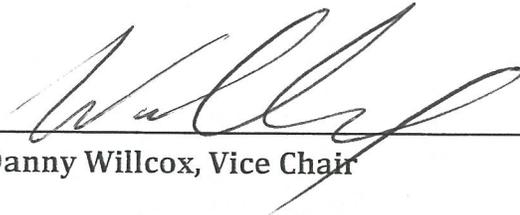
BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



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Robert Rowland



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Danny Willcox, Vice Chair



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Larry D. Ross, Chairman

ATTEST: Dallas Schroeder

County Clerk

BY: 

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Clerk to the Board of County Commissioners

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