



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

Regular Meeting Held in the BOCC Meeting Room  
 October 24th, 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** 9:02 am Commissioner Thayer - Here, Commissioner Richardson – Here, and Commissioner Willcox - Here
- B. INVOCATION/PLEDGE OF ALLEGIANCE:** Pastor Brian Janes, Majestic View Church
- C. APPROVAL OF AGENDA**

Motion: Approval of Agenda, with the following changes: Adding CA 7 –Submission of Black and Gray Marijuana Reimbursement Grant; CA 8 – Acceptance of Easement for maintenance on County Road 109 and moving AI 2 Consideration of Resolution Requiring Fire Service/Fire Inclusion Fee to be moved to DI 3.

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

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- D. CONSENT AGENDA:**
1. Approval of Vouchers as needed
  2. Acknowledgement Receipt of Variance Reports
  3. Approval of Elbert County Public Trustee Quarterly Report (3<sup>rd</sup> Quarter)
  4. Acknowledgement of Receipt of Draft 2019 Budget
  5. Approval of Engagement of Services for County Manager
  6. Approval of IGA/ Dispatch Contract with Douglas County
  7. Approval of Submission of Black and Gray Marijuana Reimbursement Grant
  8. Acceptance of Easement for maintenance on County Road 109

Motion: Approval of Consent Agenda

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

***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.***

Willcox

x

**E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS**

Jerri Spear, Director of HHS

Ms. Spear relayed that the new building was delivered this week. All five pieces are on site. They now need put together. The hope is to use it by sometime in November or December.

Sam Albrecht, County Manager

Mr. Albrecht talked about the next steps in the budget process. Oct. 30 is a scheduled Study Session. Nov 14 will be the final presentation of draft budget. Dec. 19 Public Hearing on Budget.

The Road & Bridge Department has received a plaque from the double E Conservation district for putting up living snow fences.

1. Introduction of new Finance Manager (Sam Albrecht, County Manager)

Justin Klassen, Director of Administration

Mr. Klassen introduced the new Finance Director, Michelle Shrout.

Ms. Shrout shared she was previously employed by Great Outdoors Colorado. She has a background in general accounting. She is excited to be here.

Mr. Klassen mentioned that she is a CPA.

**F. OPEN PUBLIC COMMENT** (See Note 1)

**G. DISCUSSION ITEMS:** (See Note 2)

1. Elbert County Strategic Plan Rollout (Sam Albrecht, County Manager)

Mr. Albrecht said this has been a yearlong process. The draft strategic plan will be presented for adoption at the November 14 meeting. He gave a brief overview on how the strategic plan will look like on the November 14 meeting. There are two major plans the County uses. One is a comprehensive plan and the other is a strategic plan. He discussed the difference and that the strategic plan is more internal guidance. He explained the importance of the strategic plan. He presented a power point presentation that will be shared on the web site.

Commissioner Richardson thanked Mr. Albrecht for his work and putting the plan together.

Commissioner Thayer stated that the County was in a survival mentality and now moving to planning and finding our why we have fires, not just putting them out.

Commissioner Willcox thanked Mr. Albrecht for the strategic plan.

Marlene Groves, 33300 Ridge Rd

Ms. Groves thanked the Commissioners and Mr. Albrecht. She asked if there a slide on the 2019 measurable goals.

The Commissioners let them know that was in the budget document.

2. Update on Elbert County Building Authority (Sam Albrecht, County Manager)

Mr. Albrecht explained that the current appointees can no longer serve in that capacity. They are looking at appointing new members to the board. The recommendations are the County Manager, Director of Administration and Director of Finance.

3. Consideration of Resolution Requiring Fire Service/Fire District Inclusion Fee

Bart Greer, County Manager

Mr. Greer relayed that a meeting has been set with the area fire chiefs early next month. This should get everyone on the same page. This will be presented at the next meeting. He explained the proposed resolution and gave the history, the reasons and how they worked with the fire Districts to solve the problem of people not being part of a fire district.

Commissioner Thayer further explained the problem with structures that are not in a service area.

**H. ACTION ITEMS:** (See Note 3)

1. Consideration of October 10, 2018 Minutes

Motion: Approval of October 10, 2018 Minutes

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

~~2. Consideration of Resolution Requiring Fire Service/Fire District Inclusion Fee~~

3. Consideration of Liquor License for Singing Hills Liquor

PUBLIC HEARING

Open Public hearing

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

Dallas Schroeder, Elbert County Clerk and Recorder

Mr. Schroeder gave a brief presentation on the Application for a Liquor License for Singing Wine. Mr. Schroeder relayed that even though this was an existing business, due to the purchase of the business, the owner had to follow all the regulations as though this was a new license. He relayed all of this has been done, and is reflected in the packets that the Commissioners have. The application was found to be complete and in order by the Clerk's Office. The next step is approval or denial by the Commissioners

No Public Comment

Motion: Approval of Liquor License for Singing Wine, LLC

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

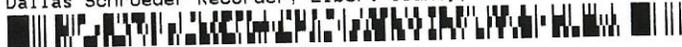
Public Hearing Closed

**I. BOARD PLANNING**

1. Agenda Items for Next Meeting (Nov 14, 2017)
  - a. Approval of October 24, 2018 Minutes
  - b. Update on Elbert County Building Authority (Sam Albrecht, County Manager)
2. Workshops/Study Sessions
  - a. 2019 Budget Work-Study Session. Tentative 10/30/18 9 AM
3. Pending Hearings

Recess at 9:49 AM

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

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

Back from recess and call to order: 1:01 PM

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

1. DB Speed SIA (Continued from 10/10/18)

Motion: Opening hearing on DB Speed SIA (Case Number: PD-16-0030, MD-16-0029, SP-17-005

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

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Vince Harris Baseline Engineering (on behalf of CDS)

Mr. Harris provided a brief recap regarding the applicant and staff working together to reach an the final SIA. Mr. Harris then introduced County Attorney, Bart Greer to provide an update.

Bart Greer, County Attorney, stated information and evidence from last meeting can be incorpo reference. The last hearing on October 10, 2018, gave two additional weeks for staff and the ap on a Subdivision Improvement Agreement prior to approval of the final plat. Staff met with the October 15, 2018, and changes were made to SIA and sent to applicant on October 16, 2018, be discussion and agreement reached in that meeting. Mr. Greer stated he was contacted by Joe K attorney representing the applicant on October 22, 2018, requesting to re-negotiate the SIA. M the County is not in a possession to make any other concessions, and the SIA that staff has deve that will be available to the applicant. The applicant has not agreed to the most current version however, the plat was recorded by the applicant/petitioner. Mr. Greer requested that the BOCC staff retract the recorded plat.

Commissioner Willcox confirmed that the Commissioners have the most current revised copy c

Mr. Greer reviewed in detail the proposed changes to the SIA that resulted from the meeting on 2018, that took place between staff and the applicant.

Applicant: DB Speed, David and Lorene Brill (David Brill present)

Mr. Brill reviewed specifics of the traffic report findings and provided a recap on what was disc meetings with the Commissioners and staff. Mr. Brill stated he wants to focus on the changes r specifically for his business, not what may develop around the business in the future.

Discussion took place between the Commissioners, the applicant, the County Attorney, and oth regards to traffic counts and lanes, the bond process, engineered estimates, sewer and well requ how DB Speed can be the only future development considered at this time.

Rory Hale stated that if there is future development in that area, all owners will share in the cos improvements.

Mr. Greer reiterated Mr. Hale's comments.

The applicant advised this should be written into the SIA.

Commissioner Willcox advised it is inappropriate for the County to lobby other landowners to : burden of the cost, it is the developer's responsibility to work with the other developers directly

Vince Harris commented that part of the normal development process, these securities are provi this entity or person could sell this property in three weeks for example to another entity that co development on to this site according to existing zoning and the traffic numbers could even be l DB Speed produces so essentially this is an insurance policy so to speak for the two years, and component for the County to consider.

Commissioner Willcox began discussion on the approval of the SIA and Mr. Greer advised acti delayed based on the applicant being represented by an attorney.

Mr. Brill advised the attorney was only brought in to review the contract, and to provide recom Brill advised he is here today to finalize an agreement.

Mr. Greer recommended continuing the hearing one more time to contact the applicant's attorn there was not a miscommunication on the one additional change.

Mr. Greer clarified that the one additional item that is not written currently written in the SIA th requested today that will become part of the language is to change the bond requirement due da required prior to obtaining a certificate of occupancy being issued. Mr. Greer advised he woul applicant's attorney and Mr. Brill to make sure that if that is the agreement, a signature is obtain have to come back before the BOCC in the future.

Commissioner Richardson requested a statement from Mr. Brill that he is not represented by an was merely reviewing the contract on behalf of the applicant.

Mr. Greer advised he would send an email this afternoon with the SIA containing that addition the attorney Joe Kinlaw, and the Brills.

Commissioner Willcox asked Mr. Greer if this could be approved upon the conditions discuss

Mr. Greer stated yes, it can be approved based on receiving notice that this is no longer being re attorney or is acceptable to all parties if Mr. Brill is still being represented. If that does not take Greer stated he would work to have this item continued to our next regularly scheduled Land U

Public Comment: None

Motion: Move to accept the DB Speed SIA as presented with the following two conditions: th made to require bonding prior to obtaining a certificate of occupancy and a statement from Mr. that he is no longer representing Mr. Brill in this matter or he is in agreement (Case Number: P MD-16-0029, SP-17-0053)

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

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Willcox	X		
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Motion: Close hearing on DB Speed SIA (Case Number: PD-16-0030, MD-16-0029, SP-17-0004) hearing for extension of IREA (SU-17-002 & 10-17-0004)

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

## 2. IREA Reliability Project Extension

Vince Harris Baseline Engineering (on behalf of CDS)

Mr. Harris stated IREA has been working on securing their easements for their 12.2 mile extension in Elbert County and are very close to being done. In advance of the 180 day deadline, staff and IREA think it would be appropriate to request a 90 day extension to which will occur on February 7, 2019.

Public Comment: None

Motion: Approve SU-17-002 & 10-17-0004 IREA Reliability Project Extension

	Moved	2nd	Comments
Richardson		x	
Thayer	x		
Willcox			Commissioner Willcox recused himself on the initial hearing and cannot participate
	AYE	NAY	
Richardson	x		
Thayer	x		
Willcox			

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Motion: Close hearing on IREA Transmission Line Extension and open on a hearing on the case of Fire County Initiated Rezoning – RZ-18-0063 & RZ-18-0065

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

Willcox	X		
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3. Elbert Fire County Initiated Rezoning – RZ-18-0063 & RZ-18-0065

Andrew Baker, Baseline (on behalf of CDS)

Mr. Baker advised the purpose of this agenda item is to consider a request for a rezoning from [redacted] to the Residential One (R-1) zone district on a 2.3 acre property, and a rezoning from XX design Residential Agriculture Two (RA-2) zone district on a 3 acre property in Elbert County.

Mr. Baker explained that XX is not an official designation and were given to properties created normal subdivision regulations or before zoning standards were given.

In this case, the Elbert Fire Protection district would like to build two new stations on these pro Baker provided information specific to each individual property to include exact location and si zoning. This is a county initiated rezoning project. The proposal is in general conformance wit County Master Plan. The Planning Commission along with staff recommends approval with ap conditions.

Public Comment: None

Motion: Approve Resolution 18-TBD for Elbert Fire County Initiated Rezoning (RZ-18-0063 &

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

Motion: Close hearing on Elbert Fire County Initiated Rezoning and open hearing on Delbert I 0014/MD-18-001)

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

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4. Delbert Hills (RZ-17-0014/MD-18-001)

Vince Harris Baseline Engineering (on behalf of CDS)

Mr. Harris Vince advised of the date and time certain recommended for a continuance.

Motion: Continue to a date certain of Jan 9, 2019 at 1:00

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

**ADJOURNMENT**

Motion: Adjournment at 2:01 PM

	Moved	2nd	Comments
Richardson			
Thayer		x	
Willcox	x		
	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*
- *Applicant Presents*
- *Public Input on Application (three minutes per person)*
- *BOCC Questions and Discussion*
- *BOCC Decision*
- *Close Land Use Hearing*

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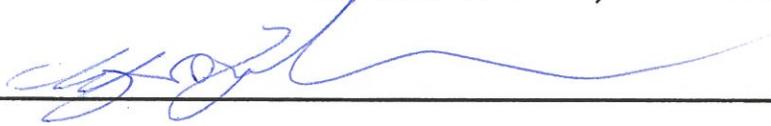
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**BOARD OF COUNTY COMMISSIONERS**

**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**

