

ELBERT COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

MINUTES

INVOCATION: Brian Janes, Majestic View Church

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 14th day of September, 2016 at 9:04 a.m.

PLEDGE OF ALLEGIANCE:

AGENDA:

Commissioner Willcox moved that Item 2 under new business be reworded to read; "Direct County Manager to Re-Engage with Elected Officials and Department Heads to Make Revisions to Current Draft Budget to present a budget based on incremental budgeting which included statutory, contractual and departmental increases resulting in a balance of the 2017 projected revenues. Additionally, we would like to see the reserves equal to or greater than the 2016 reserves.

Commissioner Ross 2nd.

ALL IN FAVOR

Commissioner Ross moved to remove from Item 3 under new business, the wording, "Absent of BOCC Oversight for Working on Budget Revisions".

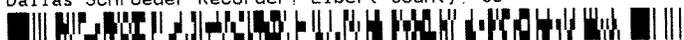
Commissioner Willcox 2nd.

Discussion ensued between all three commissioners on what the exact procedures would now be, absent of that directive.

ALL IN FAVOR

Commissioner Ross moved to add Item 4 to New Business that would read; "Outside Counsel Steve Larson to be available to participate in Executive Session on September 28, 2016 via telephone conference. Additionally Steve Larson may participate, if necessary, in BOCC proceedings, including Executive Session on the 11th of October, 2016."

Commissioner Willcox 2nd.



Commissioner Rowland stated his belief that it is time to put the event to bed; we've had three opinions and wanted to stop spending money on the issue.

Commissioner Ross thought it needed to be completed and to still have the option available to talk to Mr. Larson.

Commissioner Willcox asked for clarification on charges if he was not consulted at these meetings.

Clerk to Board clarified that the meeting in October would be on the 12th.

Commissioner Ross restated motion to reflect the change of date.

Commissioner Rowland moved that the report from Mountain States and Employers Council and from Mr. Steve Larson be given to the County Attorney for review and for County Attorney to be present in the same meetings mentioned in the previous motion.

Commissioner Willcox 2nd.

Commissioner Ross spoke against the motion.

Commissioner Rowland spoke in favor of the motion.

Commissioner Ross moved to call the question on adding the Item number 4.

Commissioner Willcox 2nd.

ALL IN FAVOR

Vote on Adding Item 4.

ALL IN FAVOR

There was a re-statement of Commissioner Rowland's motion.

Commissioner Ross spoke against the motion.

Commissioner Rowland spoke in favor.

Commissioner Rowland moved to call the question.

Commissioner Ross stated he wasn't done with the discussion.

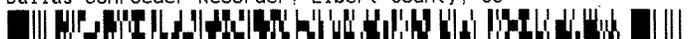
There was continued disagreement between Commissioners Ross and Rowland on the motion.

Commissioner Ross advised Commissioner Willcox he could recuse himself since he is not privy to all the history in this matter or to table proposed Item 5.

Commissioner Rowland asked that his motion for calling the question be entertained.

Commissioner Ross continued to give reasons as to why to exclude the County Attorney in this matter.

Commissioner Rowland again asked for his motion to call the question to be addressed.



Commissioner Ross moved to table Commissioner Rowlands' motion to allow in-house participation on the Johns and Rupucci matter and to be continued to September 21, 2016 at 9 AM.

Commissioner Ross 2nd.

ALL IN FAVOR

Commissioner Ross moved to authorize any or all this Board of County Commissioners to confer with outside counsel that they deem appropriate to get advice on this matter, outside counsel being Attorney Steve Larson of Johnson and Repucci.

Commissioner Willcox 2nd.

Commissioner Rowland -NAY

Commissioner Ross -AYE

Commissioner Willcox-AYE

Commissioner Rowland moved to accept the Agenda as Amended.

Commissioner Ross 2nd.

ALL IN FAVOR

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. Approval of minutes from 8/31/16
- b. Vouchers/Warrants/Mylar signing
- c. Approval of GIS Digital Data License Agreement with Utility Notification Center of Colorado
- d. Approval of CDS Vouchers
- e. Approval of Special Event Permit for Hope Farms, LLC

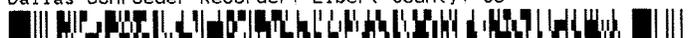
Commissioner Rowland moved to approve the Consent Agenda as presented.

Commissioner Willcox 2nd

ALL IN FAVOR

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.



Commissioner Ross gave a rundown of what activities and meetings he is involved in when he is not in the County building.

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.

Bill Harris, 808 Caribou, Simla

Mr. Harris apprised the Commissioners that there is a marijuana issue on the ballot this year for Simla. He asked for help from the commissioners and Sheriff to help defeat the issue. He believed that County resources would be stretched if the measure passed and asked for the truth to be put out so that people understand the ramifications of the measure passing.

Marlene Groves, 33300 Ridge Rd

MS. Groves stated she heard the County Attorney state the employees name in question out loud in a public meeting.

OLD BUSINESS:

1. Status of Legal Advisement—Date of Anticipated Report Regarding Hudick Agreement

Commissioner Ross moved to have the County Attorney provide status of the Legal Advisement and date of anticipated report regarding Hudick Agreement.

County Attorney, Wade Gateley stated he could have a memorandum done by the next meeting which would be the 28th.

Commissioner Willcox 2nd.

ALL IN FAVOR

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

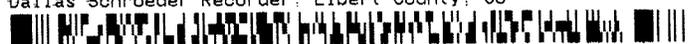
1. Decision regarding Appointment of BOCC Chair and Vice-Chair

Commissioner Rowland moved for Danny Willcox to be named Vice- Chair.

Commissioner Ross 2nd.

ALL IN FAVOR

2. Direct County Manager to Re-Engage with Elected Officials and Department Heads to Make Revisions to Current Draft Budget, ~~Not to Exceed 2016 Expenditures~~ to present a budget based on incremental budgeting



which included statutory, contractual and departmental increases resulting in a balance of the 2017 projected revenues. Additionally, we would like to see the reserves equal to or greater than the 2016 reserves.

Commissioner restated his amended language that reads: Direct County Manager to Re-Engage with Elected Officials and Department Heads to Make Revisions to Current Draft Budget, to present a budget based on incremental budgeting which included statutory, contractual and departmental increases resulting in a balance of the 2017 projected revenues. Additionally, we would like to see the reserves equal to or greater than the 2016 reserves.

Commissioner Ross, "So Moved."
Commissioner Rowland 2nd

Ed Ehmann, County Manager stated that with the proposed language will require the meeting scheduled for tomorrow to be postponed and will have to revise the budget schedule to meet the October 15 statutory deadline.

ALL IN FAVOR

3. Direct Community Development Services to work with County Manager on Budget Development, ~~Absent of BOCC Oversight for Working on Budget Revisions~~

Commissioner Ross stated the New Business item 3.

Commissioner Rowland, "So Moved,"

Commissioner Willcox 2nd

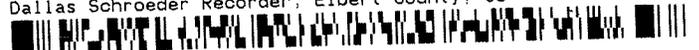
ALL IN FAVOR

4. Outside Counsel Steve Larson to be available to participate in Executive Session on September 28, 2016 via telephone conference. Additionally Steve Larson may participate, if necessary, in BOCC proceedings, including Executive Session on the 11th of October, 2016.

Chair moves to direct Outside Counsel Steve Larson to be available, if necessary, to participate in Executive Session on September 28, 2016 via telephone conference. Additionally Steve Larson may participate, if necessary, in BOCC proceedings, including Executive Session on the 11th of October, 2016.

Commissioner Rowland 2nd.

ALL IN FAVOR



Commissioner Ross moved to authorize any or all this Board of County Commissioners to confer with outside counsel that they deem appropriate to get advice on this matter, outside counsel being Attorney Steve Larson of Johnson and Repucci.

Commissioner Willcox 2nd.

Commissioners Ross and Willcox – AYE

Commissioner Rowland - Nay

LAND USE:

ATTORNEY TO THE BOCC:

ADJOURNMENT

Commissioner Rowland moved to adjourn.

Commissioner Ross 2nd.

ALL IN FAVOR

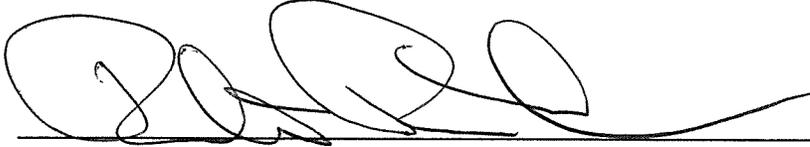
Adjourned at 10:20 AM

565044 B: 773 P: 846 MM
12/28/2016 02:12:32 PM Page: 6 of 7 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



Robert Rowland



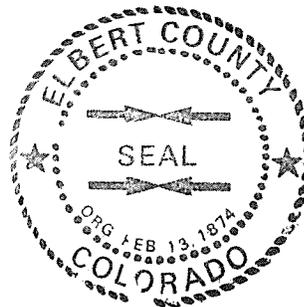
Danny Willcox, Vice Chair



Larry D. Ross, Chairman

ATTEST: Dallas Schroeder

County Clerk



BY: 

Clerk to the Board of County Commissioners

