



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
March 8, 2023 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE: PASTOR ANDERSON/BREWSTER

Pastor Anderson preformed the Invocation and led the Pledge of Allegiance.

B. CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of County Commissioners was called to order at 9:02 AM. Deputy Clerk Amanda Moore call roll and all commissioners were present.

C. APPROVAL OF AGENDA

Motion: Approval of Agenda as presented.

Commissioner Grant Thayer made a motion to Approve the Agenda as presented. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

D. PUBLIC HEARING

Motion: To Open a Public Hearing for Independence - 3 New and 3 Amended Metropolitan Districts and Service Plans

Commissioner Dallas Schroeder made a motion to open a Public Hearing for Independence - 3 New and 3 Amended Metropolitan Districts and Service Plans . Commissioner Grant Tayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 9:02 AM

1. Independence 3 New and Amended Metropolitan Districts and Service Plans - OPEN and CONTINUE Public Hearing to 1:00 PM or as soon thereafter as practical.

Motion: To Continue Independence - 3 New and 3 Amended Metropolitan Districts and Service Plans to 1:00 PM.

Commissioner Dallas Schroeder made a motion to Continue Independence - 3 New and 3 Amended Metropolitan Districts and Service Plans to 1:00 PM . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No – None





Motion: To Close a Public Hearing for Independence - 3 New and 3 Amended Metropolitan Districts and Service Plans

Commissioner Dallas Schroeder made a motion to close a Public Hearing for Independence - 3 New and 3 Amended Metropolitan Districts and Service Plans . Commissioner Grant Tayer seconded the motion.

Yes - Chris Richardson, Grant Tayer, Dallas Schroeder

No - None

Public Hearing Closed at 9:03 AM

E. CONSENT AGENDA

Motion: Approval of Consent Agenda as presented

Commissioner Grant Tayer made a motion to Approve the Consent Agenda as presented. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Tayer, Dallas Schroeder

No - None

1. Approval of CDS Mylars as needed
2. Approval of Vouchers as needed
3. Acknowledgement of CDS Pipeline Report

F. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Assessor Susan Murphy provided a reminder on the Senior property owners tax exemption application deadline is in July 15th. 2023 Appraisal year and more information to come on how valuations are affected by the new laws.

County Attorney Bart Greer explained the request from Rattlesnake Fire to continue to use the county-owned property for their training. Mr. Greer stated that the commissioners could enter a lease agreement or transfer the property to them. Mr. Greer stated that there was a liability issue for the county that would come with a lease and that the property is essentially unbuildable. Mr. Greer asked that he be granted authority to move forward with either of the options.

Commissioner Thayer feels it would be wise to transfer ownership of the property to Rattlesnake Fire and the other Commissioners agreed.



G. CITIZEN PUBLIC COMMENT

Suni Mills - 27310 Forest Ridge Dr, Kiowa - Ms. Mills expressed her concern over the Xcel power lines and the fire danger that comes with it. Ms. Mills feels that Xcel should bury the lines so that there is less danger from fire and medical issues.

Charlene Gee - 14022 Hwy 86 - Ms. Gee explained that there are trespassers on her property taking pictures. Ms. Gee stated that this project affects her entire family and she asked the Commissioners to say no.

Brad Ray - 17112 Hwy 86 - Mr. Ray stated that contractors were also showing up on his property.

Commissioner Richardson asked the County Attorney to draft a letter to Xcel regarding the concerns of contractors trespassing on citizens' property.

Dan Varner - 36159 Winchester Rd - Mr. Varner stated that he retired from electronics and EMF is very dangerous for people and animals. Mr. Varner said those dangers would go away if the lines were buried.

H. DISCUSSION ITEMS

1. Discussion regarding Draft Resolution in Opposition to HB23-1165 Bans on Private Shooting - Commissioner Chris Richardson

Commissioner Richardson explained HB23-1165 allowing counties to ban private shooting. Commissioner Richardson explained that this is an over-reach and there are already statues in effect that allow for public safety. The commissioners agreed on opposing HB23-1165.

Suni Mills - 27310 Forest Ridge Dr - Ms. Mills stated that she had a neighbor start a fire while target practicing and that a neighbor shot a dog that was on his property.

The commissioners agreed on opposing HB23-1165. Commissioner Richardson read the resolution aloud and requested they move forward with approving this resolution today.

Motion: To Approve the Resolution in Opposition to HB23-1165, Bans on Private Shooting.

Commissioner Grant Thayer made a motion to Approve the Resolution in Opposition to HB23-1165, Bans on Private Shooting. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Commissioner Richardson discussed several upcoming bills regarding firearms. Commissioner Richardson asked the other commissioners if they would agree in sending opposition letters for these bills as well.

Commissioners Schroeder and Thayer agree with citizens' rights and agree with the opposition letter.



2. Discussion on Support of Great Outdoors Colorado (GOCO) Grant Application for Parks Trails Open Space Plan - CED Director Marc Dettenrieder

Community and Economic Development Director Marc Dettenrieder explained that he is seeking support on a GOCO grant application. Mr. Dettenrieder stated that he will be requesting \$40,000 in this application and it is due by March 20th. Mr. Dettenrieder asked that this item be moved for approval today.

Commissioner Schroeder asked about the difference in grant funds and project cost and if it was already budgeted for. Mr. Dettenrieder stated that it was in the budget.

Commissioner Richardson stated that it was a good time to move towards recreation and open spaces for the citizens.

Commissioner Thayer would like to see a study in the future to show integration of other open spaces.

Public Comment: None

Motion: To Approve the Resolution in Support of Great Outdoors Colorado Grant Application

Commissioner Dallas Schroeder made a motion to Approve the Resolution in Support of Great Outdoors Colorado Grant Application. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

3. Discussion on Office of Emergency Management Hazard Mitigation Plan - OEM Director Shane Pynes

Office of Emergency Management Director Shane Pynes provided an update on the hazard mitigation plan and went over the important areas that affect Elbert County. Mr. Pynes stated that they are addressing FEMA's comments and will be ready for approval at the next meeting.

Public Comment: None

Commissioner Richardson asked that the item be placed on the next agenda.

I. ACTION ITEMS

1. Consideration of February 22, 2023 Minutes

Motion: Approval of February 22, 2023 Minutes

Commissioner Dallas Schroeder made a motion to Approve the Minutes as presented and dispense with the reading. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None



2. Consideration of Adoption of 2023 Employee Compensation Plan - County Manager Shawn Fletcher

County Manager Shawn Fletcher stated that there are no changes to the plan since it was last presented and explained the comments he received from the department heads.

Commissioners agreed that they liked the consistency the plan provides.

Public Comment: None

Motion: To Approve the 2023 Employee Compensation Plan

Commissioner Grant Thayer made a motion to Approve the 2023 Employee Compensation Plan. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

3. Consideration of Adoption of 2024 Budget Goals - Commissioner Dallas Schroeder

Commissioner Dallas Schroeder explained that there have been no changes to the documents and no comments were received.

Public Comment: None

Motion: To Adopt the 2024 Budget Goals

Commissioner Dallas Schroeder made a motion to Adopt the 2024 Budget Goals. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

J. BOARD PLANNING

1. Agenda Items for Next Meeting

- a. Hazard Mitigation Plan
- b. Rattlesnake Fire Conveyance
- c. Opposition letters for gun bills
- d. Xcel letter regarding trespassing

Commissioner Richardson called a recess at 10:07 AM to 1:00 PM for the Land Use Hearings.



K. LAND USE HEARINGS 1:00 P.M.

The Land Use Hearings were called to order at 1:00 PM. Deputy Clerk Amanda Moore called the roll and all commissioners were present.

1. Bandera East PUD and Bandera West PUD Amendment to Independence PUD

Motion: To Open a Public Hearing for Bandera East PUD and Bandera West PUD Amendment to Independence PUD

Commissioner Grant Thayer made a motion to open a Public Hearing for Bandera East PUD and Bandera West PUD Amendment to Independence PUD. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 1:05 PM.

CDS Director Greg Thompson presented the request for Bandera East PUD and Bandera West PUD Amendment to Independence PUD- rezoning. Mr. Thompson stated that the PUD change will combine 2 Bandera PUD's into 1 Independence PUD. This will increase the open space 50%. The conditions will include the amended PUD will include planned access and exits, repaving CR 158 between CR 1 & CR 13 and construction of CR 1 between CR 5 and CR 158.

Commissioner Richardson asked if a 15 month timeline had been previously discussed.

Applicant Jim Yates explained that they are not using the current water system for the community pool or open spaces. They currently have 225 homes occupied, 200 plus are pre-sold and 75 are under construction. They will have two new builders for the next two filings and 44% were sold under \$600,000.

Land Planner Mark Kieffer further explained the amendment request. The amendment would include an additional 480 homes, the addition of commercial zones and providing more amenities and infrastructure.

Attorney Brian Connolly explained the water supply and water conservation plan.

Commissioner Thayer asked for clarification on timing for roads.

Commissioner Schroeder asked if a decision had been made regarding a traffic light or round about at CR 158 and Delbert.

Gina Burke explained the water report and the 2nd time water reuse plan.

Commissioner Richardson called a recess at 2:05 PM and returned at 2:16 PM.

Public Comment:

Shawn Strain - Franktown - expressed his support for the application and the importance of the historical preservation that Independence has worked on.

Joshua Rivero - Parker - expressed his support for the application and importance of local retail in the community.

Dennis Marglin - Elizabeth - expressed concern over who would be paying for the roads.

Nicole Hunt - Elizabeth - read Jeff Hunt's email

Diane Varner - Elizabeth - concerns over placement of school and traffic on CR158.

Amy Yarger - with the Butterfly Pavilion - works with communities with pollinating plants and eco-systems. Independence wants to become a pollinating community.

Steven Balcerovich - Kiowa - is a 3rd generation Elbert County resident and stated that we always helped and welcomed new residents.

Jon Carlson - Elizabeth - is a resident in Independence and loves living there.

Monika Brohamer - Elizabeth - concerns over traffic and the plans for the new school.

Greg Lopez - Elizabeth - cautions the board on relying on Douglas county for the traffic signals and the 3 districts that don't currently exist.

Ken Turnbull - Castle Rock - purchased property in Elbert County and would like to see more services.

Diana Edstrom - Elbert - stated that this is a conservative and rural community, and we do not want this.

Bill Howell - Elizabeth - enjoys going to his local convenience store instead of having to drive into Elizabeth and Independence contributes so much to it's community.

Kerry Marten - Elizabeth - appreciates growth but it needs to be done thoughtfully.

Darnell Peterson - just moved here and owns a small business. Appreciates Crafts help.

Glen Stice - Centennial - purchased land in Elbert County and appreciates the positive impact on the county.

Suni Mills - Kiowa - concerns over public services.

Public Comments Closed



Commissioner Richardson called a recess at 3:05 PM and returned at 3:27 PM.

Applicant representatives addressed the citizens' concerns.

Motion: To Approve Bandera East PUD and Bandera West PUD Amendment to Independence PUD.

Commissioner Grant Thayer made a motion to Approve Bandera East PUD and Bandera West PUD Amendment to Independence PUD . Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Motion: To Close a Public Hearing for Bandera East PUD and Bandera West PUD Amendment to Independence PUD

Commissioner Grant Thayer made a motion to close a Public Hearing for Bandera East PUD and Bandera West PUD Amendment to Independence PUD. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 4:00 PM.

2. Independence 3 New and 3 Amended Metropolitan Districts and Service Plans.

Motion: To Open a Public Hearing for Independence 3 New and 3 Amended Metropolitan Districts and Service Plans

Commissioner Dallas Schroeder made a motion to open a Public Hearing for Independence 3 New and 3 Amended Metropolitan Districts and Service Plans . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 4:00 PM.

Motion: To Continue to March 9th at 1:00 PM.

Commissioner Dallas Schroeder made a motion to Continue to March 9th at 1:00 PM. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

Motion: To Close a Public Hearing for Independence 3 New and 3 Amended Metropolitan Districts and Service Plans

Commissioner Dallas Schroeder made a motion to close a Public Hearing for Independence 3 New and 3 Amended Metropolitan Districts and Service Plans . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 4:01 PM.

L. ADJOURNMENT

Motion: To Adjourn

Commissioner Grant Thayer made a motion to Adjourn. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

The meeting Adjourned at 4:02 PM



Amanda Moore

From: Rhonda Braun
Sent: Thursday, March 2, 2023 7:12 AM
To: Amanda Moore
Subject: Fwd: [External] March 8, 2023 Hearing

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From: T S <copizzaco@gmail.com>
Sent: Wednesday, March 1, 2023 8:44:39 PM
To: Chris Richardson <Chris.Richardson@elbertcounty-co.gov>; Dallas Schroeder <Dallas.Schroeder@elbertcounty-co.gov>; Grant Thayer <Grant.Thayer@elbertcounty-co.gov>; Rhonda Braun <Rhonda.Braun@elbertcounty-co.gov>
Subject: [External] March 8, 2023 Hearing

Commissioners,

I hereby send my support of Independence/Craft. We are a small, family business serving Elbert County with our Wood Fired Pizza Truck. We are starting our 8th year in May, and reside in Elizabeth... quite close to Independence.

When the covid stupidity hit, we were deemed 'essential', and with what food we could acquire at that time of uncertainty, decided to serve the Independence neighbors a mile to our North. Homes were just starting to dot the landscape, and workers and new residents were grateful to have us on hand to feed them. Dining and food places were at least 20 minutes away, and many were not functioning at capacity. Having us close by was a win win, and kept my family and our few employees working a few hours a week during the economic downturn.

Thanks to both Tim and Matt Craft, and their team, we were set up with a place to serve at Independence, including electricity, and have not one bad thing to say about the Craft organization as a whole... they were and remain supportive of us as a small business, and we are truly appreciative. We have experienced first-hand how Craft treats the new homeowners and a few of us in the service industry throughout the Independence events they have sponsored. It is a thriving, albeit new community, and we are glad to be an 'outside' part of it.

If this is how Craft intends to continuously support future businesses in this area, they in turn have my support.

Timothy Scott
Colorado Pizza Company

--

Timothy & Diane Scott
Romans 8:28

303.596.5772

CoPizzaCo@gmail.com

www.ColoradoPizzaCo.com

Facebook.com/CoPizzaCo



March 7, 2023

Dear Elbert County Commissioners,

With nearly a twenty-year career in public policy, I know how important laws and policies are to shaping our communities. I was a passionate voice against Colorado embracing marijuana legalization, knowing that this policy decision would lead to higher violence, drug overdoses, cartel activity, and homelessness in our communities. I was right. In passing the Reproductive Health Equity Act, Colorado was going to become a travel destination for abortions from around the country. That is exactly what is happening.

I ask that you take the consequences of unrestricted, multi-family development seriously in Elbert County. [In a recent opinion piece in the Gazette](#), I warn of the loss of rural and conservative values in our county if this continues. **No county that urbanizes gets more conservative.** If we continue down the path of developing Elbert County with thousands of new homes, we will lose conservative values that have attracted your residents to make this beautiful, rural county their home.

A look to the west in Douglas County shows us how a county can swing 20 points to the left in just ten years with poor county development management.

Contentious school board battles, abortion facilities, pot shops, high crime and traffic – all coming our way if we continue.

There are plenty of ways to develop well in Elbert County while maintaining our rural way of life. For instance, requiring acreage minimums. You cannot rely on preserving open space alone to keep this county conservative.

I understand the need you have to grow the economic impact of our county. We all want great jobs and for our children and grandchildren to live in this county and thrive.

In debates about marijuana legalization, I would warn that drug legalization would take our communities from Bedford Falls to Pottersville, referencing the film *It's a Wonderful Life*. That happened to Denver. Please be wise in your leadership regarding Elbert County. Do not allow this wonderful county to be turned into Pottersville.

Sincerely,



JEFF HUNT



Amanda Moore

From: Brittany Soto <bbulthaup@gmail.com>
Sent: Tuesday, March 7, 2023 12:48 PM
To: CDS; Chris Richardson; Dallas Schroeder; Grant Thayer; ClerktoBOCC
Subject: [External] Meeting 3/8

Hello,
I just wanted to resend this for the meeting tomorrow, 3/8 at 1pm.
Regards,
Brittany Soto

On Tue, Jan 24, 2023, 1:44 PM Brittany Soto <bbulthaup@gmail.com> wrote:

Dear Commissioners,

I ask you to vote NO on the Independence New and Amended Service Plans for Metropolitan Districts. Independence developers are asking to create two new residential districts and one new commercial district. This will add 480 homes – increasing the number of homes in Independence from 920 to 1,400! This will not only create significant traffic issues for county residents but turn a beautiful rural area into a condensed mess of houses.

Independence developers also seek approval to develop land within the community for 50,000 sq ft. of commercial use but admit that no large retail grocers or stores would be attracted to the area because there are not enough people. Instead, they believe neighborhood “convenience stores” - like nail salons - may be attracted to the commercial space. We don’t need nail salons!

Their proposal would involve dedicating land for future school development right on Hilltop Road – the busiest street in the area. Developers also claim to be increasing open space in the development from 43.5% to 50% of the development, but they appear to be doing that by shrinking lot sizes and packing houses tightly together. This is Elbert County. We live here because we value rural living. Rural communities have different values. We value the land. We value the water. And we value people. As our elected representatives, please vote NO on the Independence New and Amended Service Plans for Metropolitan Districts.

Thank you,
Brittany at 38200 Signal Ridge Trail, Elizabeth, CO 80107



From: [Susan Shick](#)
To: [Chris Richardson](#); [Dallas Schroeder](#); [Grant Thayer](#); [Greg Thompson](#); [Bart Greer](#); [Shawn Fletcher](#)
Subject: [External] Published Agenda and Documents for March 8 BOCC Meeting
Date: Friday, March 3, 2023 12:20:17 PM
Attachments: [Independence.RanchlandNotice.expansionhearing.pdf](#)

Commissioners,

The March 8 BOCC meeting agenda just published this morning has a few problems, most notably it shows the public hearing on the Independence proposed expansion is to occur as part of the land use hearing at 1 pm. This conflicts with the Public Notice published in the Feb 9 edition of the Ranchland News which indicates the Independence public hearing will occur at 9 am on March 8 as part of the regular business hearing. (Please see attachment.)

Please, postpone this hearing and publish a corrected hearing time and date in the Ranchland News, the county's official paper of record.

Additionally, the Board packet does not contain the original Independence SIA or an updated SIA. I have asked in both PC hearings ahead of this meeting to see the updated SIA. Those requests have not been fulfilled. I notice that the most recent plat and service plan hearing for Spring Valley Ranch was postponed pending receipt of an updated SIA. Where is the updated SIA for this Independence application?

Also, a couple of comments regarding the documents associated with the March 8 BOCC agenda packet.

1. The staff summary page submitted with the Vouchers shows Tony McCormick, Finance Manager. This is quite misleading as Mr. McCormick resigned in late October 2022. Currently, the county is without a Finance Manager. Correct?
2. The agenda item submitted by Attorney Greer regarding HB23-1165 (A BILL FOR AN ACT 101 CONCERNING THE AUTHORITY OF A BOARD OF COUNTY 102 COMMISSIONERS TO PROHIBIT DISCHARGE OF FIREARMS IN UNINCORPORATED AREAS OF A COUNTY). indicates the staff lead is, "Finance Office/Rubin Brown (Auditing Firm)". This cannot be correct. Who is staff lead on this?
3. The agenda packet item regarding the required resolution for the county's application of \$40,000 in funding from GOCO for a county project amounting to \$80,000 does not include the mentioned letter to GOCO describing the project. Could you please make that letter available to the public?

Thank you,
Susan Shick

Sent from [Mail](#) for Windows

THURSDAY FEBRUARY 9, 2023 -

Ellicott BOE January meeting

By *Rachelle Ferguson*

The Ellicott School Board met on January 25, 2023 for a regular meeting. The board conducted general business including approval of an amended annual budget. Discussions occurred regarding staff shortages and it being a national issue. High School Principal, Jeff Zick elaborated that he did not think the issues were strictly a result of low salaries. He explained that speaking with teachers; he has learned that several are considering leaving the career all together. Middle School Principal, Donte Stewart expanded on this by explaining he had a career teacher who had applied for a Science position and was completing the hiring process with Ellicott and ultimately decided to quit teaching all together and move out of Colorado. According to an October employment survey, 4% of schools nationwide are experiencing a shortage in teaching staff. That percentage hovers around 7% in Colorado and drastically increases in the specialized categories such as special education, secondary mathematics and secondary science departments. Support staff shortages average 14-17% nationwide. Those positions are everything from paraprofessionals, kitchen staff to bus drivers. Targeting a specific reason for the shortages is nearly impossible. Reasons range from low pay to fears of safety with school shootings. Long hours, feeling disrespected by students and resistance to teach mandated materials were amongst other reasons given for leaving teaching as a career or not entering the field. Ellicott is currently hiring in all buildings for teachers and support staff.

In other buildings, Preschool Director, Shelley Ettleman reported that Universal Preschool applications were open for parents for the 2023-2024 school year. Universal Preschool (UPK) Colorado is a voluntary new state funded initiative that allows children to be enrolled in preschool one year prior to attending Kindergarten for 1/2 day preschool classes. 3 year olds who meet requirements due to prequalifying factors are also able to participate part time. If you would like to make an appointment to enroll your preschool student for 2023-2024 school year or you have any questions about your preschooler or UPK, you can contact Mrs. Shelley Ettleman at (719) 683-2700 extension 2250. The preschool continues to give their students a new book every month with the funds from a grant program that Mrs. Ettleman applied and received. The kids and families

Chronic Absenteeism rate for Ellicott is higher than the national average and principals implemented new procedures to lower that rate and get students back in the buildings. With the new procedures, the middle school saw a 3% attendance increase from January 3rd to January 25th. Parents will now be notified after 3 absences and possibly placed on an attendance contract. In Colorado, students can only miss 10% of the school year. At Ellicott School, that amounts to roughly 14 days per school year.

Completing the short board meeting was Superintendent Chris Smith giving his verbal Superintendents report. He informed the board that the high school construction is on schedule and seeing the "votech" building go up has been great for staff and students. He also updated on the "Four- Plex" teacher housing construction project, the remaining projects are being stalled by cold weather and frost. Board Vice President, Bob McWilliams asked if there has been any student enrollment

from the new housing developments within the school district. Chris Smith said that there are 3 new students enrolled from the Mayberry Development off Highway 94 and Log Road.

The meeting concluded with discussion about Superintendent, Chris Smiths review and renewal being on the agenda for February as well as scheduling the next regular meeting for February 22, 2023 at 7:00pm in the Ellicott District Office Board Room.

Events: High School Boys Wrestlers will travel to Dolores Huerta Prep on Saturday, February 4, 2023 starting at 9:00am to compete in one of their final tournaments of the season. The high school basketball teams will host "Senior Night" for those players graduating this year. Senior Night is on February 15, 2023 when EHS hits the court against Lamar High School with JV games starting at 4:30pm and Varsity games starting at 6:00pm in the Ellicott High School Gym.

■ PANTRY From Page 3

intention of re-selling.

Another recommended a six-month suspension.

Another recommended anyone caught selling items must begin working for the Pantry.

Another recommended a sign.

Another recommended implementing limitations.

"Two per household."

The board opted to continue the discussion of the issue.

Calendar

March 6 - Regular meeting.

■ SCHOOLS From Page 7

7am.

Feb. 14: HSBB vs. Hanover, 4:30pm.

Feb. 15: HSBB vs. High Plains, 4:30pm.

Peyton

Feb. 9: Elementary Conferences, no school for Elementary only; JHGBB at Ellicott, 4pm; HSGBB at Rye, 4:30pm; HSBBB C game at Elbert, 6pm.

Feb. 10: Regional wrestling at Rye, 4:30pm; JH Matchwits at Atlas Prep, 4pm.

Feb. 13: HSBBB at Rye, 4:30pm.

Feb. 15: HSBB at Yuma, 4pm.

Peyton Elem. Lunch

Feb. 13: Hamburger or cheeseburger, French fries.

Feb. 14: Chicken pot pie, special

sausage patty.

Peyton Jr/Sr High Lunch

Feb. 13: Hamburger stew, WG dinner roll.

Feb. 14: Waffles, hashbrown patty, sausage links.

Feb. 15: Hamburger gravy over mashed potatoes, green beans.

Feb. 16: Combo pizza.

Simla

Feb. 10: HSBB vs. Stratton, 5pm.

Feb. 11: HSBB vs. Calhan, 2pm.

Feb. 13: JHW at Akron.

Feb. 14: HSBB vs. ECA at Mitchell HS, 4pm.

Feb. 15: BOE, 7pm.

Simla Lunch

Feb. 13: Corn dog, mac & cheese, broccoli.

Feb. 14: Spaghetti, breadstick,

PUBLIC

A CALL FOR NOMINATIONS

for

Directors of Rattlesnake Fire Protection District

TO WHOM IT MAY CONCERN, particularly, to the electors of the Rattlesnake Fire Protection District of Elbert County, Colorado.

NOTICE IS HEREBY GIVEN that election will be held on the 2nd day of May 2023, between the hours of 7:00 a.m. and 7 p.m. two (2) Directors will be elected to serve four (4) year terms. Eligible electors of Rattlesnake Fire Protection District interested in serving on the Board of Directors may obtain Self-Nomination and Acceptance form from District Designated Election Official ("DEO" Lloyd Standard (DEO) [Aaron Craigie, DEO]

46200 Coal Creek Drive, Parker, CO, 80 (DEO Address)

303-841-8111 (DEO Telephone)

303-841-8734 (DEO Telefax)

lloyd.standard@rattlesnakefireprotection.org (DEO E-Mail)

OR

At the District website at: rsfpd.org

The Office of the DEO is open on the following days: Monday through Friday from 8:00 a.m. to 5:00 p.m.

The deadline to submit a Self-Nomination Acceptance is 5:00 p.m., **Friday, February 24, 2023.** Earlier submittal is encouraged as deadline will not permit curing an insufficient form. *Affidavit of Intent to be a Write Candidate* forms must be submitted to the Office of the Designated Election Official, 5:00 p.m. **Monday, February 27, 2023.**

NOTICE IS FURTHER GIVEN, application for an absentee ballot shall be filed with the Designated Election Official later than the close of business, on **Tuesday, February 28, 2023.**

RATTLESNAKE FIRE PROTECTION DISTRICT

By: */s/ Lloyd Standard*

Designated Election Official

Published February 9, 2023

In Ranchland News

Legal No. 84

A CALL FOR NOMINATIONS

(NOTICE BY PUBLICATION OF NORTH CENTRAL FIRE PROTECTION DISTRICT)

TO WHOM IT MAY CONCERN, particularly, to the electors of the North Central Fire Protection District of Elbert County, Colorado.

NOTICE IS HEREBY GIVEN, that election will be held on the 2nd day of May, 2023, between the hours of 7:00 a.m. and 7:00 p.m. At that time, two (2) directors will be elected to serve 4-year terms and three (3) directors will be elected to serve 2-year terms. Eligible electors of the North Central Fire Protection District interested in serving on the Board of Directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official, as follows:

Geri Scheidt, Designated Election Official (DEO)

PO Box 556

Kiowa, CO 80117

(303)243-0833

geri.scheidt@comcast.net

Public Comment before the Board of County Commissioners, March 8, 2023 Regarding: Craft and Co. Application for Major Modifications to Bandera East and West PUD Subdivision Becoming Independence PUD Subdivision AND Application to Modify Existing Service Plans and Create New Service Plans for Additional and Modified Special Districts and a Commercial District

Susan Shick, 4122 Downwest Ride, Elizabeth, CO 80107

1. The Independence hearing today is being conducted in **violation of Elbert County Zoning Regulation II.E. entitled Public Notice Requirements for Land Use Applications**, requiring at least 14-day notice to the public of the exact date, time and location of the hearing, published in the county newspaper of record, namely the Ranchland News. The BOCC agenda notice published on March 3 indicated a hearing time of 1pm today, in disagreement with the public notice in the Ranchland News of Feb 9, with a 9am hearing time. I notified all three commissioners, the CDS Director, the County Manager and the County Attorney of this discrepancy and requested a new meeting date and time be considered with republication of an amended public notice. Commissioners declined and instead provided a modified agenda with less than 48-hours public notice that the public hearing would be opened at 9am and immediately continued to 1pm. I urge you again to cancel this hearing today and republish the public notice.
2. The Independence **Subdivision Improvement Agreement** (current and updated) document is missing from the packet of documents and is required for a complete understanding by the BOCC and the public as to the agreements spelled out in the Independence Service Plans. Part of this application includes requested major modifications to Bandera/Independence PUDs or subdivisions. As such, the existing SIA should have been statused and an updated SIA should have been presented for public comment. Neither has occurred and the PC failed to address this issue in their two meetings. Please address it now.
3. **The service plans continue to deny that material modifications are material modifications as defined in Colorado statutes.** Neither the PC nor the developer would address this issue. Please address it now. This appears to be an attempt to protect the developer from any legal exposure that might be brought by the courts or the public.
4. **Why are all county impact fees being rebated to the developer?** Originally, the county was abating 97% of the assessed impact fees and retaining 3%. The 2019 county audit showed that of the \$5 million in assessed impact fees, the county would retain \$150,000 to mitigate impacts. If your answer is for road construction, please bring forth the contractual agreement (SIA).
5. **The water study was provided by a consultant and is based on Elbert County's 300-year water rule.** The Colorado Division of Water Resources has, in recent years, qualified all of its assessments of Elbert County land subdivision applications stating, "The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply."
6. The SIA lists and some of the documents provided in this application discuss land within the subdivision the potential **for industrial oil and gas development within the subdivision.** This should be a non-starter. Please remove it.
7. Finally, an application requesting **a 52% increase in number of homes with a 214% increase in bond debt should be a red flag** to you. Do not approve this application.

From: bdaly@mylandsteward.com
To: [Chris Richardson](#); [Dallas Schroeder](#); [Grant Thayer](#)
Cc: [Greg Thompson](#); ["Daniel Rosales"](#); bill@elbertcountypartnership.com
Subject: [External] Independence Project Hearing on March 8, 2023
Date: Tuesday, March 7, 2023 9:52:17 AM
Attachments: [image001.png](#)

Dear commissioners,

As you are aware, I have become involved recently with the Elbert County Partnership, trying to assist this organization to facilitate its goals to promote and improve quality of life within Elbert County. I was asked to participate as a volunteer with this group to help evaluate and promote development activities that will contribute in a positive way to Elbert County. In recent weeks, I have had the opportunity to meet with you and also some of the members of the Craft Companies organization. I am excited about the opportunities that are coming about for Elbert County. I am also impressed at how you as County Commissioners are working diligently along with members of the private sector like the Craft companies to take advantage of the positive growth opportunities that we have.

I am not available to attend the upcoming hearing on March 8th for the Independence project. Nevertheless, I wanted to send this email expressing my support for this project. I hope you'll support this application for the following reasons:

- If the County wants to develop in a strategic, responsible way, then it needs more communities like Independence and developers like Craft Companies. Conservation communities preserve significant open space, use less water, and provide more affordable housing options for current and future residents.
- Having neighborhood serving commercial will only improve the quality of the Independence and reduce traffic as nearby residents won't have to travel as far for services.
- It's important we partner with the private sector to fund future road improvements. This application accelerates improvements on 158 and the extension of Delbert Road which will provide an alternative option in and out of the County.

I hope you'll support this thoughtful application.

Please feel free to contact me if you have any questions.
Thanks

Brian Daly
Manager



Stewardship Land Services, LLC
10194 Remmick Ridge Rd.
Parker, CO 80134

Tel: (720)635-0778
Email: bdaly@mylandsteward.com

Greg Thompson

From: Jacob Marsh <jacob@watersolutionsco.com>
Sent: Monday, March 6, 2023 8:08 AM
To: Greg Thompson
Subject: [External] Impendence Support

Hello Commissioners,

I wanted to reach out as an Elbert County resident and express my support for the Independence PUD amendment ahead of the March 8th hearing. Unfortunately, I'm unable to attend the meeting, but I hope you'll take my support into consideration.

I've had the opportunity to get to know Tim Craft/the Craft Companies team and I believe they're the type of developer we want in our County. They listen, they're responsive and most importantly, they build quality communities that focus on responsible growth by preserving open space and minimizing water usage. They take the public's inputs seriously and want what's best for Elbert County and the residence.

Growth is inevitable and we can either choose to partner with good developers (like Craft Companies) or we can chase them away. I appreciate their commitment to Elbert County, and I hope you'll approve the Independence PUD amendment.

As a small business in Elbert County, we can lean on the Kraft Companies and their wisdom they bring to the table to further our small business success.

Jacob Marsh

Sent from [Mail](#) for Windows

Jacob Marsh
Watersolutionsco.com
(720) 435-1495



From: [Kevin Conrad](#)
To: [Chris Richardson](#); [Dallas Schroeder](#); [Grant Thayer](#)
Cc: [Greg Thompson](#)
Subject: [External] Independence
Date: Tuesday, March 7, 2023 10:51:44 AM

Greetings Commissioners,

First off, I want to thank you for your service and all that you do for the County. Your efforts are greatly appreciated and please know they don't go unnoticed.

I'm unfortunately unable to attend the hearing tomorrow, but I wanted to pass along my support for the Independence PUD amendment. I support thoughtful growth in our County which seeks to preserve open space and utilize less water. Independence does just that. We have a developer who has implemented some of the highest levels of water recycling and reuse in our State while setting aside hundreds of acres of open space. Not everyone in the County can afford or wants to live on 35-acre ranches which don't preserve any open space and compete for limited resources in the Upper Dawson.

Please support this sensible development which will provide much needed housing options in our County.

Kevin Conrad



From: [Linda Krausert](#)
To: [Chris Richardson](#); [Grant Thayer](#); [Dallas Schroeder](#)
Cc: [Greg Thompson](#)
Subject: [External] Independence
Date: Sunday, March 5, 2023 6:43:44 PM

Good Morning Gentlemen:

I'm writing to express my strong support for the Independence PUD amendment and the associated metro district approvals. Craft Companies has my support for the following reasons:

- The PUD amendment aligns with our comprehensive plan which focuses growth near the northwest corner of the County. Growth is focused there to limit road impacts and maintain rural character in 95% of the County.
- Craft Companies is on the cutting edge of water recycling/reuse in our state. We have limited resources and we need to be supporting development that respects those resources and taps into deeper aquifers.
- The road/infrastructure improvements associated with the application will improve traffic conditions in the area by providing newly paved roads and additional routes to get in/out of Elbert County.
- Neighborhood serving retail/commercial will strengthen the Independence community and serve nearby residents who won't have to drive as far for basic needs/services.

I hope you'll support this thoughtful application which aligns with our County's planning goals and documents.

Thank you.

Linda Krausert



From: [Steve Balcerovich](#)
To: [Grant Thayer](#)
Cc: [Greg Thompson](#)
Subject: [External] Support for Independence development's final phase
Date: Monday, March 6, 2023 3:41:10 PM

Good Afternoon Commissioner Thayer.

We haven't spoken since Representative Weissman and I visited you several years ago at the courthouse about the creation of a new Judicial district; I hope things have gone well for you since then.

I wanted to express my strong support for the final phase of the Independence development, on which you may be voting on later this week. I have had the opportunity to visit the community several times now and drive by it frequently on the way to my family's ranch. Compared to other developments in the county, I believe it is a notch above. I am very impressed by its sustainability features (i.e. rooftop solar, water conservation and reuse). Independence seems to respect the land; something rare with housing developments.

Elbert County will continue to grow. As a third generation county resident, I welcome our new neighbors to the county. Communities like Independence should be encouraged, not criticized.

Please support Independence's final phase.

Thanks for your consideration, Steve

From: [Dawna Hetzler - Your Colorado and Florida Real Estate Agent](#)
To: [Chris Richardson](#); [Dallas Schroeder](#); [Grant Thayer](#); [Greg Thompson](#)
Subject: [External] Independence Community helps serve those that serve~
Date: Tuesday, March 7, 2023 8:11:48 AM
Attachments: [PastedGraphic-1.tiff](#)

Dear **Elbert County Commissioners**;

I am a licensed Real Estate Broker, resident of Elbert County and I live across the street from the Independence Development.

I'm writing to support Craft and Companies in the endeavor to obtain the Planned Unit Development amendment to add the final 480 homes.

I'm a proponent of growth if indeed it brings amelioration to a community. The Independence Project does just that.

I've had the pleasure of assisting our frontline workers find affordable homes in Independence which has provided opportunity for my law enforcement and medical worker clients to live and work in our amazing county. Independence Community helps serve those that serve.

I hope you will approve this next phase for Craft and Companies and those longing to move here.

Respectfully,

Dawna Hetzler, New Dawn Realty
Broker, Owner
303-883-3070
8480 East Orchard Rd. Suite 1100
Greenwood Village, Co. 80111
newdawnrealty1@gmail.com





Amanda Moore

From: Matt & Marie Mitchell <mattandmariemitchell@gmail.com>
Sent: Wednesday, March 8, 2023 6:39 AM
To: ClerktoBOCC
Subject: [External] Support for Independence District Zoning

Hello

I'd like to have my voice heard in SUPPORT of the Independence zoning additions. A commercial area for this part of town would be much needed and used. Having said that, the community could benefit from some clear and well-thought-out plans to alleviate anxiety. A row of small, locally owned retail would be wonderful. A pharmacy would be wonderful. Heck, even a car wash would be wonderful. Another auto repair shop would be frustrating since there seems to be one on every corner in Elbert county.

Additionally there is concern around road access and overuse. The roads in Elbert County are poor quality. The allowable speeds are dangerous, especially in the area of this community. We could benefit from understanding what changes will be made to these roads in order to support the increased traffic to the neighborhood, while keeping people, animals and homes safe.

I appreciate all you do.

Marie Mitchell

Amanda Moore

From: Cherie Wahl <wahlcherie@msn.com>
Sent: Tuesday, March 7, 2023 8:39 PM
To: ClerktoBOCC
Subject: [External] Independence Metro Districts

Dear Commissioners,

I will not be able to attend the meeting tomorrow. I am a Realtor in the area with over 25 years experience and will be out with clients.

I want to go on the record as a very close neighbor as being opposed to the approval of the Metro Districts, I am against the added commercial at the corner of 158 and Delbert and I am also against awarding the developer the additional 400+ units he is requesting.

I live on the old Wilson Dairy which is just up the road from the entrance to Independence. I have watched and been involved throughout the approval and construction process. While I understand the need for Elbert County to grow and expand housing opportunities, I believe that the "Metro District" model is broken and being taken advantage of at this point.

If you research the current Metro Districts that are formulated similarly to those being proposed by Independence, there are currently multiple law suits filed with the courts and more on the way. The abuse has been in place for quite a few years now and it is finally catching up as home owners and HOAs fight for a reasonable solution to the insane debt they are being saddled with. Independence has structured the Metro Districts in the same way that other HOAs are fighting against. The developer maintains a Metro District that controls the others and has the power to make the decisions. They say that the Metros are run by homeowner is possible but the actual power remains with the District that the Developer controls. This parcel is usually a very small piece of ground within the community and creates a situation where the homeowners are powerless.

Developers have increasingly used the Metro Districts as an additional profit center and they have insured themselves against losses through the bonds that they straddle the neighborhood with long after they are gone. I myself as a Realtor have not sold homes to my clients in neighborhoods that have newly created Metro Districts for just this reason.

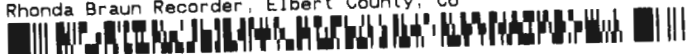
Independence was approved and we as neighbors realized we had to learn to live with a lot of changes. I want to be clear that I have accepted Independence as planned and originally approved. The last requests for an additional 400+ homes, additional Metro Districts, Commercial development and even a phase with the option for Multi Family Housing was never a part of the bargain and should not be approved at this late date.

The real estate market has never been stronger than the last 2 years. If Mr. Scott is not able to make a profit with what has been approved and planned for, then he has mismanaged his opportunities. Why would he not also mismanage these Metro Districts?

Independence has worked to create the image of a good neighbor and pledged to be a part of the Elizabeth community but beyond that image lies the truth in that they are behind on promised payments to the Park and Recreational Department. They are being challenged in water court. They are unwilling to discuss their problems with acquiring water. They are pushing ahead without being on solid ground and want these Metro Districts to foot the bills. The developer and all of the experts and managers that he continues to bring to meetings, do not live in our county or town. They change our lives and drive home to their houses in the city.

Please work with us to allow Independence to happen but to cap it where it stands now.

Our county and those of us in Elizabeth beg you to draw the line at Developer greed and Urban sprawl at the Douglas County Line.



Amanda Moore

From: Chris Richardson
Sent: Tuesday, March 7, 2023 5:24 PM
To: Greg Thompson; Amanda Moore
Subject: FW: [External] INDEPENDENCE PROJECT HEARING-MARCH 8, 2023 BOCC HEARING

Just received.

From: Daniel Rosales <danielrosales45@gmail.com>
Sent: Tuesday, March 7, 2023 4:37 PM
To: Chris Richardson <Chris.Richardson@elbertcounty-co.gov>; grant_thayer@elbertcounty-co.gov;
dallas.schroeder@elbertcounty-co.gov
Subject: [External] INDEPENDENCE PROJECT HEARING-MARCH 8, 2023 BOCC HEARING

Dear Commissioners,

I have been involved with the Elbert County Planning Commission and now with the Elbert County Partnership. I have followed the great things the commissioners have done to make the county a better place to live. I want to see the job that you all have started continue into the future. Unless one has been on the front line fighting for what the county needs and is someone who is held accountable for such actions, it is rather difficult to understand how the various parts come together in a positive way. They cannot be separated if they are to make sense.

The county needs growth if we are to remain strong. No growth means we are corroding as a county. We need education, jobs and homes. I believe that what the Craft Companies are doing is exactly what we are looking for and need. This project provides additional jobs that we are in need of and expands our tax base to help the county increase services to the community without raising tax rates. This project delivers to the county and its people exactly what we need to attain sustained growth.

There are some critical components that support a healthy and prosperous community. Independence is attempting to deliver the components that will make Elbert County a great place to live. It will be in a great position to support the new citizens as well as the old pioneer families. It will support the commercial element that is desperately needed as well as giving people a place to live, while protecting the long agricultural history of this county.

I strongly support this project and ask that the commissioners approve this project.

Daniel Rosaes
Elbert County Partnership

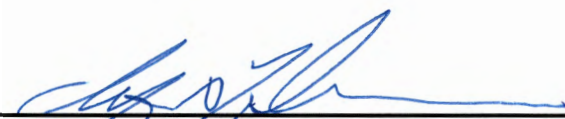
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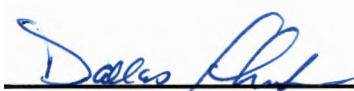
Daniel Rosales
Home: 303-805-0880
Cell: 303-324-0674
Email: danielrosales45@gmail.com

BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



CHRIS RICHARDSON, Chair, COMMISSIONER District 1



DALLAS SCHROEDER, COMMISSIONER District 2



GRANT THAYER, Vice-Chair, COMMISSIONER District 3

ATTEST: Amanda Moore

Deputy Clerk

BY: 

Deputy Clerk to the Board of County Commissioners