



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
August 23, 2023 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE: FATHER JOHN STEARNS

Father Stearns provided 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 9:03 AM. Deputy Clerk Amanda Moore called the 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 - Dallas Schroeder, Grant Thayer, Chris Richardson

No - None

D. CONSENT AGENDA

Motion: Approval of Consent Agenda as presented

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

Yes - Dallas Schroeder, Grant Thayer, Chris Richardson

No - None

1. Approval of CDS Mylars as needed
2. Approval of Vouchers as needed
3. Acknowledgement of Receipt of Variance Reports
4. Acknowledgement of the Elbert County Noxious Weed Advisory Meeting Minutes May 17, 2023
5. Approval of Elbert County Noxious Weed List
6. Renewal of Liquor License for Murphy Express



E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Engineer Darren Adame provided an update on the construction of the new public works facility. Mr. Adame presented a slide show of pictures and stated that construction was 85% complete.

Commissioner Richardson recognized the Veterans Services Officer, Ric Morgan and thanked him for all of his work in Elbert County. Commissioner Richardson asked for an update in November from Mr. Morgan.

F. CITIZEN PUBLIC COMMENT

Don Gray, 16000 Hwy 86, Kiowa - Mr. Gray stated that Xcel's surveyors have been out all week on the preferred route. Mr. Gray stated that so far they are behaving and not trespassing.

G. DISCUSSION ITEMS

1. Proclamation regarding the 2023 National Preparedness Month

Office of Emergency Management Director Shane Pynes presented the proclamation regarding National Preparedness Month. The Commissioners signed the proclamation.

2. Proclamation regarding the 2023 Suicide Prevention Awareness Month

Public Health Director Dwayne Smith stated that there have been 8 deaths by suicide to date in 2023. Mr. Smith said there were 5 in 2022, 7 in 2021 and 12 in 2020. Our county on average, had around 4 deaths by suicide before that. The Public Health Department is working to provide more accessible mental health care. Mr. Smith presented the proclamation.

The commissioners signed the proclamation.

Mr. Smith wanted to let the commissioners and community know that their Nurse Practitioner can now assist with home visits for elderly patients with mobility issues. Mr. Smith stated that you can call the public health department to request a home visit.

3. Discussion of Adequacy of Current Plans and Regulations

Community and Economic Development Director Marc Dettenrieder provided an overview of the regulations that Elbert County currently has and when they were last updated. Mr. Dettenrieder also spoke regarding regulations that were being worked on or will be in the next few years. Mr. Dettenrieder presented a slide show to go over the population projections through 2050.

Commissioners discussed regulation updates and how they are always ongoing to ensure everything lines up. Commissioners talked about the USGS update and when they should expect it.





H. ACTION ITEMS

1. Consideration of July 26, 2023 Minutes

Motion: Approval of July 26, 2023 Minutes

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

Yes - Dallas Schroeder, Grant Thayer, Chris Richardson

No - None

2. Consideration of August 5, 2023 BOE Minutes

Motion: Approval of August 5, 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 - Dallas Schroeder, Grant Thayer, Chris Richardson

No - None

3. Consideration of August 9, 2023 Minutes

Motion: Approval of August 9, 2023 Minutes

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

Yes - Dallas Schroeder, Grant Thayer, Chris Richardson

No - None

I. BOARD PLANNING

1. Agenda Items for Next Meeting

a. Audit Update

b. Liquor Public Hearings

c. Update from Ric Morgan in November

Commissioner Richardson called a recess at 9:57 AM to return at 1:00 PM for Land Use.

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

The Land Use Hearing was called to order at 1:01 PM. Deputy Clerk Amanda Moore called the roll and all Commissioners were present.

1. Sun Bear Estates - Rezone - RZ-23-18837 & Prelim & Final Plat - FP-23-18837

Motion: To Open a Public Hearing for Sun Bear Rezone RZ-23-18837, Preliminary and Final Plat FP-23-18837

Commissioner Grant Thayer made a motion to open a Public Hearing for Sun Bear Rezone RZ-23-18837, Preliminary and Final Plat FP-23-18837 . Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 1:03 PM.

Land Use Planner Danny Kilbaner presented the application for rezone, preliminary and final plat for Sun Bear Estates. Mr. Kilbaner stated that the application is to rezone from Agriculture to Residential Agriculture in the SW section of 34 and County Road 122. Mr. Kilbaner stated that the applicant's representative was Grace Erickson. The property is two 40 acre parcels. Kilbaner presented the final plat that includes (8) 10 acre lots with a single access private road off of county road 122. Mr. Kilbaner explained that there would be a large "no build" area on each lot to match the neighboring Chisholm Subdivision. Mr. Kilbaner provided other key notes regarding the road, easements and onsite waste water systems for each lot. Mr. Kilbaner explained that the owner agreed to cash in lieu for the fire flow requirements and open space requirements.

Applicant Representative Grace Erickson explained that the application complies with neighboring subdivisions and they have dedicated 15 feet to Elbert County for road improvements. Ms. Erickson stated that her understanding was that the roadway was more for the Fire Department and that Public Works and the Fire Department had already signed off.

Applicants Council explained that there would be an HOA that would include an agreement to share maintenance and costs.

Public Comment: None

Applicant agrees to the conditions listed.

Motion: To Approve Sun Bear Rezone RZ-23-18837, Preliminary and Final Plat FP-23-18837 with the conditions.

Commissioner Grant Thayer made a motion to Approve Sun Bear Rezone RZ-23-18837, Preliminary and Final Plat FP-23-18837 with the conditions. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None





Motion: To Close a Public Hearing for Sun Bear Rezone RZ-23-18837, Preliminary and Final Plat FP-23-18837

Commissioner Grant Thayer made a motion to close a Public Hearing for Sun Bear Rezone RZ-23-18837, Preliminary and Final Plat FP-23-18837 . Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 1:29 PM.

Commissioner Richardson called a recess at 1:29 PM to 1:40 PM.

2. Board of Adjustment - CORE Variance

Motion: To Open the Board of Adjustments for the CORE Variance

Commissioner Dallas Schroeder made a motion to Open the Board of Adjustments for the CORE Variance. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Board of Adjustments Opened at 1:41 PM

Jennifer Gardner of Logan/Simpson, representing Community and Economic Development, presented the request for variance from CORE for a transmission line and substation. The request is to allow them to proceed within 1/2 mile of a substation along County Road 174 West of Kiowa-Bennet Rd West of County Road 29. Ms. Gardner explained that there are multiple property owners along this route and the subdivisions affected by the transmission line are Spring Valley Ranch and Sun Country Meadows. Staff recommends approval with conditions.

CORE Representative Brooke Hines provided information on the transmission line and much needed upgrades. Ms. Hines stated that the current loading in the existing substations are at near max capacity and they need to be upgraded for better reliability.

There was a brief discussion on the number of homes that could be added before being completely maxed out.

Public Comment:

Pat Wood, 43371 Summerset Ct. Elizabeth - Ms. Wood has concerns over internet access or interference.

Steven Spar, 7813 & 7811 County Rd 174, Elizabeth - Mr. Spar has concerns over interference and internet issues and asked the Commissioners to deny the variance.

Jim Marshall, Land Owner in Spring Valley Ranch and Representative for Moorstead - Mr. Marshall said there is a correction to the map, it's not proposed, it is zoned and infrastructure built. Mr. Marshall stated that it's not an ideal place for a substation, but there is no way around it and reliability is very important. Mr. Marshall brought up the push to move everything to the electrical grid and get rid of gas usage.

CORE representatives did not believe there would be any interference with internet services and explained that easement negotiations are ongoing.

Motion: To Approve the CORE Variance with the Conditions Listed

Commissioner Dallas Schroeder made a motion to Approve The Core Variance with the Conditions Listed. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder
No - None

Motion: To Close the Board of Adjustments for the CORE Variance

Commissioner Dallas Schroeder made a motion to close the Board of Adjustments for the CORE Variance. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder
No - None

Board of Adjustments Closed at 2:17 PM

K. ADJOURNMENT

Motion: To Adjourn

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

Yes - Dallas Schroeder, Grant Thayer, Chris Richardson
No - None

The meeting Adjourned at 2:18 PM.



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