

ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
June 12, 2024 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE:

County Manager Shawn Fletcher 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 - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

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Rhonda Braun Recorder, Elbert County, Co



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 - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

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

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Clerk Rhonda Braun announced that the elections department will be holding an Open House on Thursday, June 13th at 6:30 PM. The open house is open to the public and will answer questions regarding the election process.

Public Works Director Monty Hankins explained the rotation plan for equipment such as road graders. Mr. Hankins said that due to COVID there have been delays in receiving equipment on time and because of the delays, they are receiving four road graders in September. This was not planned on and Mr. Hankins asked the Board for their support moving forward. Mr. Hankins stated that the County Road 166 paving project phase 1 is getting ready to start soon. Originally, \$6,000,000 was budgeted for this project due to sub-grade concerns. Mr. Hankins stated that the sub-grade is good, and they will be able to save a bit over \$2,000,000.



Mr. Hankins introduced Ethan Mease, the new Fleet Manager. Ethan Mease was the original Fleet Manager back from 2016 to 2022 and originally created the fleet management policy and procedures that are being used today.

Emergency Management Manager Aaron Borne presented the Proclamation for amateur radio week and spoke about the importance of emergency management planning. Elizabeth Rodeo Association President Kevin Whitacre stated that the 1st time he worked at the Stampede was in 2014. That year there was a tornado in Elbert County during the stampede weekend. Mr. Whitacre worked in collaboration with first responders and emergency management to create an emergency plan for the event to insure everyone's safety. Bill Snead, Elizabeth Rodeo Board member, stated that he has been with the Stampede for 37 years, and it wasn't until 8 years ago that they were asked if there was an emergency plan in place. Since then, they have worked on plans and communication with other departments. Mr. Snead is grateful to Mr. Borne and his staff for setting up a communications command center this year.

Commissioner Richardson officially recognized the proclamation and the Commissioners adopted it.

F. CITIZEN PUBLIC COMMENT

Cori Cowan, 11401 CR 174, Kiowa. Ms. Cowan presented her concerns over two county projects. The fairgrounds parking lot and CR 166 paving project. Ms. Cowan had questions regarding the bid process.

Don Gray, 16000 Hwy 86, Kiowa. Mr. Gray provided an update on the Xcel project. Mr. Gray stated that there is a public meeting being held at the Ag building this evening. Mr. Gray appreciates that they are holding a meeting that is not required, but confused as to why, when Xcel has no plans to move the proposed line.

Tim Ulmer, 44015 Kiowa-Bennett, Kiowa. Mr. Ulmer stated that he had bid on a county project. Mr. Ulmer said he thought the bid language was vague, and the questions were not correct. Mr. Ulmer asked why the county is not accepting the cheaper bids and why he did not receive a letter as to why the award was not granted. Mr. Ulmer stated that he has not received an answer back from the Public Works Director or County Manager, and he would like an answer.

Commissioner Richardson stated that an application from Xcel has not been submitted and there is a bid policy. Commissioner Richardson will speak with staff.

G. DISCUSSION ITEMS

1. Presentation regarding Rank Choice Voting - Clerk and Recorder Rhonda Braun

County Clerk Rhonda Braun presented a video to explain the process of Rank Choice Voting. Ms. Braun stated that Alaska is repealing their rank choice voting after a few years of having it. Ms. Braun explained that election night results would not be available with rank choice voting and all votes will be delivered to a central location by USB. Ms. Braun stated that Colorado voters would prefer less technology in the voting process, but hand counts are just impossible to complete in a timely manner. Ms. Braun spoke about the bills and initiatives that are trying to preserve voters' rights and the others that would disenfranchise their rights. Ms. Braun said that a great website to visit for more information is coloradocounts.com.

Commissioner Schroeder asked Ms. Braun to keep them posted on the initiatives. Commissioner Schroeder has concerns about the audit process of rank choice voting.

Commissioner Richardson stated that it is complicated enough, but even more with all the votes going to one place. You wouldn't be able to tell where the votes came from.

Ms. Braun stated that on another note, Dominion has sent answers to the questions that were sent out and that she would like to speak again regarding contracts for the voting system.

2. Discussion regarding Ballot Question on Term Limits

Citizen Michelle Ingersoll, 8445 CR 122, spoke recently regarding a ballot question to extend term limits in order to retain good, qualified elected officials in office for a third term if they were to be elected again. Ms. Ingersoll presented a community survey to show interest in the extension of term limits, and if the community is in favor. Ms. Ingersoll presented the ballot language and asked the Board to consider the ballot question for the upcoming election in November.

Commissioner Schroeder appreciates the time Ms. Ingersoll has put into the research.

Commissioner Richardson asked about the participation numbers on the survey.

H. ACTION ITEMS

1. Consideration of May 22, 2024 Minutes

Motion: Approval of May 22, 2024 Minutes

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

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

2. PUBLIC HEARING - Liquor License Transfer for Elizabeth Restaurant, LLC dba Spring Valley Golf Club

Motion: To Open a Public Hearing for a Liquor License Transfer for Elizabeth Restaurant, LLC dab Spring Valley Golf Club

Commissioner Dallas Schroeder made a motion to open a Public Hearing for a Liquor License Transfer for Elizabeth Restaurant, LLC dba Spring Valley Golf Club . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 10:15 AM

Liquor License Clerk Amanda Moore presented the application for liquor license transfer for Elizabeth Restaurant, LLC dba Spring Valley Golf Club. The previous business name was ER Golf Business, LLC. Ms. Moore stated that the name change came with a change in the managing member of the company, but no other changes were noted in the application.

The applicants completed their background checks and there were no concerns. Ms. Moore stated the Golf Club Manager, Vladimir Mocevic was present if the Board had any questions. Staff recommends approval of the Liquor License Transfer.

Commissioner Richardson asked if there was a temporary liquor license.

Ms. Moore stated that a temporary liquor license was issued and is valid until September 11, 2024 while the applicant is going through the transfer. They will be able to operate like normal.

Public Comment: None

Motion: To Approve the Transfer of Liquor License for Elizabeth Restaurant, LLC dba Spring Valley Golf Club

Commissioner Dallas Schroeder made a motion to Approve the Transfer of Liquor License for Elizabeth Restaurant, LLC dba Spring Valley Golf Club. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Motion: To Close a Public Hearing for a Liquor License Transfer for Elizabeth Restaurant, LLC dab Spring Valley Golf Club

Commissioner Dallas Schroeder made a motion to close a Public Hearing for a Liquor License Transfer for Elizabeth Restaurant, LLC dba Spring Valley Golf Club . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 10:18 AM

3. Second Reading and Possible Approval of an Ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance to SB 24-131

Motion: To Open a Public Hearing for an ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance SB 24-131.

Commissioner Grant Thayer made a motion to Open a Public Hearing for an ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance SB 24-131. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 10:19 AM.

Commissioner Richardson presented the Ordinance that was first read on the 22nd of May. Commissioner Richardson explained that the ordinance will protect citizens' rights in Elbert County to carry in sensitive spaces and nullify the bill in local areas.

Commissioner Schroeder agrees with Commissioner Richardson on the right to defend oneself.

County Attorney Bart Greer spoke about the limitations on persons with concealed carriers and stated that we can maintain a bit of control over the rights of citizens through this ordinance.

Public Comment: None

Motion: To Approve an Ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance to SB 24-131.

Commissioner Grant Thayer made a motion to Approve an Ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance to SB 24-131

. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Motion: To Close a Public Hearing for an ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance SB 24-131.

Commissioner Grant Thayer made a motion to close a Public Hearing for an ordinance to Protect the Right to Carry in Sensitive Spaces in Accordance SB 24-131. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 10:24 AM.

4. Approval of the Fleet Management Policy Update

Commissioner Richardson stated that after staff comments were received, those suggestions were incorporated into the policy and the published policy is the final draft.

County Attorney Bart Greer stated that all feedback was considered.

Commissioner Richardson stated that the new Fleet Manager also had time to review the policy.

Public Comment: None

Motion: To Approve the Fleet Management Policy

Commissioner Dallas Schroeder made a motion to Approve the Fleet Management Policy. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

I. BOARD PLANNING

1. Agenda Items for Next Meeting

a. Audit Update from Finance

b. CR-158 Update

Commissioner Richardson called a recess at 10:29 AM to return at 1:00 PM for the Land Use Hearings.

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

1:08 PM Commissioner Richardson explained that there may have been a notice issue regarding the CR 166 Storage EDZ and is requiring that a re-notice and certified mailings be done in this matter.

Commissioner Richardson called a recess at 1:13 PM.

The Land Use Meeting was called to order at 1:20 PM. Deputy Clerk Amanda Moore called the roll and all commissioners were present.

1. Innovative HVAC SUR

Motion: To Open a Public Hearing for Innovative HVAC SUR

Commissioner Grant Thayer made a motion to Open a Public Hearing for Innovative HVAC SUR.
Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 1:21 PM

Community and Economic Development Director Marc Dettenrieder presented a Special Use by Review for a HVAC home business located at 2183 Thomas Ct. in the Thunder Hill subdivision. The applicants are Tomas and Sheri Paiz. Mr. Dettenrieder explained that traffic would not be impacted due to the fact that the company does not have customers that come to the office. There will be a maximum of six employees on site.

Applicant Tomas Piaiz stated that the property had a construction company on it before they moved there and that is the reason for all of the out buildings. Mr. Paiz agrees to the conditions listed.

Public Comment: None

Motion: To Approve the Innovative HVAC SUR



Commissioner Grant Thayer made a motion to Approve the Innovative HVAC SUR. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Motion: To Close a Public Hearing for Innovative HVAC SUR

Commissioner Grant Thayer made a motion to Close a Public Hearing for Innovative HVAC SUR. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 1:33 PM

2. Alpine Ready-Mix Economic Development Zone Site Development Plan

Motion: To Open a Public Hearing for Alpine Ready-Mix Economic Development Zone Site Development Plan

Commissioner Dallas Schroeder made a motion to Open a Public Hearing for Alpine Ready-Mix Economic Development Zone Site Development Plan. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 1:37 PM.

Community and Economic Development Director Marc Dettenrieder presented an application for a EDZ Site Development Plan for Alpine Ready-Mix located in the 6 Arrow East Commercial Area. The applicant is Alex Cabriaes of Cabriaes Holdings, LLC. Mr. Dettenrieder explained that there are no unresolved issues related to the referral process and listed the conditions of approval.

Commissioner Schroeder asked how the conditions would be monitored in a timely fashion.

There was a brief discussion regarding conditions of approval.

Commissioner Thayer asked if the well on his property could service the other lots as well.

Applicant Alex Cabriaes said the well would support the other lots and agreed to the conditions of approval.



Public Comment:

Tanya Marchiol, asked the applicant questions regarding the set-up of the plant.

Motion: To Approve Alpine Ready-Mix Economic Development Zone Site Development Plan

Commissioner Dallas Schroeder made a motion to Approve Alpine Ready-Mix Economic Development Zone Site Development Plan. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Motion: To Close a Public Hearing for Alpine Ready-Mix Economic Development Zone Site Development Plan

Commissioner Dallas Schroeder made a motion to Close a Public Hearing for Alpine Ready-Mix Economic Development Zone Site Development Plan. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Closed at 2:06 PM.

3. Regulation Updates

Motion: To Open a Public Hearing for Regulation Updates

Commissioner Grant Thayer made a motion to Open a Public Hearing for Regulation Updates. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 2:07 PM

Community and Economic Development Director Marc Dettenrieder presented the proposed regulation updates. Mr. Dettenrieder explained that the proposed updates were approved by the planning commission.

There was a brief discussion regarding updates to the hearing notice procedures and the Commissioners asked that that be completed and brought back to them at the next meeting.

Public Comment: None

Motion: To Continue to June 26, 2024 at 1:00 PM and Close a Public Hearing for Regulation Updates

Commissioner Grant Thayer made a motion to Continue to June 26, 2024 at 1:00 PM and Close a Public Hearing for Regulation Updates. Commissioner Dallas Schroeder seconded the motion.

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

Public Hearing Opened at 2:19 PM

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K. ADJOURNMENT

Motion: To Adjourn

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

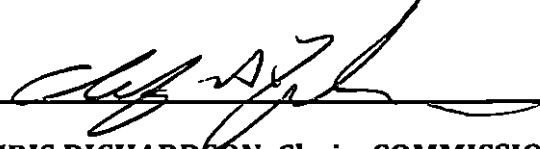
Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

The meeting Adjourned at 2:19 PM.

BOARD OF COUNTY COMMISSIONERS

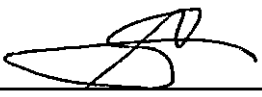
ELBERT COUNTY, COLORADO



CHRIS RICHARDSON, Chair, COMMISSIONER District 1



DALLAS SCHROEDER, Vice-Chair, COMMISSIONER District 2



GRANT THAYER, COMMISSIONER District 3

ATTEST: Amanda Moore

Deputy Clerk

BY: 

Deputy Clerk to the Board of County Commissioners