

ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room

September 25, 2024 at 9:00 AM

638287 B: 847 P: 455 MM

10/24/2024 02:44:07 PM Page: 1 of 6 R 0.00 D
Rhonda Braun Recorder, Elbert County, Co



A. INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor Dave 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 9:02 AM. Deputy Clerk Emily Backhus-Irwin 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

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 Receipt of Variance Reports
4. Ratification of Designation of Voting Members for the Upcoming CCI 2025 Legislative Priorities Meeting
5. Ratification of Mineral Lease Extension with Lone Tree Partners
6. Approval of Engagement Letter for Legal Services Provided by Berg Hill Greenleaf Ruscitti, LLP

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Finance Director Tiffany Hermes gave a brief update to the budget. On September 17th all the general fund



departments presented their budgets to the Commissioners in a workshop.

Commissioner Thayer inquired how long the Commissioners have to review the budget before the draft is due on October 15th.

Ms. Hermes stated 1-2 weeks would be ideal so they would have time to put the rough draft together before the deadline.

F. CITIZEN PUBLIC COMMENT

Dana Hays - 24421 Main St - Ms. Hays stated the water issues on Mainstreet in Elbert still continue. Ms. Hays presented the Commissioners with some photos.

Kerry Jiblits - 19656 Wedemeyer Rd - Ms. Jiblits asked if there was any new information from Xcel and their application. Ms. Jiblits stated Xcel presented a new set of option agreements to homeowners.

Suni Mills - 27310 Forest Ridge Dr – Ms. Mills asked about the redistricting maps, the 2020 elections and past fundraisers.

Commissioner Richardson responded about Xcel, and they have not received an application yet.

Commissioner Schroeder addressed Ms. Hays concerns and said they are still working on plan to upgrade the drainage in the Town of Elbert. Commissioner Schroeder also said the county will hold a public meeting in the Town of Elbert to gather suggestions from citizens and the County to come up with a solution but it will take some time.

Commissioner Schroeder addressed Ms. Mills questions and stated for the record in regard to re-districting the maps and the new commissioners' districts, those are done statewide every 10 years based on the census. Mr. Schroeder stated that several maps were presented at public meetings and all participants were in favor of the final 2 selections and ranked the map which was adopted as the preferred one.

Commissioner Schroeder stated that the Clerk and Records office did count the ballots by hand to verify that the tabulator count was accurate and to show everyone that Elbert County was doing it correctly.

Commissioner Schroeder clarified that no confidential voter information was kept on the hard drives and explained how the elections process works. Commissioner Schroeder encouraged anyone who has any questions about the 2020 election to visit him and he stated he will always have an open door.

Commissioner Thayer stated that Commissioner Schroeder answered the questions clearly.

Commissioner Richardson said that they have a member of the press in the room today and they had a members of the press when they were making their decisions on the maps for the redistricting.

Commissioner Richardson addressed Ms. Mills final concern about elected officials attending a party fundraiser. Commissioner Richardson stated that's what elected officials do, they generally support their party's events and he included he was there as well. It was open to the public and everything he heard presented was accurate.



G. DISCUSSION ITEMS

1. Discussion on Clear Ballot Voting Equipment Contract

County Attorney Bart Greer stated he is still reviewing the equipment contract and expressed that he feels it's really close to acceptance. Mr. Greer stated there is a non-appropriation clause that needs to be addressed, but otherwise it is almost ready to adopt.

Commissioner Schroeder said he had a call last week with Clear Ballot, and they stated the non-appropriation clause was an oversight on their part. Mr. Schroeder stated he also feels good about the contract.

Commissioner Richardson said he is also comfortable moving forward with the contract in the next meeting and Mr. Greer agreed.

2. Presentation and Discussion on Draft 2023 Audit

Representative Matt Marino with Ruben Brown presented the 2023 draft audit to the Commissioners. Mr. Marino stated that there was nothing in the financial statements out of the ordinary other than some obvious additional activity related to the flooding that occurred and the appropriations associated with that. Mr. Marino anticipates auditing for FEMA funds into 2024 as well. Mr. Marino explained the assets and liabilities and noted there was also nothing out of the ordinary. Mr. Marino stated that in the audit of the three federal expenditure programs related to Human Services, there was a deficiency in the Medicaid cluster for insufficiency in internal controls and one finding on interior weakness in the 4E program where certain monitoring was not occurring due to staffing and other issues. Mr. Marino explained the county management team has received a correction plan and are well aware of how to fix the issue and they were very cooperative. Mr. Marino stated that the finance team and all the departments worked very hard this year and did a great job.

Commissioner Schroeder asked, as far as the corrective action plans, does Mr. Marino feel comfortable that with that in place we will be able to catch any issues in 2024?

Mr. Marino stated yes, the departments are now well aware of what needs to be done and know they can lean on the State for additional needs as well.

Commissioner Richardson called a recess at 9:45 AM and returned at 10:00 AM.

H. ACTION ITEMS

1. Consideration of September 4, 2024 Minutes

Motion: Approval of September 4, 2024 Minutes

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

Yes - Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

2. Consideration of September 11, 2024 Minutes

Motion: Approval of September 11, 2024 Minutes

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

638287 B: 847 P: 455 MM
10/24/2024 02:44:07 PM Page: 4 of 6 R 0.00 D
Rhonda Braun Recorder, Elbert County, Co

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

3. Consideration of Approval of Road Use Agreement for Hytek RV & Boat Storage

Motion: To Approve the Road Use Agreement for Hytek RV Boat & Storage.

Commissioner Grant Thayer made a motion to Approve the Road Use Agreement for Hytek RV Boat & Storage. Commissioner Dallas Schroeder seconded the motion.

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

4. Consideration of Approval of Appointment to fill Planning Commission Vacancy

Commissioner Richardson stated that Roger Burton's seat has been vacant for the District 1 Planning Commission and he had been approached by Jon Waller to fill the position. Mr. Waller is a former law enforcement officer and a current serving member of the Elizabeth School District Board of Education and a former candidate for County Commissioner from District. 1. Commissioner Richardson nominates Mr. Waller for that seat position.

Motion: Appointment of Jon Waller to Planning Commission for District 1

Commissioner Dallas Schroeder made a motion to appoint Jon Waller to Planning Commission for District 1. Commissioner Grant Thayer seconded the motion.

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

I. BOARD PLANNING

1. Agenda Items for Next Meeting

- 1) Clear Ballot Contract
- 2) Discussion for the 2023 Budget
- 3) Consideration of September 25, 2024 Minutes
- 4) Special Meeting ETA for engagement of outside counsel with Berg, Hill, Greenleaf and Ruscutti

Commissioner Richardson called recess at 10:08AM to return at 1:00 PM for the Land Use Hearings located at the AG building.

J. LAND USE HEARINGS 1:00 P.M. - LOCATED IN THE AG BUILDING

Land Use Hearings were called to order at 1:00 PM. Deputy Clerk Emily Backhus-Irwin called the roll and all Commissioners were present.

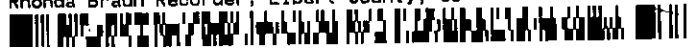
1. **Spring Valley Ranch Metropolitan District No. 5 Amended and Restated Service Plan and No. 7 Service Plan for Metro Districts**

(Applicant has requested a withdrawal)

Commissioner Richardson stated the Applicant has requested a withdrawal for the hearing for Spring Valley Ranch Metropolitan District No 5 Amended and Restated Service Plan and No. 7 Service Plan for Metro Districts. Commissioner Richardson asked Ms. Jones if there was any further information to be presented to the Commissioners.

Land Use Planner Manager Jennifer Jones stated she is just acknowledging the withdrawal and there was no other information to relay at this time.

638287 B: 847 P: 455 MM
10/24/2024 02:44:07 PM Page: 5 of 6 R 0.00 D
Rhonda Braun Recorder, Elbert County, Co



2. EC East - Planned Unit Development (PUD) and EC East - Preliminary Plat

The applicant, Carolyn White, said that there was unauthorized removal of the hearing signs placed on the property and requested a new hearing date of October 24, 2024 at 10:00 AM in order to properly notice the public about the hearing and stay in compliance. Ms. White also stated the hearing date for the service plans has not been set yet, but will be in November.

Commissioner Richardson inquired if this would be a full re-notice of mail, newspaper and signage and the applicant said yes.

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 1:04 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: Emily Backhus-Irwin

Deputy Clerk

BY:

Deputy Clerk to the Board of County Commissioners