

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

A. INVOCATION/PLEDGE OF ALLEGIANCE:

Pastor Farthing 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 9:07 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 CED Pipeline Report
4. Approval of Liquor License Renewal for Singing Hills Liquor
5. Ratification of Contract Amendment #5 with the Colorado Dept. of Human Services for Behavioral Health

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

1. A Proclamation Recognizing National 4H Week - October 6th to 12th



Kali Benson from the CSU Extension office introduced a few members of the 4H-Club and their theme this year is Beyond Ready. Several members prepared essays about the 4H program and the impact it has made in their lives. The following members read them aloud to the Commissioners:

Katelynne Good
Eden Swan
Annabelle Swan
Leah Lave
Cora Lave

Commissioner Richardson read the Proclamation out loud and thanked everyone for their support in the program. Ranchland News reporter Jon Hill captured photos of the 4Hers and the Commissioners.

2. **A Proclamation Recognizing the Annual Domestic Violence Awareness Month and Purple Thursday**

Sabrina Wright with the Elbert County Crisis Center provided some statistics about domestic violence and explained what services the crisis center provides to the residents of Elbert County. Ms. Wright said October 17, 2024 is Purple Thursday in support of domestic violence victims.

Commissioner Richardson read the proclamation out loud and Mr. Hill from Ranchland News took some photos with Ms. Wright and the Commissioners for the paper.

3. **Elected Officials/Department Heads/Staff Reports**

Public Trustee and Treasurer Sherry Hewlett stated that the tax lien sale will be on November 19, 2024 starting at 9AM and to provide better service to the residents, requested pre-registration through the county website. The list for the sale will be available online October 10, 2024.

County Clerk and Recorder Rhonda Braun said the election department had successful testing of their voting equipment. Ms. Braun stated that ballots will begin to be mailed out starting October 11, 2024 and reminded everyone that the offices will be closed this coming Monday, October 14, 2024 in observance of holiday.

Office of Emergency Management Director, Aaron Borne stated at 9:00 AM this morning, their office sent out a successful test text message to those registered with CodeRED ensuring the system is working properly. Mr. Borne also said OEM has restarted the LEPC (Local Emergency Planning Committee) to have a coordinated approach to community preparedness in the event of natural disasters and emergencies. Mr. Borne stated he is excited they are now working with CDOT to start a project cleaning up 19 drainage ditches located in Simla that have residual damage from the 2023 flooding.

All 3 Commissioners thanked Mr. Borne for all his efforts and progress since joining Elbert County.

Veterans Service Officer Matt Peters gave an update to the veterans' service office stating they now have full accreditation from the State of Colorado and Federal Veterans Administration.

F. CITIZEN PUBLIC COMMENT

Jill Duvall – 40753 CR 21 – Ms. Duvall stated her objections to the expenditures and the contracts for the County Attorney and Manager.

Robert Rowland – 1891 Pawnee Pkwy – Mr. Rowland expressed concerns with the past actions of the county and future actions of the new commissioners coming in.



Pastor Trace Farthing – 23928 Broadway – Pastor Farthing spoke about a movie that was recently shown at Elbert Christian Church called Legacy that highlighted suicide and invited the Commissioners and the public to an event being held on October 17, 2024 at 6 PM to discuss any issues they feel the need to discuss.

Don Gray – 16000 Hwy 86 – Mr. Gray asked the Commissioners if there was any update for the Xcel project.

OEM Director Aaron Borne provided an update that they were notified Xcel is in the process of finishing their surveys to submit the application for approval.

Commissioner Richardson stated his office has not yet heard from Xcel.

G. DISCUSSION ITEMS

1. Discussion on Clear Ballot Voting Equipment Contract

Commissioner Schroeder said there are some minor changes to the contract regarding the non-appropriations clause and is confident it will be ready for approval at the next BOCC meeting.

H. ACTION ITEMS

1. Consideration of September 30, 2024 Special Meeting Minutes

Motion: Approval of September 30, 2024 Special Meeting Minutes

Commissioner Grant Thayer made a motion to approve the minutes as presented and dispensed with the reading. Commissioner Dallas Schroeder seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

2. Consideration of October 1, 2024 Special Meeting Minutes

Motion: Approval of October 1, 2024 Special Meeting Minutes

Commissioner Dallas Schroeder made a motion to approve the minutes as presented and dispensed with the reading. Commissioner Grant Thayer seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

3. PUBLIC HEARING - Special Event Liquor Permit for the Elbert County Sheriff's Foundation

Motion: To Open a Public Hearing for Special Event Liquor Permit for the Elbert County Sheriff's Foundation.

Commissioner Grant Thayer made a motion to Open a Public Hearing for Special Event Liquor Permit for the Elbert County Sheriff's Foundation. Commissioner Dallas Schroeder seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

Public Hearing Opened at 10:05 AM





Deputy Clerk Amanda Moore presented an application for a Special Event Liquor Permit for the Elbert County Sheriff's Foundation. There were no changes after presentation of the application and all the fees were paid. Staff recommends approval.

Commissioner Richardson asked if the event would only be for beer and wine, no liquor will be served? Sheriff Norton replied yes to the beer and wine only.

Sheriff Norton reached out for additional employees from the Elbert County Breweries during the event.

Public Comment: None

Motion: Approve the Special Event Liquor Permit for the Elbert County Sheriff's Foundation

Commissioner Grant Thayer made a motion to Approve Special Event Liquor Permit for the Elbert County Sheriff's Foundation. Commissioner Dallas Schroeder seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

Motion: To Close a Public Hearing for Special Event Liquor Permit for the Elbert County Sheriff's Foundation.

Commissioner Grant Thayer made a motion to Close a Public Hearing for Special Event Liquor Permit for the Elbert County Sheriff's Foundation. Commissioner Dallas Schroeder seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

Public Hearing Closed at 10:08 AM

4. Approving Spring Valley Metro District 1 Roads for Full Acceptance

Public Works Director Monty Hankins requested approval on several roads for acceptance of maintenance by Elbert County Road and Bridge.

Public Comment: None

Motion: Approve Spring Valley Metro District 1 Roads for Full Acceptance by Elbert County Road and Bridge.

Commissioner Dallas Schroeder made a motion to Approve Spring Valley Metro District 1 Roads for Full Acceptance by Elbert County Road and Bridge. Commissioner Grant Thayer seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No - None

5. Consideration of Executive Contracts/ Letters of Engagement (County Manager & County Attorney)

Commissioner Richardson provided background about the subject of compensation and what was done in the past. Mr. Richardson stated the county have been increasing salaries to market rate throughout the

county. Mr. Richardson said the Commissioners and the Human Resources department have spent a lot of time reviewing all the departments salaries and increasing to fair market rate before addressing the County Attorney and County Manager last.

Commissioner Richardson also stated that the length of contract extension ensured continuity of business operations and the contracts are fair and right for the retention of valuable employees. Mr. Richardson appreciated the publics comments and said it provides an opportunity to educate the residents how funds are allocated.

Commissioner Thayer agreed with Commissioner Richardson's comments. Mr. Thayer stated when County Manager Fletcher joined Elbert County, they went through each department and assessed compensations with respect to what they provide to the county.

Commissioner Schroeder echoed Commissioner Richardson's comments about business operations with the upcoming new board members that policies being carried out will be done with the same expectations of the current board. Mr. Schroeder stated value has been added to the organization with appropriately compensated individuals and it's been a tremendous benefit to the county having the IT department brought in house.

Public Comment –

Dana Hays – 24421 Main Street – Ms. Hays expressed concerns about the contract acceptances by the Attorney and Manager negotiating exorbitant raises. Ms. Hays also said she doesn't want her taxes raised to pay their salaries.

Robert Rowland – 1891 Pawnee – Mr. Rowland appreciated the explanation and rationale from the Commissioners for the compensation. Mr. Rowland said he did have issues on how the Commissioners procedures were done stating they didn't initially follow the open meetings law statute. Mr. Rowland commended their efforts.

Nic Meyer – PO Box 1490 – Mr. Meyer stated his opinion that Commissioners arrogance got them where they are today and inability to do the right thing.

Todd Collins – 34249 CR 13 – Mr. Collins asked the Commissioners who drafted the attorney's contract and has concerns with how the contract reads. Mr. Collins also asked that the auto renewal clause be taken out.

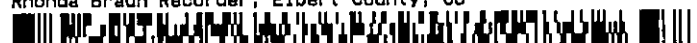
Close Public Comment

Commissioner Richardson said that the form of the contracts were created prior to Commissioner Richardson and Thayer taking office and that they are committed to developing specific policy to guide the process for future executive contracts and extensions. Commissioner Richardson also said that this policy will follow the strictest interpretation of COML.

The Commissioners all addressed the publics comments at length.

Motion: To Approve the Executive Contracts/Letters of Engagements for the County Manager and County Attorney with the dates corrected on the contracts.

Commissioner Thayer made a motion to approve the Executive Contracts/Letters of Engagements for the County Manager and County Attorney. Commissioner Schroeder seconded the motion.



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

I. BOARD PLANNING

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Rhonda Braun Recorder, Elbert County, Co



1. Agenda Items for Next Meeting

- A) Draft Budget Review
- B) Hearing for 2025 Setting
- C) Clear Ballot Contract
- D) Consideration of September 25, 2024 Meeting Minutes
- 5E Consideration of October 9, 2024 Meeting Minutes

Commissioner Richardson called a recess at 11:04 AM to return at 1:00 PM for the Land Use hearings.

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

The Land Use meeting was called to order at 1:01 PM. Deputy Clerk Emily Backhus-Irwin called the roll and all Commissioners were present.

1. Moorstead PUD Rezoning

Motion: To Open a Public Hearing for Moorstead PUD Rezoning

Commissioner Dallas Schroeder made a motion to Open a Public Hearing for Moorstead PUD Rezone. Commissioner Grant Thayer seconded the motion.

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

Public Hearing Opened at 1:02 PM.

Logan Simpson Design Planning Consultant Jen Gardner present an application to rezone the subject property comprised of 1,100 acres from Agricultural (A) to Planned Unit Development (PUD). Ms. Gardner said the vision is to provide approximately 1, 193 residential unites and 950,000 square feet of retail commercial or commercial mixed-use space along with 452 acres of amenities, parks and open space. Ms. Gardner said they will be adding one more condition in regard to the fees being paid before he rezone becomes effective. The staff is recommending approval.

The Applicant, Donna Barrentine from Atwell LLC provided a brief presentation for the PUD as well. PCS Group landscaping agricultural liaison Paul Shukas provided slides showing the landscaping for the PUD and LSC Traffic Consultant Chris McGranahan presented a traffic infrastructure map.

Jim Marshall from Spring Valley Ranch spoke about being comfortable moving forward with the direct reuse of water. Mr. Marshall stated there is plenty of water available.

Commissioner Richardson asked a few questions about retail, metro districts and the new lanes for traffic flow.

Commissioner Richardson asked the applicant if they accept the conditions. The applicant agreed.

Public Comment – None

Commissioner Thayer asked if there will be a road development plan. Mr. McGranahan said it will be created as the project progresses.

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Rhonda Braun Recorder, Elbert County, Co

Motion: Approval of Moorstead PUD Rezoning



Commissioner Dallas Schroeder made a motion to Approval of Moorstead PUD Rezoning with the additional condition added. Commissioner Grant Thayer seconded the motion.

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

Motion: To Close a Public Hearing Moorstead PUD Rezoning

Commissioner Dallas Schroeder made a motion to Close a Public Hearing for Moorstead PUD Rezoning. Commissioner Grant Thayer seconded the motion.

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

Public Hearing Closed at 1:50 PM.

Commissioner Richardson called a brief recess and returned at 1:57 PM.

2. Hillside Estates Rezone RZ-2024-5010

Motion: To Open a Public Hearing for Hillside Estates Rezone RZ-2024-5010

Commissioner Grant Thayer made a motion to Open a Public Hearing for Hillside Estates Rezone RZ-2024-5010. Commissioner Schroeder seconded the motion.

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

Public Hearing Opened at 1:58 PM

Land Use Planning Manager Jennifer Jones presented an application for Hillside Estates to rezone 41.62 acers from Agricultural (A) to Residential-1 (R-1) at 5010 Hunt Circle Dr, Elizabeth. Ms. Jones said the subject property was originally part of the Moorstead Planned Unit Development application but the owner decided to proceed with a separate application. Staff recommends approval.

Applicant Donna Barrentine from Atwell LLC presented slides for the Hillside Estates.

Commissioner Thayer asked about the road agreements with Moorstead. Ms. Barrentine said they will be working closely with Moorstead during development.

Commissioner Schroeder asked if this application is similar to Moorstead as far as water being provided through Spring Valley Ranch. Ms. Barrentine said yes, it is the same as Moorstead.

Commissioner Richardson asked the applicant if they accept the conditions. The applicant replied, yes.

Public Comment – None

Motion: To Approve Hillside Estates Rezone RZ-2024-5010

Commissioner Grant Thayer made a motion to Approve Hillside Estates Rezone RZ-2024-5010.
Commissioner Dallas Schroeder seconded the motion.

Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

Motion: To Close Public Hearing for Hillside Estates Rezone RZ-2024-5010

Commissioner Grant Thayer made a motion to Close Public Hearing for Hillside Estates Rezone RZ-2024-5010. Commissioner Dallas Schroeder seconded the motion.

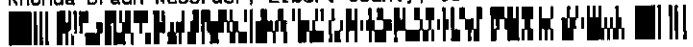
Yes – Chris Richardson, Grant Thayer, Dallas Schroeder

No – None

K. ADJOURNMENT

Motion: To Adjourn

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Rhonda Braun Recorder, Elbert County, Co



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 2:12 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