



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room

April 23, 2025 at 9:00 AM

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Rhonda Braun Recorder, Elbert County, Co



A. INVOCATION/PLEDGE OF ALLEGIANCE: SON COUNTRY CHURCH

Pastor Bill Andersen from Son Country Church provided the Invocation and led the Pledge of Allegiance.

B. CALL TO ORDER AND ROLL CALL

The regular meeting was called to order at 9:01 AM. County Clerk Rhonda Braun called the roll.

Byron McDaniel - Present
Dallas Schroeder - Present
Mike Buck - Present

C. APPROVAL OF AGENDA

Motion: Approval of Agenda as presented.

Commissioner Mike Buck made a motion to Approve the Agenda as presented. Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck
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 Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck
No - None

1. Approval of CDS Mylars as needed
2. Approval of Vouchers as needed
3. Acknowledgment of Variance Reports
4. Approval of the Updated Organizational Appointments and Reappointments Resolution
5. Consideration of Appointment for Dawn Sager to the Noxious Weed Board
6. 1st Quarter 2025 Public Trustee Report



7. Ratification of Letter of Support for the Town of Kiowa's Well Redundancy Project

E. PROCLAMATION

1. A Proclamation for National Day of Prayer

Commissioner Schroeder read the Proclamation for National Day of Prayer.

Motion: Approve Proclamation

Commissioner Mike Buck made a motion to Approve the Proclamation for National Day of Prayer.
Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

F. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Assessor Susan Murphy stated this year is a reappraisal year and noted that 2025 appears to be stable with slight increases.

Public Works Director Monty Hankins and Finance Director Tiffany Hermes recognized Ashley Deanne, Corynne Zodrow and Chris Zodrow for their incredible efforts working with FEMA and the June 2023 flooding. Their efforts helped Elbert County receive an estimate of \$2.2 million back to the county.

G. CITIZEN PUBLIC COMMENT

Suni Mills - 27310 Forest Ridge Dr - Ms. Mills expressed her concerns about grading the roads and all the dust that gets stirred up.

Kerry Jiblits - 19656 Wedemeyer Rd - Commended the Planning Commission on an application that included over 2000 pages and how well they thoroughly asked questions and responded to public comment.

Don Gray -16000 State Highway 86 - Also thanked CDS and the Planning Commission for all their hard work on the 1041.

H. DISCUSSION ITEMS

1. Discussion regarding Updates to the Fleet Management Policy

County Attorney Bart Greer provided an update to the Fleet Management Policy noting changes in the policy:

- How vehicles are used
- Who uses them
- Limitations on use
- Sheriff's Office use
- Types of persons covered when driving or as a passenger in a county vehicle
- Insurance coverages

Commissioner Schroeder requested clarification on several of the proposed changes to the Fleet Policy.



12.2.3 Take-Home Vehicles will be provided to those employees who have management or supervisory duties/responsibilities and are routinely expected to respond to operational emergencies from the employee's residence during off-duty hours.

Mr. Schroeder asked who determines which employees qualify for take-home vehicles.

Mr. Greer responded that the County Manager makes the determination.

12.2.5 Take home vehicle for training/conferences/meetings

Mr. Schroeder asked if the policy is clear to public and employees.

Mr. Greer stated that vehicles should not be for personal use, would allow for stopping at a convenience store on the way home or going to a restaurant for lunch during the course of duties.

12.2.9.3 Friends and/or family members (i.e. spouse, children) may ride in County vehicles as appropriate as determined by County Manager or the BOCC.

Mr. Schroeder asked if this is allowed by our insurance.

Mr. Greer responded that insurance allows spouse, family or personnel from other counties, and 4H to ride in County vehicles, would allow for picking up non-County personnel such as a spouse, would permit stopping at a venue on the way or on the way home from work.

12.2.9.4 County vehicles should not be used for anything other than official County business. Vehicles should not be used for personal use such as going on a vacation or moving.

Mr. Schroeder stated that the vast amount of County employees use vehicles appropriately and responsibly. We have had instances in the past where vehicles weren't used responsibly and we want to be able to reign that in if that were to happen.

Commissioner McDaniel asked that the Updates to the Fleet Policy be moved to Action Item #12.

Commissioner Buck made a motion to move the Updates to the Fleet Policy to Action Item #12.

Mr. Schroeder seconded the motion.

Mr. Schroeder pointed out that there is only one Action Item on the agenda and wondered why this would be Action Item #12. Mr. McDaniel stated that this should be Item #12.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

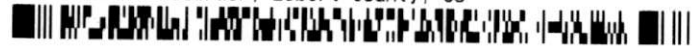
No - None

Public Comment - None

2. Discussion regarding Updates to the Building Department Fees

Community and Economic Development Director Marc Dettenrieder and Building Department Manager Rob Dana provided an update on the Building Department Fees.

Commissioner McDaniel called for a brief recess at 9:41 AM to address technical issues with livestreaming.



Motion: Recess for 15 minutes

Commissioner Mike Buck made a motion to recess for 15 minutes. Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

Meeting came out of recess at 9:55 AM.

Based on previous work study sessions, Mr. Dettenreider and Mr. Dana outlined major topics with suggestions and options for the BOCC to consider possible changes to the building department fees.

- 1) ICC Building Valuation Table – consider using an updated table
- 2) Consider using a modifier on Group U (pole barns, greenhouses, storage shed, etc.) to reduce pricing of square feet charges by 25%
- 3) IRC - International Residential Code – Consider moving to 2024 IRC Permit Schedule, may move to current version on January of each year.
- 4) Plan Review Fee – Consider applying a reduction of 35% or 50% of the permit fee. 7 jurisdictions that were compared all charged 65% of the permit fee
- 5) Other permits - finishing a shop or a basement – consider a flat fee for these permits
- 6) Contractor Licensing Fees – staff suggests going back to annual registration.

Commissioner Schroeder is not opposed to giving relief to citizens, but the BOCC should consider the impact to this year's budget.

Commissioner Buck asked which ICC Valuation Table would be used for the Group U permits – August 2024 or February 2025? Mr. Buck feels this is a targeted, very specific change and we should implement the modifier.

3. Discussion on a Resolution regarding an Update to Fire District Inclusion Coverage and Fee-in-Lieu of Inclusion

County Attorney Bart Greer provided an update to the fire district inclusion coverage for areas not currently covered by any fire district but also are not being taxed with respect to mills associated with the fire district. Fire districts still respond to emergencies on these properties, and the cost of emergency response falls on the landowner. This inclusion would provide a pathway to either join the fire district or pay a fee in lieu of mills. The Resolution is an update to the previously approved resolution and updates the fee to adjust for inflation. Mr. Greer recommends approval of the Resolution.

Public Comment -

County Assessor Susan Murphy - Is this fee paid to the fire district a one-time fee or an annual fee?

Mr. Greer stated it is a one-time fee. No affected residents have paid the fee up to this point though they have had the option – all residents have opted to join the fire districts.

Public Comment Closed.



I. ACTION ITEMS

1. Consideration of April 9, 2025 Minutes

Motion: Approval of April 9, 2025 Minutes

Commissioner Mike Buck made a motion to Approve the Minutes as presented. Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No – None

2. Consideration of Updates to the Fleet Management Policy

Commissioner Schroeder recommended that this item be moved to the next BOCC meeting. As there is no clear urgency to approve these updates, moving this item is in the interest of transparency and to give citizens an opportunity to evaluate this policy and comment on it.

Commissioner Schroeder made a motion to Move this item to the next BOCC meeting as an action item. Commissioner Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No – None

J. BOARD OF HEALTH

1. Quarterly Board of Health Presentation

Motion: To Open the Board of Health Meeting

Commissioner Dallas Schroeder made a motion to Open the Board of Health Meeting. Commissioner Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

Board of Health Opened at 10:27 AM

Public Health Director Sara McIntosh provided the quarterly update for the Board of Health. Environmental Health Specialist Marissa Ginger presented stats on clinic visits, OWTS permits/inspections and vital records updates.

Motion: To Close the Board of Health Meeting

Commissioner Dallas Schroeder made a motion to Close the Board of Health Meeting. Commissioner Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None



Board of Health Closed at 10:51 AM

K. BOARD PLANNING

1. Agenda Items for Next Meeting

1) Consideration of Updates to the Fleet Management Policy

Commissioner McDaniel called a recess at 10:51 AM to return at 1:00 PM for Land Use Hearings

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

Land Use Hearing was called to order at 1:00 PM. Clerk Rhonda Braun called the roll.

Byron McDaniel - Present
Dallas Schroeder - Present
Mike Buck - Present

1. WF Real Estate Rezone - RZ-2024-0023

Motion: To Open a Public Hearing for WF Real Estate Rezone - RZ-2024-0023

Commissioner Dallas Schroeder made a motion to Open a Public Hearing for WF Real Estate Rezone - RZ-2024-0023. Commissioner Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck
No - None

Public Hearing Opened at 1:01 PM

Land Use Planner Kelsey Lanham presented the application for a request to rezone 40.035 acres from Agricultural to Residential Agricultural. The subject property is southeast of Sun Country and north of EC West. The property currently has no structures on it. Staff recommends approval with conditions.

Public Comment - None

Motion: Approve WF Real Estate Rezone - RZ-2024-0023

Commissioner Dallas Schroeder made a motion to Approve WF Real Estate Rezone - RZ-2024-0023. Commissioner Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck
No - None

Motion: To Close a Public Hearing for WF Real Estate Rezone - RZ-2024-0023

Commissioner Dallas Schroeder made a motion to Close a Public Hearing for WF Real Estate Rezone - RZ-2024-0023. Commissioner Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck
No - None



Public Hearing Closed at 1:12 PM

2. **Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358)**

Motion: To Open a Public Hearing for Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358)

Commissioner Mike Buck made a motion to Open a Public Hearing for Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358). Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

Public Hearing Opened at 1:12 PM

Land Use Planner Danny Klibaner presented the application proposing to utilize the existing EDZ to develop approximately 77 acres along Kiowa-Bennett Road for a phased Site Development Plan (SDP) for a storage facility. The storage facility would include over 1,700 spaces for outdoor RV parking and 228,896 square foot mini-storage (46 buildings) consisting of 1,500 mini-storage units. The 3 lots are accessed by Kiowa-Bennett Road and Pavo Street, a private road that must be paved to the entrance of the facility per the Public Works traffic review. All access to the facility will have to be improved to meet commercial acre specifications. The applicant responded to all public comments and requested to move forward to public hearing, despite the project not having full staff support. The main issues addressed in the referral period included review of the on-site wastewater treatment system, revisions to Site Development Plan, traffic management and review, and concerns that this project does not meet the review criteria set forth by the zoning regulations. The size and scale of the storage facility is not in harmony with the agricultural and large lot residential context of the area. Staff does not recommend approval.

Applicant CJ Kirst addressed the Commissioner's questions.

Public Comment -

Peter Myers - 3987 Running Brook - Mr. Myers asked if the entrance to the RV park would impede oncoming traffic.

Suni Mills - Ms. Mills doesn't believe the vision of the project is in line with Elbert County.

Jill Nemeth - 43214 Vega - Ms. Nemeth doesn't want people coming in and out at night, possibly getting lost.

Steve Chinn - 8907 Lariat Loop/43804 Vega - Mr. Chinn shared concerns about the environmental impact of RV's being parked there and the light pollution.

Alan Mosely - 43803 Vega - Mr. Mosely stated he still hasn't received notice of this project and voiced



concerns about increasing traffic.

Beverly Durant - 40968 Kiowa-Bennet Rd - Ms. Durant voiced opposition to the project on behalf of adjoining property owners and voiced concerns about the road conditions.

Public Comment Closed.

The applicant responded to the public comment concerns.

Commissioner Schroeder asked the applicant if he would be open to working with staff and the County Attorney to put together a Development Guide Agreement (DGA) that would address issues raised by the Commissioners, staff and citizens. Issues would include scaling, lighting, access, speed of development, traffic studies, and impact of the surrounding area, and have certain trigger points throughout. The applicant agreed to Mr. Schroeder's suggestion of creating a DGA.

Motion: To Deny Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358)

Commissioner Mike Buck made a motion to deny Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358) based on the recommendations of the Planning Department.

Commissioner Schroeder made a secondary motion to postpone this hearing to June 25, 2025 pending the time for staff, the county attorney and the applicant to create a Development Guide that the Commissioners can evaluate at that time. There was no second on the secondary motion, therefore the second motion died.

Commissioner McDaniel declared the secondary motion "failed."

Commissioner McDaniel then seconded Mr. Buck's motion.

Yay - Byron McDaniel, Mike Buck
Nay - Dallas Schroeder

Motion: To Close a Public Hearing for Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358)

Commissioner Mike Buck made a motion to Close a Public Hearing for Peak Vista RV and Mini Storage Economic Development Zone Site Development Plan (EDZ-2024-4358). Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck
No - None

Public Hearing Closed at 2:32 PM

3. Pasture Gate Circle Variance - VAR-2024-3765

Motion: To Open the Board of Adjustments

Commissioner Mike Buck made a motion to Open the Board of Adjustments. Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

Board of Adjustments Opened at 2:33 PM

Land Use Planner Danny Klibaner presented the application requesting approval for a variance of 13'. This variance would allow for a 12' side setback in Running Brook Estates instead of the 25' setback that is standard. The 13' variance will allow the Tipples to build an accessory building that shares the same driveway as their residence. Staff recommends approval with conditions.

Public Comment -

Juan Reyes - 3751 Pasture Gate Cir - Mr. Reyes asked if what would need to be disclosed if he and his wife sell the property.

Commissioner Schroeder stated the variance should be disclosed at the time of the sale.

Don Burroughs - 3779 Pasture Gate Cir - Mr. Burroughs was concerned that approving a variance for one applicant would lead to having to approve future variances for others.

Applicant Don Tipple addressed the public comments.

Public Comment Closed

Motion: Approve Pasture Gate Circle Variance - VAR-2024-3765

Commissioner Dallas Schroeder made a motion to Approve Pasture Gate Circle Variance - VAR-2024-3765. Commissioner Mike Buck seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

Motion: To Close the Board of Adjustments

Commissioner Mike Buck made a motion to Close the Board of Adjustments. Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

Board of Adjustments Closed at 2:50 PM



M. ADJOURNMENT

Motion: To Adjourn

Commissioner Mike Buck made a motion to Adjourn. Commissioner Dallas Schroeder seconded the motion.

Yes - Dallas Schroeder, Byron McDaniel, Mike Buck

No - None

The meeting Adjourned at 2:50 PM



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

BYRON MCDANIEL, Chair, COMMISSIONER District 3

DALLAS SCHROEDER, Vice-Chair, COMMISSIONER District 2

MIKE BUCK, COMMISSIONER District 1

ATTEST: Rhonda Braun

County Clerk

BY:

Clerk to the Board of County Commissioners