



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
June 11, 2025 at 9:00 AM

644353 B: 853 P: 418 MM
07/09/2025 11:30:20 AM Page: 1 of 9 R 0.00 D
Rhonda Braun Recorder, Elbert County, Co



A. INVOCATION/PLEDGE OF ALLEGIANCE:

Public Works Director Monty Hankins provided the Invocation and led the Pledge of Allegiance.

B. CALL TO ORDER AND ROLL CALL

The regular meeting was called to order at 9:02 AM. County Clerk Rhonda Braun called the roll.

Byron McDaniel – Present

Mike Buck – Present

Dallas Schroeder – Present

C. APPROVAL OF AGENDA

Motion: Approval of Agenda as presented

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

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay - None

D. CONSENT AGENDA

Motion: Approval of Consent Agenda as presented

Commissioner Schroeder requested to move Item D5 to discussion items.

Commissioner Schroeder made a motion to Approve the Consent Agenda Items 1-4 moving Item 5 (Approval of Sheriff's Office CBA) to Discussion. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay - None

1. Approval of CDS Mylars as needed
2. Approval of Vouchers as needed
3. Acknowledgment of CDS Development Project Report
4. Amendments to the Recording Fees Schedule



5. Approval of Sheriff's Office CBA

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Commissioner McDaniel asked for prayers for Bob Ware. Bob broke his hip yesterday and went in for emergency surgery.

Public Works Director Monty Hankins provided an update to the May 24, 2025 hailstorm that hit the Town of Kiowa. Mr. Hankins said 52 county vehicles sustained damage, and they have reached out to their insurance to file a claim. The insurance adjuster will come out on June 18th and 19th to assess the vehicles.

Commissioner Schroeder asked Commissioner McDaniel for clarification on his comments in the May 28, 2025 meeting regarding his reasoning for approving the solar farm. Mr. McDaniel had stated that monies collected for fees for the solar farm will be used for a specific bridge. Commissioner McDaniel stated that the bridge on County Road 162 was built in the 1960's and needed repairs. Commissioner Schroeder was concerned that the statement had been made that indicated that the money would be used for a project, rather than coming before the BOCC for approval. Commissioner McDaniel stated that he was just sharing concerns about a particular bridge. Mr. McDaniel had also mentioned a citizen's group being formed to oversee the solar farm. Mr. Schroeder asked for more information on that, as he hadn't been informed of a citizen's group being formed. Mr. McDaniel stated that he was talking about a committee that was being formed for the comprehensive plan as well as the regulations and utilizing that. The committee hasn't been put together yet. Mr. Schroeder understood that this was a separate committee being put together to oversee the solar farm. Mr. McDaniel stated that it was absolutely not a separate committee.

F. CITIZEN PUBLIC COMMENT

Suni Mills -- 27310 Forest Ridge Dr -- Ms. Mills asked the Commissioners to re-review the master plan for the solar farm.

Kerry Jiblit -- 19656 Wedemeyer Rd -- Ms. Jiblit commended the Planning Commissioner for the phenomenal work during the public hearing for Xcel. The PC asked excellent questions that exposed Xcel's inconsistencies and discrepancies in their application. Ms. Jiblit asked the Commissioners to deny the application.

Pamela Chapel -- 30680 Mountain View Trl -- Ms. Chapel spoke about a friend that is in another state who is very familiar with the effects of Xcel's plan would have on Elbert County. Ms Chapel asked that the commissioners review the contract carefully. Ms. Chapel stated he is more than happy to come out and meet with the Commissioners.

Don Gray -- 16000 Hwy 86 -- Mr. Gray asked the Commissioners what the next steps were as Elbert County no longer has an attorney.

Commissioner McDaniel replied to Mr. Gray stating they have contracted with an attorney at this time.

Trent Chapel -- 30680 Mountain View -- Mr. Chapel spoke about the negative economic impact the Xcel project would have to the residents of Elbert County.

G. DISCUSSION ITEMS

1. Proposed Amendments to the Elbert County Standards and Specifications

County Engineer Dale Guillen presented proposed amendments to the Elbert County Standards and Specifications to the Commissioners.

2. Approval of Sheriff's Office CBA

Commissioner Schroeder stated his reasons for moving this to a discussion item:



- Staff Summary for this item was blank
- There are no supporting documents for Mr. Schroeder or the community to know what this is about
- Mr. Schroeder hadn't seen a final agreement. Commissioner Schroeder would like to review the agreement prior to voting. He was reminded of a democrat comment a few years back that we need to "Pass it to see what's in it."

Commissioners McDaniel and Buck stated that the BOCC had reviewed the agreement in executive session prior to sign off by a judge.

Commissioner Schroeder made a motion to move approval of the Collective Bargaining Agreement to the next board meeting pending review by the County Commissioners.

Attorney for the Sheriff's Office Todd Collins:

- The Elbert County Sheriff's Office, County Officials, the Union and the Respective Officials have negotiated the Collective Bargaining agreement for over a year now.
- Sheriff Norton, Undersheriff Fisher, County Officials and Union Members have all approved this Collective Bargaining Agreement
- The Union is completely out of patience
- If the CBA is delayed it will result in a lawsuit against the County and the Sheriff's Office, brought by the Union for bad faith negotiating.
- The CBA is fair for everyone involved and the citizens of the County as taxpayers. A lawsuit will result in additional and unnecessary legal fees that will likely exceed costs that the County will incur if/when they adopt the CBA.
- The CBA has been reviewed by all parties and shouldn't be delayed anymore. Mr. Collins recommends that this CBA get adopted today.
- This is more than a CBA signing – it is the start of healing between the Sheriff's Office and the County

Commissioner Schroeder stated that there is a motion on the floor.

Commissioner Buck thought the CBA was discussed and agreed upon in executive session.

Commissioner Schroeder's motion dies for lack of a second.

Motion: Move the Sheriff's Office CBA to Action Items

Commissioner Buck made a motion to Move the Sheriff's Office CBA to Action Items. Commissioner McDaniel seconded the motion.

Aye- Mike Buck, Byron McDaniel

Nay – Dallas Schroeder

H. ACTION ITEMS

1. Consideration of a Resolution Approving the Updated International Building Code Fee Schedule

CBO Rob Dana came before the Commissioners with the latest valuation table and suggested fee changes. Commissioner Schroeder thanked Mr. Dana for his time and asked if the concerns brought up about homeowners pulling permits versus contractors were still valid. Mr. Dana stated they were not as bad as they had initially thought.

Motion: Resolution Approving the Updated International Building Code Fee Schedule

Commissioner Buck made a motion to approve the Resolution Approving the Updated International Building Code Fee Schedule as presented in the packet. Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay - None



2. Approval of Sheriff's Office CBA

Motion: Approval of Sheriff's Office CBA

Commissioner Buck made a motion to Approve the Sheriff's Office CBA. Commissioner McDaniel seconded the motion.

Discussion – Commissioner Schroeder clarified that his concern was with the process, not the with the actual agreement.

Aye – Mike Buck, Byron McDaniel

Nay – Dallas Schroeder

I. BOARD PLANNING

1. Agenda Items for Next Meeting

A) Discussion on the modification to Economic Development Zones (EDZ)

B) Discussion in public meeting about moratorium

Commissioner McDaniel called a recess at 9:58 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 1:00 PM. County Clerk Rhonda Braun called the roll.

Byron McDaniel – Present

Mike Buck – Present

Dallas Schroeder – Present

1. Continued from May 28, 2025: Running Creek RV Storage, EDZ-2024-3548

Motion: Open Public Hearing for Running Creek RV Storage, EDZ-2024-3548

Commissioner Buck made a motion to Open Public Hearing for Running Creek RV Storage, EDZ-2024-3548.

Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

Public Hearing Opened at 1:00 PM

Danny Klibaner introduced the application. This item was continued from May 28, 2025. The item added was a traffic clarification and another letter from Public Works.

CJ Kirst, Representative for the Applicant, was asked by the Commissioners if he'd received the traffic letters with discussions from the last meeting. Mr. Kirst stated he did, and they did not show any change or cause. The applicant had an original approval letter from Kimley Horn and the County. The 2 new letters contradicted previous letters without any support for why a turn lane would be needed.

Commissioner Schroeder noted it sounded like the addition of the turn lane is more of a desire than a mandate.

Commissioner Buck stated that a traffic count was never conducted, although the applicant stated that it was not required. He asked Mr. Schroeder to compare the RV storage to the County Rd 166 RV storage facility.



Mr. Schroeder stated that there were different considerations with the other facility. He is also concerned that adding additional requirements on the applicant may make it too cost prohibitive for them to do what they want with their property.

Mr. Kirst asked for clarification on the requirements. Are they turn lane or also an acceleration/deceleration lane?
Commissioner McDaniel stated both.

Commissioner Schroeder proposed a five minute recess for Mr. Kirst to conference with the applicant.

Mr. Kirst requested a 30 day continuance to allow time to work with staff to get clarification on the requirements, get an approved design, get cost estimates, and decide whether they will need to work with FEMA. The applicant will not be able to agree to conditions today without knowing what the requirements are.

Motion: Continue to July 9, 2025 at 1:00 PM

Commissioner Buck made a motion to Continue to July 9, 2025 at 1:00 PM in the BOCC. Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel
Nay – None

Motion: Close Public Hearing for Running Creek RV Storage, EDZ-2024-3548

Commissioner Buck made a motion to Close Public Hearing for Running Creek RV Storage, EDZ-2024-3548.
Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel
Nay – None

Public Hearing Closed at 1:15 PM

2. Request for Subdivision Modification for Bighorn Ridge

Planning Manager Jennifer Jones presented a modification request for the Bighorn Ridge Subdivision. The request is to modify the length of a road leading to a cul-de-sac to the maximum length of 2700 feet. This request has been reviewed and approved by the County Engineer. Approval of the requested modification would be limited in nature and would not guarantee approval of the associated plat.

Motion: Agree to the Subdivision Modification for Bighorn Ridge

Commissioner Schroeder made a motion to Agree to the Subdivision Modification for Bighorn Ridge. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel
Nay – None

3. Bijou MET Tower Woehrel 0498 Special Use by Review, SUR-2024-0109

Commissioner McDaniel requested the Commissioners agree to hear all 3 Bijou MET Tower applications at once. The Commissioners had no objection.

Motion: Open Public Hearing for Bijou MET Tower Woehrel, SUR-2024-0109, Bijou MET Tower Hertneky 0598 Special Use by Review, SUR-2024-0114 and Bijou MET Tower Chambers 0798B Special Use by Review, SUR-2024-2490



Commissioner Schroeder made a motion to Open Public Hearing for Bijou MET Tower Woehrel, SUR-2024-0109, Bijou MET Tower Chambers, SUR-2024-2490, Bijou Hills MET Tower Hertneky, SUR-2024-0114. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

Public Hearing Opened at 1:23 PM

Land Use Planner Danny Klihaner presented all 3 SUR's together. They are separate parcels, locations, and owners, but the nature of the proposed construction and proposed restrictions of them are identical. The towers will be used to measure atmospheric conditions such as wind speed, wind direction, temperature, and barometric pressure. The towers will only be used for meteorological data gathering. Staff recommends approval with conditions.

Public Comment –

Suni Mills – 27310 Forest Ridge Dr – Ms. Mills comment that this project will be used to monitor wind speed that is critical for the PowerPathway Project and inquired how it will impact fire insurance.

Applicant Matthew Pagan responded stating this has no relation to the Xcel project.

The Commissioners and Applicant discussed the removal of some conditions. Mr. Schroeder stated that the BOCC should not insert themselves between the applicant and the landowner and did not want to burden the County with enforcement. Mr. Buck agreed with Mr. Schroeder and appreciated the clarification. The applicant agreed to the 4 conditions.

Motion: Approve Bijou MET Woehrel 0498 Special Use by Review, SUR-2024-0109

Commissioner Schroeder made a motion to Approve Bijou MET Tower Woehrel 0498 Special Use by Review, SUR-2024-0109. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

4. Bijou MET Tower Hertneky 0598 Special Use by Review, SUR-2024-0114

Motion: Approve Bijou MET Tower Hertneky 0598 Special Use by Review, SUR-2024-0114

Commissioner Schroeder made a motion to Approve Bijou MET Tower Hertneky 0598 Special Use by Review, SUR-2024-0114. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

5. Bijou MET Tower Chambers 0798B Special Use by Review, SUR-2024-2490

Motion: Approve Bijou MET Tower Chambers 0798B Special Use by Review, SUR-2024-2490

Commissioner Schroeder made a motion to Approve Bijou MET Tower Chambers 0798B Special Use by Review, SUR-2024-2490. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None



Close Public Hearing for Bijou MET Tower Woehrel 0498 Special Use by Review, SUR-2024-0109, Bijou MET Tower Hertneky 0598 Special Use by Review, SUR-2024-0114 and Bijou MET Tower Chambers 0798B Special Use by Review, SUR-2024-2490

Commissioner Schroeder made a motion to Close Public Hearing for Bijou MET Tower Woehrel 0498 Special Use by Review, SUR-2024-0109, Bijou MET Tower Hertneky 0598 Special Use by Review, SUR-2024-0114 and Bijou MET Tower Chambers 0798B Special Use by Review, SUR-2024-2490. Commissioner Buck seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

Public Hearing Closed at 1:54 PM

6. Kiowa Disconnection - County Initiated Rezone: Digby Property, RZ-2025-901

Motion: Open Public Hearing for Kiowa Disconnection – County Initiated Rezone: Digby Property RZ-2025-901

Commissioner Buck made a motion to Open Public Hearing for Kiowa Disconnection – County Initiated Rezone: Digby Property RZ-2025-901. Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

Public Hearing Opened at 1:55 PM

Land Use Planner Danny Klibaner presented a request to initiate rezoning 3 subject properties which were disconnected from the Town of Kiowa. The purpose of this rezoning is to bring the Digby Properties to an Elbert County zoning classification. Mr. Klibaner stated there is no development currently being considered at this time.

Public Comment – None

Motion: Approve Kiowa Disconnection – County Initiated Rezone: Digby Property RZ-2025-901

Commissioner Buck made a motion to Approve Kiowa Disconnection – County Initiated Rezone: Digby Property RZ-2025-901. Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

Motion: Close Public Hearing for Kiowa Disconnection – County Initiated Rezone: Digby Property RZ-2025-901

Commissioner Buck made a motion to Close Public Hearing for Kiowa Disconnection – County Initiated Rezone: Digby Property RZ-2025-901. Commissioner Schroeder seconded the motion.

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

Public Hearing Closed at 2:03 PM

7. Presentation - EC West Metropolitan Districts: Consent to SID Formation

EC West Metropolitan District general counsel Paula Williams provided a presentation on the formation of a Special Improvement District (SID).



Ms. Williams explained that a Special Improvement District is an alternative to traditional development loans for residential and commercial projects in the state of Colorado and they are not a separate governmental entity but are governed by the metro district board subject to the power and limitations of the service plan.

There were brief discussions between the Commissioners and representatives of EC West about how the assessments work and how liens get resolved prior to a homeowner purchasing a lot.

K. ADJOURNMENT

Motion: Adjourn

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

Aye – Dallas Schroeder, Mike Buck, Byron McDaniel

Nay – None

The meeting Adjourned at 2:30 PM



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

BYRON MCDANIEL, Chair, COMMISSIONER District 3

DALLAS SCHROEDER, COMMISSIONER District 2

MIKE BUCK, Vice Chair, COMMISSIONER District 1

ATTEST: Emily Backhus-Irwin

Deputy Clerk

BY:

Deputy Clerk to the Board of County Commissioners