



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
January 13, 2021 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE:

Commissioner Richardson went over the Governor's mask mandate.

Pastor Paul Parker performed the Invocation and led the Pledge of Allegiance.

B. CALL TO ORDER AND ROLL CALL

The regular Board of County Commissioners meeting was called to order at 9:04 AM. Deputy Clerk Amanda Moore performed roll call and all Commissioners were present.

Commissioner Richardson called a recess at 9:05 AM due to a citizen interruption. The meeting resumed at 9:12 AM.

C. APPROVAL OF AGENDA

Motion: Approval of Agenda as presented.

Commissioner Grant Thayer made a motion to Approve Agenda as presented. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

D. CONSENT AGENDA

Motion: Approval of Consent Agenda as presented

Commissioner Rick Pettitt made a motion to Approve Consent Agenda as presented. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

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



4. Annual HUTF Report Submittal to CDOT
5. Ratification of Extension of Declaration of Local Disaster Emergency
6. Approval of a Resolution Revoking the "Complaint and Commendation Policy" Adopted on August 12, 2015
7. Approval of a Resolution Revoking a 1963 Resolution Abandoning County Roads

Approving a Resolution setting the Annual Salary of the District Attorney for the Eighteenth Judicial

8. District and a Resolution Concerning Full-Time Employee Positions in the Office of the District Attorney for the Eighteenth Judicial District.

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Treasurer Sherry Hewlett stated that tax notices would be mailed out next week. Ms. Hewlett said that if anyone has not received their notice in the next few weeks that they can contact the Treasurer's Department for a replacement.

County Manager Sam Albrecht announced that Commissioner Richardson and Commissioner Thayer were sworn in for a second term yesterday. Mr. Albrecht introduced new employees Marc Dettenrieder, Economic Development Manager and Shelby Messer, Administrative Assistant. Mr. Albrecht stated that the County has signed up and was approved for the States Small business Relief Plan. The County is still waiting for more information.

F. CITIZEN PUBLIC COMMENT

Candace Head-Dylla, 446 Meadows Station Cir, Parker. Ms. Head-Dylla shared her concerns over the lack of enforcement on the current agreement with Spring Valley, resending the complaint process and residents not being told about a right-of-way policy.

The Commissioners commented by expressing the importance of property rights and that there is not a new right-of-way policy.

Susan Rudman, 24 Meadows Station Cir, Parker. Ms. Rudman expressed that she had put in a request to have items removed from the consent agenda and placed in the agenda so citizens can comment. Ms. Rudman asked for clarification on if DGA3 had been approved.



G. DISCUSSION ITEMS

1. Discussion on Impact Fee Study

County Manager Sam Albrecht stated that this item has been discussed for some time now and is being noticed for a Public Hearing for February 10th, 2021. Mr. Albrecht stated that the Consultant will be presenting on that day as well.

Public Comment: Steve Dylla, 446 Meadows Station Cir, Parker. Mr. Dylla asked if an impact fee schedule would be put in place and if so would the impact fees move forward or would some be grandfathered.

Commissioner Richardson stated that if a Resolution was passed that he asked to go back a full quarter on the fees, which result in some refunds.

Mr. Dylla requested to see calculations on present value for large developments.

H. ACTION ITEMS

1. Approval of December 21, 2020 Special Meeting Minutes

Motion: Approval of December 21, 2020 Minutes

Commissioner Grant Thayer made a motion to Approve the Minutes as presented and dispense with the reading. Commissioner Rick Pettitt seconded the motion.

Yes - Grant Thayer, Rick Pettitt

No - None

2. Approval of December 23, 2020 Minutes

Motion: Approval of December 23, 2020 Minutes

Commissioner Rick Pettitt made a motion to Approve the Minutes as presented and dispense with the reading. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

3. Annual BOCC Organizational Meeting & Appointments

Motion: To Open the Organizational Meeting

Commissioner Rick Pettitt made a motion to Open the Organizational Meeting. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt
No - None

The Organizational Meeting Opened at 9:49 AM.

Motion: Commissioner Richardson to Continue as Chair.

Commissioner Grant Thayer made a motion to have Commissioner Richardson Continue as Chair.
Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt
No - None

Motion: Commissioner Thayer to Continue as Vice Chair.

Commissioner Rick Pettitt made a motion to have Commissioner Thayer Continue as Vice Chair.
Commissioner Chris Richardson seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt
No - None

County Manager Sam Albrecht stated that an typo regarding Planning Commissioner Van Sands term should be second term ending in 2023 and there is one vacancy.

Public Comment:

Candace Head-Dylla, 446 Meadows Station Cir, Parker. Ms. Head-Dylla asked who the Flood Plain Director was.

Commissioner Richardson stated that it was the CDS Director.

Motion: To Approve the Annual BOCC Organizational Resolution and Appointments.

Commissioner Grant Thayer made a motion to Approve the Annual BOCC Organizational Resolution and Appointments. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt
No - None

Motion: To Close the Organizational Meeting.

Commissioner Rick Pettitt made a motion to Close the Organizational Meeting. Commissioner Grant Thayer seconded the motion.



Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Organizational Meeting Closed at 9:55 AM.

I. BOARD PLANNING

1. Agenda Items for Next Meeting

Public Hearing on Impact Fees - February 10, 2021

Update on Transportation Plan - January 27, 2021

Commissioner Richardson called a recess at 9:54 AM to return at 1:00 PM for Land Use Hearings at the Agriculture Building.

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

The Meeting was called to order at 1:17 PM. Deputy Clerk Amanda Moore preformed roll call and all Commissioners were present.

Commission Richardson stated that the Herring Variance would be move to the top of the Land Use items this afternoon.

1. Herring Barn Major Variance (VA-20-0075) --A major variance to the required side yard setback of 25' to allow for a modification of an existing non-conforming barn located on the property at 5211 Pine Ridge Drive, Elizabeth

Motion: To Open as The Board of Adjustments

Commissioner Grant Thayer made a motion to Open as the Board of Adjustments. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Board of Adjustments Opened at 1:18 PM.

Motion: To Open a Public Hearing regarding the Herring Barn Major Variance (VA- 20-0075).

Commissioner Rick Pettitt made a motion to Open a Public Hearing regarding the Herring Barn Major Variance (VA-20-0075). Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt



No - None

The Public Hearing Opened at 1:19 PM.

Land Use Planner Jen Klich presented the request for a major variance to the required side yard setbacks of 25 feet to allow for a modification of an existing non-conforming barn located on the property at 5211 Pine Ridge Dr, Elizabeth. Ms. Klich stated that the property is primarily surrounded by RA2 properties and the barn was part of the property when the Herring's purchased it. Ms. Klich stated that the barn is about 2 1/2 feet from the property line and a modification of the barn is what triggered the variance. Ms. Klich explained that the variance request if approved will bring the non-conforming structure into compliance. Ms. Klich stated that there have been no complaints from the neighboring properties and no referral comments were received. Ms. Klich explained that any modifications to the structure will be further than 2 feet from the property line. Staff recommends approval subject to conditions listed.

Public Comment: None

Motion: To Approve the Herring Barn Major Variance (VA-20-0075).

Commissioner Grant Thayer made a motion to Approve the Herring Barn Major Variance (VA-20-0075) with the Conditions listed. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close the Board of Adjustments and Public Hearing

Commissioner Rick Pettitt made a motion to Close the Board of Adjustments and Public Hearing. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Closed at 1:29 PM.

- 2. Silver Creek Sporting Club SUR (SU-18-0067) --A request for a Special Use by Review to allow for sporting clay trails, shooting tower and shooting area and an additional 20 stations on approximately 245 acres located at 6852 Quail Run Circle, Kiowa**

Motion: To Open a Public Hearing for Silver Creek Sporting Club SUR (SU-18-0067).

Commissioner Rick Pettitt made a motion to Open a Public Hearing for Silver Creek Sporting Club SUR (SU-18-0067). Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Opened at 1:10 PM

Community and Development Director Christina Stanton presented a request for a Special Use by Review to allow for sporting clay trails, shooting tower and shooting area and an additional 20 stations on approximately 245 acres located at 6852 Quail Run Cir, Kiowa. Ms. Stanton stated that most surrounding properties are large agricultural properties. Ms. Stanton stated that there were minimal comments received in the referral process and the project complies with the comprehensive plan as well as encourages tourism. Ms. Stanton stated that there is a concern with possible expansion of Willow Creek subdivision. Staff and Planning Commission recommend approval with the conditions listed.

Applicant Representative CJ Kirst with Tahoe Consulting. Mr. Kirst said Chuck Whipple is the operator of the shooting club and purchased the business in 2018. Mr. Kirst stated that Mr. Whipple was led to believe that the business had a good SUR. Mr. Kirst said that no new uses are being requested but moving forward they are requesting 20 additional shooting stations. Mr. Kirst stated that they do have concerns over some of the conditions.

Commissioner Richardson asked what condition there were concerns over.

Mr. Kirst listed the concerns over no alcohol, would like to be able to have the ability to have 2nd party alcohol providers for tournaments or private parties. Mr. Kirst stated that they are not planning an expansion of the perimeter and that the buffering with landscaping does not apply.

Public Comment:

Keith Westfall, 345 Comanche St, Kiowa. Mr. Westfall stated that Mr. Whipple has made many improvements to the shooting club and cleaned it up. Mr. Westfall stated that there is an agreement with Willow Creek that this gun club is not to be disputed.

Steve McFarland, 16668 Tin Cup Ct, Parker. Mr. McFarland supports the club.

Forrest Thompson, 12558 W Maryland Pkwy, Lakewood. Mr. Thompson supports the club.

Stanley Pore, 2125 Brierly Ct, Castle Rock. Mr. Pore stated that he is very impressed with the club and well-organized services.

Kim Simons, 6895 Hunters Ridge Cir, Kiowa. Ms. Simons has concerns over the noise and lead. Ms. Simons would like timelines to put into the conditions.

Donna Hix, 6891 Hunters Ridge Cir, Kiowa. Ms. Hix opposes this application. Ms. Hix stated the clay range is very loud and natural barriers are not working.

Lance Bakemeyer, 42125 Las Colinas Dr, Elizabeth. Mr. Bakemeyer asked that they consider that all the



properties were purchased after the shooting club was already there.

Richard Shimonkevitz, 8475 Crow Ct, Larkspur. Mr. Shimonkevitz supports the club.

Al Bowers, 1297 Galactic Pl, Castle Rock. Mr. Bowers stated that the improvements and safety that Chuck has brought to the club is great and the club makes a good economic impact to the County.

John Wallrath, 9494 Logan St, Highlands Ranch. Mr. Wallrath stated that he has been shooting there for 7 years and the facility is so much better now.

Steve ?, 11500 County Rd 110, Kiowa. Steve stated that sees many families at the club teaching their children to be responsible shooters.

Dr. Jerry Crawford stated that he has been shooting in Elbert County since 1985 and appreciates the club because people need a place to shoot.

There was discussion between the Applicant Representative and Commissioners regarding conditions.

Commissioner Richardson called a recess at 3:07 PM to allow the applicant and Community Development to go over conditions of the SUR.

Meeting returned at 4:03 PM.

Community and Development Director Christina Stanton went over the conditions of the SUR and Mr. Kirst stated that they agree with the conditions.

Motion: To Approve Silver Creek Sporting Club SUR (SU-18-0067) with the conditions listed.

Commissioner Rick Pettitt made a motion to Approve Silver Creek Sporting Club SUR (SU-18-0067) with the conditions listed. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close the Public Hearing

Commissioner Rick Pettitt made a motion to Close the Public Hearing. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Closed at 4:07 PM.



3. Messer Event Center SUR (SU-19-0099)--A request for a Special Use by Review to allow for an existing event center located on approximately 20 acres at 33955 County Road 37, Kiowa
THIS ITEM IS BEING CONTINUED TO A DATE CERTAIN OF MARCH 10, 2021

Motion: To Open the Public Hearing for Messer Event Center SUR (SU-19-0099) and Continue to March 10, 2021 at 1:00 PM.

Commissioner Grant Thayer made a motion to Open the Public Hearing for Messer Event Center SUR (SU-19-0099) and Continue to March 10, 2021 at 1:00 PM. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Opened and Continued at 4:07 PM.

Motion: To Close the Public Hearing.

Commissioner Rick Pettitt made a motion to Close the Public Hearing. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Closed at 4:08 PM.

K. ADJOURNMENT

Motion: To Adjourn

Commissioner Rick Pettitt made a motion to Adjourn. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Meeting Adjourned at 4:08 PM.



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



CHRIS RICHARDSON, Chair, COMMISSIONER District 1



RICK PETTITT, COMMISSIONER District 2



GRANT THAYER, Vice-Chair, COMMISSIONER District 3

ATTEST: Amanda Moore

Deputy Clerk

BY: 

Deputy Clerk to the Board of County Commissioners; Amanda Moore

