



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the Agriculture Building
March 24, 2021 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE: COUNTY CLERK DALLAS SCHROEDER

Commissioner Richardson went over the Governor's Mask Mandate.

County Clerk Dallas Schroeder performed the Invocation and led the Pledge of Allegiance.

Commissioner Richardson asked that everyone keep the Boulder victims in your prayers.

B. CALL TO ORDER AND ROLL CALL

The regular Board of County Commissioners meeting was called to order at 9:06 AM. Deputy Clerk Amanda Moore performed roll call and all Commissioners were present.

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 Receipt of Variance Reports



2. Draft 2022 BOCC Budget Guidelines

County Manager Sam Albrecht briefly discussed the budget process.

Commissioner Richardson directed Mr. Albrecht to circulate the information to the departments.

There was no further discussion or comments.

3. COVID-19 Response (1 Year Anniversary)

Commissioner Richardson went over the COVID-19 response for the past year. Commissioner Richardson stated that the State's response did not take into account the differences in Counties.

Public Health Director Dwayne Smith provided information on the State's new dial 3.0 and possible changes to the mask mandate after April 3rd. Mr. Smith announced that Elizabeth Fire Department is in the process of becoming a testing and vaccine site that will be located at Frontier High School.

Public Comment:

Maggie Witherbee, 44447 Homestead Rd. Ms. Witherbee stated that Elbert County Stands Up has a different view on COVID-19, they favor opening our County as soon as possible. Ms. Witherbee asked that our County follows other Town's and Counties that are standing up to the Governor. Ms. Witherbee stated that we cannot afford the loss of our liberties and freedoms.

Trent Chappel, 30680 Mountain View Trl. Mr. Chappel stated that there is a less than 0.01% death rate, survival rate is over 99% and a survey on masks show they are not effective. Mr. Chappel would like our County to open now.

Pamela Chappel, 30680 Mountain View Trl. Ms. Chappel said that the COVID vaccine is not a vaccine, but an experiment on the people that attacks and ruins the immune system. Ms. Chappel said there are proven treatments out there against this virus.

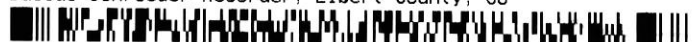
Commissioner Richardson thanked the group Elbert County Stands Up for what they do.

4. PAUSE Ballot Initiative - A anti-agriculture attempt

Commissioner Thayer went over the details of the PAUSE ballot initiative and the attack on agriculture.

Commissioner Pettitt said it is the Government trying to kill the industries of Oil & Gas and Agriculture.

Commissioner Richardson stated that he received a request to call Traci McClain and Dr. Dale Rice for public comment.



Public Comment:

Traci McClain was unavailable by phone.

Dr. Dale Rice 7485 Patrick Trl. Dr. Rice provided a background on his experience. Dr. Rice feels this proposition is unenforceable and can't even be regulated.

The Commissioners spoke of opposition to the PAUSE ballot initiative, the letter of opposition and resolution.

Public Comment:

Pamela Chappel, 30680 Mountain View Trl. Ms. Chappel stated that they have an attorney that can help with the opposition on this.

Maggie Witherbee, 44447 Homestead Rd. Ms. Witherbee feels this is coming from people who want to control everything we do.

County Manager Sam Albrecht read the Resolution.

Motion: To Move the Resolution and Letter of Opposition to Action

Commissioner Grant Thayer made a motion to move the Resolution and Letter of Opposition to action. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: Approve a Resolution Opposing Ballot Initiative 16 in Order to Protect our Livestock Industry and Prevent Needless Animal Suffering and a Letter of Opposition.

Commissioner Rick Pettitt made a motion to Approve a Resolution Opposing Ballot Initiative 16 in Order to Protect our Livestock Industry and Prevent Needless Animal Suffering and a Letter of Opposition. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No – None



4. Ratification of Extension of Declaration of Local Disaster Emergency
5. Liquor License Renewal for The Naked Goat
6. Ratification of Declaration of Emergency for the Winter Storm

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Public Works Director Rory Hale provided an overview of Winter Storm Xylia. Mr. Hale stated that the overall cost of the storm was \$177,030. Mr. Hale said that there were drifts of 10 to 15 feet in some areas of the County and there were three notable rescues during the storm. Mr. Hale said the road and bridge crew did an outstanding job.

Director of Emergency Management Alex Jakubowski provided an update on the shelters that were set up during the storm and the code red notification that went out beforehand. Mr. Jakubowski said Snow Cats and Military vehicles were out rescuing stranded motorists. The Commissioners thanked him for all his hard work.

County manager Sam Albrecht stated that everyone worked well together during the storm and staff will continue to improve and get better for the next storm. Mr. Albrecht stated that the American Rescue Plan was signed March 11th and the money will be sent directly to the Counties and Town's. Mr. Albrecht stated that Elbert County will receive around \$5,000,000 and the funds are good through 2024. Mr. Albrecht said that the County will open up another round of grants in April with the original CARES Act funds.

F. CITIZEN PUBLIC COMMENT

No Citizen Comment

Commissioner Richardson called a recess at 9:28 AM to allow time to set up a zoom meeting. The meeting came out of recess at 9:33 AM.

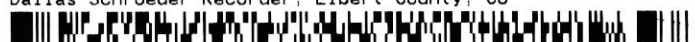
G. DISCUSSION ITEMS

1. Presentation of Economic Development Report by PUMA

Economic Development Manager Marc Dettenrieder presented the team from PUMA to provide the economic development study results. President of PUMA Brad Segal provided the results of best practices results and revenue sources. The presentations key takeaways are an economic development plan and tax based commercial.

Public Comment:

None



H. ACTION ITEMS

1. Approval of March 10, 2021 Minutes

Motion: Approval of March 10, 2021 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

2. Approval of March 10, 2021 Board of Health Minutes

Motion: Approval of March 10, 2021 Board of Health 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 - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

3. Amendment to CDS Development Review Fee Schedule - Oil and Gas permitting

Commissioner Richardson provided an overview on the Oil and Gas fee that was left out of the CDS Development Review Fee Schedule and this is to correct this error.

No Comments

Motion: To Approve the Amendment to CDS Development Review Fee Schedule.

Commissioner Rick Pettitt made a motion to Approve the Amendment to CDS Development Review Fee Schedule. Commissioner Grant Thayer seconded the motion.

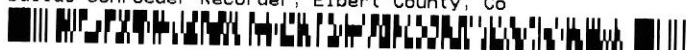
Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

4. Request Authorization from the BOCC to Enter into right-of-way Cul-de-sac Agreements.

County Attorney Bart Greer is requesting authorization to enter into agreements specific to two areas to be able to place a cul-de-sac for equipment turnarounds.

Public Works Director Rory Hale stated that they have been working on this for around 2 years and they are working with the owners of property on CR 114 East of CR 17/21 and CR 120 West of CR 14.



Motion: To Approve the County Manager and Appropriate Staff Authorization to enter into Agreement for the Cul-de-sacs.

Commissioner Grant Thayer made a motion to the County Manager and Appropriate Staff Authorization to enter into Agreement for the Cul-de-sacs. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

I. BOARD PLANNING

1. Agenda Items for Next Meeting

Emergency Declarations

Board of Health meeting or Status Update

Commissioner Richardson called for a recess at 11:13 AM to return at 1:00 PM for Land Use hearings.

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

The Land Use meeting was called to order at 1:00 PM. Deputy Clerk Amanda Moore performed roll call and all Commissioners were present.

1. Antelope Trail Garage (VA-21-0010)--A Major Variance to the front (allowed 100' vs proposed 40') and adjacent west (allowed 25' vs proposed 20') setbacks of an RA-1 property at 4344 Antelope Trail, Elbert

Motion: To Open as the Board of Adjustments

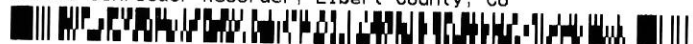
Commissioner Grant Thayer made a motion to Open as the Board of Adjustments. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Board of Adjustments Opened at 1:01 PM.

Land Use Planner Jenn Klich presented a request for a major variance to the front and side setbacks of a property located at 4344 Antelope Trail in Elizabeth. Ms. Klich stated that the current garage will be turned into an accessory dwelling, so they will be building a detached garage. There were no objections in the referral process. Ms. Klich said that staff is recommending approval of the variance with the condition listed.



Owner Kyle Peters agreed to the condition.

There was no further discussion and no public comment.

Motion: To Approve the Antelope trail garage VA-21-0010 with the condition listed.

Commissioner Grant Thayer made a motion to Approve the Antelope trail garage VA-21-0010 with the condition listed. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close as the Board of Adjustments

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

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Board of Adjustments Closed at 1:15 PM.

K. ADJOURNMENT

Motion: To Adjourn

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

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Meeting Adjourned at 1:15 PM.



Amanda Moore

From: Sandy Brewton <[REDACTED]>
Sent: Wednesday, March 24, 2021 9:28 AM
To: ClerktoBOCC
Subject: [External] COVID-19 Response 1 year later - We need to open 100% Now

Good morning Elbert County Commissioners,

I wanted to be there in person to deliver my comments to you, however, I have a presentation I have to give at work and am unable to attend in person. First I would like to say that I implore you to move these meetings to after work hours in the evenings. These meetings are public because you all are elected officials that work for us, the citizens of Elbert County. We citizens cannot be involved in what you are doing and deciding, nor can we hold you accountable to uphold your oath if we cannot attend your meetings because we are working.

Second, I wanted to attend this meeting in person so I could explain to you all why I strongly urge you to open up Elbert County 100% now, and not wait for Jared Polis to relinquish the unprecedented and illegal power he has grabbed over the people of Colorado. And when I say open up the county, I don't mean that you implore Jared Polis to lift the restrictions. I mean that you stand up and say NO MORE.

In Colorado, 2 weeks to "stop the spread" has turned into ONE YEAR. The bar keeps moving. First we needed to not overwhelm the hospitals. Then we needed no more COVID-19 cases. Now we need to wait for the "vaccine". Now, we are just under Lord Polis' rule just because he can get away with it. When does this stop?? Again, you are elected officials put in your position to represent us and to preserve our rights as citizens of not only Elbert County, but of the State of Colorado, and of the United States of America. This is not China - YET, but we are on our way, aren't we? Each one of you took an oath to uphold the Constitution of the State of Colorado, as well as the Constitution of the United States, and yet none of you are doing that. You are all going along with Jared Polis and the CDPHE and allowing the rights and freedoms of their citizens to be suspended and even revoked for the last year. We the People are tired of it.

Doctors and nurses from all over the world have spoken out against the "science" that is being used to force us to wear masks, force us to stay away from each other, do not allow us to visit loved ones in the hospital, in nursing homes, in rehab centers and assisted living facilities. And these doctors and nurses have actual data, actual science and actual patient care personal experience to back it up. Are you aware that these many doctors and nurses - whistleblowers - are speaking out all over the world that COVID-19 is not the deadly virus the governments are saying it is? Are you aware they have science and studies backing them up? Are you aware that any doctor or nurse that tells the truth about the virus is immediately discredited and their livelihoods destroyed? The government (specifically the DEMOCRATS) continually say "follow the science", but what they mean and what they are doing is following the "science" they choose and fits their agenda, not actual science.

Who in their right mind would isolate the elderly and the sick in the name of "saving lives"?!?! Who told you that people were not going to die from an illness? Who told you people were not going to get sick?? Who told you we can eradicate any virus of any kind?? This has gone way too far and needs to stop now.

I have worked in healthcare for 27+ years, and I can tell you with certainty that all of the COVID health "rules" are literally anti-life, anti-human and very unhealthy. Keeping people locked up away from their loved ones has caused more death and destruction than the COVID virus itself. Forcing people to wear masks has caused many people to get illnesses they would not have otherwise - facial skin infections, tonsillar abscesses, bacterial pneumonias, etc. Additionally, forcing people to wear masks has caused mental health issues. Any time I go into a store without a mask and a child sees me, the child is terrified of me! That is not normal, nor is it ok! People are committing suicide at alarming rates because of the fear-mongering about COVID and the isolation. Nobody seems to care about those lives, but hey, we're "saving lives" by following the stupid rules of the government.

The bottom line is this: these mandates we have lived under for the last year are NOT LAWS. Jared Polis does not legally have the power he has grabbed and refuses to relinquish. The CDPHE does not have that power either. Yet here we are, one year later after 2 weeks to "flatten the curve". I (and most citizens I know) am tired of politicians such as yourselves who are more concerned with their "political career" than doing the right thing, right now, in this moment, and upholding your oath to the people and the state and national constitution. I am tired of elected officials who think they know what's best for other people, who think they can make decisions and choices for other people and take away our freedom of choice, freedom of movement, freedom of speech, freedom to breathe fresh air, freedom to see/touch/hug our loved ones, etc. If you are putting your political career ahead of doing what's right for the people, you will end up losing your political career.

We the People are FREE PEOPLE. We need our Elbert County elected officials to stand up for their citizens and do what they know is right, and that is to stop this madness, stop moving the bar/changing the goal posts, and open this county 100% - no restrictions, no mandates, nothing. Viruses will always exist. People will always get sick, and people will always die. It is past time to stand up and do the right thing, even if you stand alone, and prevent this from ever happening again. We cannot ever allow anything like this to happen again for any reason.

Thank you,

Sandy Brewton

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04/14/2021 01:29:39 PM Page: 9 of 13 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co


Amanda Moore

From: Jeff Brewton < >
Sent: Wednesday, March 24, 2021 8:49 AM
To: ClerktoBOCC
Subject: [External] Elbert County COVID response

Thank you for this opportunity to voice my concerns. I am an Elbert County resident of 6 years. I vote in every election.

Across this county, state, and country our elected officials have lost sight of common sense. They have also presumed to ignore our US Constitution. No where in that Constitution is there a caveat declaring all rights of the people get set aside if there is a scary virus.

If individuals, or even private businesses, feel compelled to be afraid, that is their right. The public should not have their rights infringed for the fear of a few.

Please end the mandates, restrictions, and lock downs. Use common sense. Represent all of your constituents. In addition, DO NOT EVER consider allowing these infringements of our rights to be placed on us again in the future.

Thank you for your time,

Jeff Brewton

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Dallas Schroeder Recorder, Elbert County, Co





It is time to open Elbert County. It is time to get back to living again. It is time to live our lives freely and learn to live with the viruses and illnesses around us as we have always done. We also need to make sure that we do not allow a destructive and devastating shut down to ever happen again.

We have heard for a year now that we are so close to getting out of this and we need just a couple more months, just a little longer. We just passed the year anniversary of 2 weeks to flatten the curve (so our hospitals do not get overwhelmed). I am here to tell you, from personal experience, that the hospitals were never overwhelmed and that lots of employees were running out of work to do and some cut down to part time, others used all of their paid time off and then had to go unpaid. Most devastating were all the layoffs that were huge.

We can never get here again. I ask what exactly it is going to take to get out of this. Are we looking for the virus to completely disappear, no cases? That will never happen. We will live with this as we live with any flu or virus that we have lived with in the past. Are we waiting for everyone to get vaccinated? I can tell you now that will not happen as I am not at all interested in taking an experimental vaccine for a virus that has over a 99% chance of survival. I would rather work on my immune system, something that has been fighting viruses in people from the beginning of time.

It is time to stand up Elbert County. We need to stand up against these illegal mandates, unconstitutional dictates, unnecessary and unscientific rules, and lockdowns. What happens when the next virus strikes, when the next "variant" comes along? Did you know when they test you for COVID they either detect it or it is not detected. They do not test for different strains of covid, they just look to see if you have it. Their "variants" is just another lie that they tell so that they can lock us down again.

These COVID health rules have gone against all common sense. Look what we are doing to our youth. Kids are scared of people in a store who do not wear a mask. The psychology of that is going to have enormous long-term effects on children. They have been taught to be scared of getting sick, scared of people, scared to breath.

I have heard the stories from OUR community of kids passing out at school and during sports because of these masks. Why is that not talked about, why do these stories get shoved under the rug. That is a health risk. The suicide rate has gone way up. We are isolating our elderly. I know of a friend who missed the whole last year of her mom's life, only able to wave at her through a window a few times because of the restrictions our state put on us. I don't know about you, but if I was 99, almost 100 I would not care about a virus and just want to spend whatever time I have left with my family, hugging, talking, laughing, and sharing whatever time I had left.

Elbert county it is time to open up! If you are scared, then you need to choose to stay at home, wear a mask, order and pick up from a store and continue doing what is best for you. It's time to get back to living our lives, back to our normal, not the "new normal." It is time for our elected leaders to stand up for the people that they promised to stand up for, stand up for the constitution that YOU took an oath to uphold and to use what we have learned over the past year to continue to stand up against the tyranny of a government that is becoming too big.

My last quick request that I have is to completely open up these meetings again, no restrictions. I would also like a conversation on changing the time of these meetings. The majority of people cannot do a meeting at 9:00 in the morning on a Wednesday and that is a typical normal middle of the day on a workday. I would like to be involved in these meetings and would like to request that these meetings happen outside of normal work hours.



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

