



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the Agriculture Building
May 12, 2021, at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE:

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

Commissioner Richardson asked that we take a moment of silence for Ezekiel Cabrerra.

B. CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of County Commissioners was called to order at 9:03 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 CDS Pipeline Report
4. Liquor License Renewal for Meadows Market



5. Liquor License Renewal for HI-Test Liquor

6. Ratification of a Proclamation Recognizing the Annual National Day of Prayer May 6, 2021

E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Clerk Dallas Schroeder announced that the Elections Department is going to hold an Election Integrity Presentation on May 20, 2021, at 7:00 PM in the Agriculture Building. Mr. Schroeder stated that it would be available online too.

Economic Development Director Marc Dettenrieder provided an update on Economic Development Week. Mr. Dettenrieder highlighted how to apply for the small business funds and to visit the website for more information.

County Manager Sam Albrecht provided an update on the American Rescue Plan and that they finally were provided guidance. Mr. Albrecht stated that staff is going through the final rules to make sure they understand before creating a project list.

Public Comment:

Bonnie Yost, 3503 Antelope Cir, Elizabeth. Ms. Yost asked if there are any plans to protect people that are being shipped here illegally or our County from the rescue funds?

F. CITIZEN PUBLIC COMMENT

Maggie Witherbee, 44447 Homestead Rd, Elizabeth. Ms. Witherbee stated that she is here regarding the Constitution Resolution and read from Douglas County's recently passed resolution on not infringing on residents' choices.

Pamela Chappel, 30680 Mtn. View Trail, Kiowa. Ms. Chappel spoke on vaccine mandates and how they are against our civil rights. Ms. Chappel brought up the studies that show the vaccine can cause inflammatory damage to the brain.

Mike Coombs, 5734 Pinon Drive, Elizabeth. Mr. Coombs asked about the programs being put in place with COVID funds and what happens to those programs when the money runs out? Will you raise our taxes? Mr. Coombs asked where the water is coming from with all this new growth?

Kesha Coombs, 5734 Pinon Drive, Elizabeth. Ms. Coombs feels a sanctuary county should be considered.

Herb Potthoff, 1418 Conifer Trail, Elizabeth. Mr. Potthoff stated that he is in favor of the sanctuary county resolution and that we must follow the constitution.

Trent Chappel. 30680 Mtn. View Trail, Elizabeth. Mr. Chappel stated that we need to open the county up for the businesses and would like to see County residents stand up and not get vaccines. Mr. Chappel would like to see these meetings in the evening.



Dan Craig, 2550 Gold Creek Drive, Elizabeth. Mr. Craig agrees with everything Mr. Chappel said. Mr. Craig stated that it is scary with what is coming from the State right now and would like to see us a sanctuary county.

Marty Sanford, 35534 Cloud Dance Court, Elizabeth. Ms. Sanford asked how many people in the building thought the sanctuary resolution was going to be passed today? Ms. Sanford stated that we cannot back down and let the enemy take over.

Roy Sanford, 35534 Cloud Dance Court, Elizabeth. Mr. Sanford would like to have the resolution discussed today.

Gary Bell, 4642 Ash Terrace, Elizabeth. Mr. Bell agrees with everyone.

Renee Burton, 33591 Quill Lane, Elizabeth. Ms. Burton stated that she came today expecting a discussion or vote on the sanctuary county resolution.

Commissioner Thayer is taking all the comments under consideration, and this is why they have left it up to the citizens to make their own choices from the beginning.

Commissioner Pettitt stated that from the beginning they left it up to the citizens and businesses, but it difficult when you are regulated by the State.

Commissioner Richardson stated that there is no difference between what the residents and Commissioners feel, but it has to be done correctly.

G. DISCUSSION ITEMS

None

H. ACTION ITEMS

1. Approval of April 28, 2021, Minutes

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.



2. PUBLIC HEARING - Elizabeth Rodeo Association Special Event Liquor License

Motion: To Open the Public Hearing for Elizabeth Rodeo Association.

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

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 9:57AM.

Deputy Clerk Amanda Moore stated that this was an annual event with no changes or concerns.

Public Comment: None

Motion: To Approve the Elizabeth Rodeo Association Special Event Liquor License.

Commissioner Grant Thayer made a motion to Approve the Elizabeth Rodeo Association Special Event Liquor License. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close the Public Hearing for Elizabeth Rodeo Association.

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

Public Hearing Closed at 9:58AM.

I. BOARD PLANNING

1. Agenda Items for Next Meeting

The BOCC meeting on the 26th is Cancelled

Discussion on Resolution or Proclamation to protect the constitutional rights of citizens.

CARES Act money



Commissioner Richardson call a recess at 10:00 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 1:02 PM. Deputy Clerk Amanda Moore performed roll call and all Commissioners were present.

1. Porter Rezone (RZ-20-0071) - A request for a rezone of 10 acres of 56.55 acres from (A) to (AR) on a property at 1280 County Road 166, Elizabeth

Motion: To Open a Public Hearing on Porter Rezone (RZ-20-0071)

Commissioner Rick Pettitt made a motion to Open a Public Hearing on Porter Rezone (RZ-20-0071).
Commissioner Grant Thayer seconded the motion.

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

The Public Hearing Opened at 1:02 PM.

Land Use Planner Jenn Klich presented a request for rezone of 10 acres part of 56.55 acres from Agriculture to Agriculture Residential located at 1280 County Rd 166. Concerns brought up during the referral process were regarding rubbish and access to the property. Ms. Klich stated the rubbish has been taken care of and the access from the easement has been deemed acceptable. Ms. Klich stated that Staff and Planning Commission recommend approval of the rezone with the conditions listed.

Applicant Phil Giesing, 40595 Cricket Circle, Elizabeth. Mr. Giesing stated that Ms. Klich did a great job and then he explained the history of the properties access.

Public Comment: None

Motion: To Approve the Porter Rezone (RZ-20-0071) with the Conditions listed.

Commissioner Rick Pettitt made a motion to Approve the Porter Rezone (RZ-20-0071) with the Conditions listed. Commissioner Grant Thayer seconded the motion.

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

Motion: To Close a Public Hearing on Porter Rezone (RZ-20-0071)

Commissioner Rick Pettitt made a motion to Close a Public Hearing on Porter Rezone (RZ-20-0071).
Commissioner Grant Thayer seconded the motion.

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

The Public Hearing Closed at 1:24 PM.

2. Jubilee Rezone (RZ-21-0015) --A request to rezone approximately 25 acres from Agriculture (A) to Agriculture-Two (A-2) and approximately 10 acres from Agriculture (A) to Agriculture Residential (AR) on land located at 9662 State Highway 86, Kiowa

Motion: To Open a Public Hearing on Jubilee Rezone (RZ-21-0015)

Commissioner Grant Thayer made a motion to Open a Public Hearing on Jubilee Rezone (RZ-20-0015).
Commissioner Rick Pettitt seconded the motion.

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

The Public Hearing Opened at 1:24 PM.

Land Use Planner Greg Laudenslager presented a request to rezone 25 acres from Agriculture to A-2 and approximately and approximately 10 acres from Agriculture to Agriculture Residential located at 9662 Hwy 86. Mr. Laudenslager stated that there were no objections during the referral process. Mr. Laudenslager stated that Staff and Planning Commission recommend approval with the conditions listed.

Applicant Representative Tom Maroney, PO Box 902, Elizabeth. Mr. Maroney requested the front 25 acres still be considered part of the EDZ zone.

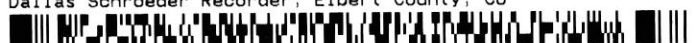
Public Comments: None

Motion: To Approve the Jubilee Rezone (RZ-21-0015) with the conditions listed.

Commissioner Rick Pettitt made a motion to Approve the Jubilee Rezone (RZ-21-0015) with the conditions listed. Commissioner Grant Thayer seconded the motion.

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

Motion: To Close a Public Hearing on Jubilee Rezone (RZ-21-0015)



Commissioner Rick Pettitt made a motion to Close a Public Hearing on Jubilee Rezone (RZ-20-0015). Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Closed at 1:35 PM.

3. Arrowhead Trail Major Variance (VA-21-0018) - A request for a major variance to the platted front setback of 210' to allow a residence to be constructed 82' from the property line at 6479 Arrowhead Trail, Elizabeth

Motion: To Open as the Board of Adjustments

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

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Board of Adjustments meeting opened at 1:36 PM.

Land Use Planner Jenn Klich presented a request for variance that was continued from April 28, 2021. Ms. Klich stated that the request is for a major variance to the platted front setback of 210' to allow a residence to be constructed 82' from the property line located at 6479 Arrowhead Trail, Elizabeth. Ms. Klich explained that the property has a significant slope and is cut in half by a tree line/ drainage area making it difficult to build the residence elsewhere. Ms. Klich noted that there are a range of different setbacks throughout the current homes in the area and the applicants are just looking at an adjustment to the front setbacks. Ms. Klich stated that there were no objections during the referral process and Staff and Planning Commission recommend approval with the conditions listed.

Applicant Shelly Anderson added that the residence will be a single-story ranch.

Commissioner Thayer acknowledged that the terrain of the property dictates where the house can be built on the property.

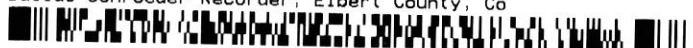
Public Comment:

Kevin Adams, 6507 Arrowhead Trl, Elizabeth. Mr. Adams has no objections.

Gary O'Leary, 6480 Arrowhead Trl, Elizabeth. Mr. O'Leary stated that he has lived in the area for over 30 years and feels this will directly block his view. Mr. O'Leary is against the variance request and feels 82' is too close to the road.

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Dallas Schroeder Recorder, Elbert County, Co



There was a brief discussion between the Commissioners, Applicant and Ms. Klich regarding the map and slope on the property.

Motion: To Approve Arrowhead Trail Major Variance (VA-21-0018) with the Conditions listed.

Commissioner Grant Thayer made a motion to Approve Arrowhead Trail Major Variance (VA-21-0018) with the Conditions listed. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

4. Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, Metropolitan District #5, and Metropolitan District #6 (SR-21-0020) --A request to approve the Amended Metropolitan District #4, Metropolitan District #5, and Metropolitan District #6 located in Sections 30 and 32

Motion: To Open a Public Hearing on Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, #5 and #6 (SR-21-0021).

Commissioner Rick Pettitt made a motion to Open a Public Hearing on Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, #5 and #6 (SR-21-0021). Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing opened at 2:01 PM.

Community and Development Director Christina Stanton presented a request for Service Plan Amendments to remove all debt related ballot question language. Ms. Stanton stated a third-party attorney was used to work specifically with the service plan amendment to make sure it was compliant. Staff and Planning Commission recommend approval.

Applicant Jim Marshall, Lone Tree, CO. Mr. Marshall stated that district 4 is providing upgrades to the facilities, there are no houses at this time.

Commissioner Thayer asked County Attorney Bart Greer if he was part of reviewing the amendments and he recommends approval as well.

County Attorney Bart Greer stated that he recommends approval.

Public Comment:

None

Motion: To Approve Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, #5 and #6 (SR-21-0021)

Commissioner Grant Thayer made a motion to Approve Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, #5 and #6 (SR-21-0021). Commissioner Rick Pettitt seconded the motion.

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

Motion: To Close a Public Hearing on Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, #5 and #6 (SR-21-0021).

Commissioner Rick Pettitt made a motion to Close a Public Hearing on Spring Valley Ranch Service Plan Amendments for Metropolitan District #4, #5 and #6 (SR-21-0021). Commissioner Grant Thayer seconded the motion.

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

The Public Hearing closed at 2:10 PM.

K. ADJOURNMENT

Motion: To Adjourn

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

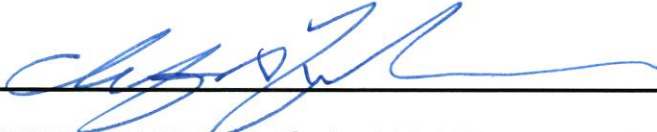
Yes - Chris Richardson, Grant Thayer, Rick Pettitt
No - None

The meeting Adjourned at 2:11 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

