



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
July 14, 2021, at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE:

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

B. CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of County Commissioners was called to order at 9:02 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

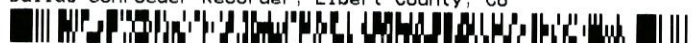
Motion: Approval of Consent Agenda as presented

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. Building Authority Appointment Updates
5. Updated County Attorney Policy



E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Assessor Susan Murphy provided an update to the 2021 re-evaluation. Ms. Murphy Thanked her staff discussed the benefits to the website improvements.

1. Elbert County Fair Update

CSU Extension Director Kali Benson invited everyone to the 2021 Elbert County Fair on Sunday July 25th from 2 pm to 5 pm for free BBQ. Ms. Benson went over some of the dates and events. Ms. Benson stated that the public is welcome this year and they are back to as normal as possible. visit elbertcountyfair.com for more information.

F. CITIZEN PUBLIC COMMENT

Richard Croisant, 100 Ute Ave. Kiowa. Mr. Croisant stated that he works for the Town of Kiowa and was told that the Town and the County work together. Mr. Croisant said that when he asked for road construction signs, he was met with tension. Mr. Croisant mentioned the recent semi-truck fire on Kiowa-Bennet Road, and he feels the fixes done were not enough for the now compromised road.

Maggie Witherbee, 44447 Homestead, Elizabeth. Ms. Witherbee stated that she is with Elbert County Stands Up and that there are concerns over the Presidents plans to bring vaccination rates up and possible Federal Government incursion.

Bob Hummel, Kiowa Creek Community Church and Food Bank. Mr. Hummel reported that the food bank is able to accurately find and help those in need. Mr. Hummel stated that last year they gave 88,000 lbs. of food and currently this year they have given 55,000 lbs. Mr. Hummel said that there is still a lot of stress on the community. Mr. Hummel thanked the County for their support.

G. DISCUSSION ITEMS

NONE



H. ACTION ITEMS

1. Approval of June 30, 2021, Minutes

Motion: Approval of June 30, 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. Planning Commission Appointment

Commissioner Thayer explained the Planning Commission member Jeff Franken resigned from the Planning Commission. Commissioner Thayer introduced Jon Surbeck.

Motion: To Approve the Appointment of Jon Surbeck to the Planning Commission.

Commissioner Grant Thayer made a motion to Approve the Appointment of Jon Surbeck to the Planning Commission. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

I. BOARD PLANNING

1. Agenda Items for Next Meeting

- a. Audit Presentation
- b. Justice Center Presentation
- c. 2022 Budget Planning Update
- d. American Recovery Project Update

Commissioner Richardson called a recess at 9:25 AM to return at 1:00 PM for Land Use Hearings.



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

The Land Use Hearings were called to Order at 1:01 PM. Deputy Clerk Amanda Moore performed roll call and all Commissioners were present.

Commissioner Richardson stated that they were going to take items in order of the applicants that are present to allow other applicants time to show up.

1. Janes Rezone (RZ-19-0052) --A request to Rezone approximately 24.96-acres from Agriculture (A) to Agriculture-Two (A-2) on property located at 29495 County Road 93, Ramah

Motion: To Open a Public Hearing for the Janes Rezone RZ-19-0052.

Commissioner Rick Pettitt made a motion to Open a Public Hearing for the Janes Rezone RZ-19-0052. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Opened at 1:03 PM.

Community and Development Director Christina Stanton presented the request for a rezone of 24.96 acres from Agriculture to Agriculture 2 located at 29495 County Rd 93, Ramah. Ms. Stanton provided the Staffs evaluation, referral comments and conditions.

Applicant Representative Tom Maroney, PO Box 902, Elizabeth. Mr. Maroney explained that this is a compliance rezone and that the applicants knew once they sold the house and additional 35 acres, they would go through this process. Mr. Maroney stated that they have provided the well replacement plan as well.

Commission Thayer asked about the odd shape of the lot.

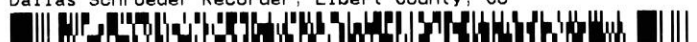
Mr. Maroney stated that it was because of the topography of the land.

Commissioner Richardson asked if they had any issues with the conditions listed.

Mr. Maroney said no.

Public Comment: None

Motion: To Approve the Janes Rezone RZ-19-0052 with the Conditions listed.



Commissioner Grant Thayer made a motion to Approve the Janes Rezone RZ-19-0052 with the Conditions listed. Commissioner Rick Pettitt seconded the motion.

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

Motion: To Close a Public Hearing for the Janes Rezone RZ-19-0052.

Commissioner Rick Pettitt made a motion to Close a Public Hearing for the Janes Rezone RZ-19-0052. Commissioner Grant Thayer seconded the motion.

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

The Public Hearing Closed at 1:15 PM.

2. Drill Tech Drilling & Shoring EDZ Site Plan (EZS-21-0023) --An Economic Development Zone (EDZ) Site Plan for the development of Lots 7 and 8 of the *Prairie View Industrial Development* into a headquarters site for Drill Tech Drilling & Shoring located at 8900 Alan Ridge Drive, Kiowa

Motion: To Open a Public Hearing for the Drill Tech Drilling & Shoring EDZ Site Plan EZS-21-0023.

Commissioner Grant Thayer made a motion to Open a Public Hearing for the Drill Tech Drilling & Shoring EDZ Site Plan EZS-21-0023. Commissioner Rick Pettitt seconded the motion.

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

The Public Hearing Opened at 1:16 PM.

Community and Development Director Christina Stanton presented an application for the site development of lots 7 and 8 in the Prairie View Industrial Development for the Headquarters for Drill Tech Drilling and Shoring located at 8900 Alan Ridge Rd, Kiowa. Ms. Stanton explained the notices, referral process, comments and findings. Ms. Stanton stated that the request is in compliance with the zoning regulations and Staff recommends approval with the conditions listed.

Applicant Jacob Prezkuta of the Western Region for Drill Tech, PO Box 1929, Parker. Mr. Prezkuta explained what the business does.



Applicant Representative Tom Maroney, PO Box 902, Elizabeth. Mr. Maroney stated that EDZ process has been a struggle, but they are working through it. Mr. Maroney explained that the business will eventually have up to 20 employees with salaries ranging from \$50,000 to \$100,000. Mr. Maroney feels this will be a favor in our industrial tax base and for the people in the county. Mr. Maroney is working with IREA on easements, and they have an access agreement, but it is being updated, and Hwy 86 turn lanes will be installed for the industrial area.

Public Comment:

Connie Perkins, 9006 Hwy 86, Kiowa. Ms. Perkins said she boards this area and asked if the retention pond is going to be moved the 100 feet required and who is responsible for checking to make sure it has been done. Ms. Perkins asked what the hours of operation were and if there were any noise ordinances.

There was a brief discussion regarding the pond, hours of operation, noise, plat notes and conditions. The applicants agree to the additional conditions.

Motion: To Approve the Drill Tech Drilling and Shoring EDZ Site Plan EZS-21-0023 with the conditions listed.

Commissioner Grant Thayer made a motion to Approve the Drill Tech Drilling and Shoring EDZ Site Plan EZS-21-0023 with the conditions listed. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Commissioner Richardson called a recess at 1:58 PM to allow CDS time to add the conditions to the Resolution. The meeting returned at 2:10 PM.

Motion: To Close a Public Hearing for the Drill Tech Drilling & Shoring EDZ Site Plan EZS-21-0023.

Commissioner Rick Pettitt made a motion to Close a Public Hearing for the Drill Tech Drilling & Shoring EDZ Site Plan EZS-21-0023. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Closed at 2:11 PM.



3. Chiarelli - Elkhorn Street (VA-21-0029) -- A request for a major variance to the standard front RA-1 setback of 100' to allow for a 50' front setback on the property at 2386 Elkhorn Street, Elizabeth

Motion: To Open the Board of Adjustments Public Hearing for Chiarelli Elkhorn Street Major Variance VA-21-0029.

Commissioner Rick Pettitt made a motion to Open the Board of Adjustments Public Hearing for Chiarelli Elkhorn Street Major Variance VA-21-0029. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Board of Adjustments Public Hearing Opened at 2:12 PM.

Planning Technician Allie McGahee presented a request for a major variance to the standard set back of 100 feet to allow for a 50-foot front setback at 2386 Elkhorn St. Ms. McGahee explained that there is a significant slope to the property and the majority of the property is located in a flood plain. Ms. McGahee went over the referral process and responses. Ms. McGahee stated that the request complies with the variance criteria and Staff recommends approval with the conditions listed.

Applicant Eugene Chiarelli, 2386 Elkhorn St. Mr. Chiarelli stated that he knew when he bought the lot, he would need a setback variance due to the slope. Mr. Chiarelli said he did not have any issues with the conditions and that staff was great to work with.

Public Comment:

None

Motion: To Approve the Chiarelli Elkhorn Street Major Variance VA-21-0029 with the conditions listed.

Commissioner Grant Thayer made a motion to Approve the Chiarelli Elkhorn Street Major Variance VA-21-0029 with the conditions listed. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

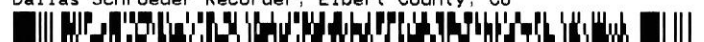
No - None

Motion: To Close the Board of Adjustments Public Hearing for Chiarelli Elkhorn Street Major Variance VA-21-0029.

Commissioner Rick Pettitt made a motion to Close the Board of Adjustments Public Hearing for Chiarelli Elkhorn Street Major Variance VA-21-0029. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None



Board of Adjustments Public Hearing Closed at 2:23 PM.

4. Cimarron Trail (VA-21-0039) --A request for a major variance to the standard front RA-1 setback of 100' to allow for a 43' 10" front setback on the property at 35053 Cimarron Trail, Elizabeth

Motion: To Open a Board of Adjustments Public Hearing for Cimarron Trail Major Variance VA-21-0039.

Commissioner Grant Thayer made a motion to Open a Board of Adjustments Public Hearing for Cimarron Trail Major Variance VA-21-0039. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Board of Adjustments Public Hearing Opened at 2:24 PM.

Land Use Planner Jenn Klich presented the request for a major variance to the RA-1 setback of 100 feet to allow for a 43-foot 10-inch setback at 35053 Cimarron Trail. Ms. Klich stated that this is to allow an addition to the existing home that includes an attached garage. Ms. Klich mentioned that the surrounding neighbors are in favor and staff recommends approval with the conditions listed. Applicants Tom and JoAnn Sullivan thanked the staff for doing a great job and accept the conditions.

Richardson suggested a 40-foot setback to allow for adjustments if needed.

Public Comment:

None

Motion: To Approve the Cimarron Trail Major Variance VA-21-0039 with the Conditions listed.

Commissioner Rick Pettitt made a motion to Approve the Cimarron Trail Major Variance VA-21-0039 with the Conditions listed. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

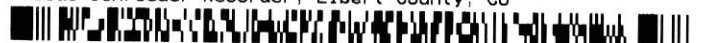
No - None

Motion: To Close the Board of Adjustments Public Hearing for Cimarron Trail Major Variance VA-21-0039.

Commissioner Grant Thayer made a motion to Close the Board of Adjustments Public Hearing for Cimarron Trail Major Variance VA-21-0039. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No – None



Board of Adjustments Public Hearing Closed at 2:36 PM.

5. Spring Valley Ranch Filing No. 6 (FP-18-0075) --A Final Plat to subdivide 101.5-acres into 247 single-family residential lots, 11 tracts, and rights-of-way located in Section 33, Township 6 South, Range 64 West of the 6th P.M. in Elbert County.

Motion: To Open a Public Hearing for Spring Valley Ranch Filing No. 6 FP-18-0075.

Commissioner Grant Thayer made a motion to Open a Public Hearing for Spring Valley Ranch Filing No. 6 FP-18-0075. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 2:36 PM.

Community and Development Director Christina Stanton presented the request for Final Plat to subdivide 101.5 acres to 247 single-family residential lots, 11 tracts and rights-of-way located in section33, Township 6 South, Range 64 West in Elbert County. Ms. Stanton provided information regarding the owners of the property, maps of flood plains, exhibits on plat and referrals. Ms. Stanton stated that staff and Planning Commissioner recommend approval with the conditions listed.

Applicant Representative Jack Reutzel, 1801 California Street, Denver. Mr. Reutzel provided information regarding the easements and the process of filing over the past 20 years. Mr. Reutzel talked about the phases and number of homes for this filing and stated that Christina has done a great job explaining the process to them.

Public Comment:

Diana Edstrom, Elbert County Tribune. Ms. Edstrom asked for background information and outside road work.

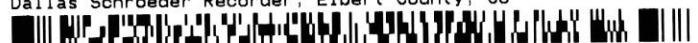
Applicant Jim Marshall stated that there is one tract left to develop (F Tract) it will consist of a total of forty 1 acre lots. Spring Valley Ranch will total 1,786 lots when complete. Mr. Marshall stated that roads are being built now and they have obtained a 404 permit to build a bridge over the wetlands area.

Motion: To Approve Spring Valley Ranch Filing No.6 FP-18-0075 with the Conditions listed.

Commissioner Rick Pettitt made a motion to Approve Spring Valley Ranch Filing No.6 FP-18-0075 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 for Spring Valley Ranch Filing No. 6 FP-18-0075.

Commissioner Grant Thayer made a motion to Close a Public Hearing for Spring Valley Ranch Filing No. 6 FP-18-0075. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Closed at 3:07 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 3:08 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

