



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
July 28, 2021, at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE: CHAPLAIN JIM KEEN

Chaplain Jim Keen 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 the 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
4. 2nd Quarter 2021 Public Trustee Report
5. Treasurer's 2021 Six Month Report



E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

County Clerk Dallas Schroeder provided an update on the CBOE Hearings. Mr. Schroeder complimented Zach and Bailey from the Assessor's office. Mr. Schroeder was pleased with Mr. Stamp's knowledge and professionalism. Mr. Schroeder thanked Amanda for her help in the process. Mr. Schroeder stated that the recommendations have been delivered to the Commissioners for review.

Economic Development Manager Marc Dettenrieder presented information regarding Economic Development goals and visions that the public can provide input on until August 25th. This input helps local government determine funding, jobs and job creation.

Commissioner Richardson requested that the information for the survey be put on social media.

F. CITIZEN PUBLIC COMMENT

Maggie Witherbee, 44447 Homestead Rd. Elizabeth. Ms. Witherbee who represents Elbert County Stands Up, expressed her concerns over medical tyranny, mask requirements and future lockdowns. Ms. Witherbee feels this will continue despite evidence to the contrary. Ms. Witherbee said that lawsuits are being brought forward all over the world to fight these concerns.

G. DISCUSSION ITEMS

1. Review of 2020 Audit Report

Matt Moreno with Rubin Brown presented the 2020 Audit Report. Mr. Moreno stated that financial statements and reports have been submitted and there are no areas of concern.

No further discussion from the Commissioners

Public Comment: None

2. Sheriff's Office Justice Center Presentation

Elbert County Sheriff Tim Norton explained the needs of the current Justice Center and the need for updates and expansion. Sheriff Norton is proposing a 1% Sales and Use Tax to fund this need.

Commissioner Richardson called a recess at 9:48 AM to allow the video feed to come back online and the meeting was called back to order at 9:56 AM.

Commissioner Thayer expressed his concerns over the proposed plan. Mr. Thayer wants the focus to be on the needs and not the wants.



Commissioner Pettitt agrees with Commissioner Thayer and questioned what the requirements of the 18th Judicial District and if they have approved any of the plans.

Commissioner Richardson would like an oversight committee and another workshop before final ballot language is prepared.

County Clerk Dallas Schroeder stated that the deadline for final ballot language is the last meeting in August.

Public Comment: None

3. 2022 Budget Planning Update

Finance Manager Tony McCormick provided an update on the budget planning process. Mr. McCormick discussed gathering input from all the departments and prioritizing projects.

Public Comment: None

4. American Recovery Plan Project Update

Finance Manager Tony McCormick stated that the County has received 2.6 million in American Recovery Funds. Mr. McCormick said they are receiving feedback from departments to help prioritize projects and before spending they are waiting on final word from the Federal Government on what projects it can be used on.

Public Comment: None

5. First Amendment to Spring Valley Filing 5 Subdivision Improvement Agreement

Commissioner Richardson explained the changes to the subdivision agreement.

Developer Jim Marshall stated that the major changes are assigning the rights between two builders DR Horton and Richmond.

There was a brief discussion on the agreement and that the Public Works Director has the authority to sign the amendment and approve changes.

Public Comment: None



H. ACTION ITEMS

1. Approval of July 14, 2021, Minutes

Motion: Approval of July 14, 2021, 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

2. Resolution regarding SB21-256 Opposing "Local Regulation of Firearms"

Commissioner Richardson explained SB21-256 and presented the Boards opposition in giving local gun control to districts.

There was a motion and a second to approve the Resolution.

There was a brief discussion the local control. This would allow for more restrictions and less rights for self-protection and other Stated are having issues with this. The Resolution urges consistency between local districts and the county and to not use resources to police those rules that are unjust and illegal.

Commissioner Thayer stated that as the SB21-256 reads, water departments could set gun rules and that does not make sense.

Commissioner Richardson read the resolution out loud.

Public Comment: None

Motion: To Approve a Resolution regarding SB21=256 Opposing "Local Regulation of Firearms".

Commissioner Rick Pettitt made a motion to Approve a Resolution regarding SB21=256 Opposing "Local Regulation of Firearms". Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None



I. BOARD PLANNING

1. Agenda Items for Next Meeting

Liquor License Transfer Spring Valley Golf
Workshop for Justice Center

Commissioner Richardson called a recess at 10:27 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 1:01 PM. Deputy Clerk Amanda Moore performed roll call and all Commissioners were present.

Commissioner Richardson mentioned that the Burnco item missed its deadline for notice and will have to re-notice and brought back to the Board.

1. Secure RV & Boat Storage and Repair (SU-20-0048) - A request for a Special Use By Review for an RV & Boat Storage/Repair business on a property at 2151 Elizabeth Drive, Parker

Motion: To Open a Public Hearing for Secure RV & Boat SU-20-0048.

Community and Development Director Christina Stanton made a correction to the SU number. It should be SU-21-0034.

Commissioner Pettitt made a motion to Open a Public Hearing for Secure RV & Boat SU-21-0034.
Commissioner Grant Thayer seconded the motion.

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

Public Hearing Opened at 1:03 PM.

Community and Development Director Christina Stanton presented a request for use by special review for a RV & Boat Storage Facility. Ms. Stanton explained that this SU is to bring the business that has been operating for around two years into compliance. Ms. Stanton said the request does comply with the Elbert County Regulations. Staff and Planning Commissioner recommend approval with the conditions listed.



Public Comment: None

Motion: To Approve Secure RV & Boat Storage and Repair SU-21-0034 with the condition listed.

Commissioner Grant Thayer made a motion to Approve Secure RV & Boat Storage and Repair SU-21-0034 with the condition listed. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close a Public Hearing for Secure RV & Boat SU-21-0034.

Commissioner Pettitt made a motion to Close a Public Hearing for Secure RV & Boat SU-21-0034. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Closed at 1:14 PM.

2. Eastin-Albers Rezone (RZ-21-0001) -- A rezone of approximately 36 acres from Agriculture (A) to Agriculture Residential (AR) on property located at 13124 State Hwy 86, Kiowa

Motion: To Open a Public Hearing for Eastin-Albers Rezone RZ-21-0001.

Commissioner Grant Thayer made a motion to Open a Public Hearing for Eastin-Albers Rezone RZ-21-0001. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

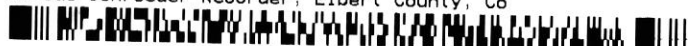
No - None

Public Hearing Opened at 1:16 PM.

Community and Development Director Christina Stanton presented a request to rezone 36 acres from Agricultural to Agricultural Residential located at 13124 State Hwy 86, Kiowa. Ms. Stanton stated that the property has been surveyed to clear up any property line questions and that they are still waiting to hear back from the Colorado Division of Water. Ms. Stanton said the request is in general compliance of Elbert County Zoning Regulations. Staff and Planning Commission recommend approval with the conditions listed.

Public Comment: None

Motion: To Approve Eastin-Albers Rezone RZ-21-0001 with the conditions listed.



Commissioner Rick Pettitt made a motion to Approve Eastin-Albers Rezone RZ-21-0001 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 Eastin-Albers Rezone RZ-21-0001.

Commissioner Rick Pettitt made a motion to Close a Public Hearing for Eastin-Albers Rezone RZ-21-0001. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

The Public Hearing Closed at 1:27 PM.

3. Stairs (VA-21-0035) -- A request for a major variance to the side setback requirement of 60' to a proposed setback of 40' on property located at 40435 County Road 21, Elizabeth

Motion: To Open a Board of Adjustments Public Hearing for Stairs VA-21-0035.

Commissioner Rick Pettitt made a motion to Open a Board of Adjustments Public Hearing for Stairs VA-21-0035. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Board of Adjustments Public Hearing Opened at 1:29 PM.

Planning Technician Allie McGahee presented a request for major variance to the side setback requirements of 60 feet to 40 feet located at 40435 County Rd 21. Ms. McGahee stated that the request complies with the criteria for zoning regulations and Staff recommends approval with the condition listed.

Public Comment: None

Motion: To Approve Stairs Variance VA-21-0035.



Commissioner Rick Pettitt made a motion to Approve Stairs Variance VA-21-0035. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close a Board of Adjustments Public Hearing for Stairs VA-21-0035.

Commissioner Rick Pettitt made a motion to Close a Board of Adjustments Public Hearing for Stairs VA-21-0035. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Board of Adjustments Public Hearing Closed at 1:36 PM.

4. Burnco Concrete Batch Plant EDZ Site Plan (EVS-21-0023) --An Economic Development Zone (EDZ) Site Plan for the development of Lot 5 of the *Prairie View Industrial Development* into a concrete batch plant on property located at 8750 Alan Ridge Drive, Kiowa
STAFF IS RECOMMENDING CONTINUATION OF THIS ITEM.

Item will be re-noticed.

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 1:37 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

