



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

Regular Meeting Held in the BOCC Meeting Room

April 13, 2022 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 preformed roll call and Commissioner Richardson was absent.

C. APPROVAL OF AGENDA

Motion: Approval of Agenda as presented.

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

Yes - Grant Thayer, Rick Pettitt

No - None

D. CONSENT AGENDA

Motion: Approval of Consent Agenda as presented

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

Yes - 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. Appointment of Kevin Kirkwood to Planning Commission
5. 1st Quarter 2022 Public Trustee Report
6. Ratification of Jail Healthcare Contract Amendment for 2022 - Wellpath





E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Facilities Manager Bobby Chevarria provided an update to the Public Works Facility Project. (the written report is attached to the Minutes)

Community and Development Director Greg Thompson provided the 2021 Annual Development Report. (the written report is attached to the minutes)

F. CITIZEN PUBLIC COMMENT

Berna Dillavou, 6510 CR 146, Elizabeth. Ms. Dillavou voiced her concerns over the Xcel power lines and suggested they be buried.

Rick Gordon, 30474 Hwy 24, Simla. Mr. Gordon said that there is a misconception of Xcel's power lines helping Mountain View Electric and that is not the case. Mr. Gordon suggested a few alternate routes for the lines.

Chuck Hughes, 19753 Wedemeyer Rd, Kiowa. Mr. Hughes feels the county should give the bijou basin some identity since it is the jewel of Elbert County. Mr. Hughes would like to see locator signs and feels it will help preserve the area as well.

Brenda Kelly, 26501 Flower Cir, Simla, Ms. Kelly feels that her way of life is being destroyed. Ms. Kelly has concerns over insurance increases due to fire threats. Ms. Kelly asked the Commissioners to stand up for Elbert County.

John Mott, 18087 CR 150, Kiowa. Mr. Mott has attended the meetings with Xcel and feels that the public are not being told the truth.

The Commissioners agreed that they would like to see the lines go further east and will be interested in seeing the application once submitted.

G. DISCUSSION ITEMS

No discussion items

H. ACTION ITEMS

1. Volunteer Week Proclamation

Commissioner Thayer thanked all of the volunteers that worked so hard throughout the year in the county. OEM Director Shane Pynes, Victims Advocate Janet Maloney, Captain Cillo, Fair Board President Tammi Schneider, CSU Extension Director Kali Benson and CDS Director Greg Thompson all thanked their volunteers and presented certificates.

County Attorney Bart Greer read the proclamation recognizing volunteer week.

Motion: To Approve the Proclamation Recognizing Volunteer Week

Commissioner Rick Pettitt made a motion to Approve the Proclamation Recognizing Volunteer Week. Commissioner Grant Thayer seconded the motion.

Yes - Grant Thayer, Rick Pettitt

No - None

2. Consideration of March 23, 2022 Minutes

Motion: Approval of March 23, 2022 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 - Grant Thayer, Rick Pettitt

No - None

3. Building Department 2022 Fee Schedule Resolution

Building Department Administrator Faith Mehrer presented the 2022 Fee Schedule. Ms. Mehrer stated that the table is being amended to reflect the ICC valuation changes.

Public Comment: None

Motion: To Approve the Building Department 2022 Fee Schedule Resolution

Commissioner Rick Pettitt made a motion to Approve the Building Department 2022 Fee Schedule Resolution . Commissioner Grant Thayer seconded the motion.

Yes - Grant Thayer, Rick Pettitt

No - None

4. Second Reading and Possible Action of Ordinance 22-01 to Amend & Restate Ordinance 18-04, Adopting the 2018 International Building, Residential, Energy Conservation, Mechanical, Fuel & Gas, Plumbing, Property Maintenance and Fire Code.

Building Department Administrator Faith Mehrer presented the second reading of the Ordinance to amend and restate ordinance 18-04, Adopting the 2018 International Building Code. Ms. Mehrer explained the amendments.

Public Comment: None

Motion: To Approve Ordinance 22-01 to Amend and Restate Ordinance 18-04, Adopting the 2018 International Building, Residential, Energy Conservation, Mechanical, Fuel & Gas, Plumbing, Property Maintenance and Fire Code.

Commissioner Rick Pettitt made a motion to Approve Ordinance 22-01 to Amend and Restate Ordinance 18-04, Adopting the 2018 International Building, Residential, Energy Conservation, Mechanical, Fuel & Gas, Plumbing, Property Maintenance and Fire Code.

. Commissioner Grant Thayer seconded the motion.

Yes - Grant Thayer, Rick Pettitt

No - None



5. 2023 BOCC Budget Goals

Finance Manager Tony McCormick presented the 2023 Budget Goals. Mr. McCormick stated that the goals were reviewed and a budget committee was implemented.

Commissioner Thayer liked that it sets strategic goals.

Public Comment: None

Motion: To Adopt the 2023 BOCC Budget Goals

Commissioner Rick Pettitt made a motion to Adopt the 2023 BOCC Budget Goals. Commissioner Grant Thayer seconded the motion.

Yes -Grant Thayer, Rick Pettitt

No - None

6. Consideration of Resolution for County Road 178 Initial Acceptance

Public Works Director Rory Hale presented the initial acceptance of County Road 178. Mr. Hale explained that the punch list was gone through and the remaining items should not stop the opening of the road. Public Works recommends approval of the initial acceptance.

There was a brief conversation between Mr. Hale and the Commissioners regarding the warranty period before final acceptance.

Public Comment: None

Motion: To Approve the Resolution for County Road 178 Initial Acceptance with the conditions listed

Commissioner Rick Pettitt made a motion to Approve the Resolution for County Road 178 Initial Acceptance with the Conditions Listed . Commissioner Grant Thayer seconded the motion.

Yes - Grant Thayer, Rick Pettitt

No - None

I. BOARD PLANNING

1. Agenda Items for Next Meeting
2. Workshops/Study Sessions
3. Pending Hearings



J. LAND USE HEARINGS 1:00 P.M. NO LAND USE HEARING SCHEDULED

K. ADJOURNMENT

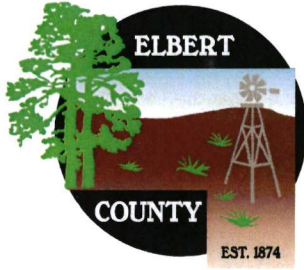
Motion: To Adjourn

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

Yes - Grant Thayer, Rick Pettitt

No - None

The meeting Adjourned at 10:05 AM.



ELBERT COUNTY GOVERNMENT

STAFF REPORT

Bobby Chevarria, Facilities Manager

bobby.chevarria@elbertcounty-co.gov

Office 303-621-3151 Fax 303-621-2343

PO Box 7, 95 Ute Ave., Kiowa, CO, 80117

To: Elbert County Board of County Commissioners

From: Bobby Chevarria, Facilities Manager

Date: April 7th, 2022

Re: New Road & Bridge Shop Update

Project Budget and Expenditures:

The total budget for this project is \$12,000,000 and we have spent \$921,702 on the land purchase, engineering, and architectural fees. The total project expenditures calculate to \$921,702.

ECPW Schedule Breakdown 4/7/22:

April 2022

- Reconfigure drainage drawings.
- Wold to receive Pre-Engineered Metal Buildings (PEMB) production drawings from FCI (all areas): April 15th, 2022
- County planning review for lot consolidation: TBD
- Water/sewer supply: timeline in progress – KWWA writing a letter stating that they will serve. Nail down tap fees and execute an IGA.
- 100% Construction Drawings complete – April 15th, 2022.
- Wold to finalize design footings/foundations from PEMB drawings – In Progress.
- Wold to coordinate columns with arch footprint – In Progress.
- Issue 100% CD's to FCI for bidding – In Progress.

May 2022

- Bidding: 3 weeks
- FCI to Receive Bids: Late May
- FCI to review bids and make recommendation for Award: Late May/Early June

June 2022

- FCI to mobilize and get Contractors under Contract
- Receive building permit



July 2022

- FCI to begin site work mid to late July
- Wold begin to receive and review shop drawings from Contractors

Aug-Sept 2022

- FCI to continues site work and installation of footings and foundations
- Wold continues review of shop drawings from Contractors

October 2022

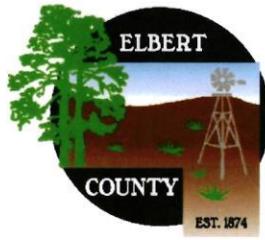
- - PEMB is on site and erection begins.

Tasks to complete in April 2022:

KWWA providing a letter stating that they will serve. Next step is to nail down tap fees and secure easements. Execute an IGA.

Working with CDS to settle the lot line adjustment and zoning to classify the two pieces of property that were purchased as one parcel.

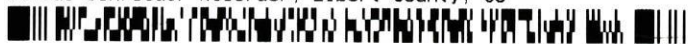
Finalize site plan after drainage changes. The changes were made in a meeting with FCI, Wold and the engineers resulting in a later date to receive finalized drawings.



2021 Development Report

APRIL 13, 2022

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Dallas Schroeder Recorder, Elbert County, Co



Executive Summary

This is the third annual report which provides an overview of Community & Development Services (CDS) Department activities. Included is a summary of land use applications which were approved, and which entity approved them. Information showing zoning compliance statistics is also provided. Economic Development activity was presented separately to the BOCC on February 9, 2022.

The first part of this report includes some basic data about Elbert County and how the County is growing relative to the State of Colorado as a whole and the Denver metro area.

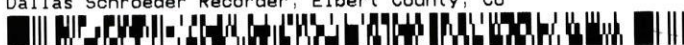
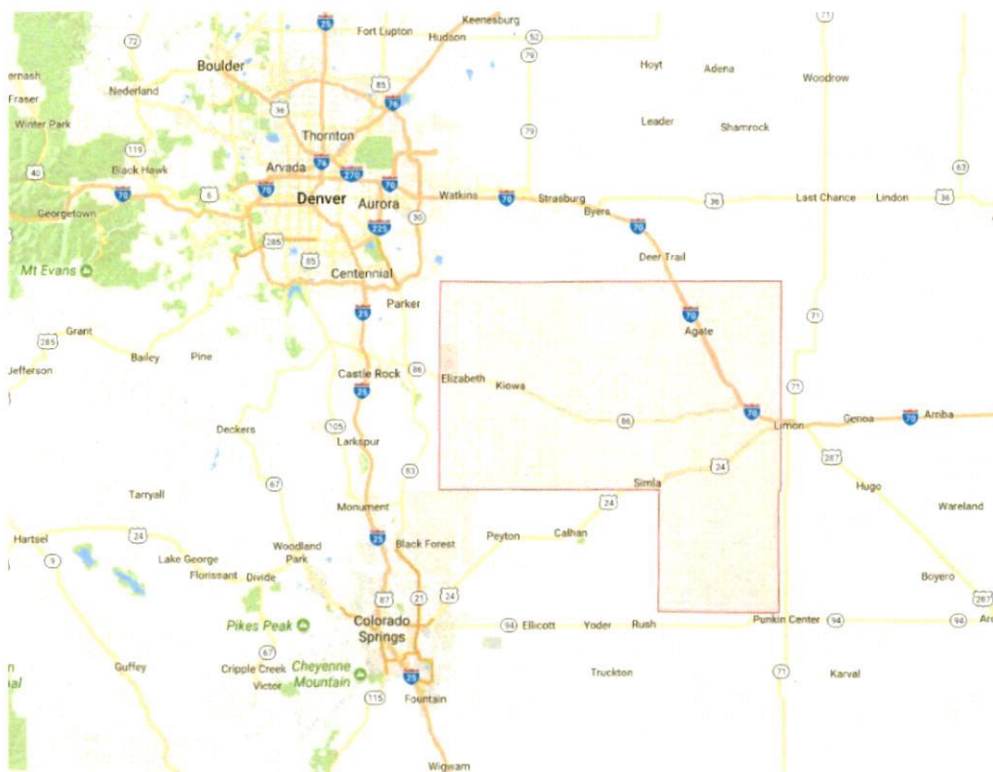
The second part details the land use cases that were approved in 2021.

The next section provides graphics summarizing the work performed by the County's sole Zoning Compliance Official in 2021 and offers some comparison data from 2019 and 2020.

Elbert County Overview

Elbert County covers 1,851 square miles. Elbert County is bordered by Douglas County to the west, El Paso County to the southwest, Lincoln County to the east and southeast, and Arapahoe County to the north.

The majority of Elbert County is rural in nature, consisting of large tracts of farming and ranching lands. While agriculture and grazing were historically the backbone of the local landscape and economy, changes in longstanding development patterns began with the first subdivisions appearing in the 1970s. The majority of the County's residents live in rural subdivisions principally in the Northwest area of the county. The incorporated communities of Elizabeth, Kiowa, and Simla are located in the County. Smaller historic communities include Agate, Elbert, Fondis, Matheson and Ponderosa Park. Eastern portions of the County have retained much of its working agricultural lands and have experienced slower population growth rates than other areas of the county.



Typical land subdivisions result in large-lot subdivisions between 10 and 35 acres in size. Development that occurred over the course of 2021 is largely the same.

The State grew 14.8% from 2010 to 2020. Counties in the state with the highest rates of growth (>15%) include El Paso, Douglas, Adams, and Denver among others. The next category (10-15% growth) includes Elbert, Arapahoe, Boulder, and Summit Counties.

The 2021 estimated population in the County totaled 26,431. By 2030, the population is projected to increase to 34,200. According to the State Demographer, Elbert County is forecasted to increase in population to 37,886 people by 2040, then decrease by 2045 and further decrease by 2050 by approximately 200 people.

COUNTIES	July, 2010	July, 2015	July, 2020	July, 2025	July, 2030	July, 2035	July, 2040	July, 2045	July, 2050
Adams	443,711	490,351	520,070	552,931	604,681	657,323	708,646	757,295	802,623
Arapahoe	574,819	629,965	655,044	688,688	725,287	759,589	790,626	813,103	827,720
Denver	604,879	675,534	717,632	761,528	802,307	836,498	859,004	859,562	850,634
El Paso	627,232	677,969	731,641	778,050	832,460	885,399	930,818	966,946	994,141
Elbert	23,107	24,061	26,188	29,986	34,200	36,861	37,886	37,854	37,673
Lincoln	5,474	5,553	5,661	5,867	6,020	6,089	6,102	6,202	6,374

Source: [SDO County Data Resource Page \(colorado.gov\)](https://colorado.gov/sdo-county-data-resource-page)

Development Trends

Land use cases that were received by the Elbert County Community and Development Services in 2021 are listed in the table below.

Applications Received in 2021			
Application Type	Completed	Active	Total
Admin. Variance	2	2	4
EDZ Site Dev. Plan	0	2	2
Final Plat	0	2	2
Minor Plat	0	1	1
Plat Amendment	2	4	6
PUD Amendment	1	0	1
Rezone	0	11	11
Site Dev. Plan	3	6	9
Special District Service Plan	0	2	2
Special Use by Review	0	4	4
Temporary Use Permit	0	1	1
Variance-Major	6	1	7
	14	36	50



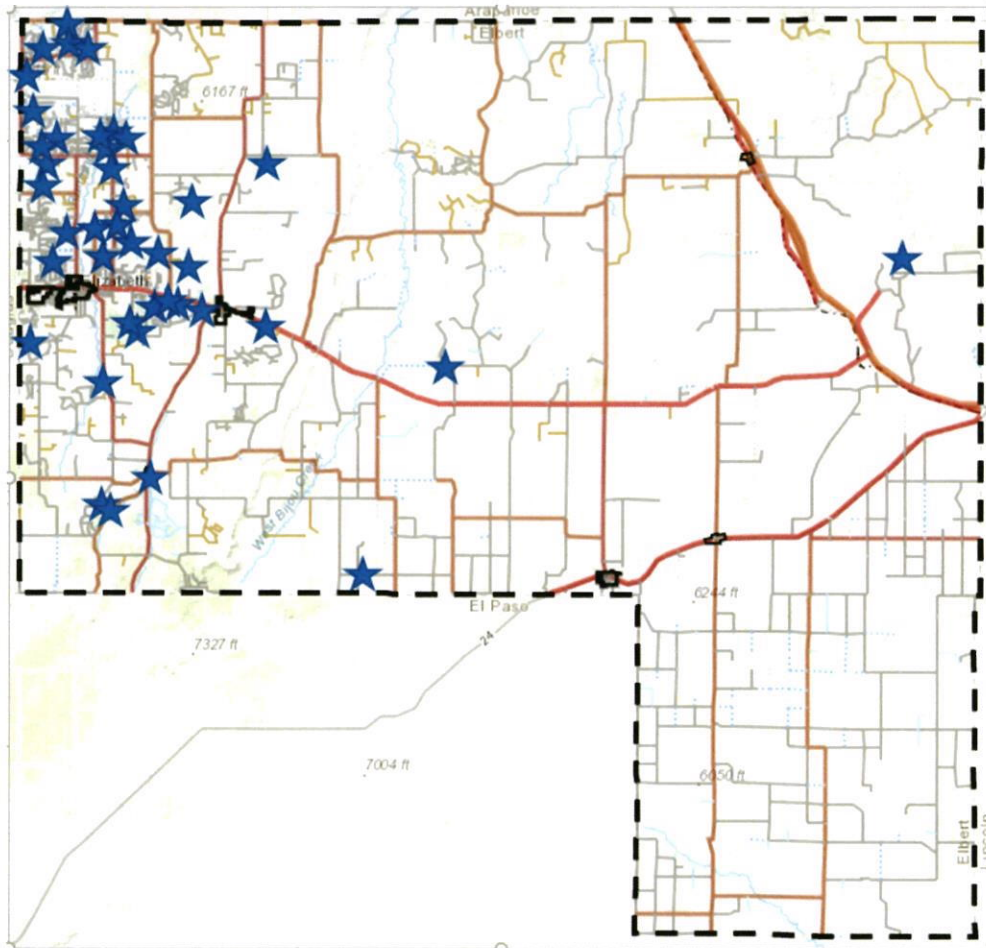
Of the cases that were received after January 1, 2021, 10 applications were reviewed by the Elbert County Board of County Commissioners in 2021. Most cases reviewed by the Board of County Commissioners in 2021 were from applications received in 2020. This type of lag is typical for applications that frequently take several months to get through the process.

The map below shows the County land use applications and actions which came before the Board in 2021. There were a total of 41 actions which the board took, ranging from variances, to zone changes, subdivisions and Economic Development Zone site plans. There is a clear pattern to the location of cases within the County.

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Dallas Schroeder Recorder, Elbert County, Co

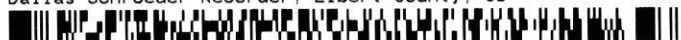


BOCC - 2021 LAND USE CASES AND ACTIONS



There was a high percentage of land use cases which went before the Board last year that were for variances. Staff is taking a more conservative approach with variances now and holding applicants to the Code language, which makes it difficult to meet and comply with the variance criteria. From a larger subdivision standpoint, the 2nd and 3rd filing of Independence was approved in 2021 and provided for the platting of 368 residential lots. Spring Valley Ranch #6 also went through the final platting process for 247 residential lots.

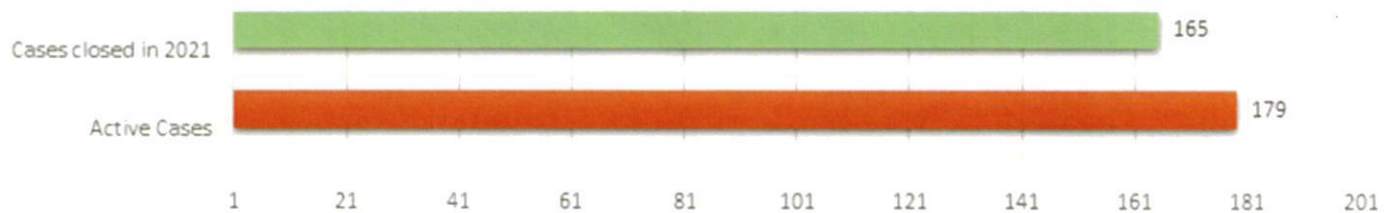
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Zoning Compliance

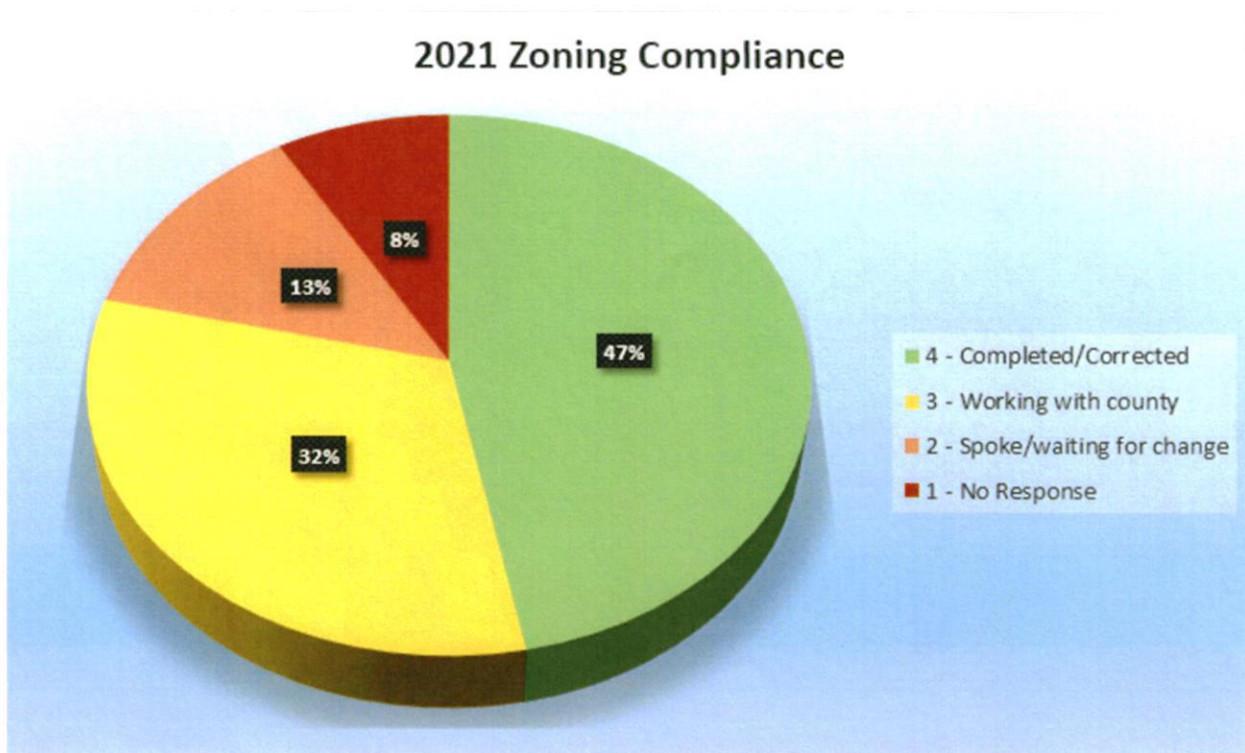
Another component of the Community & Development Services (CDS) Department is zoning compliance. 2021 marked the third year CDS has had a Zoning Compliance Official. The compliance officer was very busy working to answer zoning complaints and help residents and businesses who were not in compliance come into compliance with current regulations. In 2020, 170 cases were closed, and in 2021, 165 case were closed. The number of Active Cases has steadily climbed from 84 in 2019, to 129 in 2020, to the current 179.

2021 Case Status



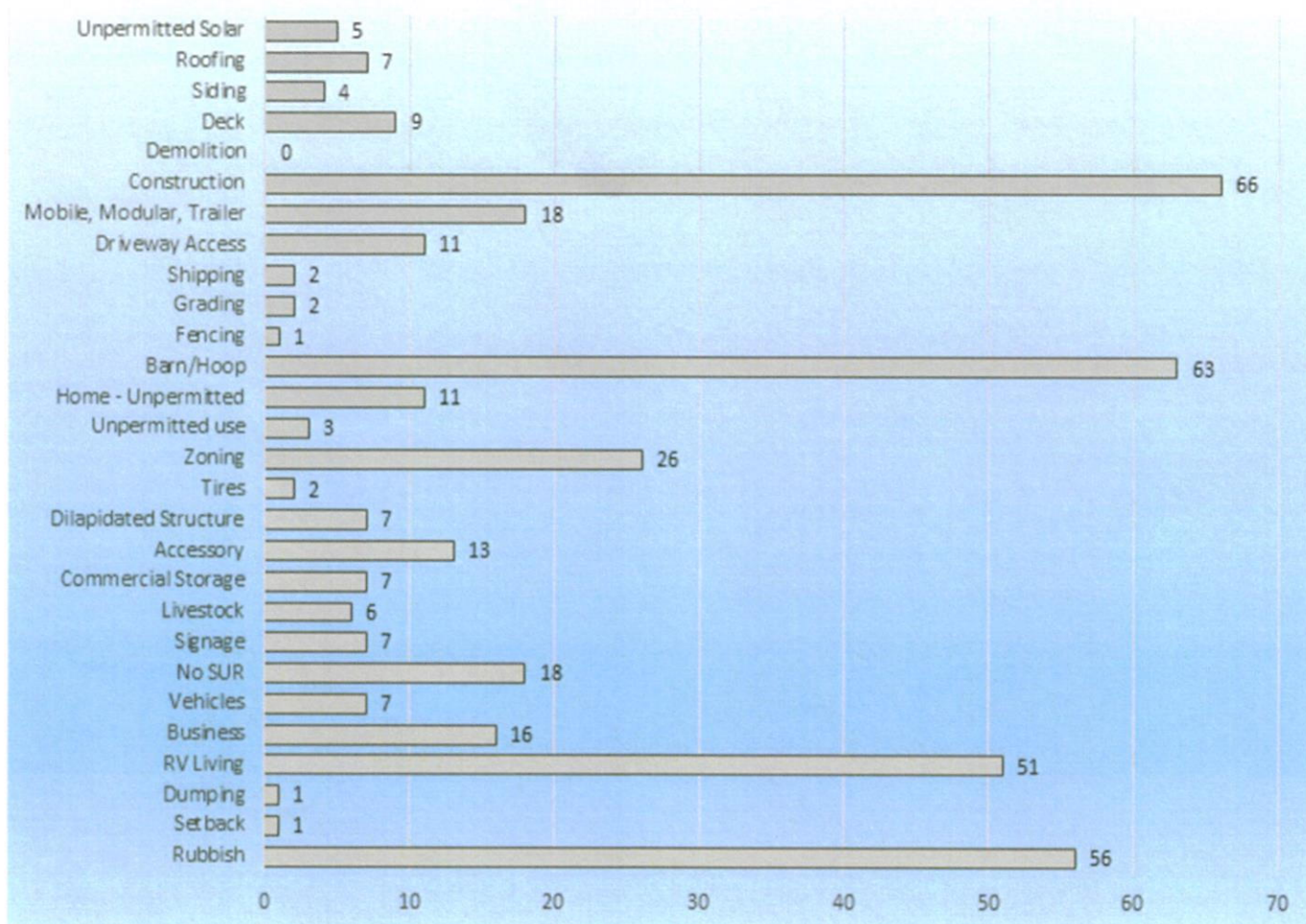
In 2019, there was only 17% of property owners who were working with the County to try and resolve their violations. That number jumped to 30% in 2020 and has climbed again to 32%. Additionally, there has been a corresponding decrease in the percentage of people who were non-responsive (from 21% in 2019 down to 9% in 2020 and 8% in 2021). The percentage of completed/corrected zoning compliance cases has increased each year, with 41% in 2019, 44% in 2020, and 47% in 2021. Mike Moore does a good job working with the property owners to try and resolve the zoning violations.

2021 Zoning Compliance



The chart below provides a break-down of the types of compliance cases worked by the County Zoning Compliance Officer in 2021.

2021 Types of Cases



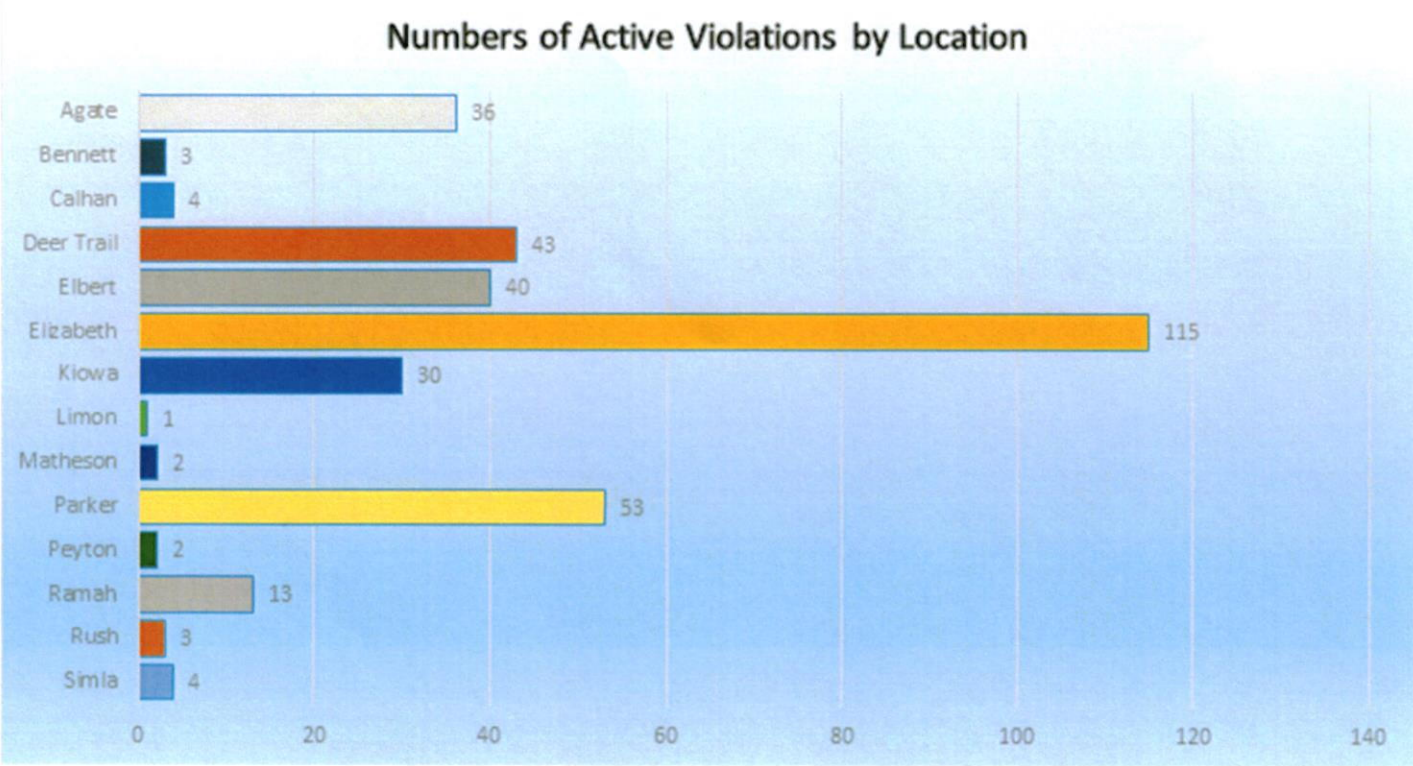
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Dallas Schroeder Recorder, Elbert County, Co



The graphs below depict the number of violations in the unincorporated parts of the County by zip code during 2021. It is not surprising the Elizabeth and Parker areas had the most violations since these are the most densely populated areas of the County and are experiencing the most growth.





BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

ABSTAIN

CHRIS RICHARDSON, Chair, COMMISSIONER District 1

Rick Pettitt

RICK PETTITT, COMMISSIONER District 2

Grant Thayer

GRANT THAYER, Vice-Chair, COMMISSIONER District 3

ATTEST: Amanda Moore

Deputy Clerk

BY:

Amanda Moore

Deputy Clerk to the Board of County Commissioners; Amanda Moore