



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
June 22, 2022 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE: PASTOR DENNIS BREWSTER

B. CALL TO ORDER AND ROLL CALL

C. APPROVAL OF AGENDA

Motion: Approval of Agenda as presented.

Commissioner Grant Thayer made a motion to Approve the 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 the 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. Approval of MOU between The State of Colorado Early Childhood and Elbert County
5. Approval of MOU between The Colorado Department of Human Services and Elbert County
6. IGA Concerning Improvements to Legacy Circle



E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Clerk and Recorder, Dallas Schroeder

Mr. Schroeder reported that as of Tuesday the 21st the Elections Department has received just under 3000 ballots. He reported everything is going smoothly and reminded citizens that ballots are due in his office on the 28th at 7 PM.

Emergency Management Director, Shayne Pynes

Mr. Pynes gave a report on the fire that occurred south of the town of Elbert. he said there was good team work among the many agencies that responded. There was a helicopter on site for 3.5 hours and that was a great benefit. Mr. Pynes also showed some pictures of the fire, the responding agencies and a map that showed where the fire occurred.

County Manager, Sam Albrecht

Mr. Albrecht reported that he had attended the fire chiefs' meeting and they were pleased with the cooperation among the agencies on the fire. The EOC was activated. They anticipate recognition to staff to say thanks and encourage them out soon.

County Attorney, Bart Chambers

Mr. Chambers reported that he has been in discussions with the Rattlesnake Fire Department in regards to the fire station building technically located on County property. This error has recently been discovered, and he is working on a deed to transfer property to Rattlesnake Fire Department. He anticipates this to be an agenda item for the next BOCC meeting.

Department of Human Services Director, Darcy Bolding

Ms. Bolding introduced Larry Desbin to the Commissioners. He was attending the meeting to recognize Brandi Snelling receiving an award and official recognition from the state. Mr. Desbin read excerpts from the award which complimented Ms. Snelling on her work and dedication in serving the citizens of Elbert. County.

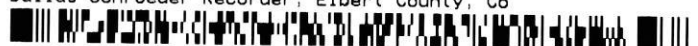
Ms. Snelling said she appreciated the award and surprised to receive it.

There was a brief pause in the meeting for a photo with the Commissioners, Ms. Snelling, Ms. Bolding, Mr.Desbin and other employees form the State Department of Health and Human Services.

F. CITIZEN PUBLIC COMMENT

Kerry Jibblits, 19656 Wedemeyer Rd, Kiowa

Ms. Jibblits rose to speak in opposition to the Excel power lines through Elbert County. She believes the PUC has given written approval to the lines. She referenced an article from the Colorado Sun from June 19th. Is concerned about those who want to slather the eastern plains with wind and solar. She believes the lines will go in and generation sites will follow. She believes Excel is just after the tax credits at this point.



Jill Adair, 19724 Wedemeyer Rd, Kiowa

Ms. Adair rose to speak in opposition to the Xcel power lines through Elbert County. She used to live in Kansas where something similar happened. She does not believe Excel is doing this the right way. She doesn't believe that what one does on their property should affect the neighbors. Ag regs reflect this and should apply to other activities as well and asked for a moratorium until a good solution can be worked out.

Chuck Hughes, CWM Ceffy1 Ranch, Kiowa

Mr. Hughes reminded the Commissioners of past comments he has made pertaining the Bijou Basin and the Excel power line project. He suggested that signs be placed and all the entrances to the Bijou Basin. As he has talked to people, he believes there is a lot of public support for the signs. He believes citizens could sponsor the signs, if the county doesn't want to, but would like to use the Elbert County logo.

Commissioner Chris Richardson commented that he is disappointed in the PUC as they have been asked to come meet with the Commissioner with no response. He said the county does have precedent of installing signs, as the county has Right to Farm signs, funded by Farm Bureau, posted at roads entering the County.

Commissioner Grant Thayer mentioned that they expect to see new updated 1041 regulation on July 12.

Dan Mason, Yellow Pine Ranch, Kiowa

Mr. Mason rose to encourage the Commissioners to have the Public Health Department include and encourage alternative treatments for COVID and vaccines for COVID. He presented some slides that showed the effectiveness of some alternative treatments.

G. DISCUSSION ITEMS

1. Update from Kari Linker from Senator Hickenlooper's Office

Kari Linker, Eastern Plains Regional Director for Senator Hickenlooper.

Ms. Linker presented on the following topics:

1. Broadband services. She was in Ft. Morgan 2 weeks ago talking to Viaero Wireless as well as workforce and supply chain issues
2. Infrastructure Bill and their role helping and sharing fiscal needs
3. ARPA- can be used for broadband projects
4. Pact Act- uses for toxic burn pit monies and issues
5. VA closing recommendations- La Junta, Lime and Burlington
6. Supply Chain Issues
7. USDA- Available to all 64 counties to get farm loans



Commissioner Thayer commented that inflation, fuel costs and the economic situation were concerning and what was Sen Hickenlooper's plan going forward..

Ms. Linker agreed that inflation, Ukraine and working on improving the economy were priorities. They were going to talk to the oil companies.

Commissioner Richardson commented favorably on the Pact Act, the need for reverse telehealth if all those VA locations closed, inquired if conservation districts would or could be eligible for funds, and encouraged no government interference in the markets in response to the inflation situation we are in.

Public Comment

Dan Mason, Yellow Pine Ranch, Kiowa,

Mr. Mason stated that controlling the border and stop sending billions Ukraine would be his message to Sen. Hickenlooper.

Commissioner Rick Pettitt

Mr. Pettitt stated the federal and state governments need to work together better in crafting the farm bill.

2. Social Media Policy

Commissioner Richardson gave some background to the need and usage of a social media policy.

Sam Albrecht, County Manager

Mr. Albrecht stated as acting PIO it is important to be able to push out important information, such as info on the Elbert fire. The reason the county uses social media is to issue information such as evacuation orders or communication from the Commissioners. This policy should be looked at as a reset. Staff can't monitor comments and comments could contain mis-information, so comments will be turned off. Currently the policy is in draft form and will be presented at a later meeting.

Commissioner Richardson asked that a list of all county pages be compiled and how they are being used. He also stated it is important for the County to maintain control of the pages.

3. Noxious Weed Advisory Council Bylaws and Plan

Sam Albrecht, County Manager

Mr. Albrecht presented a PowerPoint presentation on the noxious weed advisory council bylaws and plan. The presentation included the whys and how of establishing a management plan. This includes getting volunteers, appointing a director and approving a charter and an Elbert County weed management plan.



H. ACTION ITEMS

1. Consideration of June 8, 2022 Minutes

Motion: Approval of June 8, 2022 Minutes

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

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

2. Public Hearing - Supplemental Appropriation 2021 Budget

Motion: To Open a Public Hearing for supplemental appropriation to the 2021 Budget.

Commissioner Rick Pettitt made a motion to Open a Public Hearing for supplemental appropriation to the 2021 budget . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Tony McCormick, Elbert County Finance Director

Mr. McCormick explained the supplemental appropriation for the 2021 budget in the following areas: ARPA Grant revenue, Recording Technology Grant and closing out the Meadow Station Fund.

Motion: To Approve The Supplemental Appropriation to the 2021 Budget.

Commissioner Grant Thayer made a motion to approve the supplemental appropriation to the 2021 budget . Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Commissioner Rick Pettitt made a motion to close the public hearing on the supplemental appropriation to the 2021 budget . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

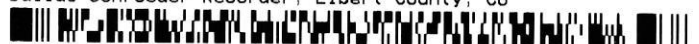
No - None

I. BOARD PLANNING

1. Agenda Items for Next Meeting

- a. Social Media Policy
- b. Noxious Ween Advisory Council Bylaws and Plan
- c. Deed transfer to Rattlesnake Fire Department

Recess Declared at 10:26 AM



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

1. CORE Electric Service Plan Update

1:00 PM Out of Recess

Roll Call: Commissioners Pettitt, Thayer and Richardson were all present

Derek Holscher from Burns Consulting introduced J R Collier who presented a power point presentation on the anticipated electrical needs in the county. This included a best guess at future project needs and the projected need for additional capacity.

CORE Elizabeth Substation Rebuild (case: RZ-22-0010)

2. A request to rezone approximately 1.7-acres from Agriculture (A) to Industrial (I) to support the rebuild of the adjacent, 2.5-acre CORE Elizabeth Substation located at 37475 County Rd 13, Elizabeth

Motion: Open Public Hearing on CORE Elizabeth Substation (RZ-22-0010)

Commissioner Grant Thayer made a motion to open a public hearing on CORE Elizabeth Substation Rebuild (RZ-22-010). Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Greg Thompson, CDS Director

Mr. Thompson presented a PowerPoint presentation on the application for the CORE Elizabeth Substation Rebuild that proposed to rezone approximately 1.7 acres from Agriculture (A) to Industrial (I) The presentation included location, area zoning, referral agencies and review criteria. Mr. Thompson reported the Planning Commission recommended approval.

Commissioner Richardson asked if there were any concerns during the community meeting.

Tony Black, Project Manager

Mr. Black reported there were now concerns and this project would double CORE's capacity at this location.

Commissioner Thayer asked about the timing of the project.

Mr. Black stated they have a target date of August 1st to begin moving dirt, if approved. He believed it would take 6-9 months to complete and was doubtful that there would be power outages.

Motion: Approve CORE Elizabeth Substation Rebuild (RZ-22-0010)

Commissioner Grant Thayer made a motion to approve CORE Elizabeth Substation Rebuild (RZ-22-010). Commissioner Rick Pettitt seconded the motion.



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

Motion: Close public hearing on CORE Elizabeth Substation Rebuild (RZ-22-0010)

Commissioner Rick Pettitt made a motion to close public hearing on CORE Elizabeth Substation Rebuild (RZ-22-010). Commissioner Grant Thayer seconded the motion.

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

3. Jimenez-Torres Rezone (case: RZ-21-0074)

A request to rezone 35-acres from Agriculture (A) to Agriculture Residential (AR) on a property located on County Rd 162, Agate, CO, approximately 2.6-miles west of County Rd 153.

Commissioner Grant Thayer recused himself from the Jimenez-Torres Rezone

Motion: Open Public Hearing

Commissioner Rick Pettitt made a motion to open a public hearing on Jimenez-Torres Rezone (RZ-21-0074) Commissioner Chris Richardson seconded the motion.

Yes - Chris Richardson, Rick Pettitt
No - None

Greg Thompson, CDS Director

Mr. Thompson presented the case for Jimenez-Torres Rezone a 35 acre parcel from Agriculture (A) to Agriculture Residential (AR). Mr. Thompson presented a PowerPoint that outlined all meeting dates and the process and referral agencies. Comments. Currently, there are no buildings on the property fronting CR 162. The desire is to have two 17.5 acre parcels. The Planning Commissioner recommended approval.

Jimenez-Torres stated he had nothing to add to the application.

There was no public comment.

Brief recess from 1:35pm to 1:36pm

Motion: Approve Jimenez-Torres Rezone (RZ-21-0074)

Commissioner Rick Pettitt made a motion to approve Jimenez-Torres Rezone (RZ-21-0074) Commissioner Chris Richardson seconded the motion.

Yes - Chris Richardson, Rick Pettitt
No - None



Motion: Close Public Hearing on Jimenez-Torres Rezone (RZ-21-0074)

Commissioner Rick Pettitt made a motion to close the public hearing on the Jimenez-Torres Rezone (RZ-21-0074) Commissioner Chris Richardson seconded the motion.

Yes - Chris Richardson, Rick Pettitt

No - None

4. **Tenderfoot 2 Special Use Review (case: SU-22-0027)**
A Special Use Review for oil and gas pipelines within a 75' wide to 30' wide easement which connects the Crystal Ruby well pad in Section 22, Township 6 South, Range 65 West to the Vulcan well pad in Section 10, Township 6 South, Range 64 West.

Motion: Open Public Hearing on Tenderfoot 2 Special Use Review (SU-22-0027)

Commissioner Rick Pettitt made a motion to Open Public Hearing on Tenderfoot 2 Special Use Review (SU-22-0027) . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Greg Thompson, CDS Director

Mr.. Thompson presented the application, explaining the request, presenting the referral agencies and reviewing criteria for the application. The Planning Commissioner recommended approval.

Mr. Max Blair, Regional Manager for Tenderfoot Pipeline

They have their contractor and sites lined up and would like to start July 5. Mr. Blair presented a PowerPoint presentation of the project. He asked if Condition #2 could be modified to allow mobilization of equipment before recordation.

Commissioner Thayer inquired as to the number of wells this pipeline would service.

Mr. Bair answered, that the number would be 65.

Commissioner Ricardson asked if right of ways have been acquired.. Answer was yes

Mr. Richardson asked if there were any public concerns expressed at public meeting

Mr. Blair stated most were in support. The negative comments were in regards to traffic concerns and noise on the oil and gas, which have nothing to do with the pipeline.

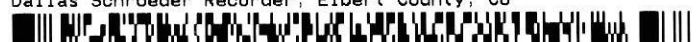
Public Comment

Dwayne ??? 4550 Coal Creek Rd

The gentleman expressed support of the project.

Close Public Comment

Applicant agreed to all conditions of approval.



Motion: Approve Tenderfoot 2 Special Use Review (SU-22-0027) application.

Commissioner Grant Thayer made a motion to Open Public Hearing on Tenderfoot 2 Special Use Review (SU-22-0027) . Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: Close Public Hearing on Tenderfoot 2 Special Use Review (SU-22-0027) .

Commissioner Rick Pettitt made a motion to Open Public Hearing on Tenderfoot 2 Special Use Review (SU-22-0027) . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

5. **Liscott Custom Homes Rezone (case: RZ-21-0082)**
A request to rezone approximately 5 acres from Residential Agriculture-One (RA-1) to Commercial (C) on property located at 40900 Wind Spirit Lane, Elizabeth in the Wind Spirit Ranch Subdivision.

Motion: Open Public Hearing on Liscott Custom Homes Rezone (RZ-21-0082)

Commissioner Rick Pettitt made a motion to Open Public Hearing on Liscott Custom Homes Rezone (RZ-21-0082). Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Greg Thompson, CDS Director

Mr. Thompson gave the staff presentation on Liscott Custom Homes Rezone (RZ-21-0082) The application is to rezone approximately 5 acres from Residential Agriculture one (RA-1) to Commercial (C). Mr. Thompson reported that there were different zones in the area. The EDZ is not included because this property is in a residential subdivision. Mr. Thompson listed the referral agencies, the background on this development and the review criteria. The Planning Commission recommended approval , 5-1. Mr. Thompson stated that staff recommended denial

Commission Thayer asked for confirmation that all four lots in the sub-division are zoned RA-1.
Confirmed.

Applicant Comments:

The Planning Commission went through in detail and recommended approval which would make lots 2,3 & 4 residential and lot1 commercial.
Commissioner Thayer stated he was puzzled why this was not a plat amendment. The Applicant stated he was following recommendations from CDS.

Public Comment

Dwaine Coggin

Mr. Coggin was the previous owner. Mr. Coggin stated that with the businesses across the street this lot is not well suited for residential, He sees the need for bring business for the tax burden to be paid by businesses. A new rezone was necessary as he was told Singing Hills would become a 4 lane road. After his rezone he sold lots 2-4 and lot1 to be commercial. He was told the Planning Commissioners would not approve this lot for heavy use.

Vivian Puteror, 65500 Madrid

Ms. Puteror stated she lives across the street from lot 1. She believes what they have planned is acceptable but is concerned about what might come in if it is sold. She stated they always knew that lot would become commercial property.

Commissioner Richardson asked if the owners of the other lots were consulted. Answer was no.

Commissioner Richardson stated the struggle was in contorting the regulations to make this work, and the current application does not support what they are able to do.

Commissioner Thayer stated he agrees with Commissioner Richardson.

Commissioner Richardson stated that a Plat Amendment would be better than a Rezone.

The applicant stated the rezone was at the direction of the Planning Commission. Rezoned lots 1-4 and covenants were to go to the county. Covenants not recorded at the direction of the Planning Commission

Commissioner Richardson stated that staff and Planning Commission recommend and the BOCC approves.

Commissioner Rick Pettitt made a motion to continue the Public Hearing on Liscott Custom Homes Rezone (RZ-21-0082) to August 24, 2022. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Commissioner Rick Pettitt made a motion to close the Public Hearing on Liscott Custom Homes Rezone (RZ-21-0082) Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No – None



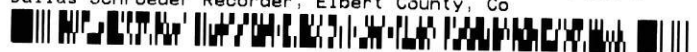
K. ADJOURNMENT

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

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

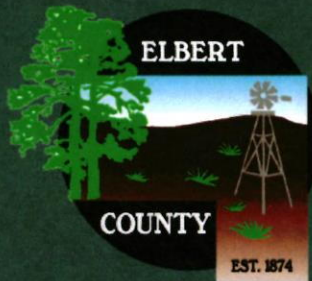
No - None

The meeting Adjourned at 2:57 pm.



ELBERT ROAD FIRE – JUNE 15TH 2022

SUMMARY







ELBERT ROAD FIRE (6/15/22)

CAUSE:

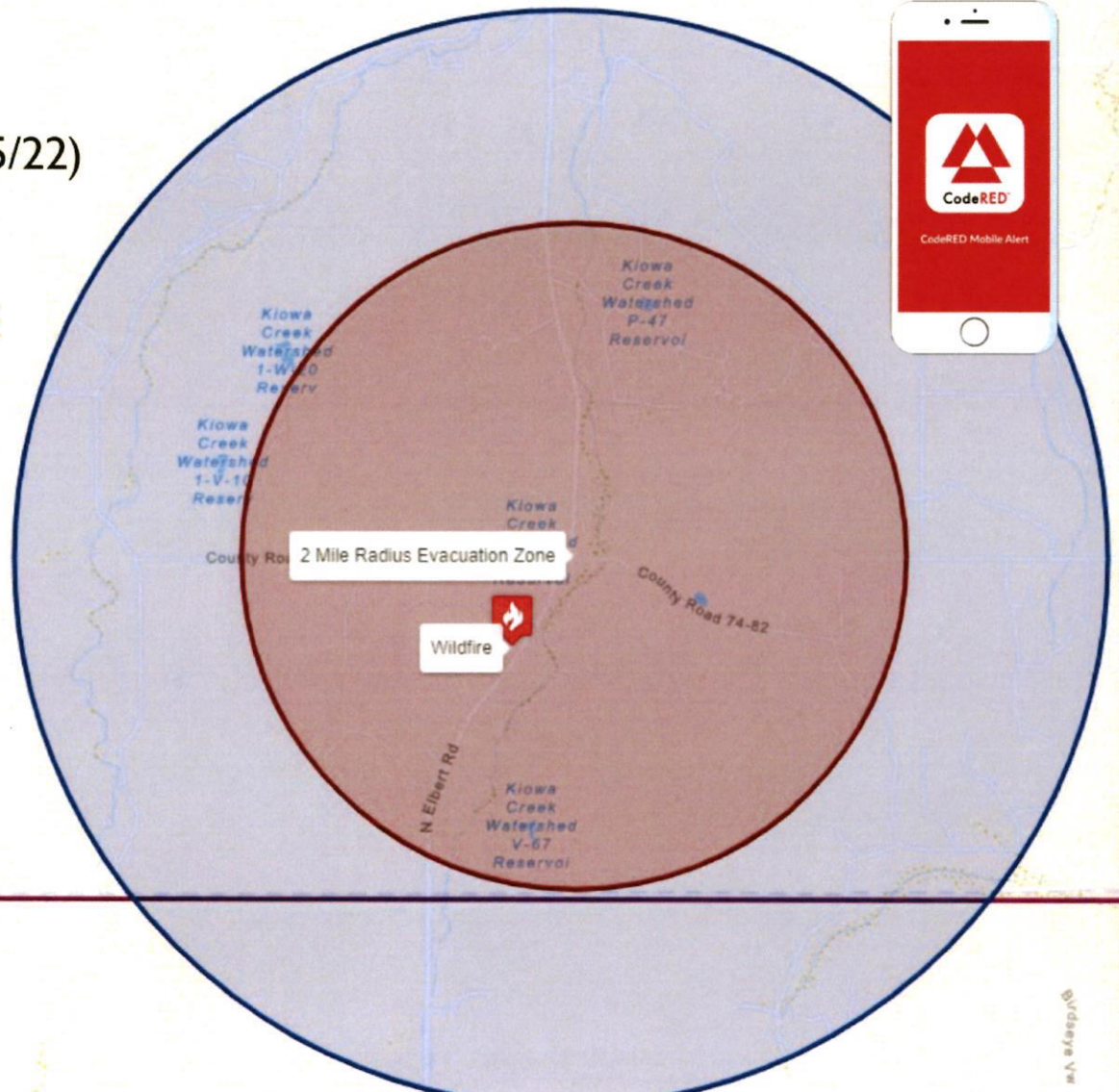
OVERHEATED SEMI TIRE

AT RISK:

3-4 HOMES INITIALLY

EVACUATIONS:

JCC RANCH 200+
FAIRGROUNDS



ELBERT ROAD FIRE – RESPONDING AGENCIES



AIR ASSET:

BELL 205A TYPE 2 HELO

PROVIDER:

DOUGLAS COUNTY OEM

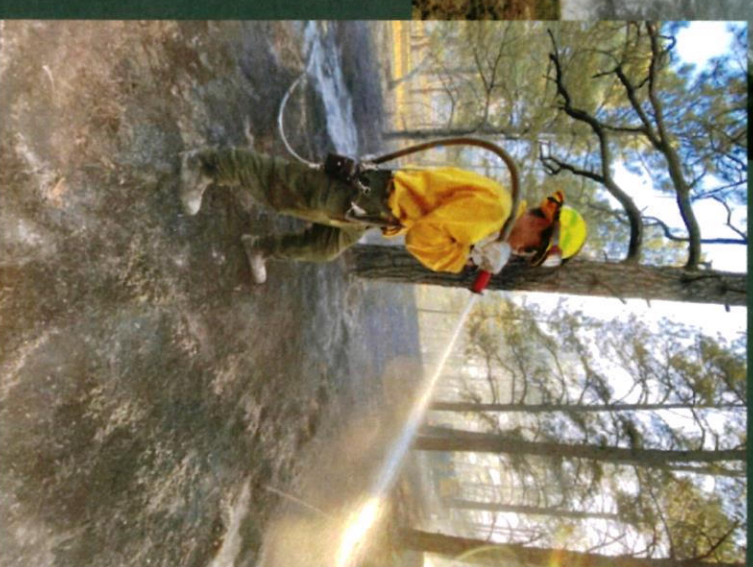
TIME IN USE:

APPROX 3.5 HOURS



OVERVIEW

- Strong collaboration/ mutual aid
- Resource rich response
- Coordination continues to improve
- Communications improvement ongoing
- Additional staffing/training support
- Scout Ranch provides unique evacuation challenges





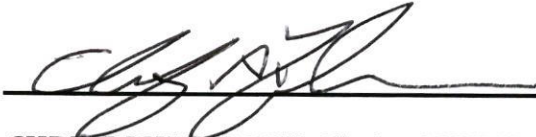
QUESTIONS?

THANK YOU

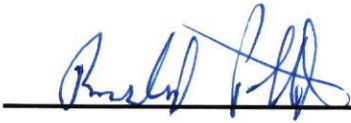


BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO



CHRIS RICHARDSON, Chair, COMMISSIONER District 1



RICK PETTITT, COMMISSIONER District 2



GRANT THAYER, Vice-Chair, COMMISSIONER District 3

ATTEST: Dallas Schroeder

County Clerk

BY: 

Clerk to the Board of County Commissioners; Dallas Schroeder

