



ELBERT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS MEETING MINUTES
Regular Meeting Held in the BOCC Meeting Room
August 10, 2022 at 9:00 AM

A. INVOCATION/PLEDGE OF ALLEGIANCE:

Bob Hummel, USN CDR(R) performed the Invocation and led the Pledge of Allegiance.

B. CALL TO ORDER AND ROLL CALL

The regular Board of County Commissioners meeting was called to order at 9:02 AM. Deputy Clerk Amanda Moore called the roll and all Commissioners were present.

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 CDS Pipeline Report
4. Health and Human Services Temporary Assistance for Needy Families Policies
5. 2022 Appointment and Reappointment Resolution Updates



E. ELECTED OFFICIALS/DEPARTMENT HEADS/STAFF REPORTS

Finance Manager Tony McCormick provided an update on the Audit for 2021. Mr. McCormick explained that there have been some outside issues with the completion of the audit. Mr. McCormick also explained that they are working on a process to bring some of the audit work internal.

F. CITIZEN PUBLIC COMMENT

Tom Lasater, 35439 US Hwy 24, Matheson. Mr. Lasater stated that he owns property in the unblemished Palmer Divide area where the current transmission lines are and the 4 new areas are proposed to go by Xcel. Mr. Lasater expressed that he thinks the lines should be placed by the current transmission line corridor.

Ursula Hummel, 11340 Copper Canyon, Kiowa. Ms. Hummel announced that her and her husband, Bob Hummel, were moving to South Dakota. Ms. Hummel echoes Mr. Lasater's comments and hopes that the Board will do what is right. Ms. Hummel thanked the Commissioners, Dallas Schroeder and Sheriff Norton for their service.

Jill Adair, 19724 Wedemyer Rd, Kiowa. Ms. Adair addressed the letter from the Xcel attorneys and asked about the changes being made to the 1041 regulations.

Kerry Jiblits, 19656 Wedemeyer Rd, Kiowa. Ms. Jiblits continued to address the letter from Xcel Attorneys and the concerns over what the changes may be to the regulations.

Commissioner Richardson thanked the Hummels for their service in the community.

G. DISCUSSION ITEMS

None

H. ACTION ITEMS

1. Consideration of July 27, 2022 Minutes

Motion: Approval of July 27, 2022 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. Consideration of August 3, 2022 CBOE Minutes

Motion: Approval of August 3, 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 - Chris Richardson, Grant Thayer, Rick Pettitt

No – None



3. Consideration of Open Records Policy

County Attorney Bart Greer discussed the open records policy and stated that there were no changes or additional comments since the last meeting.

Public Comment:

None

Motion: To Approve the Open Records Policy

Commissioner Grant Thayer made a motion to Approve the Open Records Policy. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Discussion and Possible Continuance - Public Hearing - 1041 Regulations Update & Revisions (item 4. continued from July 13,2022 and July 27,2022 BOCC meetings) (Public Comment Period is Still Open)

Motion: To Open a Public Hearing for the 1041 Regulations Update and Revisions

Commissioner Rick Pettitt made a motion to open a Public Hearing for the 1041 Regulations Update and Revisions. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 9:21 AM.

County Attorney Bart Greer spoke about the concerns that have been brought up. Mr. Greer stated that the proposed setbacks were inconsistent with any other regulations, definitions were clarified and a map containing zoning sections was discussed. Mr. Greer explained that they did take into consideration some of the recommendations presented by Xcel's attorneys.

There was a brief discussion regarding recommendations and some of the changes made.

Commissioner Thayer expressed that he would like to have time to look over the draft document.

Public Comment:

Ursula Hummel, 11340 Copper Canyon, Kiowa. Ms. Hummel stated that when they moved out here fifteen years ago, they came for the visual appeal. Ms. Hummel expressed concern about that appeal if there are transition lines and wind and solar farms.

Tom Lasater, 35439 Hwy 24, Matheson. Mr. Lasater asked about the total acreage impact.



Commissioner Richardson stated that these regulations help the County have more control over this kind of application.

Motion: To Continue to August 24th at 9:00 AM.

Commissioner Grant Thayer made a motion to continue until August 24th at 9:00 AM.. 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. 1041 Regulations Update and Revisions
- b. Public Works Update
- c. 2023 Budget Update

Commissioner Richardson called a recess at 9:41 AM to return at 1:00 PM for the Land Use Hearings.

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

The Land Use Hearings were called to order at 1:02 PM. Deputy Clerk Amanda Moore called the roll and all commissioners were present.

Elbert County Public Works EDZ Site Plan (case:EZS-22-0030)

1. An Economic Development Zone site development plan for the new Road and Bridges shop facility at 11330 State Hwy 86, Kiowa, CO 80117

Motion: To Open a Public Hearing for Elbert County Public Works EDZ Site Plan EZS-22-0030

Commissioner Rick Pettitt made a motion to open a Public Hearing for Elbert County Public Works EDZ Site Plan EZS- 22-0030. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 1:03 PM.

Senior Planner Steven Hoese presented the EDZ Site Plan for the new Public Works Facility. Mr. Hoese stated that it is going through concurrent review regarding a minor plat rezone as well. Mr. Hoese stated that during the referral process a utility easement was requested and they will work with the Town of Kiowa for water and sewer. Staff recommends approval of the EDZ with the conditions listed.



Public Comment:

Ken Turnbull, 7651 Carolyn Dr, Castle Rock. Mr. Turnbull stated that he owns property across from the new Public Works Facility and feels that it is a huge advantage for the county and employees.

Commissioner Thayer explained that the current facility is beyond its use.

Motion: To Approve the Elbert County Public Works EDZ Site Plan with the Conditions

Commissioner Grant Thayer made a motion to Approve the Elbert County Public Works EDZ Site Plan with the Conditions. Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close a Public Hearing for Elbert County Public Works EDZ Site Plan EZS-22-0030

Commissioner Rick Pettitt made a motion to close a Public Hearing for Elbert County Public Works EDZ Site Plan EZS- 22-0030. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Closed at 1:19 PM.

Ptarmigan Rezone (case: RZ-22-0006)

2. A request to rezone 87-acres from Agriculture (A) to Agriculture Residential (AR) on properties located at 43510 & 43520 Ptarmigan Ranch St, Parker.

Motion: To Open a Public Hearing for Ptarmigan Rezone RZ-22-0006

Commissioner Rick Pettitt made a motion to Open a Public Hearing for Ptarmigan Rezone RZ-22-0006 . Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 1:20 PM.

Land Use Planner Matthew Karney presented a request to rezone 87 acres from Agriculture to Agriculture Residential on properties located at 43510 & 43520 Ptarmigan Ranch St, Parker. Mr. Karney explained that a minor plat will be done at a later time to possibly create 8 lots. Staff and Planning Commission recommend approval with the conditions listed.



CJ Kirst of Tahoe Consulting LLC, 5730 E Otero Ave, Centennial. Mr. Kirst explained that they want access to be off of County Rd 13 and they accept the conditions listed.

Commissioner Thayer requested that because of the warranty period on the road, he would like Mr. Kirst to look into any problems with that and access.

Commissioner Richardson asked about the timing of the subdivision.

Public Comment: None

Motion: To Approve Ptarmigan Rezone RZ-22-0006 with the conditions listed.

Commissioner Rick Pettitt made a motion to Approve Ptarmigan Rezone RZ-22-0006 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 Ptarmigan Rezone RZ-22-0006

Commissioner Grant Thayer made a motion to Close a Public Hearing for Ptarmigan Rezone RZ-22-0006 . Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Closed at 1:32 PM.

Huck Rezone (case: RZ-22-0013)

3. A request to rezone 30-acres from Agriculture Two (A-2) to Agriculture Residential (AR) on a property located at 35055 County Rd 17, Elizabeth.

Motion: To Open a Public Hearing for Huck Rezone RZ-22-0013

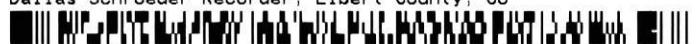
Commissioner Rick Pettitt made a motion to Open a Public Hearing for Huck Rezone RZ-22-0013. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 1:32 PM.

Land Use Planner Matthew Karney presented a request to rezone 30 acres from Agriculture to Agriculture Residential on a property located at 35055 County Rd 17, Elizabeth. Mr. Karney stated that during the referral process an augmentation plan was requested and that has been completed. Easements for CORE Electric were requested and Elizabeth Fire impact fee or fire flow required. Staff recommends approval with the conditions listed.



Public Comment: None

Motion: To Approve the Huck Rezone RZ-22-0013 with the conditions listed.

Commissioner Grant Thayer made a motion to Approve the Huck Rezone RZ-22-0013 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 Huck Rezone RZ-22-0013

Commissioner Rick Pettitt made a motion to Close a Public Hearing for Huck Rezone RZ-22-0013. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Closed at 1:45 PM.

Commissioner Richardson called a recess at 1:45 PM and returned at 1:50 PM.

Crickworld Cricket Fields SUR (case: SU-22-0005)

4. A Special Use by Review for three (3) cricket sports fields with an accessory building for youth cricket training on a property located at 24251 Crickworld St, Elbert.

Motion: To Open a Public Hearing for Crickworld Cricket Fields SUR SU-22-0005

Commissioner Rick Pettitt made a motion to Open a Public Hearing for Crickworld Cricket Fields SUR SU-22-0005. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Opened at 1:51 PM.

Land Use Planner Matthew Karney presented the request for a Special Use by Review for three (3) cricket sports fields with an accessory building for youth cricket training on a property located at 24251 Crickworld St, Elbert. Mr. Karney explained that at the Planning Commission meeting there was a 3/3 vote and it was not recommended for approval. Mr. Karney went over the site & use plan for the facility as well as provided additional insight into the possible spectators. Mr. Karney provided information regarding the road access and requirements. Referral comments received were from Colorado Water, Public Health, Public Works and Kiowa Conservation District.

Applicant Raja Mandiga, Parker. Mr. Mandiga gave an explanation of the game and what events would look like.



Public Comment:

Gary Downing, 9603 CR102, Elbert. Mr. Downing stated that the property easements were addressed a few years ago by the County. Mr. Downing has concerns over traffic on these easements as they are not actual roads. Mr. Downing feels this would be considered a commercial property.

Roger Wille, 9490 CR 102, Elbert. Mr. Wille stated the road is not a real road, it is an easement that runs through his property. Mr. Wille feels that the applicant should have to make improvements to the road because it is not wide enough for two vehicles.

Judy Wille, 9490 CR 102, Elbert. Ms. Wille stated that in the County regulations, Special Use by Review is held at a higher level of requirements and feels there is conflicting information within the application. Ms. Wille has concerns over the blind area on County Rd 41 and that this application does not harmonize with the surrounding properties. Ms. Wille asked the Commissioners to deny this SUR.

Tara Wille, 24275 CR 41, Elbert. Ms. Wille has concerns over the increased traffic, speeding and noise pollution. Ms. Wille feels the increased traffic will put a burden on the current easement and area. Ms. Wille asked how often a SUR is checked on.

After a brief discussion, the Commissioners agreed that they would like more clarification on the easement requirements.

Motion: To Continue Crickworld Cricket Fields SUR to August 24, 2022 at 1:00 PM.

Commissioner Grant Thayer made a motion to continue Crickworld Cricket Fields to August 24, 2022 at 1:00 PM . Commissioner Rick Pettitt seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Motion: To Close a Public Hearing for Crickworld Cricket Fields SUR SU-22-0005

Commissioner Rick Pettitt made a motion to close a Public Hearing for Crickworld Cricket Fields SUR SU-22-0005. Commissioner Grant Thayer seconded the motion.

Yes - Chris Richardson, Grant Thayer, Rick Pettitt

No - None

Public Hearing Closed at 2:51 PM.

K. ADJOURNMENT

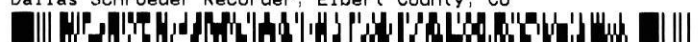
Motion: To Adjourn

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 2:52 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

