

Phillips County Commissioner  
Meeting Minutes<sup>1</sup>  
September 19, 2023

The board held a work session with Road and Bridge Supervisor Mike Salyards and Assistant Supervisor Kevin Scott.

**Call to order**

Chairman Garold Roberts called the meeting of the Phillips County Commissioners to order and opened with the Pledge of Allegiance at 8:00 a.m. on September 19, 2023, at the County Courthouse in the Commissioner meeting room.

**County Attendees**

Chairman Garold Roberts, Commissioners Terry Hofmeister and Tom Timm, County Administrator Laura Schroetlin, Deputy Administrator/Planner Andrew Nygaard, and County Clerk Beth Zilla

**Additional Attendees**

Janelle Krueger

**Additions or Corrections to the Agenda**

None presented.

**Approval of Consent Agenda**

Timm made a motion to approve the consent agenda as presented. Hofmeister seconded the motion. Motion carried unanimously.

**Consent Agenda Items:**

- a. Approval of the minutes of the BOCC 09.08.2023 meeting
- b. Approval of invoice list
- c. Acknowledge receipt of CAPP reports
- d. Acknowledge receipt of Workers' Comp reports
- e. Acknowledge receipt of Treasurer reports
- f. Acknowledge receipt of TV Service Log for March-August
- g. Acknowledge receipt of Mobile Food Pantry report
- h. Acknowledge receipt of Event Center/BOC Pavilion rentals

**Public Comments**

None presented.

**Appointments**

None scheduled.

**Unfinished Business**

The board discussed the Fair Manager position. Once the Fair Board positions are filled, the topic will be addressed.

Roberts asked if there were any public comment on redistricting and establishing boundaries of commissioner districts of Phillips County in accordance with CRS 30-10-306. Seeing no public comments Roberts left the public hearing testimony phase open through the September 28, 2023 meeting.

The board reviewed the CATALIS Contract for the new recording software and licensing project that was awarded to the Clerk's office through the ERTB Grant.

**Motions/ New Business**

Hofmeister made a motion to authorize the chairman to sign the master software license agreement between CATALIS and Phillip County. Timm seconded and the motion carried unanimously.

Administrator Schroetlin and Deputy Administrator Nygaard shared their thoughts on the job description of the Veterans Service Officer. A draft document will be presented for consideration at the next meeting.

<sup>1</sup>Minutes prepared by Beth Zilla are a summary of discussions, not a verbatim account.

Timm made a motion to authorize the chairman to sign the monthly report for the Phillips County Veterans Service Officer as presented. Hofmeister seconded the motion. Motion carried unanimously.

The board discussed the BST racing event which is to include bull riding and mutton busting that scheduled for October 7, 2023. The board expressed no opposition to the event but stated that the promoter must provide an acceptable certificate of liability insurance, listing Phillips County as an additional insured prior to event day.

BST racing president Joe Bellm asked if Phillips County would cover half of the replacement cost of a power pole at the arena.

Hofmeister made a motion to pay \$785.67 of the City of Holyoke's arena replacement power pole invoice of \$1,571.34. Timm seconded the motion. Motion carried unanimously.

Hofmeister made a motion to adopt Resolution No. 2023-09-19-23-01 Urging Voter Opposition to Proposition HH.

**WHEREAS**, The Phillips County Board of County Commissioners ("The Board") firmly believes that citizens should have a say in matters of taxation and public spending; and

**WHEREAS**, an informed vote requires clear and concise ballot language that adequately describes the full impact of a "yes" or "no" vote; and

**WHEREAS**, the Colorado General Assembly passed legislation signed into law by the Governor on May 24, 2023 known as Senate Bill 23-303, "Reduce Property Taxes And Voter-approved Revenue Change" which is a lengthy (48 page) bill with a 17 line formal title and 24 specific sections which is neither clear nor concise and contains a question referred for voter approval; and

**WHEREAS**, the referred ballot measure language specified is "SHALL THE STATE REDUCE PROPERTY TAXES FOR HOMES AND BUSINESSES, INCLUDING EXPANDING PROPERTY TAX RELIEF FOR SENIORS, AND BACKFILL COUNTIES, WATER DISTRICTS, FIRE DISTRICTS, AMBULANCE AND HOSPITAL DISTRICTS, AND OTHER LOCAL GOVERNMENTS AND FUND SCHOOL DISTRICTS BY USING A PORTION OF THE STATE SURPLUS UP TO THE PROPOSITION HH CAP AS DEFINED IN THIS MEASURE?"; and

**WHEREAS**, the ballot question does not specify the amount of taxes to be reduced, does not specify what the expanded property tax relief for seniors consists of, does not specify the amount of backfill to various local government type or indicate this backfill will not be perpetual, does not indicate that the "state surplus" consists of tax dollars collected over the current TABOR cap that would otherwise be refunded, nor does it specify that the new TABOR cap defined in the measure would allow government to grow at a much greater rate than inflation and population; and

**WHEREAS**, the funding of schools in this manner was previously submitted to the people as Proposition CC in 2019 and failed to gain voter approval; and

**WHEREAS**, hiding this previously failed measure behind a vaguely worded promise of a property tax decrease which will in fact be much smaller than the amount of new tax dollars collected and kept by the state is misleading and potentially a violation of the State Constitution; and

**WHEREAS**, SB23-303 likely violates the "single subject" requirement found in the State Constitution by addressing multiple subjects (property tax relief, school funding, funds the housing development grant fund, and establishes a tenant rent relief program) and may very well be overturned by the courts in ongoing challenges to which Phillips County is a party;

**NOW THEREFORE, BE IT RESOLVED THAT THE PHILLIPS BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, COLORADO** officially declares its opposition to both SB23-303 and the referred measure it contains (Proposition HH) as they clearly violate the spirit, and likely the clear language, of the State Constitution, seem purposefully written to mislead voters into approving a measure they recently voted down in another form, and obscures the fact that passage would eliminate future TABOR refunds and further reduce the limits placed on the growth of government in this state; and

**BE IT FURTHER RESOLVED THAT THE PHILLIPS COUNTY BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, COLORADO** urges all voters to vote "No." on Proposition HH should it appear on the November 2023 ballot.

Timm seconded the motion. Motion carried unanimously.

Timm made a motion to appoint Hofmeister to serve on CCI's Legislative Committee on behalf of Phillips County and to designate Timm as the alternate. Hofmeister seconded the motion. Motion carried unanimously.

The board agreed to participate in the Star 92.3 Harvest Snack Sacks promotion.

Timm made a motion to make the following changes to the Board of County Commissioners meeting dates;

- October 17<sup>th</sup> meeting will be moved to October 16<sup>th</sup> and
- December 19<sup>th</sup> meeting will be moved to December 18<sup>th</sup>.

Hofmeister seconded the motion. Motion carried unanimously.

The board reviewed the in-town lane and street closures schedule.

#### Adjournment

Chairman Roberts adjourned the meeting at 9:18 a.m.

Minutes submitted by County Clerk Beth Zilla.

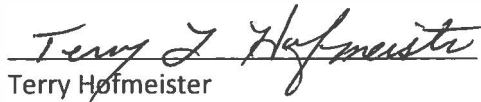
Next meeting is scheduled for September 28, 2023.

Phillips County Commissioners:

  
Gerald Roberts

Attest:

  
Beth Zilla, County Clerk

  
Terry Hofmeister

  
Tom Timm