

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, JANUARY 24, 2002. IN ATTENDANCE WERE:

LUCILE FEHN, CHAIRMAN GREG WINKLER, COUNTY ADMINISTRATOR
JERRY BERGEMAN, VICE-CHAIRMAN CHRIS BRANDT, COUNTY ATTORNEY
CLARKE BECKER, COMMISSIONER CONNIE JOINER, CLERK & RECORDER

9:19 The Board of County Commissioners of Teller County convened in regular session in the Teller County Centennial Building in Cripple Creek with Chairman Fehn presiding. Mr. Bergeman gave the invocation. The Pledge of Allegiance was led by Mr. Becker.

MINUTES OF PREVIOUS MEETINGS:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the minutes of the November 8, 2001 meeting of the Board of County Commissioners as amended. All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the accounts payable run of January 23, 2002 in the amount of \$394,559.70 as presented. All commissioners voted yes.

REPORTS AND LEGISLATIVE UPDATES:

Mr. Becker reported on the CCI legislative reception that he attended.

Mr. Bergeman reported on a recent CCI Board meeting.

Mrs. Fehn announced her community forum schedule for February.

9:24 TIME RESERVED FOR ELECTED OFFICIALS AND THE PUBLIC WITHOUT PRIOR APPOINTMENT:

Wendy Pardue, Forest Glen subdivision, voiced concerns about the water quality of the well that serves her property. She stated that she was not grinding a personal ax against the Board, as reported in the Mountain Jackpot. Ms. Pardue was referred to Randy Swepston, the County Environmental officer.

Richard Bowles, addressed issues that were contained in the Teller County water study. Mr. Bowles read excerpts from the water study. Mr. Bowles requested a moratorium on septic systems on properties of less than 30 acres. Mr. Winkler reported that Mr. Swepston is currently sampling existing water systems.

Darlene Conran, Navajo Mountain Mesa, thanked the commissioners for implementing public input on the large industry study. She questioned what new technologies are available. She was invited to Mrs. Fehn's upcoming forum.

9:51 EMPLOYEE SERVICE AWARD:

PRESENTING: COMMISSIONER FEHN AND ASSESSOR AL JORDAN:

Cathy Brennen, of the Assessor's office was presented a five year service award.

9:53 CONSIDER RECOMMENDATION FROM THE TELLER COUNTY BOARD OF REVIEW TO APPOINT AN ALTERNATE MEMBER TO THE BOARD OF REVIEW:

PRESENTING: KIM DODGE, ASST. BUILDING OFFICIAL

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **appoint Joseph A. Bloomquist** as an alternate member of the Board of Review for a three year term. All commissioners voted yes.

9:54 CONSIDER RECOMMENDATION FROM THE TELLER COUNTY BOARD OF REVIEW TO AMEND ARTICLE II, SECTION 105.e.1 OF THE TELLER COUNTY BUILDING CODE CONCERNING CLASS C2 LICENSES:

Staff requested that this item be withdrawn from the agenda.

9:55 CONSIDER RECOMMENDATION FROM THE TELLER COUNTY BOARD OF REVIEW TO AMEND ARTICLE II, SECTION 105.f OF THE TELLER COUNTY BUILDING CODE CONCERNING CLASS D LICENSES:

Staff requested that this item be withdrawn from the agenda.

9:56 CONSIDER RECOMMENDATION FROM THE TELLER COUNTY BOARD OF REVIEW TO AMEND ARTICLE VI, OF THE TELLER COUNTY BUILDING CODE CONCERNING MOBILE/FACTORY BUILT/ MANUFACTURED HOUSING CODE:

Ms. Dodge read proposed Resolution #1-24-02(7) into the record. Ms. Dodge explained the new state requirement.

Public comment: Ms Conran questioned when a mobile home is required to be on permanent foundation. The question was referred to the Assessor's office.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #1-24-02(7)(attached)** as presented. All commissioners voted yes.

10:04 COMMISSIONERS' MISCELLANEOUS:

PRESENTING: GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER AMENDMENT TO STATE CONTRACT FOR WELFARE TO WORK PROGRAM:

PRESENTING: EHVALYNN GRAHAM

Ms. Graham reported that this amendment will extend the contract to 2004.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve the contract amendment** as presented. All commissioners voted yes.

CONSIDER RELEASE FOR SALE OR TRADE OF COUNTY ASSETS IN THE 2002 FLEET SERVICES CAPITAL PURCHASE PLAN:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve and authorize Dan Bennett, Director of Fleet Services, to pursue this plan** as described. All commissioners voted yes.

CONSIDER 2002 COLORADO WORKS PROGRAM MOU:

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve and authorize the chairman to sign the memorandum of understanding** as presented. All commissioners voted yes.

CONSIDER MEMBERS OF 2002 WEED ADVISORY BOARD: Mr. Winkler reported that the following have agreed to serve on the 2002 Weed Advisory Board: Jim Chapman, Chair; Amy Meketi, Secretary; and Carlton Brown, Dave Crawford, Dick Lass, Daryl Marcus, Al Snare, members.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve the 2002 Weed Advisory Board** as presented. All commissioners voted yes.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH TELLER 2-WAY: Mr. Winkler stated that this agreement is between the Sheriff's office and Teller 2-Way.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve and authorize the chairman to sign** the agreement as presented. Both commissioners voted yes. Mrs. Fehn abstained from voting to avoid any appearance of a conflict of interest.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH ARKO EXECUTIVE SERVICES: Mr. Winkler stated that this agreement with the Sheriff's office is for courthouse security.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve the agreement** as presented. Both commissioners voted yes. Mrs. Fehn abstained from voting to avoid any appearance of a conflict of interest.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH CORRECTIONAL HEALTHCARE MANAGEMENT:

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve the agreement** as presented. Both commissioners voted yes. Mrs. Fehn abstained from voting to avoid any appearance of a conflict of interest.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH URS: Mr. Winkler stated that this agreement is for engineering services.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve the agreement** as presented. All commissioners voted yes.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH DREXEL, BARRELL & CO.: Mr. Winkler reported that this agreement is also for engineering services.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve the agreement** as presented. All commissioners voted yes.

CONSIDER LOCAL GOVERNMENT LIMITED GAMING IMPACT ASSISTANCE PROJECT (LGGF) - MOUNTAIN ALTERNATIVE SCHOOL:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve and authorize the chairman to sign, contingent upon Mr. Brandt's approval, of a suitable Intergovernmental Agreement.** All commissioners voted yes.

CONSIDER LGGF - COMMUNITY OUTREACH CENTER:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve and authorize the chairman to sign, contingent upon Mr. Brandt's approval, of a suitable Intergovernmental Agreement.** All commissioners voted yes.

10:24 CONTINUATION OF THE HEARING TO CONSIDER PLANNING COMMISSION RECOMMENDATION ON REQUEST FROM STEVEN AND SHARON ROSHEK FOR AN AMENDMENT TO THE TELLER COUNTY LAND USE REGULATIONS' GROWTH AND CONSERVATION MAP FOR THE CITY OF WOODLAND PARK;

CONTINUATION OF THE HEARING TO CONSIDER PLANNING COMMISSION RECOMMENDATION ON REQUEST FROM STEVEN & SHARON ROSHEK FOR A CHANGE OF ZONING FROM AGRICULTURAL ZONE TO A PLANNED UNIT DEVELOPMENT ON PROPERTY LEGALLY DESCRIBED AS PORTIONS OF SECTIONS 26, 27, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6th P.M.;

CONTINUATION OF THE HEARING TO CONSIDER PLANNING COMMISSION RECOMMENDATION ON REQUEST FROM STEVEN & SHARON ROSHEK FOR PRELIMINARY AND SKETCH PLAN ON PROPERTY LEGALLY DESCRIBED AS PORTIONS OF SECTIONS 26, 27, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6th P.M.;

PRESENTING: JANE MANNON, PLANNING TECHNICIAN

Ms. Mannon reported that the Rosheks have requested a continuance of the hearing to February 26, 2002. Staff recommends approval of the request.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **continue the hearing to February 26, 2002 as requested by the applicants.** All commissioners voted yes.

Recess

Mr. Winkler read proposed Resolution #1-24-02(8), appointing directors of the Teller County Facilities Corporation, into the record.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #1-24-02(8)(attached)** as presented. All commissioners voted yes.

Recess as Board of County Commissioners and convene as the Teller County Facilities Corporation.

MEETING:

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Corporation appoint Lucile Fehn as President of the Corporation. All commissioners voted yes.

ACTION: Mrs. Fehn moved and Mr. Becker seconded that the Corporation appoint Jerry Bergeman as Vice President of the Corporation. All commissioners voted yes.

ACTION: Mr. Bergeman moved and Mrs. Fehn seconded that the Corporation appoint Clarke Becker as Secretary/Treasurer of the Corporation. All commissioners voted yes.

Adjourn as the Teller County Facilities Corporation at 10:45 a.m., and reconvene as the Board of County Commissioners

10:45 CONSIDER RENEWAL OF HEALTH QUEST CONTRACT FOR DRUG SCREENING:

PRESENTING: PATTI ALBERTS, ADMINISTRATIVE SUPERVISOR, DEPARTMENT OF TRANSPORTATION

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve and authorize the chairman to sign the renewal contract** as presented. All commissioners voted yes.

10:47 APPROVAL OF ANNUAL HUTF SYSTEM CHANGE REPORT:

Ms. Alberts summarized her staff report.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve the change report** as presented. All commissioners voted yes.

10:51 CONSIDER REQUEST FROM THE PLANNING DEPARTMENT TO INCREASE PLANNING FEES BY AN AMOUNT PROPORTIONAL TO THE MAXIMUM LOCAL ANNUAL PERCENTAGE CHANGE IN SPENDING UNDER ARTICLE X, SECTION 20 (TABOR) OF THE COLORADO STATE CONSTITUTION:

PRESENTING: BILL JOHNSTON, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES

Mr. Johnston read his staff report.

ACTION: Mr. Becker moved and Mrs. Fehn seconded that the Board authorize the planning official to increase planning fees by the amount reflected on worksheet B and to revise section FE-10 (Fees) of the Teller County Land Use Regulations to reflect the fee increases. All commissioners voted yes.

Mr. Bergeman stated that he still has reservations about this matter.

COMMISSIONERS' MISCELLANEOUS, continued:

PRESENTING: GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER APPROVAL OF IGA AND QUIT CLAIM DEED WITH CITY OF CRIPPLE CREEK: Mr. Winkler stated that approval and the signatures of the Board are required to deed a portion of Teller County Road #1 for an annexation that the City of Cripple Creek is planning north of the City. A promissory note in the amount of \$17,500 will also be required from Mr. Ed Doran along with a \$2,150 partial payment of the unpaid new community fee.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the resolution of the outstanding new community fee by the partial payment of \$2,150 owed by Ed Doran and that Mr. Doran provide Teller County with a signed promissory note in the amount of \$17,500. All commissioners voted yes.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Board **approve** and authorize the chairman to sign the Intergovernmental Agreement and Quit Claim Deed as

presented, contingent upon the City of Cripple Creek signing both documents and delivering them to the County with the attached exhibits, and that the County receives the \$2,150 check from Mr. Doran and the \$17,500 signed promissory note, and that the City of Cripple Creek provide some written documentation that the City will provide sufficient water and sewer taps for the fair grounds. All commissioners voted yes.

11:25 LEGAL MATTERS:

PRESENTING: CHRIS BRANDT, COUNTY ATTORNEY

FLOYD v. BARNES, et.al.: Mr. Brandt reported that the court wants the briefing by February 28.

LONCAR COMPLAINT: Mr. Brandt stated that the complaint in the U.S. District Court case has not been served on the County.

SCHMITT: Mr. Brandt stated that it is yet to be determined if this matter will proceed as a court case or arbitration.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:26 A.M.

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder