

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, MAY 9, 2002. IN ATTENDANCE WERE:

LUCILE FEHN, CHAIRMAN
JERRY BERGEMAN, VICE-CHAIRMAN
CLARKE BECKER, COMMISSIONER

GREG WINKLER, COUNTY ADMINISTRATOR
CHRIS BRANDT, COUNTY ATTORNEY
CONNIE JOINER, CLERK & RECORDER

9:16 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. Becker gave the invocation. The Pledge of Allegiance was led by Mr. Bergeman.

MINUTES OF PREVIOUS MEETINGS:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the minutes of the April 11, 2002 meeting of the Board as submitted. All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the accounts payable run of May 8 2002 in the amount of \$273,122.10 as presented. All commissioners voted yes.

REPORTS AND LEGISLATIVE UPDATES:

Mr. Becker announced that the state legislative session is over.

Mrs. Fehn reported that a Citizens for Better Roads group is in the process of forming.

9:22 TIME RESERVED FOR ELECTED OFFICIALS AND THE PUBLIC WITHOUT PRIOR APPOINTMENT:

Darlene Conran, Navajo Mountain Mesa, stated that she was again asking that Mr. Logsdon be fired. Ms. Conran stated that the District Attorney's investigation of the road department was "ludicrous and laughable".

9:24 COMMISSIONERS' MISCELLANEOUS:

PRESENTING: GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER NATIONAL POLICE WEEK PROCLAMATION:

Mr. Winkler read the proposed proclamation into the record.

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

CONSIDER CENTRAL FRONT RANGE 2003 PLANNING CONTRACTS: Mr. Winkler stated that these contracts are between the Colorado Department of Transportation and Teller County, acting as fiscal agent for the Central Front Range planning group.

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

CONSIDER RESOLUTION AMENDING RESOLUTION #5/13/99(34) RECOGNIZING THE DIVISION OF LOT 51, BLOCK 3, HIGHLAND LAKES #1 AS A LEGAL SUBDIVISION:

Mr. Winkler read proposed Resolution #5-9-02(34) into the record.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #5-9-02(34)** as presented. All commissioners voted yes.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH ALICE COLE FOR WOMEN'S HEALTH SERVICES:

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

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH ROBIN KING FOR MASSAGE THERAPY CONSULTING:

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

PILT IMPACT ASSISTANCE GRANT:

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

9:35 EMPLOYEE SERVICE AWARD:

PRESENTING: MRS. FEHN

Cindy DeMore, of the Extension Office, was presented with an award in recognition of her 10 years of service to the County.

CONSIDER REQUEST FOR ABATEMENT FROM JAMES EARL CAROTHERS ON PROPERTY LEGALLY DESCRIBED AS LOT 21A, BLOCK 35, GOLDFIELD:

This agenda item was canceled.

9:37 CONSIDER RECOMMENDATION OF THE TELLER COUNTY BOARD OF REVIEW TO AMEND ARTICLE II, SECTIONS 102.c AND 102.e OF THE TELLER COUNTY BUILDING CODE CONCERNING CONTRACTOR LICENSING:

PRESENTING: RIC RADEKE

Mr. Radeke summarized his staff report and read proposed Resolution #5-9-02(35) into the record. There was no public comment.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #5-9-02(35)** as presented. All commissioners voted yes.

9:45 CONSIDER RECOMMENDATION OF THE TELLER COUNTY BOARD OF REVIEW TO DELETE ARTICLE II, SECTION 105.f OF THE TELLER COUNTY BUILDING CODE CONCERNING CLASS D LICENSES:

Mr. Radeke summarized his staff report and read proposed Resolution #5-9-02(36) into the record. Jineen McWherter questioned the impact of this proposed action on individual homeowners. Mr. Radeke replied that a homeowner acting as his own contractor can do any construction.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #5-9-02(36)** as presented. All commissioners voted yes.

9:56 CONSIDER RECOMMENDATION OF THE TELLER COUNTY BOARD OF REVIEW TO AMEND ARTICLE II, SECTIONS 105e.2 AND 105.n OF THE TELLER COUNTY BUILDING CODE:

Mr. Radeke summarized his staff report and read proposed Resolution #5-9-02(37) into the record. Richard Bowles questioned the costs of the change and the impact on the homeowner. Mr. Radeke replied that there would be a \$42 charge for a permit.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #5-9-02(37)** as presented. All commissioners voted yes.

10:07 CONSIDER RECOMMENDATION OF THE TELLER COUNTY BOARD OF REVIEW TO AMEND ARTICLE II, SECTION 105.e1, OF THE TELLER COUNTY BUILDING CODE CONCERNING CLASS C-2 LICENSES:

Mr. Radeke summarized his staff report and read proposed Resolution #5-9-02(38), concerning registration of State Registered Installers of Manufactured, Factory Built, and Mobile Homes, into the record. There was no public comment.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #5-9-02(38)** as presented. All commissioners voted yes.

Recess

10:35 CONSIDER REQUEST FOR ABATEMENT FROM GLENN S. & PATRICIA L. HAGGETT ON PROPERTY LEGALLY DESCRIBED AS LOT 1, HAGGETT SUBDIVISION, FORMERLY PT PEARL A LODGE:

PRESENTING: AL JORDAN, TELLER COUNTY ASSESSOR

Mr. Jordan reported that \$1590.55 was the recommended abatement amount. There was no public comment.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the abatement as recommended by the assessor. All commissioners voted yes.

10:39 CONSIDER PLANNING COMMISSION RECOMMENDATION TO AMEND TELLER COUNTY LAND USE REGULATIONS LIMITING THE ABILITY TO COMBINE SEPARATE MOBILE HOME UNITS INTO A SINGLE DWELLING UNIT:

PRESENTING: BILL JOHNSTON, DIRECTOR OF COMMUNITY DEVELOPMENT

Mr. Johnston read his staff report of May 6, 2002 and read proposed Resolution #5-9-02(39) into the record. Darlene Conran stated that the Mobile Homeowners Association has no objection to this Resolution. Richard Bowles stated that he had no objection to the Resolution. Mr. Bergeman stated his concerns regarding the impact on affordable housing.

ACTION: Mr. Becker moved and Mrs. Fehn seconded that the Board **approve Resolution #5-9-02(39)** as presented. Mr. Becker and Mrs. Fehn voted yes. Mr. Bergeman voted no.

11:02 CONSIDER RE-AUTHORIZATION OF TEMPORARY INTERIM REGULATIONS FOR WASTE TRANSFER FACILITIES IN TELLER COUNTY:

Mr. Johnston summarized his staff report read proposed Resolution #5-9-02(40) into the record.

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve Resolution #5-9-02(40)** as presented. All commissioners voted yes.

11:10 PUBLIC REQUEST BY JINEEN MCWHERTER FOR DISCUSSION REGARDING TELLER COUNTY ASSESSOR'S VALUATION OF PROPERTIES OWNED BY TELLER COUNTY ASSESSOR, TELLER COUNTY ATTORNEY AND MISSING DOCUMENTATION FROM THE TELLER COUNTY ASSESSOR'S OFFICE:

PRESENTING: JINEEN McWHERTER

Mr. Brandt stated that there is nothing in the open records act to make this kind of inquiry proper. Mr. Brandt stated he would be willing not as county attorney, but as a private citizen, to respond to reasonable questions by Ms. McWherter to avoid any inference that his silence indicates any wrongdoing by anyone associated with the County. Mr. Jordan reiterated that this is not a proper forum for this kind of inquiry. He requested that a meeting be held in his office at 1:00 p.m. this afternoon.

Ms. McWherter requested that since this agenda item is scheduled, that it go forward. Mrs. Fehn asked if Ms. McWherter needs to have any decisions made by the Board. Ms. McWherter's questions were answered by Mr. Brandt.

Ms. McWherter stated that the property record card for Mr. Brandt's property is missing. Mr. Jordan replied that the card is not missing, it was being worked on at the time of Ms. McWherter's inquiry. Mr. Jordan stated that there is a procedure for access to public record, which involves a lot of time and paper work. He prefers not to have to use the procedure in the public interest. Mr. Jordan further stated that a person must have standing to discuss valuation of an individual property.

Linda Scheff, manager of Liberty Tree, requested that a committee be set up to go through the assessor's office. She stated that the issue is with Mr. Jordan's office, not the county commissioners.

Darlene Conran stated that the issue is whether property is being taxed unfairly. Ms. McWherter stated that there needs to be a method to get the issues resolved. Mr. Jordan agreed to meet with any members of the public and the press in his office at 1:00 p.m.

11:38 LEGAL MATTERS:
PRESENTING: CHRIS BRANDT, COUNTY ATTORNEY

SCHMIDT ARBITRATION: Mr. Brandt reported that Mr. Sparks of his office is setting this up.

PATTEN: Mr. Brandt reported that there have been a number of filings and that the County is responding appropriately.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:39 P.M.

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder