

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, DECEMBER 12, 2002. IN ATTENDANCE WERE:

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

9:17 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. Mrs. Fehn gave the invocation. The Pledge of Allegiance was led by commissioner-elect, Robert Campbell.

MINUTES OF PREVIOUS MEETINGS:

ACTION: No minutes were presented to the board.

ACCOUNTS PAYABLE:

ACTION: Mr. Bergeman moved and Mr. Becker seconded that the Board **approve** the accounts payable run of December 12, 2002 in the amount of \$334,672.28 as presented. All commissioners voted yes.

BOARD REPORTS:

Mr. Becker reported on consideration of a Rural Transportation Authority(RTA). In order to participate there would need to be IGA's prior to the decision to place the tax on the ballot. If a community or county chooses not to participate in the IGA, then they do not participate in any of the funds should the voters pass the tax. The authority and funding can be created at the same election or create the authority then come back to the voters later for funding. This is just a concept presented to the PPACG (Pikes Peak Area Council of Governments) board.

Mr. Becker commented on Action 22. There is a group trying to get video lottery terminals at dog and horse tracks and off-track betting. It is being presented that it will initiate 21million dollars a year to the Colorado Tourism Board. It could mean 9,000 gaming devices throughout Colorado.

Mr. Bergeman advised that the Colorado Springs Chorale will be in Cripple Creek at the Cripple Creek school on Saturday the 14th. Tickets are free for a donation and he has tickets.

Mr. Bergeman also advised the board concerning the new hospital. Sewer and water are now installed. The contractors will be moving across Hwy. 24 to Grayhorse to connect to the sewer there.

Mrs. Fehn informed the board that at 7pm this evening, there will be a discussion with Great Outdoors Colorado and other various organizations concerning their rolls in putting open space projects together.

9:35 TIME RESERVED FOR ELECTED OFFICIALS, DEPARTMENT HEADS AND PUBLIC WITHOUT ANY APPOINTMENT:

Mr. Rick Langenberger, Associate Publisher of the Mountain Jackpot, asked that the purpose of the meeting tonight be clarified. It was his understanding that the meeting was about the future of Catamount. Mrs. Fehn indicated that the meeting concerns the history of Catamount and open space and is just an informational meeting. The Commissioners are willing to see if anyone would be interested in taking their place in this project. However, on January 9 there will be a public meeting that afternoon to discuss any bids presented.

Robert Campbell advised that the Ute Pass Kiwanis Club's "Breakfast with Santa" served a free breakfast to over 815 people. Habitat for Humanity is having a groundbreaking ceremony for their seventh house on Sunday at 2:30 in Florissant in Crystal Peak Estates. This will soon be followed by houses eight and nine.

9:45 FINANCE: PRESENTATION OF THE FY 2003 TELLER COUNTY BUDGET FOR CONSIDERATION AND ADOPTION:

PRESENTING: LAURIE LITWIN, COUNTY BUDGET OFFICER

Mrs. Litwin summarized. The only major changes in the budget are employee health benefits. These changes resulted in much lower benefit costs to the county and the employees are offered choices in benefit coverages. This resulted in healthier fund balances. The other change is that another grant which was obtained was added from the mineral impact fund for more upgrades to the courthouse.

A Resolution was read summarizing expenditures and revenues for each fund and adopting a budget for Teller County, Colorado, for the calendar year beginning on the first day of January, 2003, and ending on the last day of December, 2003.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution # 12-12-02(71)**. All commissioners voted yes.

A Resolution was read adopting the following listed funds, departments and line items as part of the budget for Teller County, Colorado, for the calendar year beginning on the first day of January, 2003, and ending on the last day of December, 2003.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(72)** and authorize the Chairman to sign. Mrs. Fehn abstained to avoid any appearance of a conflict of interest. Mr. Bergeman and Mr. Becker voted yes.

A Resolution was read appropriating sums of money to the various funds and spending agencies for Teller County, Colorado, for the 2003 budget year.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(73)** and authorize the Chairman to sign. All commissioners voted yes.

10:10 FINANCE: CONSIDER REQUEST FOR BUDGET ADJUSTMENTS TO THE 2002 TELLER COUNTY BUDGET:

PRESENTING: LAURIE LITWIN, COUNTY BUDGET OFFICER

A Resolution was read to amend the 2002 General, Jail Enterprise and Fleet Services Fund Budgets for Teller County.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(74)**. Mrs. Fehn abstained to avoid any appearance of a conflict of interest. Mr. Bergeman and Mr. Becker voted yes.

A Resolution was read to Amend the 2002 General, Road & Bridge and Capital Projects Fund Budgets for Teller County.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(75)**. All commissioners voted yes.

A Resolution was read to amend the 2002 General fund Budget for Teller County.

This is an increase in departmental budgets for the Clerk and Recorder - Elections for an AccuVote replacement.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(76)**. All commissioners voted yes.

A Resolution was read to amend the 2002 General Fund Budget for Teller County concerning revenues and provisions for a software project that did not get completed until 2002 and an increase in the number of County prisoners that have been housed in the detentions facility, creating an expense that was not anticipated.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(77)**. Mrs. Fehn abstained to avoid any appearance of a conflict of interest. Mr. Bergeman and Mr. Becker voted yes.

A Resolution was read to amend the 2002 general fund budget for Teller County concerning the Public Health Department. There are additional grant revenues that were obtained over the year.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(78)**. All commissioners voted yes.

A Resolution was read to amend the 2002 General, Road & Bridge and Fleet Management fund budgets concerning health benefit budget amounts for Teller County:

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **adopt Resolution #12-12-02(79)**. All commissioners voted yes.

10:10 Break

10:30 ASSESSOR; CONSIDER REQUEST FOR ABATEMENT FROM JOHN W. VAN SCIVER TRUST ON PROPERTY LEGALLY DESCRIBED AS LOT 29 BLOCK 22 VICTOR:

PRESENTING: CATHY BRENNEN, SENIOR ANALYST

Ms. Brennen stated that Abatement #02-088 regards improvements Mr. Van Sciver has made to his building. The Assessor recommends approval of the abatement request. Mr. Van Sciver was present and indicated that he plans to keep the property as a bowling alley and is satisfied with the abatement.

ACTION: Mr. Becker moved and Mr. Bergeman seconded that the Abatement be **approved** as recommended by the Assessor. All commissioners voted yes.

10:35 COMMISSIONER BUSINESS ITEMS:

PRESENTING: GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER APPROVAL OF FOUNTAIN CREEK WATERSHED IGA WITH THE CITY OF COLORADO SPRINGS, AND OTHER GOVERNMENTAL ENTITIES:

ACTION: Mr. Becker moved and Mr. Bergeman seconded to **approve** the agreement as corrected and authorize the Chairman to sign. All commissioners voted yes.

RATIFICATION OF THE THIRD AMENDMENT TO CATAMOUNT RANCH ACCESS AGREEMENT:

ACTION: Mr. Becker moved and Mr. Bergeman seconded to **ratify** the third amendment as corrected and authorize the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF LEASE AGREEMENT WITH THE CITY OF VICTOR:

ACTION: Mr. Becker moved and Mr. Bergeman seconded to **approve** the Lease Agreement with corrected accrual rate, mailing address addition and limits to insurance and authorize the Chairman to sign. All commissioners voted yes.

CONSIDER ACCEPTANCE OF RESIGNATION FROM TELLER COUNTY CLERK & RECORDER CONNIE JOINER:

ACTION: Mr. Bergeman moved and Mr. Becker seconded to **accept** Mrs. Joiners' resignation as Clerk and Recorder as of December 31, 2002. All commissioners voted yes.

ACTION: Mr. Bergeman moved and Mr. Becker seconded to appoint Patricia Crowson to serve the remaining term as the Clerk and Recorder effective January 1, 2003. All commissioners voted yes.

RATIFICATION OF LETTER OF SUPPORT FOR THE GOLD BELT TOUR NATIONAL SCENIC BYWAY:

ACTION: Mr. Bergeman moved and Mr. Becker seconded to ratify a letter of endorsement signed by the Chairman on November 26, 2002. All commissioners voted yes.

CONSIDER RESOLUTION AMENDING THE TELLER COUNTY PERSONNEL POLICY REGARDING MILEAGE/FOOD/LODGING:

This Resolution amends Section VII, Work Related Expenses, Subsection A, Mileage/Food/Lodging and Section VII, Work Related Expenses, Subsection C, Travel Advances of the Teller County Personnel Manual.

ACTION: Mr. Bergeman moved and Mr. Becker seconded **approval** of **Resolution #12-12-2002(80)** and authorize the Chairman to sign. All commissioners voted yes.

CONSIDER RESOLUTION AMENDING THE TELLER COUNTY PERSONNEL POLICY REGARDING WEATHER/DISASTER CLOSINGS:

This Resolution amends the Teller County Personnel Manual regarding Section V, Attendance & Leaves, Subsection B, Inclement Weather/Disasters Closings, and adds Paragraphs #4 through #7.

ACTION: Mr. Bergeman moved and Mr. Becker seconded **approval** of **Resolution #12-12-2002(81)** and authorize the Chairman to sign. All commissioners voted yes.

CONSIDER THE CONSENT TO APPOINTMENT FOR DEPUTY DISTRICT ATTORNEYS DENISE MINISH AND KRISTEN DEANNE RANDALL:

ACTION: Mr. Becker moved and Mr. Bergeman seconded **approval** of the two appointments as presented and that the correct County Seal be placed on their letterheads, which the County will furnish. All commissioners voted yes.

11:00 CONSIDER ADDITIONAL ADMINISTRATIVE MATTERS RECEIVED AFTER AGENDA DEADLINES:

PRESENTING: SHERYL DECKER, ASSISTANT COUNTY ADMINISTRATOR

In the 2003 budget, arrangement was made for the purchase of a new postage machine. In addition, the Treasurer's and Assessor's offices were introduced to an inserting and folding machine. The Public Trustee's account has the funds for the folding machine. The five year Lease Agreement with Pitney-Bowes Mailing Systems for both machines is \$622. per month.

ACTION: Mr. Becker moved and Mr. Bergeman seconded **approval** of the Lease Agreement and authorize the current Treasurer, Gaynell Holcomb, to enter into the lease as presented.

11:05 LEGAL MATTER:

PRESENTING: CHRIS BRANDT, COUNTY ATTORNEY

Mr. Brandts' most recent update.

Schmidt Construction: They have requested to do some further testing before entering into settlement negotiations with the County.

Chrisbens Bankruptcy: The Bankruptcy Trustee has moved to extend the dischargeability date under the statute based on concerns the Trustee had with the completeness of the filings.

Stevenson v. Cave et al: This is a quiet title action and the County is in the process of determining what position, if any, the County needs to take.

Patten and Red Top Trust: There is nothing new since the most recent update.

EXECUTIVE SESSION:

ACTION: Mr. Bergeman moved and Mrs. Fehn seconded that the Board go into executive session to have discussions regarding negotiating strategies and positions and instructing negotiators under C.R.S. 24-6-402 4(e), in order to have discussions regarding the transfer or sale or lease of real property under C.R.S. 24-6-402 4(a), and to have conferences with the county attorney for the purposes of receiving legal advice on these and other specific legal questions under C.R.S. 24-6-402 4(b), with the Board, Mr. Brandt and Mr. Winkler in attendance. All commissioners voted yes.

The Board reconvened in regular session and reported that no matters were adopted and no formal actions were taken in executive session.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:10 A.M.

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder