

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, FEBRUARY 27, 2003. IN ATTENDANCE WERE:

CLARKE BECKER, VICE-CHAIRMAN  
BOB CAMPBELL, COMMISSIONER  
GREG WINKLER, COUNTY ADMINISTRATOR  
CHRIS BRANDT, COUNTY ATTORNEY  
PATRICIA CROWSON, CLERK & RECORDER

9:20 The Board of County Commissioners of Teller County convened in regular session at the Teller County Centennial Building in Cripple Creek with Vice-Chairman Becker presiding. Mr. Becker gave the invocation. The Pledge of Allegiance was led by Mr. Campbell. Mr. Bergeman was excused.

MINUTES OF PREVIOUS MEETINGS:

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **approve** the minutes of December 12, 2002. Both commissioners voted yes.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **approve** the minutes of December 19, 2002. Both commissioners voted yes.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **approve** the minutes of January 23, 2003. Both commissioners voted yes.

ACCOUNTS PAYABLE:

**ACTION:** Mr. Campbell moved and Mr. Becker seconded that the Board **approve** the accounts payable run of February 25, 2003 in the amount of \$362,491.38 as presented. Both commissioners voted yes.

BOARD REPORTS:

Mr. Becker reported on HB1018 concerning the statutory limitation on bonded indebtedness that may be issued by county governments.

Mr. Campbell advised the board that Jeff Mow is the new superintendent of the Florissant Fossil Beds National Monument.

Mr. Campbell also indicated that he has received mostly positive responses concerning Catamount.

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

Mrs. Crowson, Clerk and Recorder, reported on SB03-188 concerning the elimination of the Presidential Primary Election.

Mr. Winkler reported working with Pete Kuyper regarding land in Divide for Waste Management's waste transfer facilities.

9:40 COMMISSIONERS BUSINESS ITEMS

PRESENTING: GREG WINKLER, COUNTY ADMINISTRATOR  
CONSIDER APPOINTMENT TO THE TELLER COUNTY FINANCE ADVISORY COMMITTEE

**ACTION:** Mr. Campbell moved and Mr. Becker seconded that Bruce Hamilton **be appointed** to the Teller County Finance Advisory Committee. Both commissioners voted yes.

CONSIDER APPOINTMENT TO THE SB94 JUVENILE SERVICES OVERSIGHT & PLANNING COMMITTEE

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to concur with the **appointments** of Jerry Bergeman with Linda Murray as his designee and Jeremy Huffman with Ralph Morris as her designee. Both commissioners voted yes.

CONSIDER CONSENT TO APPOINTMENT FOR DEPUTY DISTRICT ATTORNEYS ANGELA KELLEY, FREDERICK STEIN, AND ERIC KNAUS

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to consent to the **appointment** of Frederick Stein, Eric Knaus and Angela Kelley as Deputy District Attorneys and authorize the Chairman to sign. Both commissioners voted yes.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH THOMAS & THOMAS  
This is an Agreement through the Facilities/Parks Dept. for the “Team WorX” Comprehensive Recreation Assessment - Phase II. The amount of the contract is \$12,310., all paid for by grant monies.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **approval** of the contract and authorize the Chairman to sign. Both commissioners voted yes.

CONSIDER AMENDMENT TO RADIOLOGY & IMAGING CONSULTANTS CONTRACT

This is an amendment revising an exhibit to the contract. The contract is between the company and Teller County Public Health for radiology and imaging consulting. These services are paid for by a grant through the Colorado Women’s Cancer Control Initiative.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **approve** the amendment and authorize Chris Rubin to sign for Teller County. Both commissioners voted yes.

CONSIDER AMENDMENT TO MEMORIAL HOSPITAL CWCCI CONTRACT

This is an amendment with Memorial Hospital between Teller County Public Health and Memorial Hospital.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **approve** the amendment and authorize Chris Rubin to sign for Teller County. Both commissioners voted yes.

CONSIDER APPOINTMENT TO THE SOUTHERN TELLER COUNTY LIBRARY BOARD

This is a request from the Franklin Ferguson Memorial Library, which is the Southern Teller County Library Board, to appoint Penni Donatto as a representative to the library board from the Cripple Creek Mountain Estates area and Sarah Stone-Dvorak to fill the position vacated by Tom Litherland for the City of Cripple Creek.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **appoint** Penni Donatto and Sarah Stone-Dvorak to the Southern Teller County Library Board as presented. Both commissioners voted yes.

CONSIDER CONTRACT WITH PPACG FOR OMBDSMAN SERVICES

This is a renewal contract that is signed on an annual bases between the Pikes Peak Area

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Council of Governments and the Teller County Board of Commissioners. This is a service to help older persons maintain themselves in their own homes with maximum independence.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **approval** of the contracts and authorize the Chairman to sign. Both commissioners voted yes.

#### CONSIDER CONTRACT WITH PPACG FOR TRANSPORTATION SERVICES

This is for assisted transportation services.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **approval** of the contract as presented and authorize the Chairman to sign. Both commissioners voted yes.

Mr. Winker announced a proposal by the Bureau of Land Management to do prescribed burning within the forest areas in the vicinity of County Rd 11, High Park Road near the Lakemoor West subdivision area. The Bureau is taking comments by March 14<sup>th</sup>.

#### CONSIDER ADDITIONAL ADMINISTRATIVE MATTERS RECEIVED AFTER AGENDA DEADLINES:

#### CONSIDER INTERGOVERNMENTAL AGREEMENT BETWEEN CRIPPLE CREEK AND TELLER COUNTY TO ALLOW THE EXPANSION AND CONSTRUCTION OF THE CAMPGROUND AT CRIPPLE CREEK HOSPITALITY HOUSE UNDER THE RULES AND REGULATIONS OF THE CITY OF CRIPPLE CREEK

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **authorization** of the IGA with the City of Cripple Creek and authorize the Chairman to sign and forward to the City of Cripple Creek. Both commissioners voted yes.

#### RATIFY 2002 SEMI-ANNUAL FINANCIAL REPORT FOR TELLER COUNTY

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **ratifying** the report for Teller County as published and presented previously. Both commissioners voted yes.

#### AUTHORIZE A LETTER BY THE BOARD TO PEAK TRANSIT NOTIFYING THEM THAT THE COUNTY WILL DISCONTINUE CONTRACTUAL SERVICES WITH PEAK TRANSIT EFFECTIVE APRIL 1, 2003

Transportation services will become the responsibility of the Teller Senior Coalition.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded to **authorize** the notice to be given to Peak Transit. Both commissioners voted yes.

#### 10:00 PUBLIC HEARING TO TAKE INPUT ON THE COMMUNITY SERVICES BLOCK GRANT FOR THE TELLER SENIOR CENTER PROVIDING TRANSPORTATION, AND CONSIDER APPROVAL OF THE GRANT APPLICATION

PRESENTING: SHERYL DECKER, ASSISTANT COUNTY ADMINISTRATOR

This is a grant for funding the Senior Transportation Program for low income and disabled seniors.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **approval** of the Teller Senior Coalition's grant application to CSBG for operating and administration funds for 2003. Both commissioners voted yes.

10:05 ASSESSOR: CONSIDER REQUEST FOR ABATEMENT ON PROPERTY OWNED BY JOE PITTINGTON, INC., LEGALLY DESCRIBED AS TIMBER SALES CONTRACT #021209007801 WITH FOREST SERVICE

PRESENTING: ALAN JORDAN, COUNTY ASSESSOR

Mr. Jordan summarized his staff report on Abatement #02-114 and recommended denial. (Mr. Pittington was not present for the hearing, but did appear later.)

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **denial** of **Abatement #02-114** as recommended by the Assessor. Both commissioners voted yes.

10:10 CDS - PLANNING: CONSIDER A REQUEST FROM THE PLANNING DIRECTOR TO INCREASE PLANNING FEES BY AN AMOUNT PROPORTIONAL TO THE MAXIMUM LOCAL ANNUAL PERCENTAGE CHANGE IN SPENDING PROVIDED FOR UNDER ARTICLE X, SECTION 20 (TABOR) OF THE STATE CONSTITUTION

PRESENTING: BILL JOHNSTON, DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES

The staff proposes that the Board exercise the existing escalator provision in the Land Use Regulations authorizing the Planning Official to administratively adjust Planning Fees. The wording of Worksheet B should be corrected to indicate a "Summary of 2002.."

**ACTION:** Mr. Campbell moved and Mr. Becker seconded **approval** of an increase of planning fees to take effect March 1, 2003 as recommended by staff. Both commissioners voted yes.

10:15 LEGAL MATTERS

PRESENTING: CHRIS BRANDT, COUNTY ATTORNEY

JAMES P. BOYLE v. COMMONWEALTH PETROLEUM, INC. et al: This is a quiet title action. The County has filed a Disclaimer inasmuch as the County has no interest in this property. There was a second action filed by Mr. Boyle and the County is in the process of filing a Disclaimer in that action as well.

PYRCHALLA: The County filed a Motion to Dismiss. The Pырchalla's then filed a Notice of Dismissal dismissing its action against the County.

BREAK

10:30 ADMINISTRATION: CONSIDER CITIZEN REQUEST FOR RESOLUTION HONORING THE SATURDAY KNIGHTS HIKING CLUB

PRESENTING: JOHN PATRICK MICHAEL MURPHY, SATURDAY KNIGHT CENTENNIAL COMMITTEE

Mr. Murphy gave a historical background of Mt. Rosa and presented his request.

**ACTION:** Mr. Campbell moved and Mr. Becker seconded the Board to **sign and approve** the letter in support of naming the peak in Teller County "Knights Peak". Both commissioners voted yes.

10: 35 PRESENTING: ALAN JORDAN, COUNTY ASSESSOR

Mr. Jordan asked to again address the issue concerning Abatement #02-114 inasmuch as Mr. Pittington had arrived after the hearing, but now was present and would like to make comments

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to the Board concerning possessory interests. Mr. Pettington made a presentation. The Board thanked Mr. Pittington for appearing but advised him that they would still uphold the advice of the Assessor.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 10:45 A.M.

APPROVED \_\_\_\_\_  
Chairman, Board of County Commissioners

ATTEST \_\_\_\_\_  
Clerk & Recorder