

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY,
COLORADO, MAY 8, 2003. IN ATTENDANCE WERE:

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

9:15 The Board of County Commissioners of Teller County convened in regular session in the Teller County Centennial Building in Cripple Creek with Chairman Bergeman presiding. Mr. Becker gave the invocation. The Pledge of Allegiance was led by Chris Brandt.

MINUTES OF PREVIOUS MEETING: Mr. Campbell moved and Mr. Bergeman seconded **approval** of the April 10, 2003 minutes. All commissioners voted yes. Mr. Bergeman returned to these minutes and advised that he did have some corrections. Page 1, Board Reports: Mr. Becker had not yet testified before the House on SB274. "Had" should be "was to testify" and on Page 3 at the 10:20 item, "in accordance" instead of "in concordance". Mr. Bergeman moved to accept these corrections and Mr. Campbell seconded. All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Becker moved and Mr. Campbell seconded that the Board **approve** the accounts payable run of June 26, 2003 in the amount of \$275,183.57 as presented. All commissioners voted yes.

BOARD REPORTS - LEGISLATIVE UPDATE:

Mr. Campbell advised of the passing of Larry Shoemaker, former Chief of the Divide Fire Department for 20+ years and a member of 4-H. Mr. Campbell expressed his condolences to the family.

Mr. Campbell also advised that Karen O'Brien, former Public Health department head, advised him that this is National Nurses Week, May 6-12. He thanked all the nurses in the public sector and nation wide.

Mr. Campbell reported that Paul Clarkson, Director of Community Development Services, was recently appointed to that position.

Mr. Becker reported that the Urban Area Policy Committee had be dissolved and rolled over into the responsibilities of the full Pikes Peak Area Council of Governments' Board of Directors. This allows all member entities to vote on transportation issues.

Mr. Bergeman informed the Board that the legislative session has ended. Limited Gaming Impact was one of the issues discussed that will effect Teller County. A sunset has been put on bill so the money for this year is gone, but hopefully will be available next year. This does not mean next year they cannot do it again, but we should fight for another sunset if they do. Hopefully next July there will be a distribution of the gaming funds again for impacts.

Mr. Bergeman also reported on Senate Bill 394 affecting the energy and mineral severance taxes. Currently those grant requests that were sent to the Department of Local Affairs in March for energy and mineral impacts are going to be heard the end of July or first of August. The County is hopeful this will not change and the County will be successful in getting those funds.

Mr. Campbell addressed an article in the *Mountain Jackpot* by Alan Hobden aka "Jay Cadillac" regarding his comment about a bunker-busters being dropped on the county courthouse. Mr. Campbell believed even if this was satire, it was in poor taste.

9:25 TIME RESERVED FOR ELECTED OFFICIALS, DEPARTMENT HEADS AND PUBLIC WITHOUT AN APPOINTMENT:

None

9:30 COMMISSIONERS BUSINESS ITEMS:

PRESENTING GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER APPOINTMENT OF MARC MELKER TO THE BOARD OF ADJUSTMENT:

ACTION: Mr. Becker moved and Mr. Campbell seconded appointing Mr. Melker as an alternate to the Board of Adjustment. All commissioners voted yes.

CONSIDER HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) DESIGNATION OF THE TELLER COUNTY PUBLIC HEALTH DEPARTMENT:

Teller County designates the Teller County Public Health Department as a health care provider of Teller County, which health care provider is a HIPAA covered entity.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of the Teller County Health Department being a HIPAA entity and authorizing the Chair to sign the designation as read. All commissioners voted yes.

CONSIDER APPOINTMENT OF SUE MURFORD TO THE TELLER COUNTY PARKS ADVISORY BOARD

ACTION: Mr. Becker moved and Mr. Campbell seconded the **appointment** of Sue Murford to the Teller County Parks Advisory Board. All commissioners voted yes.

CONSIDER APPROVAL OF PAYMENT IN LIEU OF TAXES AND IMPACT ASSISTANCE GRANT

Teller County is applying for \$1,137. for those properties in Teller County which are under the jurisdiction on the Colorado State Parks Department whereby the Parks Department pays the County a payment in lieu of taxes. This is under the assistance impact grant application.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of payment in lieu of taxes in impact assistance grants for 2002 for the properties listed basically adjacent to Mueller State Park as presented and have the commissioners individually sign. All commissioners voted yes.

CONSIDER PROFESSIONAL SERVICES AGREEMENT CONTRACT WITH FITNESS SCIENCES, LLC

This is an agreement between Public Health and Fitness Sciences, LLC which runs from May 1, 2003 to April 30, 2004. It is a health assessment and promotions program at \$30. an hour, not to exceed \$1,000. per the payment schedule.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of the contract and authorized the Chair to sign upon approval of certain changes that have been recommended and approval by the county attorney. All commissioners voted yes.

CONSIDER ADDITIONAL ADMINISTRATIVE MATTERS RECEIVED AFTER AGENDA DEADLINES:

This is an agreement wherein the Board would sign over monies in the amount of \$6,987. to the City of Colorado Springs as the fiscal agent, but still receive services under the Juvenile Accountability Incentive Block Grant. This would be to the County's benefit because it relinquishes Teller County of the match of \$776., which would be appropriate based on the money that was being given to the County by DPS.

ACTION: Mr. Campbell moved and Mr. Becker seconded to **approve** the Waiver of Direct Sub-Grant Award of the Juvenile Accountability Incentive Block Grant Award for federal fiscal year

2002 to be given to the City of Colorado Springs in the amount of \$6,987. on behalf of Teller County and authorizing the Chair to sign. All commissioners voted yes.

A RESOLUTION AMENDING THE TELLER COUNTY PERSONNEL POLICY AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND ELECTED OFFICIALS, DECEMBER, 2002

This Resolution concerns amendments regarding mileage, meal expenses, lodging and expense forms.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of **Resolution #5-8-03(15)** as presented. All commissioners voted yes.

A RESOLUTION TO ADJUST THE LEVEL OF TELLER COUNTY ASSETS TO BE CAPITALIZED, AND DEFINE THE RESPONSIBILITY FOR THE TRACKING OF CERTAIN COUNTY PROPERTY

This Resolution changes the level of capitalized fixed assets for Teller County, effective immediately, from the previous level of \$1,500. to \$5,000. The Finance Department is to remove all assets valued at less than \$5,000. from the fixed asset system. Accountability for lesser assets owned by the County such as radios, phones, tools, etc. will be kept at the department level to be signed out by employees, collected upon termination and controlled annually through property possession lists provided to the Finance Department.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of **Resolution #5-8-03(16)** as presented. All commissioners voted yes.

A RESOLUTION DESIGNATING THE COUNTY ZONING OFFICIAL AND BUILDING INSPECTOR ACCORDING TO COLORADO REVISED STATUTES

ACTION: Mr. Becker moved and Mr. Campbell seconded **approval** of **Resolution #5-8-03(17)** as presented designating Paul Clarkson as County Zoning Official and Richard V. Radeke as County Building Inspector and County Building Official. All commissioners voted yes.

9:50 LEGAL MATTERS:

PRESENTING CHRIS BRANDT, COUNTY ATTORNEY

No report.

Recess

10:15 CDS - PLANNING:

PRESENTING BONNIE OLSEN, TELLER COUNTY PLANNER

CONSIDER PLANNING COMMISSION'S RECOMMENDATIONS TO AMEND THE DIVIDE REGIONAL GROWTH AND CONSERVATION MAP AND TO THE DIVIDE REGION TOWN GROWTH AND CONSERVATION MAP, CONTAINED AS APPENDICES IN TELLER COUNTY LAND USE REGULATION UNDER SECTION MA-55: MAPS, TO INCLUDE 44-ACRES OF LAND LOCATED SOUTHWEST OF HWY. 24 AND HWY. 67 INTO DIVIDE'S TOWN CENTER.

Debbie Figie, Pete Kuyper's assistant, spoke to the Resolution. Mr. Brandt suggested that the surveyor's depiction of the property (Fig. 8), which is included in the staff report, be attached to the Resolution.

ACTION: Mr. Becker moved and Mr. Campbell seconded **approval** of **Resolution #5-8-03(18)** as presented. All commissioners voted yes.

Recess

10:40 CDS - PLANNING

PRESENTING JEAN GARREN, SENIOR PLANNER

CONSIDERATION OF A REQUEST FROM MEADOW PARK LAND COMPANY FOR THE BOARD TO APPROVE AND EXECUTE A TECHNICAL CORRECTION PLAT AMENDING APPROXIMATELY 53 FEET OF THE NORTHERLY BOUNDARY OF PINE RIDGE AT MEADOW PARK, FILING 3 TO COMPLY WITH A 1992 COURT ORDER.

Mel March with March Surveying spoke to Mr. Brandts' questions regarding bearings.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of **Resolution #5-8-03(19)** as presented. All commissioners voted yes.

10:50 ADMINISTRATION:

PRESENTING GREG WINKLER, COUNTY ADMINISTRATOR

STATUS UPDATE AND CONSIDERATION OF AN EXTENSION OF THE AUTHORIZATION FOR THE TEMPORARY WASTE TRANSFER STATION PERMITS:

Mr. Winkler read a memo concerning efforts to obtain permanent facilities in Teller County by Woodland Landscape Material and Waste Management. It was recommended by staff that it is in the best interest to allow for a 60 day extension of operations where Waste Management and Woodland Landscape are currently located with the Board having further options in July, 2003. Mr. Bergeman thanked the residents around Waste Management and Woodland Landscape for bringing this matter to the attention of the Board.

ACTION: Mr. Campbell moved and Mr. Becker seconded **approval** of **Resolution #5-8-03(20)** as presented. All commissioners voted yes.

Recess

11:10 TRANSPORTATION:

PRESENTING CURT LOGSDON, DIRECTOR DEPARTMENT OF TRANSPORTATION AUTHORIZATION OF EMERGENCY REPAIRS FOR THE HAY CREEK BRIDGE:

Mr. Logsdon asked that the Board declare the bridge situation and the advertisement for proposals detrimental and thereby waive the need for advertising concerning pending repairs. The work is expected to cost about \$85,000., including inspection. The bridge will be closed no longer than four days.

Rick Langenberg, reporter for the Mountain Jackpot, addressed concerns regarding temporary access around the bridge.

ACTION: Mr. Becker moved and Mr. Campbell seconded granting designation of an emergency situation based on State Statute 43-2-209 because the repairs exceed \$5,000. to allow the Board to not advertise and direct the staff to move forward with repairs to the bridge. In the judgment of the Board, it would be detrimental to the immediate preservation of the public peace, health and safety to advertise for the repairs. All commissioners voted yes.

Recess as Board of County Commissioners and convene as the Teller County Board of Health.

11:25 PUBLIC HEALTH:

PRESENTING CHRIS RUBIN, DIRECTOR OF TELLER COUNTY PUBLIC HEALTH

CONSIDER REQUEST FOR RESEARCH PROPOSAL FOR WORK WELLNESS PROGRAM AS PART OF PUBLIC HEALTH DIABETES GRANT:

This is a grant the Board asked be applied for last year. The grant is in the amount of \$143,000. over three years to work on diabetes prevention and promotion of exercise and nutrition. As part

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this grant it was agreed to provide access to citizens who participate in the program so that research information can be obtained. Participation is voluntary and participants will be anonymous.

ACTION: Mr. Campbell moved and Mr. Becker seconded to accept the grant as presented. All commissioners voted yes.

Adjourn as the Teller County Board of Health and reconvene as the Board of County Commissioners.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:35 A.M.

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder