

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, NOVEMBER 6, 2003. IN ATTENDANCE WERE:

JERRY BERGEMAN, CHAIRMAN BOB CAMPBELL, VICE-CHAIRMAN  
JIM IGNATIUS, 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 in the Teller County Centennial Building in Cripple Creek with Chairman Bergeman presiding. Mr. Bergeman gave the invocation. The Pledge of Allegiance was led by Mrs. Crowson.

MINUTES OF PREVIOUS MEETINGS: Mr. Bergeman advised that there was an emergency meeting on October 29, 2002. All three commissioners attended as well as Mr. Winkler. Mr. Bergeman read the purpose of the meeting and advised that the Board adopted **Resolution #10-29-03(53)** concerning the implementation of a level 3 fire ban.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded to **approve** the minutes of the October 29, 2003 meeting as presented. All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve** the accounts payable run of November 4, 2003 in the amount of \$366,620.42 as presented. All commissioners voted yes.

BOARD REPORTS - LEGISLATIVE UPDATE:

Mr. Ignatius thanked the voters for turning out and voting on Amendment 33.

Mr. Campbell reported on the process with the Forest Service in negotiating the impacts they would have on the Teller County citizens based on the road usage, dust control, etc. The process is still continuing.

Mr. Campbell was a member of a board convened under the supervision of Congressman Hefley to interview young men and women attempting to enter the various military academies.

Mr. Bergeman thanked Brian Kincaid with Road Department and Mr. Winkler regarding signage in the Golden Bell subdivision concerning road safety and speed limit concerns. The thank you letter was written by Bill Mayfield of Divide.

Mr. Bergeman advised the Board that Teller County may have the only cyanide leach mine in Colorado but that there has been an effort by the Alliance for Responsible Mining throughout the state to get various counties to adopt rules and regulations to prohibit cyanide leaching. There has also been an effort to get legislation to prevent cyanide leaching in Colorado. Mr. Bergeman referred to an editorial from a Senator in District 5 which he read for the record. It supports Teller County's position that there is no release of cyanide outside of the mine's facilities.

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

Mrs. Crowson indicated that the election went well. She thanked her staff and election judges for all their work. There was a 40% turnout of voters. In the 2001 coordinated election only 23% voted. All precincts reported in 36 minutes.

9:30 COMMISSIONERS BUSINESS ITEMS:

PRESENTING GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER ADOPTION OF THE CCOERA PARTICIPATION AGREEMENT Colorado County Officials and Employees Retirement Association as restated their CCOERA Retirement Plan due to IRS regulations.

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded **approval** of the restatement of the CCOERA Retirement Plan as presented for the upcoming year and direct the Chair to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PIKES PEAK AREA COUNCIL OF GOVERNMENTS 2004 MEMBERSHIP DUES

The dues in 2004 are \$10,490. Attorney Brandt suggested adding some wording to make it clear that payment will not be made until 2004, pending budget approval.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded **approval** of PPACG's dues with added wording. All commissioners voted yes.

CONSIDER REQUEST FOR CONSENT TO APPOINTMENT OF ERIC ANAYA, MARK BARKER, JOYCE COHEN, KENNETH HODGES, ELIZABETH REED AND JOHN PHILLIP WINEGAR FOR DEPUTY DISTRICT ATTORNEYS

ACTION: Mr. Campbell moved and Mr. Ignatius seconded **approval** of the six Deputy District Attorneys as presented and have the Chair to sign in behalf of Teller County. All commissioners voted yes.

9:40 CLERK & RECORDER:

CONSIDER REQUEST FOR TRANSFER OF LIQUOR LICENSE FOR DIVIDE LIQUORS.

PRESENTING REGINA QUICK, DEPUTY CLERK WITH APPLICANTS, TODD AND DONNA WILLIAMS

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve** the transfer of liquor license as presented. All commissioners voted yes.

9:45 PARKS: TEAM WORX RECREATION ASSESSMENT PRESENTATION OF FINAL REPORT AND REQUEST FOR RESOLUTION OF ENDORSEMENT PRESENTING KEVIN TANSKI, PARKS COORDINATOR AND HELEN DYER  
Ms. Dyer updated the commissioners regarding Team Worx alliance activities.

10:50 PARKS: CONSIDER RESOLUTION REGARDING FACILITY USE FEE POLICY

PRESENTING KEVIN TANSKI, PARKS COORDINATOR

This Resolution approves the Teller County Parks' fee schedule and policies for athletic fields at active use parks.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded **approval** of **Resolution #11-06-03(54)** as written. All commissioners voted yes.

11:00 LEGAL MATTERS

PRESENTING CHRIS BRANDT, ATTORNEY

**CRIPPLE CREEK MOUNTAIN ESTATES:** Mr. Brandt reported that the County received notice of a lawsuit regarding Cripple Creek Mountain Homeowners' Association on a quiet-title action for a dispute concerning property lines. The County is notified in case the County wishes to appear in this action. It is recommended that the County not appear in this action.

EXECUTIVE SESSION:

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded to go into Executive Session to have discussions regarding the determination of negotiating strategies and positions and instructing negotiators about matters including but not limited to Woodland Landscape Material and Schmidt Construction under Section 4e; to have discussions regarding the purchase, acquisition, lease, transfer or sale of real property interests under Section 4a; and to have conferences with the county attorney for the purpose of receiving legal advice on these and other specific legal questions under Section 4b, all under Section 24-6-402 of C.R.S. All commissioners voted yes.

The Board reconvened in regular session and stated that no matters were adopted and no formal actions were taken in Executive Session.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 10:05 A.M.

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

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