

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY,
COLORADO, **SEPTEMBER 11, 2003**. IN ATTENDANCE WERE:

JERRY BERGEMAN, CHAIRMAN
BOB CAMPBELL, VICE-CHAIRMAN
JIM IGNATIUS, COMMISSIONER

GREG WINKLER, COUNTY ADMINISTRATOR
CHRIS BRANDT, COUNTY ATTORNEY
JOAN HENDRICKS, DEPUTY 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. Bergeman gave the invocation. The Pledge of Allegiance was led by Mr. Ignatius.

MINUTES OF PREVIOUS MEETINGS: No minutes were available.

ACCOUNTS PAYABLE: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve** the Accounts Payable run of September 9, 2003 in the amount of \$273,715.39. All commissioners voted yes.

BOARD REPORTS:

Mr. Ignatius reported on improvements of Interstate 25.

Mr. Campbell reported on roads maintained by CDOT. He also reported that the Cruise Above the Clouds Car Show would be held on September 13 and 14.

Mr. Bergeman provided information about the Easter Seals programs.

9:25 TIME RESERVED FOR ELECTED OFFICIALS AND PUBLIC WITHOUT PRIOR APPOINTMENT:

Mr. Logsdon gave an award to Dennis Gilley for his fourth place finish in the Equipment Roadeo.

Bill Nelson, District Ranger, U.S. Forest Service, reported on the Hayman Salvage Project. He stated that the Forest Service intended to recover 5 million board feet of burned timber in the Hayman Fire Area. He also stated that the Forest Service had revised the number of haul trucks expected to be involved in the recovery. He discussed alternate routes of travel. He stated that a cooperative agreement could be reached. He asked that the Board name a designated contact person.

Mr. Campbell reported that he had been in contact with Congressman Tancredo's office regarding the matter. He asked for further information from the Forest Service. Mr. Nelson responded that a meeting should be held between the Forest Service and Teller County. Mr. Bergeman directed Curt Logsdon, Department of Transportation, to meet with the Forest Service.

Mr. Logsdon expressed concerns about the number of homeowners that might be affected by the haul routes. He cited dust control as a major concern. He recommended that haul routes be directed along Teller County Road 3.

9:35 CLERK & RECORDER: CONSIDER REQUEST FOR SPECIAL EVENT LIQUOR PERMIT FROM KIWANIS CLUB OF UTE PASS-WOODLAND PARK:

PRESENTING: JOAN HENDRICKS

Ms. Hendricks read a letter from Christi Heppard, Deputy Clerk and Recorder, regarding the application.

ACTION: Mr. Ignatius moved and Mr. Bergeman seconded that the Board **approve the application**. Mr. Ignatius and Mr. Bergeman voted yes. Mr. Campbell recused himself.

9:45 CDS-PLANNING: CONSIDERATION OF THE REQUEST FROM MEADOW PARK LAND COMPANY, SPRING MEADOW RANCH LLLP, ET ALIA TO (1) AMEND THE LEGAL DESCRIPTION AND SOUTH BOUNDARY OF THE MEADOW PARK PUD AND CF-1 ZONE DISTRICT TO REFLECT CDOT "TAKING"; (2) AMEND THE MEADOW PARK DEVELOPMENT AGREEMENT AND THE MAP SET (SHEETS 9 AND 10) "PLAT NOTES" IN SEVERAL PARTICULARS:

PRESENTING: JEAN GARREN, SENIOR PLANNER

Ms. Garren outlined the project and explained the necessity of amending the PUD. She stated that the Planning Commission recommended approval. She read the proposed resolution.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve Resolution 09-11-2003(36)**. All commissioners voted yes.

Recess

10:00 COMMISSIONERS BUSINESS ITEMS

PRESENTING: GREG WINKLER

CONSIDER CONSENT TO APPOINTMENT OF DEPUTY DISTRICT ATTORNEY DOYLE BAKER:

CONSIDER CONSENT TO APPOINTMENT FOR DEPUTY DISTRICT ATTORNEY JAMES WILLIAMS:

CONSIDER CONSENT TO APPOINTMENT FOR DEPUTY DISTRICT ATTORNEY TERRY SAMPLE:

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the appointment of Mr. Baker, Mr. Williams, and Mr. Sample**. All commissioners voted yes.

CONSIDER FISCAL YEARS 2003, 2004 AND 2005 CONTRACT AMENDMENTS AND CONTRACT RENEWALS FOR THE WOMEN, INFANT AND CHILDREN PROGRAM:

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the contract amendments and renewals and authorize the Chairman to sign**. All commissioners voted yes.

CONSIDER LEASE AGREEMENT FOR THE PIKES PEAK WORK FORCE CENTER FOR YOUTH SERVICES:

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the lease agreement and to authorize the Chairman to sign contingent upon approval of the County Attorney**. All commissioners voted yes.

CONSIDER RECOMMENDATION FROM THE DISTRICT ATTORNEY CONCERNING PERA:

Mr. Winkler stated that District Attorney Smith recommended that membership to PERA not be begin until 2004.

ACTION: The County took no action regarding the District Attorney's participation in PERA in 2004.

CONSIDER REQUEST TO SIGN THE ENERGY AND MINERAL IMPACT GRANT DOCUMENTS ON BEHALF OF THE PIKES PEAK REGIONAL MEDICAL CENTER:

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that **approve the request and authorize the Chairman to sign**. All commissioners voted yes.

CONSIDER REQUEST FOR SIGNATURE OF THE ENERGY AND MINERAL IMPACT GRANT RELATING TO THE TELLER COUNTY BRIDGE REPAIR.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the request and authorize the Chairman to sign**. All commissioners voted yes.

CONSIDER REQUEST FOR SIGNATURE OF THE ENERGY AND MINERAL IMPACT GRANT RELATING TO THE TELLER COUNTY MOBILE COMMAND CENTER:

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the request and authorize the Chairman to sign**. All commissioners voted yes.

CONSIDER RESOLUTION REGARDING VIDEO LOTTERY TERMINALS:

Mr. Winkler read the proposed resolution.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **approve Resolution 09-11-2003(37)**. All commissioners voted yes.

CONSIDER RELEASE AND SETTLEMENT AGREEMENT BETWEEN COLORADO SPRINGS UTILITIES, ERS CONTRACTORS, TELLER COUNTY AND KIEWITT WESTERN CONTRACTORS:

The agreement is to reimburse the County for work on County Road 42.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve the agreement and to authorize the Chairman to sign**. All commissioners voted yes.

10:20 LEGAL MATTERS:

PRESENTING: CHRIS BRANDT, COUNTY ATTORNEY

COLORADO CLASSIC LOG HOMES: The County has filed a response to the petition.

10:21 ASSESSOR: CONSIDER REQUEST FOR ABATEMENT ON PROPERTY OWNED BY MARY SUE ANDERSON, LEGALLY DESCRIBED AS 33-14-69 11113 AETNA MS:

PRESENTING: SYLVIA GOFF, CHIEF APPRAISER

Ms. Goff provided information regarding the location of the mining claim. She recommended that the Board deny the abatement petition.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **deny the abatement petition**. All commissioners voted yes.

10:25 COMMISSIONER'S BUSINESS ITEMS:

PRESENTING: SHERYL DECKER

CONSIDER CONTRACT FOR GRANT REQUEST FOR THE SLASH/MULCH PROGRAM BY THE NORTH EAST TELLER COUNTY FIRE PROTECTION DISTRICT, DIVIDE FIRE PROTECTION DISTRICT, AND THE FLORISSANT FIRE PROTECTION DISTRICT:

Ms. Decker reported that the Colorado State Forest Service has combined all requests into one grant. She stated that most of the Teller County contributions were in-kind matches. She provided information regarding the program's status, and, she recommended approval.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **approve the grant and authorize the Chairman to sign**. All commissioners voted yes.

ACTION: Mr. Ignatius moved and Mr. Campbell seconded that the Board **approve the extension of the contract through 2004**. All commissioners voted yes.

Recess

10:35 CONSIDER REQUEST TO EXTEND THE ESTABLISHED MORATORIUM ON THE ALLOWING OF MULTIPLE DWELLINGS AND/OR STRUCTURES USED FOR HUMAN HABITATION PER PARCEL UNDER THE TELLER COUNTY LAND USE REGULATIONS SECTION DE-20-3 DENSITY AND PARCEL SIZE-ZONING DISTRICT STANDARDS, SECTION AC-20 ACCESSORY USE OR STRUCTURE AND SECTION GU-60 GUEST HOUSE, TO ONLY ALLOW ONE DWELLING AND/OR STRUCTURE USED FOR HUMAN HABITATION PER PARCEL, ON PARCELS CREATED ON OR AFTER MAY 22, 2003, IN ALL ZONES, BY PRECLUDING THE ACCEPTANCE OR APPROVAL OF APPLICATIONS FOR BUILDING PERMITS AND CONDITIONAL USE PERMITS WHICH WOULD ALLOW FOR MORE THAN ONE DWELLING AND/OR STRUCTURE USED FOR HUMAN HABITATION ON SUCH PARCELS:

PRESENTING: PAUL CLARKSON, DIRECTOR COMMUNITY DEVELOPMENT SERVICES

Mr. Clarkson provided information regarding the need to issue a short extension of the moratorium in order to meet the deadlines of the Planning Commission. He read the proposed resolution.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve Resolution 09-11-2003(38)**. All commissioners voted yes.

Recess

11:00 CDS-PLANNING: CONSIDER REQUEST FOR REAUTHORIZATION OF TEMPORARY INTERIM REGULATIONS FOR WASTE TRANSFER FACILITIES IN TELLER COUNTY:

PRESENTING: PAUL CLARKSON, DIRECTOR COMMUNITY DEVELOPMENT SERVICES

Mr. Clarkson provided information regarding the proposed waste transfer station. He reported that Waste Management had made significant progress in identifying requirements for the proposed waste transfer station. He recommended that the temporary regulations be extended for Waste Management and ended for all other companies. He reported that a meeting had been held with Woodland Landscape Materials regarding their losing their permit. Mr. Clarkson read the proposed resolution.

Diane Allen, Woodland Park, voiced her support for the proposed resolution and her concern that Woodland Landscape Materials operations may violate Land Use Regulations.

ACTION: Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve Resolution 09-11-2003(39)**. All commissioners voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:20 A.M.

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder