

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, MARCH 31, 2005. IN ATTENDANCE WERE:

BOB CAMPBELL, CHAIRMAN

BILL BUCKHANAN, COMMISSIONER

GREG WINKLER, COUNTY ADMINISTRATOR

CHRISTI HEPPARD, DEPUTY CLERK & RECORDER

JIM IGNATIUS, VICE-CHAIRMAN

CHRIS BRANDT, COUNTY ATTORNEY

12:05 The Board of County Commissioners of Teller County convened in regular session in the Teller County Centennial Building in Cripple Creek with Chairman Campbell presiding. Mr. Campbell noted that the meeting was delayed by three hours due to inclement weather. Mr. Ignatius gave the invocation. The Pledge of Allegiance was led by Mr. Buckhanan.

MINUTES OF PREVIOUS MEETINGS:

ACTION: Mr. Buckhanan moved and Mr. Ignatius seconded that the Board **approve the February 24, 2005 minutes as presented.** All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve the accounts payable run of March 30, 2005 in the amount of \$822,733.65.** All commissioners voted yes.

Mr. Ignatius commented that this pay run included the final payment for the Centennial Building financing. He also stated that the pay run included the purchase of two road graders within the fleet replacement program. Discussion was held regarding the success of the replacement program.

BOARD REPORTS:

Mr. Buckhanan reported attending the Gold Camp Development Corporation meeting on March 22, 2005.

Mr. Ignatius reported that he has been following proposed legislation presented by Congressman Udall and Senator Salazar addressing an increase in Payment in Lieu of Taxes (PILT) funding. He also mentioned that the Downtown Development Authority would be holding the World Theater from July 18, 2005 through July 31, 2005 at two locations, the Broadmoor Hotel and the Woodland Park Saddle Club property. He mentioned attending a ribbon cutting ceremony at Napa Autoparts. Timberline spraying will be held on April 2, 2005. He reported that the dedication of the Ute Pass Trail in Green Mountain Falls had a good turnout and mentioned that the project was funded through grants and contributions from various governmental entities.

Mr. Campbell commented on the Habitat for Humanity charity basketball game held in conjunction with the Harlem Ambassadors. The event successfully raised about \$3,500.00 for Habitat for Humanity's 17th house. Mr. Campbell also commented on proposed legislation that would exempt the Department of Transportation from locating utilities in advance of routine road maintenance. Mr. Campbell mentioned that, regretfully, the bill has been substantially amended requiring CCI to lobby to have the bill postponed indefinitely. He also reported that the coalition which included the Trust for Public Lands had proposed legislation exempting counties from sales tax caps to fund Trails, Open Space and Parks. The bill was successfully passed in both houses and is waiting for the Governor's signature. County commissioners now have the option of placing a question on the ballot regarding raising sales tax rates to fund Trails, Open Spaces and Parks. He also mentioned that several bills relating to TABOR issues are still in the legislature.

12:20 TIME RESERVED FOR ELECTED OFFICIALS, DEPARTMENT HEADS AND PUBLIC WITHOUT AN APPOINTMENT:

Ms. Heppard stated that two entities, the Woodland Park RE-2 School District and the City of Woodland Park were conducting elections within Teller County. She stressed that the Clerk's Office is only acting in a support role for both elections and is not the

designated election official. She also reported that the RE2 election is a polling place election and that the Woodland Park election is a mail ballot election.

12:22 EMPLOYEE SERVICE AWARDS

Lindsey Chapman, Director of Human Resources, reported some employees scheduled to receive awards could not attend the meeting due to the weather. Some of the award presentations will be rescheduled.

Ms. Hilda Ezard, Sheriff's Office, will be presented with a five-year service award.

Cpl. Jay Barnes, Sheriff's Office, will be presented with a five-year service award.

Cpl. Roger Sandefur, Sheriff's Office, will be presented with a fifteen-year service award.

Martha Hubbard, Public Health Nurse, will be presented with a ten-year service award.

Mr. Campbell expressed his appreciation for the dedication of all four employees.

12:23 CDS-PLANNING: CONSIDER AN AMENDMENT TO THE TELLER COUNTY LAND USE REGULATIONS, SECTION BE-10: BED AND BREAKFAST OPERATIONS IN A1, R1 AND R2 ZONES TO: DELETE "IN A1, R1, AND R2 ZONES":

PRESENTING: GREG WINKLER

Mr. Winkler clarified that the amendment is to correct an inconsistency in text found within current Land Use Regulations. He provided background information and stated that staff has recommended approval of the amendment.

He read the proposed resolution.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve Resolution 03-31-05(7)**. All commissioners voted yes.

12:30 CDS-PLANNING: CONSIDER AN AMENDMENT TO THE TELLER COUNTY LAND USE REGULATIONS, SECTION SE-30-1: SETBACKS TO: DELETE THE MINIMUM STREET YARD SETBACK OF 40 FEET IN THE C1-COMMERCIALZONE DISTRICT AND THE MINIMUM STREET YARD SETBACK OF 25 FEET IN THE M1-INDUSTRIAL ZONE DISTRICT:

PRESENTING: GREG WINKLER

Mr. Winkler stated that the amendment is to reduce setback requirements in commercial and industrial zoned property as set forth in the Land Use Regulations. The action reduces street yardsetback requirements to 10 feet in C1 zones and 20 feet in M1 zones.

He read the proposed resolution.

Mr. Brandt clarified that current land use regulations have both "street yard setback" and "minimum street yard" requirements. The resolutions deletes minimum "street yard" leaving "street yard setback" requirements within the regulations.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve Resolution 03-31-05(8)**. All commissioners voted yes.

12:33 ASSESSOR: CONSIDER REQUEST FOR ABATEMENT FROM BENJAMEN & DEBRA ROMERO ON PROPERTY LEGALLY DESCRIBED AS 1-13-71 POR SE4:

PRESENTING: CATHY BRENNAN, ASSESSORS OFFICE

Ms. Brennan stated that the property owners have built a metal building that has been classified incorrectly. She reported that the Assessor's office has determined to use the same classification for the property that other County departments have adopted.

Mr. Ignatius asked for clarification regarding the procedure for assessment of home-based businesses. Ms. Brennan provided information regarding statutory effects on those businesses. The abatement is for 2002 and 2003 taxes and is for a total amount of \$1,230.75.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve Petition for Abatement 04-084, as presented.** All commissioners voted yes.

12:43 COMMISSIONERS BUSINESS ITEMS:
PRESENTING: GREG WINKLER

CONSIDER APPROVAL OF IGA BETWEEN TELLER COUNTY AND MOUNTAIN COMMUNITIES VOLUNTEER FIRE DISTRICT:

CONSIDER APPROVAL OF IGA BETWEEN TELLER COUNTY AND THE DIVIDE FIRE PROTECTION DISTRICT:

The agreements allow the County to provide fleet services to both fire departments.

ACTION: Mr. Buckhanan moved and Mr. Ignatius seconded that the Board **approve the agreements and authorize the Chairman to sign and initial where necessary.** All commissioners voted yes.

CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE PIKES PEAK WORKFORCE CENTER AND THE AMERICAN ASSOCIATION OF RETIRED PERSON'S FOUNDATION:

The MOU outlines services to be provided by the two organizations and allows AARP services to be administered to individuals who are employed but otherwise qualify for those services.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve the memorandum of understanding and to authorize the Chairman to sign.** All commissioners voted yes.

CONSIDER APPROVAL OF THE CONTRACT AMENDMENT FOR YEAR 2 OF THE SOCIAL SECURITY ADMINISTRATION, YOUTH DEMONSTRATION PROJECT BETWEEN THE UNIVERSITY OF COLORADO AT DENVER HEALTH SCIENCES CENTER AND THE PIKE'S PEAK WORKFORCE CENTER:

The amendment is a continuation of a current contract for student job assistance programs.

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

CONSIDER APPROVAL OF THE PIKES PEAK WORKFORCE CENTER'S PY05 CONTRACT AGREEMENT WITH THE COLORADO STATE DEPARTMENT OF LABOR AND EMPLOYMENT:

The agreement is a master contract document to allow for services. The agreement contains no dollar amounts.

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

CONSIDER APPROVAL OF CONTRACT BETWEEN TELLER COUNTY AND COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO STREAMLINE THE CONTRACTING PROCESS:

The contract is a master contract document and allows for terms and provisions to be added. The contract contains no dollar amounts.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve the contract and authorize the Chairman to sign and initial where necessary.** All commissioners voted yes.

CONSIDER RESOLUTION FOR PROTECTION OF OPEN SPACE AND AGRICULTURAL LAND RESOURCES IN TELLER COUNTY:

Mr. Winkler read the proposed resolution. He stated that the resolution is to endorse a grant application to fund establishment of conservation easements on remaining acreage of the Clark Ranch to the Palmer Land Trust.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve Resolution 03-30-05(9)**. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH HAYNES INDUSTRIES, INC.:

The agreement provides for electrical inspection services when the county electrical inspector is on vacation. The amount of the contract is not to exceed \$2,500.00.

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

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH MAXIMUS, INC:

The agreement allows the contractor to determine a cost allocation plan and is not to exceed \$4,000.00. The County receives significant amounts of grant funds as a result of this service.

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

CONSIDER APPROVAL OF GOLD BELT COMMUNITIES BUILD A GENERATION GRANT:

The grant application is for \$100,000.00 per year for a four year period.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **ratify the grant application**. All commissioners voted yes.

CONSIDER EXTENSION OF AMBULANCE SERVICE LICENSES FOR WOODLAND PARK AMBULANCE, SOUTHWEST TELLER COUNTY EMERGENCY MEDICAL SERVICES AND FOUR MILE EMERGENCY SERVICES, INC.:

This is a thirty day extension.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve the extensions**. All commissioners voted yes.

CONSIDER RENEWAL OF LEASE BETWEEN TELLER COUNTY PUBLIC HEALTH AND THE ASPEN MINE CENTER:

The renewal is for office space for WIC and other public health services in the Aspen Mine Center building. The lease rate is \$275.00 per month.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve the lease renewal and authorize the County Administrator to sign**. All commissioners voted yes.

CONSIDER REAPPOINTMENT OF SHERIFF KEVIN DOUGHERTY TO THE EL PASO-TELLER COUNTY ENHANCED 9-1-1 AUTHORITY:

Mr. Winkler stated that Sheriff Dougherty has asked that the Board appoint Undersheriff Woodward.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **approve the appointment of Undersheriff Marcus Woodward**. All commissioners voted yes.

CONSIDER LETTER REQUESTING PERMISSION FOR THE UNITED STATE DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT FOR WILDFIRE MITIGATION IN LAKEMOOR WEST SUBDIVISION:

The agreement allows for the BLM to make certain decisions relating to fire mitigation on land owned by Teller County.

ACTION: Mr. Ignatius moved and Mr. Buckhanan seconded that the Board **ratify the Chairman's signature**. All commissioners voted yes.

CONSIDER PROFESSIONAL SERVICES AGREEMENT WITH IN-MATE HOUSING ASSISTANCE, LLC. AND TELLER COUNTY DETENTION FACILITY:

The contract terms have been modified to provide for better services by defining the responsibilities of both parties and also to change the scope of payment.

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

1:15 LEGAL MATTERS

No report was given.

Mr. Winkler announced that the County has completed refinancing the Detention Facility building at a lower rate of interest. New certificates of participation will be issued and are intended to convert to a tax exempt. This action is projected to save the County \$1,200,000.00 over 20 years.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:17 P.M.

APPROVED _____ ATTEST _____
Chairman, Board of County Commissioners Clerk & Recorder