

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS,
TELLER COUNTY, COLORADO, DECEMBER 22, 2006. IN
ATTENDANCE WERE:

JIM IGNATIUS, CHAIRMAN BOB CAMPBELL, VICE CHAIRMAN
BUCK BUCKHANAN, COMMISSIONER
SHERYL DECKER, ACTING COUNTY ADMINISTRATOR
CHRIS BRANDT, COUNTY ATTORNEY
JULIANA MESTAS, CHIEF DEPUTY CLERK & RECORDER

9:25 The Board of County Commissioners of Teller County convened in regular session in the Teller County Centennial Building in Cripple Creek with Chairman Ignatius presiding. Mr. Buckhanan gave the invocation and Mr. Ignatius led the Pledge of Allegiance.

This meeting was originally scheduled for December 21, 2006, but the Board of County Commissioners continued it to today because of inclement blizzard conditions on December 21, 2006.

MINUTES OF PREVIOUS MEETINGS:

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the minutes of December 21, 2006 as presented. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the minutes of October 12, 2006 with correction. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the minutes of October 27, 2006 with correction. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the minutes of November 9, 2006 with corrections. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the minutes of November 22, 2006 with corrections. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the minutes of December 7, 2006. All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded that the Board **approve** the accounts payable run of December 20, 2006 in the amount of \$292,359.22 as presented. All commissioners voted yes.

BOARD REPORTS - LEGISLATIVE UPDATE:

Mr. Buckhanan:

~ Wished everyone a Merry Christmas.

Mr. Campbell:

~ Reported on meeting with Senator Salazar on Monday to discuss a few items.

~ Visited with Sam Gould, Director of Community Partnership.

~ Thanked the Public Works Department, Facilities and Parks Department for their assistance during the snowstorm.

~ The Commissioners have been working with Public Works regarding choosing a contractor for the building in Divide. The Notice of Award was given to The Copestone Company.

~ Wished everyone a Merry Christmas.

Mr. Ignatius:

~Reported on meeting with Senator Salazar regarding management of public lands to try to reduce fuels.

~ Wished everyone a Merry Christmas.

ELECTED OFFICIAL'S REPORT:

None.

ADMINISTRATOR'S REPORT:

SHERYL DECKER, ACTING COUNTY ADMINISTRATOR

Reported on the road crew's management of the snow and roads. Every available piece of equipment was on the roads, with no breakdowns. Parks, Facilities and Fleet all worked together.

CONSIDER RESOLUTION DECLARING A DISASTER AND EMERGENCY IN TELLER COUNTY.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(56)** as presented. All commissioners voted yes.

9:30 TIME RESERVED FOR DEPARTMENT HEADS AND PUBLIC WITHOUT AN APPOINTMENT:

None.

9:30 EMPLOYEE SERVICE AWARD:

None.

9:35 ADMINISTRATION:

PRESENTING SHERYL DECKER, ACTING COUNTY ADMINISTRATOR

CONSIDER APPROVAL OF THE 2007 MILL LEVY CERTIFICATION FOR ALL TELLER COUNTY TAXING ENTITIES.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the 2007 Mill Levy Certifications for all Teller County taxing entities as presented. All commissioners voted yes.

9:50 PUBLIC WORKS-PARKS:

RECOGNITION PLAQUES TO BE PRESENTED TO BISON BUILT LOG HOMES AND BC FLATWORK FOR VOLUNTEER WORK AND CONTRIBUTIONS TO THE CATAMOUNT RANCH OPEN SPACE.

Postponed until January 9, 2007.

9:50 FINANCE:

PRESENTING SHERYL DECKER, ACTING COUNTY ADMINISTRATOR

CONSIDER RESOLUTIONS TO:

SPECIFY TELLER COUNTY'S MANNER OF COMPLIANCE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT 34 REQUIREMENTS FOR INFRASTRUCTURE REPORTING.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(57)** as presented. All commissioners voted yes.

DIRECT THE TRANSFER OF TABOR EMERGENCY RESERVE FUNDS IN 2006 TO THE ROAD AND BRIDGE FUND FOR EMERGENCY FLOOD REPAIR WORK.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve Resolution #12-22-06(58)** as presented. All commissioners voted yes.

RESERVE 2006 ENDING FUND BALANCES AND INCREASE THE 2007 EMERGENCY RESERVE AS REQUIRED UNDER TABOR.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(59)** as presented. All commissioners voted yes.

10:00 COMMISSIONERS BUSINESS ITEMS:
PRESENTING SHERYL DECKER, ACTING COUNTY ADMINISTRATOR

CONSIDER APPROVAL OF PROFILE EAP CONTRACT FOR 2007.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the contract and authorize the Chair to sign. All commissioners voted yes.

CONSIDER APPROVAL OF CONSENT TO APPOINTMENT FOR DEPUTY DISTRICT ATTORNEY LAUREL K. CAIN.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the consent to appointment as presented. All commissioners voted yes.

CONSIDER APPROVAL OF CONTRACT BETWEEN COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND TELLER COUNTY FOR 2007 IMMUNIZATION SERVICE DELIVERY.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the contract as presented. All commissioners voted yes.

CONSIDER APPROVAL OF COLORADO DEPARTMENT OF HUMAN SERVICES CERTIFICATION OF COMPLIANCE, COUNTY MERIT SYSTEM FOR 2007.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the certification as presented and authorize the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF FISCAL AGENT AGREEMENT BETWEEN TELLER COUNTY DEPARTMENT OF SOCIAL SERVICES AND HELP THE NEEDY.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the agreement as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH JERIANNE HEIMENDINGER DBA JERIANNE HEIMENDINGER ENTERPRISES FOR DIABETES AND HHS "STEPS TO A HEALTHIER US".

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the PSA as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH MELISSA BLEAKNEY DBA MELISSA BLEAKNEY-NUTRITION CONSULTING, LLC FOR WIC, PRENATAL PLUS, HHS "STEPS TO A HEALTHIER US".

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the PSA as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH HENRIETTE GREGORIO DBA HENRIETTE GREGORIO MARKETING CONSULTANT FOR HHS "STEPS TO A HEALTHIER US".

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the PSA as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH LESLIE R. STILLWELL DBA LESLIE R. STILLWELL ENTERPRISES FOR PRENATAL PLUS.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the PSA as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH KURT WEAVER, M.D., TELLER COUNTY PUBLIC HEALTH MEDICAL DIRECTOR.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the PSA as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

CONSIDER RATIFICATION TO COLORADO TRUST'S HEALTHY AGING INITIATIVE.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve** the ratification of the Agreement to Participate as presented. All commissioners voted yes.

CONSIDER AMENDMENT TO AGREEMENT BETWEEN NEXTEL WEST CORPORATION AND TELLER COUNTY.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the amendment as presented subject to the county attorney's review and approval, and direct the Chairman to sign. All commissioners voted yes.

10:20 FINANCE:

PRESENTING VICKI CALDWELL, FINANCE SUPERVISOR
CONSIDER APPROVAL OF TELLER COUNTY FY 2006 BUDGET ADJUSTEMENTS.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(60)** as presented. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(61)** as presented. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(62)** as presented. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(63)** as presented. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve Resolution #12-22-06(64)** as presented. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(65)** as presented. All commissioners voted yes.

(CD #2)

10:35 **ADMINISTRATION:**

PRESENTING SHERYL DECKER, ACTING COUNTY ADMINISTRATOR

CONSIDER RESOLUTIONS FOR APPROVAL OF BONDS FOR ELECTED OFFICIALS.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(66)** regarding Kevin F. Lloyd, County Surveyor, subject to the county attorney's review and approval. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve Resolution #12-22-06(67)** regarding Constance R. Joiner, County Treasurer, subject to the county attorney's review and approval. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(68)** regarding Earl B. Byrne, County Coroner, subject to the county attorney's review and approval. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(69)** regarding Kevin Michael Dougherty, County Sheriff, subject to the county attorney's review and approval. All commissioners voted yes.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve Resolution #12-22-06(70)** regarding Thomas King, County Assessor, subject to the county attorney's review and approval. All commissioners voted yes.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve Resolution #12-22-06(71)** regarding Patricia A. Crowson, Clerk &

Recorder, subject to the county attorney's review and approval. All commissioners voted yes.

10:45 COMMISSIONERS BUSINESS ITEMS (CONT'D):
PRESENTING SHERYL DECKER, ACTING COUNTY
ADMINISTRATOR

RECESS AS TELLER COUNTY BOARD OF COUNTY
COMMISSIONERS
CONVENE AS TELLER COUNTY BOARD OF SOCIAL SERVICES

CONSIDER APPROVAL OF PROFESSIONAL SERVICES
AGREEMENT WITH STEVEN C. ZENTZ DBA THE LAW OFFICES OF
STEVEN C. ZENTZ, SPECIAL COUNTY ATTORNEY FOR TELLER
COUNTY SOCIAL SERVICES.

ACTION: Mr. Buckhanan moved and Mr. Campbell seconded to **approve**
the PSA as presented and authorize the Chairman to sign. All
commissioners voted yes.

CONSIDER AMENDMENT TO AGREEMENT BETWEEN POLICY
STUDIES, INC. AND TELLER COUNTY SOCIAL SERVICES.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve**
the amendment to the agreement subject to the county attorney's review and
approval, and direct the Chairman to sign. All commissioners voted yes.

ADJOURN AS TELLER COUNTY BOARD OF SOCIAL SERVICES
RECONVENE AS TELLER COUNTY BOARD OF COUNTY
COMMISSIONERS

CONSIDER ADDITIONAL ADMINISTRATIVE MATTERS RECEIVED
AFTER AGENDA DEADLINES

CONSIDER RATIFICATION OF NOTICE OF AWARD:

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **ratify** the
Notice of Award to The Copestone Company and authorize Allison Baker to
sign and act accordingly on that award. All commissioners voted yes.

10:59 RECESS

11:02 RECONVENE

CONSIDER THE EXECUTION OF REQUEST TO APPROVE THE FLEXIBLE BENEFITS PLAN SUMMARY AND PLAN DESCRIPTION DOCUMENTS.

ACTION: Mr. Campbell moved and Mr. Buckhanan seconded to **approve** the flexible benefits plan, summary plan description and plan documents including the appointment of Lindsey Chapman as the plan administrator subject to the county attorney's review and approval, and authorize the acting County Administrator to sign. All commissioners voted yes.

11:15 LEGAL MATTERS:

PRESENTING CHRIS BRANDT, COUNTY ATTORNEY

Diamond Shamrock: This is a tax assessment challenge that has been raised by Diamond Shamrock in a number of counties. There are several lead counties that will represent the counties in general to challenge their position.

Samuel Walker and Diane Walker: The attorneys appointed by CTSI have filed motions for summary judgment. The court has acted on those motions and granted summary judgment on all but one claim. Summary judgment was granted in favor all the defendants except for Ms. France, and all claims but one have been dismissed. The remaining case is therefore substantially narrowed.

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

APPROVED _____
Chairman, Board of County Commissioners

ATTEST _____
Clerk & Recorder