

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, MAY 13, 2004. 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. Bill Schultz led the Pledge of Allegiance.

MINUTES OF PREVIOUS MEETINGS: Minutes from April 8 and April 22, 2004 were available.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded **approval** of the April 8, 2004 minutes. All commissioners voted yes.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded **approval** of the April 22, 2004 minutes. All commissioners voted yes.

ACCOUNTS PAYABLE:

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded that the Board **approve** the accounts payable run of May 13, 2004 in the amount of \$464,402.16 as presented. All commissioners voted yes.

BOARD REPORTS - LEGISLATIVE UPDATE:

Mr. Ignatius attended a Bioterrorism meeting. The subject this month was West Nile Virus.

He asked that the citizens contact the Governor and ask him to sign HB1421 that will add an additional \$500,000. to help senior citizens. The State has already approved \$2.5 million, but the additional amount is needed so that there will not be cuts to local programs.

Some of the bills that were postponed indefinitely included the At Risk Adult Abuse Mandatory Reporting, Senior Property Tax Exemption and Assistance for Seniors.

Mr. Campbell reported regarding a proposal pursued by the US Forest Service concerning reopening Gold Camp Road and repairing tunnel #3. There will be a meeting for public input on June 1 in Cripple Creek City Council room at 5 p.m. At the Senior Resource Council meeting the Teller Senior Coalition was nominated and won an achievement award for the Pikes Peak Region. Mr. Campbell congratulated them on running a great program. On Saturday, May 15<sup>th</sup> the Senior Center will hold a Senior Bazaar to raise money for their services.

Mr. Bergeman reported that the 4-mile Park will have a branding iron ceremony and grand opening on May 29<sup>th</sup>.

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

None

9:30 EMPLOYEE SERVICE AWARDS:

PRESENTING VALERIE MARTIN, SOCIAL SERVICES:

Presented Bill Schultz, Supervisor, with his 5-year Service Award.

9:32 COMMISSIONERS BUSINESS ITEMS:

PRESENTING GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH KIEWIT WESTERN COMPANY

This is the reconstruction of County Road 1. The contract is in the amount of \$878,191.70. This pays for the contracting services for the upgrade of County Road 1 extending 1.8 miles.

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded to **approve** the professional services agreement and authorize the Chair to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH P.K. ENTERPRISES

This is for the purchase of Class 5 gravel material. The contract is in the amount of \$157,410. for gravel to be used as a base for the County Road 1 road bed.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve** the professional services agreement and authorize the Chair to sign. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER

This is for material testing services for County Road 1. The contract is in the amount of \$13,934.25.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve** the professional services agreement and authorize the Chair to sign. All commissioners voted yes.

CONSIDER APPROVAL OF CONTRACT RENEWAL AMENDMENT #1 WITH THE STATE OF COLORADO REGARDING THE FAMILY PLANNING PROGRAM

This is to renew the County's family planning contract and program. The contract amount is \$25,851.

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

9:40 ASSESSOR:

PRESENTING: SYLVIA GOFF, CHIEF APPRAISER

CONSIDER REQUEST FOR ABATEMENT FROM MR. ROBERT J. TRZCINSKI ON PROPERTY LEGALLY DESCRIBED AS: L9R LOST CANYON RANCH 1

Michael Gatt with the Pikes Peak Realty and agent of Robert J. Trzcinski was present and addressed the Board.

**ACTION**: Mr. Campbell moved and Mr. Ignatius seconded **to set the actual value** on Abatement #04-003 at \$122,151. All commissioners voted yes.

**CONSIDER REQUEST FOR ABATEMENT FROM MR. AND MRS. JAMES WEST ON PROPERTY LEGALLY DESCRIBED: TRACT OF LAND DESIGNATED AS “EXCEPTION” B2 SPRING VALLEY NO 2**

James West was present and addressed the board.

**ACTION**: Mr. Ignatius moved and Mr. Campbell seconded to **deny** Abatement #04-017 as presented. All commissioners voted yes.

10:07 CSD-PLANNING  
PRESENTING JEAN GARREN, PLANNING

**CONSIDER A RESOLUTION ACCEPTING PUBLIC UTILITY EASEMENTS FOR THE SUBDIVISION EXEMPTION PLAT LOTS 22 AND 23, BLOCK 8, ARABIAN ACRES SECOND FILING, TELLER COUNTY, COLORADO**

**ACTION**: Mr. Campbell moved and Mr. Ignatius seconded to **approve Resolution #05-13-04(17)**. All commissioners voted yes.

**CONSIDER A RESOLUTION ACCEPTING PUBLIC ROAD RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS FOR THE SUBDIVISION EXEMPTION PLAT CENTERVIEW SUBDIVISION FILING NO.1, A REPLAT OF THE DEXTER AND THE JIM DANDY MINING CLAIMS – MINERAL SURVEY NO. 13920, GOVERNMENT LOTS 9, 10, 35, 36, 37, A PORTION OF GOVERNMENT LOT 16 AND A PART OF THE NW ¼ OF THE SW ¼ OF THE NE ¼ SECTION 34, T14S, R70W OF THE 6<sup>TH</sup> P.M. COUNTY OF TELLER, STATE OF COLORADO**

**ACTION**: Mr. Ignatius moved and Mr. Campbell seconded to **approve Resolution #05-13-04(18)**. All commissioners voted yes.

**CONSIDER A RESOLUTION ACCEPTING THE DEDICATION OF PUBLIC ROAD RIGHTS-OF-WAY, PUBLIC UTILITY EASEMENTS, AND A PUBLIC TRAIL EASEMENT FOR THE FINAL PLAT OF HIGHLANDS OF DIVIDE, FILING NO. 3 – A VACATION AND REPLAT OF HIGHLANDS OF DIVIDE FIL. NO. 2, CLARK AND MIDDLETON SUB., SUB. EXEMPT. TELLER COUNTY JAIL, AND DEEDED PARCELS, ALL IN THE SW ¼ SEC. 6 AND THE NW ¼ SEC. 7, T13S, R69W OF THE 6<sup>TH</sup> P.M., IN THE TOWN OF DIVIDE, TELLER COUNTY, CO**

**ACTION**: Mr. Ignatius moved and Mr. Campbell seconded to **approve Resolution #05-13-04(19)**. All commissioners voted yes.

**CONSIDER A RESOLUTION ACCEPTING PUBLIC UTILITY EASEMENTS FOR THE SUBDIVISION EXEMPTION PLAT LOTS 27 & 28, J-D-K SUBDIVISION, TELLER COUNTY, COLORADO**

**ACTION**: Mr. Campbell moved and Mr. Ignatius seconded to **approve Resolution #05-13-04(20)**. All commissioners voted yes.

**CONSIDER A RESOLUTION ACCEPTING A ROAD RIGHT-OF-WAY EASEMENT FOR THE EXEMPTION PLAT, MUELLER SUBDIVISION**

EXEMPTION, A PORTION OF THE EAST ½, SECTION 24 AND THE NE ¼,  
SECTION 25, T.13S., R70W OF THE 6<sup>TH</sup> P.M., TELLER COUNTY,  
COLORADO

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve Resolution #05-13-04(21)**. All commissioners voted yes.

CONSIDER A RESOLUTION ACCEPTING PUBLIC UTILITY EASEMENTS  
FOR THE SERENITY-SOLOMON SUBDIVISION EXEMPTION PLAT, A  
PORTION OF THE SW ¼ OF THE SE ¼, SECTION 16, T11S, R69W OF THE 6<sup>TH</sup>  
P.M., TELLER COUNTY, COLORADO

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded to **approve Resolution #05-13-04(22)**. All commissioners voted yes.

10:24 COMMISSIONERS BUSINESS ITEMS:  
PRESENTING GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER APPROVAL OF RESOLUTION AMENDING TELLER COUNTY  
PERSONNEL MANUAL

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded to **approve Resolution #05-13-04(23)**. All commissioners voted yes.

CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH  
ROCKY TOP RESOURCES, INC.

This agreement, not to exceed \$100,000., is to provide for the Slash Mulch Program.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve** the professional services agreement as presented and authorize the Chair to sign. All commissioners voted yes.

CONSIDER APPROVAL OF CONTRACT WITH POLICY STUDIES, INC. (PSI)  
DBA CHILD SUPPORT SERVICES OF COLORADO

PSI provides the child support function of Social Services.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve** the contract and authorize all three board members to sign. All commissioners voted yes.

CONSIDER ADDITIONAL ADMINISTRATIVE MATTERS RECEIVED AFTER  
AGENDA DEADLINES:

2004 PAYMENT IN LIEU OF TAXES APPLICATION FOR THE DIVISION OF  
PARKS AND OUTDOOR RECREATION, COLORADO STATE PARKS  
PROPERTY WITHIN TELLER COUNTY

There is a total of 5,681 acres that fall within the criteria with a negative impact of \$1,240. in taxes to Teller County. The assessed value is \$18,568. which would generate \$1,240. in taxes.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve** the form as presented and all three commissioners to sign. All commissioners voted yes.

PURCHASE AND LOAN

The Board is requested to sign IRS form 8038G and also a tax certificate. Mr. Brandt asked that the Board approve the documents conditioned on council's review and approval of changes.

**ACTION:** Mr. Campbell moved and Mr. Ignatius seconded to **approve** the tax certificate and IRS form 8038G conditioned on council's approval of changes that may be made and authorize the Chair to sign. All commissioners voted yes.

10:40 LEGAL MATTERS

PRESENTING CHRIS BRANDT, ATTORNEY

**SPRING CREEK REALTY, INC.** - This is an ongoing case where there were two lines of title therefore double assessments. All of the remaining parties have agreed to settle. The County, by statute, refunds two years of taxes to the party that is giving up their interest in the property.

**Woodland Landscape Materials** – A complaint has been filed by the County seeking civil penalties for the zoning violations.

Recess

10:57 ADMINISTRATION:

PRESENTING GREG WINKLER, COUNTY ADMINISTRATOR

CONSIDER A RESOLUTION TO ESTABLISH THE TELLER COUNTY COMMUNITY WILDFIRE PROTECTION PLAN COMMISSION

This resolution forms a community commission with a date certain on coming forward with a plan and coordination amongst the community and agencies to mitigate the at-risk areas and hopefully gain dollars and support from the Forest Service and other Federal agencies.

**ACTION:** Mr. Ignatius moved and Mr. Campbell seconded to **approve Resolution #5-13-04(24)** as presented. All commissioners voted yes.

11:07 DEPARTMENT OF TRANSPORTATION:

PRESENTING CURT LOGSDON, DIRECTOR OF TRANSPORTATION

RS 2477 RIGHTS-OF-WAY CATEGORIZATION, DISCUSSION #2

Mr. Logsdon presented for public hearing, his agenda on RS 2477 roads.

Speaking to the matter were:

Julie Panek, Colorado Springs

Terry Jenkins, Cripple Creek area

Arthur Uhl, Florissant

Jerry Panek, Colorado Springs

Garold Fudge

Jim Nelson, Colorado Springs

Ryan Christian, executive director of Quaker Ridge Camp & Conference Center

Tim Pleasant, attorney representing Darwin Floyd - Colorado Springs

Wallace White, owner of Lost Valley Ranch

Mr. Logsdon recommended to the Board that he bring a resolution back to them at the next meeting that would assert all identified Class A RS 2477 rights-of-way.

DISCUSSION REGARDING TRAIL CREEK ROAD AND CEDAR MOUNTAIN ROAD:

Both of these roads have received heavy damage because of the Hayman fire. On the 27<sup>th</sup> Mr. Logsdon would like to designate portions of these roads for high clearance, 4-wheel drive vehicles and ATV's. After the flooding is over in the next 5-7 years, the roads will be assessed.

Terri Bently with Florissant Fire questioned Curt regarding Trail Creek Road.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 11:54 A.M.

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

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