

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS, TELLER COUNTY, COLORADO, DECEMBER 23, 2004. IN ATTENDANCE WERE:

JIM IGNATIUS, VICE-CHAIRMAN
JERRY BERGEMAN, COMMISSIONER
GREG WINKLER, COUNTY ADMINISTRATOR
CHRIS BRANDT, COUNTY ATTORNEY
JULIANA MESTAS, 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 Vice-Chairman Ignatius presiding. Chairman Campbell was excused. Mr. Bergeman gave the invocation. The Pledge of Allegiance was led by Mr. Buckhanan.

MINUTES OF PREVIOUS MEETINGS:

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the July 22, 2004 minutes.** All commissioners voted yes.

ACCOUNTS PAYABLE:

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the accounts payable run of December 23, 2004 in the amount of \$327,570.42.** All commissioners voted yes.

BOARD REPORTS – LEGISLATIVE UPDATE:

Mr. Bergeman reported that the Legislature is preparing to convene its session.

Mr. Ignatius reported that the preferred option on re-opening the Gold Camp Road would be made on January 10, 2005. He reviewed some of the County's achievements in 2004. Achievements included refinancing the Waste Water Utility project, refinancing the Centennial Building to affect payoff in April 2005, continuation of service adjustments, continuation of resolution to the Catamount access problem, road maintenance and repair due to flooding, preparation for the Divide Service Center, completion of the Fleet Replacement Plan, completion of construction along County Road One, installation of a new phone system, US Forest Service board feet harvesting, budget procedural changes, Urban Interface Wildlife Protection Plan, and declaration of the RS2477 Public Land access project.

9:20 TIME RESERVED FOR ELECTED OFFICIALS, DEPARTMENT HEADS AND PUBLIC WITHOUT AN APPOINTMENT:

Curt Logsdon, Department of Transportation Director, provided an update of the road repairs necessitated by the spring flooding. The County's cost for 2004 totaled \$732,993.92. The County will be reimbursed \$112,500 from grant funds. An additional grant application in the amount of \$105,000 has been filed with the Division of Local Governments.

9:25 EMPLOYEE SERVICE AWARDS:

Connie Joiner, Treasurer, presented Olivia Bielz with a ten year service award.

Angel Shipman, Sheriff's Department, who was unable to attend the meeting, will be presented with a five year service award.

9:30 COMMISSIONERS BUSINESS ITEMS:
PRESENTING: GREG WINKLER

Mr. Winkler announced that the organization meeting for 2005 will be held at 9:15 A.M. in the Centennial Building on Tuesday, January 11, 2005.

CONSIDER APPROVAL OF GAMING GRANT WITH THE STATE OF COLORADO FOR THE CONTINUED FUNDING OF TELLER COUNTY PATROL OPERATIONS:

The grant is for funds in the amount of \$189,333 to add four patrolmen.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the contract and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

CONSIDER APPROVAL OF GAMING GRANT WITH THE STATE OF COLORADO FOR THE TELLER COUNTY WOODLAND PARK AMBULANCE SALARY FUNDING:

The grant is for \$20,500.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the contract and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

CONSIDER APPROVAL OF DIVIDE MPC METRO DISTRICTS FOR A WAIVER OF THE ANNUAL REPORT FEE.

The action is to waive the annual report that is required by the district's service plan. No expenditures were made and no revenues were collected in 2004.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the waiver.** Both commissioners voted yes.

CONSIDER REQUEST FOR NAME CHANGE AMENDMENT TO CIHACEK ASSOCIATES PROFESSIONAL SERVICES AGREEMENT:

The name change modifies the contractor name to Inmate Housing Assistance, LLC.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the name change amendment.** Both commissioners voted yes.

CONSIDER FISCAL AGENT AGREEMENT WITH WOODLAND PARK AMBULANCE:

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the agreement and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

CONSIDER DESIGNATION OF PROXIES FOR CCI STEERING COMMITTEES:

The action designates Health and Human Services Director, Jeremy Huffman as a proxy member.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the proxy designation and authorize the Vice-chairman to sign.** Both commissioners voted yes.

CONSIDER REQUEST FOR EXTENSION OF DALE WATTS, ENT.,
PROFESSIONAL SERVICES AGREEMENT:

The contract is for development of a fuel spill control plan.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the contract extension and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

CONSIDER APPROVAL OF ADDENDUM TO QWEST SERVICE
AGREEMENT BETWEEN TELLER COUNTY SHERIFF AND QWEST
CORPORATION:

ACTION: No action was taken. Item pulled.

CONSIDER APPROVAL OF GAMING GRANT WITH THE STATE OF
COLORADO FOR THE TELLER COUNTY MAINTENANCE OVERLAY
CR11 & CR12:

The grant is for the amount of \$225,198.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the grant and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

Discussion was held regarding the overlay and chip and seal project.

CONSIDER EXTENSION OF TELLER COUNTY WILDFIRE COMMITTEE
UNTIL APRIL 1, 2005:

The committee requires more time to hold public meetings regarding the proposed wildfire protection plan.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the extension of the charter of the Teller County Wildfire Protection Plan Committee.** Both commissioners voted yes.

9:45 **Recess**

9:45 **Reconvene**

9:48 ASSESSOR: CONSIDER REQUEST FOR ABATEMENT FROM
SAFEWAY STORES 46, INC. FOR 2003 TAXES, ON REAL PROPERTY
KNOWN AS 1039 EAST HWY. 24 AND REFERENCED AS R0000871:

PRESENTING: CATHY BRENNAN, APPRAISER

The property in question is the Safeway Gas Station. Previous abatements have been approved due to overvalues. The abatement petition is for the amount of \$2,533.97 for 2003 taxes.

Mr. Bergeman asked why the property value was lower than the purchase price. Alan Jordan, Assessor, provided an in depth explanation.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Petition for Abatement 04-069.** Both commissioners voted yes.

9:53 ASSESSOR: CONSIDER REQUEST FOR ABATEMENT FROM SAFEWAY STORES 46, INC., FOR 2002 TAXES, ON REAL PROPERTY KNOWN AS 1101 EAST HWY. 24 AND REFERENCED AS R0000875:
PRESENTING: CATHY BRENNAN, APPRAISER

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The petition for abatement is for the Safeway Grocery Store and is for the amount of \$29,558 for 2002 taxes. The property value was reassessed as a result of information from comparable valuations along the Front Range.

ACTION: Mr. Bergman moved and Mr. Ignatius seconded that the Board **approve Petition for Abatement 04-070**. Both commissioners voted yes.

10:00 ASSESSOR: CONSIDER REQUEST FOR ABATEMENT FROM SAFEWAY STORES 46, INC., FOR 2003 TAXES , ON REAL PROPERTY KNOWN AS 1101 EAST HWY. 24 AND REFERENCED AS R0000875:
PRESENTING: CATHY BRENNAN, APPRAISER

The petition for abatement is in the amount of \$50,321 and is for 2003 taxes.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Petition for Abatement 04-087**. Both commissioners voted yes.

10:02 ADMINISTRATION: CONSIDER CERTIFICATION OF THE 2005 MILL LEVIES FOR TELLER COUNTY TAXING ENTITIES:

PRESENTING: SHERYL DECKER, ASSISTANT COUNTY ADMINISTRATOR

Ms. Decker reported that the mill levies adopted were for the same amount as 2004 with the exception of the City of Victor. The City raised it's mill from 19 mills to 20 mills.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve the certification and to authorize the Vice-chairman to sign**. Both commissioners voted yes.

10:04 **Recess**

10:05 **Reconvene**

10:05 LEGAL MATTERS:

PRESENTING: CHRIS BRANDT

SPRING CREEK REALTY: The matter involves litigation for Quiet Title proceedings on properties that are being double-assessed. It is being resolved.

GLOBAL GOLF MANAGEMENT, LLC: The settlement agreement should be implemented soon. An objection has been filed regarding how funds are distributed. The County is not a party to the settlement agreement. A hearing is scheduled for December 23, 2004.

WOODLAND LANDSCAPE MATERIALS: The county's zoning violation and the landlord's eviction trial occurred last week. The defendant was granted possession. The coun was assessed civil penalties in the amount of \$1500.00 for zoning violations.

10:10 **Recess**

10:15 **Reconvene**

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Mr. Brandt stated that if the Global Golf settlement goes through, the County will receive payment for back real and personal property taxes.

10:15 CDS-D-PLANNING: CONSIDER A RESOLUTION TO EXTEND THE AUTHORIZATION OF THE PLANNING DIRECTOR TO DEVELOP AND APPLY TEMPORARY INTERIM REGULATIONS FOR WASTE TRANSFER FACILITIES IN TELLER COUNTY:

PRESENTING: PAUL CLARKSON, DIRECTOR OF CDS-D

Mr. Clarkson stated that the resolution is to extend the timeframe to March 10, 2005 and that he expects that the facility should be able to receive trash by the end of February 2005.

Joseph Gonzalez, District Manager for Waste Management, Southern Colorado, commented that construction was proceeding but that weather had caused a few delays. He reported that Waste Management anticipated two to three loads of trash transported to Colorado Springs per day. He invited the commissioners to the grand opening.

Mr. Clarkson read the proposed resolution.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-2004(75)**. Both commissioners voted yes.

10:25 ADMINISTRATION: CONSIDER REQUEST FOR AUTHORIZATION TO EXECUTE THE LEASE, PROPERTY TRADE AND OTHER RELATED DOCUMENTS WITH CATAMOUNT INSTITUTE CONCERNING THE CATAMOUNT RANCH RESOURCE PROTECTION AREA:

PRESENTING: GREG WINKLER

Mr. Winkler gave an update on the project. He reported that the County and the Catamount Institute had been working diligently to resolve access problems. The proposed lease is for a period of 99 years at a cost of \$1.00 and limits access to that portion of the property. The agreement provides for access to the property and also includes exchanging land and outlines approved uses for the exchange property. An amendment to the current conservation easement must be approved by Great Outdoors Colorado and the Palmer Land Trust.

Mr. Bergeman commented on the agreement and expressed his thanks to the parties involved.

Mr. Winkler read the proposed resolution.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-2004(76)**. Both commissioners voted yes.

10:40 **Recess**

10: 40 **Reconvene**

10:50 FINANCE: CONSIDER REQUEST FOR 2004 BUDGET ADJUSTMENT, AND DESIGNATING 12-31-2004 FUND BALANCES AS RESERVES AND ESTABLISHING TABOR EMERGENCY FUND RESERVES:
PRESENTING: SHERYL DECKER

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Ms. Decker read the first proposed resolution, relating to the Road & Bridge, Social Services, Sheriff's Forfeitures and Fleet Management fund budgets.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(77) and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

Ms. Decker read the next proposed resolution, relating to the General, Jail Enterprise and Fleet Management Fund budgets.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(78) and to authorized the Vice-chairman to sign.** Both commissioners voted yes.

Ms. Decker read the next proposed resolution, relating to the General Fund budget.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(79) and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

Ms. Decker read the next proposed resolution, relating to the General Fund budget.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(80) and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

Ms. Decker read the next proposed resolution, relating to the Capital Projects Fund budget.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(81) and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

Ms. Decker read the next proposed resolution, relating to the Capital Projects Fund budget.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(82) and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

Ms. Decker read the next proposed resolution, relating to Emergency Reserves as required under TABOR.

ACTION: Mr. Bergeman moved and Mr. Ignatius seconded that the Board **approve Resolution 12-23-04(83) and to authorize the Vice-chairman to sign.** Both commissioners voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS
ADJOURNED AT 11:05

APPROVED _____

Chairman, Board of County Commissioners

ATTEST _____

Clerk & Recorder