

**Minutes of the Proceedings of
The Board of County Commissioners of Teller County, Colorado
May 23, 2024**

In attendance:

Bob Campbell, County Commissioner/Chair
Dan Williams, County Commissioner/Vice-Chair
Erik Stone, County Commissioner
Ross Herzog, County Administrator
Paul Hurcomb, County Attorney
Stephanie Kees, Clerk & Recorder

1. 9:16 a.m. Convene in Regular Session:

The Board of County Commissioners of Teller County convened in regular session in the Teller County Centennial Building in Cripple Creek, CO.

Mr. Campbell presided.

Mr. Williams gave the invocation.

Mr. Eric Simonson led the Pledge of Allegiance.

Minutes of Previous Meetings:

Action: Mr. Stone moved, and Mr. Williams seconded, to **approve** the minutes of the meeting of the Teller County Board of County Commissioners on May 9, 2024, as presented. All Commissioners voted yes.

Accounts Payable:

Action: Mr. Williams moved, and Mr. Stone seconded, that the Board **approve** the accounts payable run date of May 22, 2024, in the amount of \$786,724.72. All Commissioners voted yes.

Board Reports:

Mr. Stone:

- Update on Senate Bill 24-131 concerning concealed carry in “Sensitive Spaces.” It passed with amendments to remove some of the original locations within the bill. The bill goes into effect July 1, 2024. The County is drafting an ordinance to exempt County spaces from this bill.
- Attended an event last night for District Attorney Michael Allen and local elected officials supporting his campaign.

Mr. Williams:

- Attended the event for District Attorney Michael Allen and supports his re-election.

- Commented on the disagreements between rural and urban communities in Colorado, including futile water rights.
- Commented on the concerns about water rights and opposition to the City of Aurora's attempt to purchase water rights in the Arkansas River Basin which would directly affect ranches, farms and wildlife.
- Noted that due to the increase of trespassing off trail by tourists visiting "Rita the Troll" in Victor, a fence has been proposed to keep people on the designated trail.
- Announced several Memorial Day events:
 - American flags will be placed on veterans' graves in local cemeteries.
 - Florissant event to be held on Saturday at 11:00 a.m. at the Grange. Honor quilts will be presented and there will be a dedication of the Purple Heart Trail through Florissant.
 - The Veteran of Foreign Wars (VFW) will be handing out poppies on Sunday representing fallen veterans.
 - A ceremony is being held at the Woodland Park Cemetery at 11:00 a.m.

Mr. Campbell:

- Attended a swearing in ceremony at the Sheriff's office for 15 new officers.
- Attended a job fair presented by the Pikes Peak Workforce Center (PPWFC).
- Attended several political events and Chamber events.
- Recognized the Teller County Department of Health for the Distinguished Service Award from the State Department of Human Services.

Elected Officials Report:

Stephanie Kees, Clerk and Recorder

- Gave an update on the upcoming State Primary Election June 25, 2024
 - Only Democrats, Republicans and Unaffiliated voters are eligible to vote in a Primary Election. The deadline to affiliate is June 3rd.
 - Approximately 18,200 ballots will be mailed from Denver on June 3rd. The 24-Hour ballot boxes will open the same day.
 - More information is on the County's website.
- Submitted an article to the newspaper concerning the Clerk's property fraud alerts and that notices will be mailed to the original property owner making them aware of any activity. An online self-service alert system will be implemented in the near future.

Commissioner Williams expressed his faith and confidence in the Clerk and Recorder's office in the upcoming election.

Commissioner Stone commented on the property fraud and encouraged the public to take advantage of the upcoming alert system. Also commented on the election process and recognized the election judges who participate in the elections.

Eric Simonson, County Surveyor

- Expressed his gratitude to the Clerk and Recorder's, Treasurer's and Assessor's offices. He specifically recognized Jessica Wildeman in the Clerk and Recorder's Office for her service and wished her well in her retirement.

Administrator's Report:

Ross Herzog, County Administrator

- Reminded all that County Offices will be closed on Memorial Day.
- Beginning May 6, the Florissant Park will be closed for renovations. Hayden Park in Divide is available.
- Teller County Veterans Services is currently closed. Call the County's main office 719-689-2988 for assistance.
- Graders are repairing roads. If you see something critical, please contact Public Works at 719-687-8812 or report it on the County's website.
- Code Enforcement Officer is investigating illegal camping and rubbish violations.
- Provided an update on the multi-year efforts to upgrade the facilities at the County fairground, including the grandstand. 4-H kids are working hard.

Commissioner Williams commented on the upgrades at the fairgrounds and 4-H community projects.

Commissioner Campbell reminded us about the 125th anniversary of the County Fair, which is scheduled for July 27-August 4, 2024.

2. Time Reserved for Department Heads: None.

3. Time Reserved for the Public without an Appointment:

KJ Lee, Teller County resident: Commented on the water treatment plant expansion in Divide. He is the vice president of Enova Water and believes they have a strategic development plan for the water treatment plant that would cost less to the County. They are in the process of being approved by the State and that State grants could be available. Administrator Herzog will follow up with him.

Scott Marshall, Cripple Creek resident: Thanked the Commissioners for the information on water rights. He provided an update on his efforts to make liquid oxygen more available in the County and met with Mary Higgins at Public Health to discuss requirements and processes. He will move forward with the process to be a certified provider of liquid oxygen. He also commented on the proposed sale of the Newmont Mine and his concerns about contamination on the mine property.

Commissioner Williams recommended Mr. Marshall speak with the new EMS medical director concerning the liquid oxygen and noted that the Colorado Division of Reclamation,

Mining and Safety (DRM) regulates the mine's environmental issues.

4. CDD: Consider a Resolution approving an amended final plat to adjust the interior lot line between Lot 39 and Lot 40 of Indian Creek No .5.

Presenting: Lucy Caillouet, Planner.

Commissioner Williams thanked Ms. Caillouet for her presentation and thanked the applicants for their patience.

In response to a question from Commissioner Stone, Ms. Caillouet confirmed that a driveway permit is required for the development.

Public Comment: None.

Action: Mr. Williams moved, and Mr. Stone seconded, to **approve Resolution No. 05-23-2024(16)**, a Resolution to **approve** the amended final plat to adjust the interior lot line between Lot 39 and Lot 40 of Indian Creek No.5. All Commissioners voted yes.

5. BoCC: Public hearing on the Amended and Restated Service Plan for the Southern Teller County Health Services District.

Presenting: Emily Powell, General Counsel for Southern Teller County Health District; David Schoenberger, Board Chairman; Pat Martin, Board Member; and Eric Murray, EMS Director

Ms. Powell presented the request for the Health District to amend its service plan.

Commissioner Williams requested the District look into obtaining liquid oxygen in the County, but this would not be a condition of approval.

In response to questions from Commissioner Campbell, Mr. Murray stated it would take approximately 6 months for the District to complete its needs assessment, they do not have plans for a clinic, and have no intentions of raising the mill levy.

Commissioner Williams requested the results of the assessment be made public upon completion.

Commissioner Stone offered that the Opioid Council has funds available they can apply for through the Medications for Opioid Use Disorders (MOUD) program if they find a need.

Public Comment:

Darrick Clayton, Teller County resident. Mr. Clayton commented on the Amended Service Plan and would like to see more details and services for home healthcare, mental health, and telemedicine. He is concerned about taxes and commented on COVID-19.

Board comments.

David Schoenberger explained that the old nursing home was self-supporting and that the District reduced its mill levy this year from 5.7 mills down to 5.1 mills.

Action: Mr. Stone moved, and Mr. Williams seconded, to **approve** the amended and reinstated Service Plan for the Southern Teller County Health Services District, Teller County, Colorado as presented and as approved by the District's Board of Directors on March 19, 2024. All commissioners voted yes.

6. Administration – Consider a resolution to amend various 2024 Department Fund Budgets.

Presenting: Ross Herzog, Administrator

Public Comment: None.

Action: Mr. Williams moved, and Mr. Stone seconded, to **approve Resolution No. 05-23-2024(17)**, a Resolution to amend the 2024 General, Road and Bridge, Jail Enterprise, and DSS Fund Budgets and have it attached to the written minutes to show the details. All Commissioners voted yes.

7. Clerk and Recorder: Consider approval of a Special Events Liquor Permit for Top of the World Rodeo.

Ashley Headrick, Chief Deputy Clerk and Missy Trenary, applicant

Public Comment: None.

Action: Mr. Stone moved, and Mr. Williams seconded, to **approve** a Special Events Liquor Permit for Top of the World Rodeo. All Commissioners voted yes.

8. DHS: Consider a proclamation proclaiming June 15, 2024, as World Elder Abuse Awareness Day and June 2024 as World Elder Abuse Awareness Month.

Presenting: Kim Mauthe, Director of Human Services, Phyllis Burton, Adult protective services supervisor

Board questions and discussion with Miss Burton on examples of circumstances that directly affect the elderly and the services that are offered by Public Health.

Public Comment: None

Action: Mr. Williams moved, and Mr. Stone seconded, to **proclaim** June 15, 2024, as World Elder Abuse Awareness Day and June 2024 as World Elder Abuse Awareness Month. All commissioners voted yes.

**Recess as the Teller County Board of County Commissioners
Convene as the Teller County Board of Health**

9. Consider ratification of Onsite Wastewater Treatment System Variance for 58 Irwin

Dr., Florissant.

10. Consider ratification of Onsite Wastewater Treatment System Variance for 31 Lars Hts., Divide.

Presenting: Austin May, Environmental Health Officer, Department of Public Health and Environment

Public Comment: None

Commissioner Williams explained the need to bring these variance requests before the Board of Health publicly.

Commissioner Stone stated these requests do not affect adjacent properties.

Action: Mr. Stone moved, and Mr. Williams seconded, to **ratify** the Onsite Wastewater Treatment System Variances for 58 Irwin Dr., Florissant and for 31 Lars Hts., Divide. All commissioners voted yes.

**Adjourn as the Teller County Board of Health
Convene as the Teller County Board of County Commissioners**

11. BoCC: Discuss Ordinance to Reverse SB24-131

Commissioner Stone commented on Senate Bill 24-131 concerning restrictions on conceal carry in areas defined as sensitive spaces. Local governments are permitted to exempt spaces in the County by ordinance. County Attorney Hurcomb is drafting this ordinance. The Commissioners will hold a Special Meeting tomorrow to review and read the Ordinance.

Commissioners Williams and Campbell also commented on this Senate Bill.

12. BoCC: Consider a resolution opposing the City of Aurora, Colorado's purchase of additional Arkansas Basin water rights.

Presenting: Board of County Commissioners
Board discussion.

County Attorney Paul Hurcomb read Resolution into the record.

Public Comment: Bob Burton, Teller County rancher expressed his appreciation of the Commissioners for recognizing the seriousness of the water rights issues and supports the Resolution.

Action: Mr. Williams moved, and Mr. Stone seconded, to **approve Resolution No. 05-23-2024(18)**, a Resolution to **affirm** Teller County's commitment to protect agriculture water rights in the Arkansas River Basin. All Commissioners voted yes.

Commissioner's Business Items: Ross Herzog, County Administrator

The Board duly approved the following business agenda items:

1. Offer from Double Eagle Ranch & PBJ Cattle Company to purchase a 1985 Caterpillar 950B front-end loader, Serial# 31R01204 and authorize Fleet Manager Hayden Erickson to complete the transaction.
2. Memorandum of Understanding (MOU) – Annual Reaffirmation with State of Colorado-Department of Human Services for Colorado Works Program.
3. Other administrative matters received after agenda deadlines. None.

There being no further business, the meeting was adjourned at 11:51 a.m.

APPROVED: _____
Bob Campbell, Chairman, Board of County Commissioners

ATTEST: _____
Stephanie Kees, Clerk & Recorder