



**Minutes of the Proceedings of
The Board of County Commissioners of Teller County, Colorado
July 11, 2024**

In attendance:

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

1. 9:15 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. Stone gave the invocation.
4-H Club led the Pledge of Allegiance.

Minutes of Previous Meetings:

Action: Mr. Stone moved, and Mr. Campbell seconded, to **approve** the minutes of the meeting of the Teller County Board of County Commissioners on June 18, 2024, as corrected. All Commissioners voted yes.

Commissioner Campbell announced that Commissioner Williams was attending a National Association of Counties (NACO) conference, so he was excused from the meeting.

Accounts Payable:

Action: Mr. Stone moved, and Mr. Campbell seconded, that the Board **approve** the accounts payable run date of July 8, 2024, in the amount of \$1,527,047.62. Both Commissioners voted yes.

Commissioner Campbell provided details for some large payments.

Board Reports:

Mr. Stone:

- Recognized the exciting 4th of July events across the County with record crowds.
- Pikes Peak Area Council of Government (PPACG) meeting in El Paso County at Centennial Hall.



- Possibly changing his position on the Executive Committee from Treasurer to 2nd Vice Chair. Woodland Park Mayor, Kelli Case, may become Treasurer.
- Discussed Active Pathways plan for metro region including Woodland Park nontraditional trails as interconnecting.
- 87 campfires have been reported as not being fully extinguished over the holiday.

Mr. Campbell:

- Noted his upcoming meetings with Community Partnership Family Resource Center, Pikes Peak Workforce Center (PPWFC), and Colorado Technical Services, Inc. (CTSI).
- He enjoyed a 2-week vacation with his family out of the country.

Elected Officials Report:

Stephanie Kees, Clerk and Recorder

- Election results are official as of 7/10/2024. 26% turnout.
- Announced that Fraud Guard, a way to detect fraudulent property transfers, is available on the County's website and this service is offered at no cost to property owners courtesy of the Clerk and Recorder's office.

Commissioner Stone commented on the Fraud Guard protections and encouraged property owners to utilize this product.

Administrator's Report:

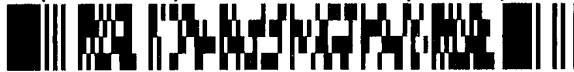
Ross Herzog, County Administrator

- Making progress on Florissant Park and the upgrades at the Teller County Fairgrounds.
- The County is currently in the budget assessment phase.
- Provided an update on the plans to expand the Teller County Wastewater Utilities (TCWU).
- Asked Michelle Wolff, Director of Teller County Public Health and Environment (TCDPHE) to introduce the CSU Extension Director.
 - Ms. Wolff introduced Mr. Darian Founds as the new CSU Extension Director.
 - Mr. Founds addressed the Board, who welcomed him to the County.

2. Time Reserved for Department Heads:

- Michelle Wolff, Director TCDPHE, introduced the new County Events Coordinator, Melissa Orme. The Board welcomed her to the County.

3. Time Reserved for the Public without an Appointment: None.



4. 4-H Club Presentation

Presenting Michelle Wolff and the 4H Club.

Ms. Wolff read a statement from Hildred Davis who was not able to attend the meeting but has been involved with the 4H Club for 50 years.

The 4-H Club presented a slideshow on their Rural Action Project.

The 4-H Club members introduced themselves and explained their individual projects: Abigail Sacco, Niki Orme, Jax Orme, Jayda Loomis, Brinnley Wolff, Maddison Wolff, Parker Gilley, Raelee Gilley, Alexander Stotts, Addilynn Stotts, Storm Straight, Sutton Straight, Caedence Loring, Serenity Loring, Josiah Loring, Ava Ragsdale, Garrett Hall, Gage Hall, Michelle Pitts, Kenadi Pitts, and Slayden Pitts.

Note: The Board moved to Agenda items #6 and #7 and the Business Items to allow additional time for the parties expected for Agenda item #5 to be present.

6. BoCC: Consider the reappointment of Carl Andersen to the Teller County Board of Review.

Action: Mr. Stone moved, and Mr. Campbell seconded, to **reappoint** Carl Andersen to the Teller County Board of Review for succession of 3-year term beginning September 2024. Both Commissioners voted yes.

7. Assessor: Report

Presenting: Carol Kittelson, Assessor, provided the Assessor's Annual Report.

Commissioners Campbell and Stone thanked Ms. Kittelson and her office for educating and communicating with the citizens about the property assessment process.

Commissioner's Business Items: Ross Herzog, County Administrator

The Board duly approved the following business agenda items:

1. ~~Memorandum of Understanding (MOU) between Teller County Public Health and Environment and Cripple Creek-Victor School District.~~ (moved to a later date)
2. ~~Lease Agreement with the Cripple Creek-Victor School District.~~ (moved to a later date).
3. Professional Services Agreement (PSA) with PENRAD Imaging, LLC as presented with any modifications requested by the Contractor and approved by the County Attorney.
4. Professional Services Agreement (PSA) with SRI Incorporated as amended to update the dates to 2024 with any modifications requested by the Contractor and approved by the County Attorney.



5. Special Events Permit for Paradox Beer Company for their annual Smokin' the Ute Pass Summit and BBQ Competition.
6. Statement of Work for the Child Fatality Prevention System as presented.
7. ~~Authorize Director of Human Services to sign Purchase of Service Contract for Core Services Program.~~ (moved to a later date)
8. Other administrative matters received after agenda deadlines. None.

10:15 a.m. Board in recess

10:25 a.m. Board reconvened

5. **BoCC: Consider appeal by FlameMaster Chimney Sweep LLC and Alan Mason of the Board of Review's revocation of contractor license.**

County Attorney Hurcomb provided information about the process at the Board of Review, the record on appeal provided to the Board, the de novo standard of review, and the available options for the Board's decision on this appeal.

Mr. Mason was present and stated the following:

- He believes this matter is a contract dispute with the customer. He has attempted to settle this with her to no avail.
- The project in question is 50-60% complete.
- He's been waiting for her to take him to court to present his side.
- He has been in business for 23-24 years.
- He believes that no permit was required for the type of repair work to the crown of the chimney.
- Tim Stack notified him of the Teller County Board of Review meeting.
- He stated he had concerns with asbestos for himself and his employees.

Commissioners Stone and Campbell asked questions of Mr. Mason.

Mr. Mason stated that his license expired on April 4, 2024, so it should not have been revoked.

In response to questions from the Board, Janine Snyder, Building Official, confirmed that the contractor license did expire but was active at the time of the work that the subject of the complaint.

Mr. Stone moved, and Mr. Campbell seconded, to go into executive session pursuant to



Colorado Revised Statutes Section 24-6-402(4) for the purpose of a conference with the County Attorney for the purposes of receiving legal advice on the impact of the expired license on the Board of Review's action to revoke the contractor's license. Both Commissioners voted yes.

10:50 a.m. Board recessed the public meeting to convene in executive session with the County Attorney and the County Administrator.

11:04 a.m. Board reconvened into regular session.

Commissioner Campbell announced that the time is now 11:04 a.m., the Board's executive session has concluded, and we are now back in regular open session. While in executive session, the Board did not take any formal action and did not adopt any policy, position, resolution, rule or regulation. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Colorado Open Meetings law, I ask that you state your concerns for the record.

Hearing none, the agenda item continues.

Commissioner Stone asked the County Attorney whether there is authority to revoke an expired license. The County Attorney explained that this is an issue that was not considered by the Board of Review and the Board of County Commissioners may remand the appeal back to the Board of Review to consider what, if any, impact the expired license has on the complaint against the contractor.

Action: Mr. Stone moved, and Mr. Campbell seconded, to remand this appeal back to the Board of Review for consideration of the authority to revoke an expired license. Both Commissioners voted yes.

There being no further business, the meeting was adjourned at 11:08 a.m.

APPROVED: Robert Campbell
Robert Campbell, Chair, Board of County Commissioners

ATTEST: Stephanie Kees
Stephanie Kees, Clerk & Recorder

