

**EL PASO COUNTY**  
  
**COLORADO**

COMMISSIONERS:  
DARRYL GLENN (PRESIDENT)  
MARK WALLER (PRESIDENT PRO TEMPORE)

EL PASO BOARD OF COUNTY COMMISSIONERS

STAN VANDERWERF  
LONGINOS GONZALEZ JR.  
PEGGY LITTLETON

**MINUTES**

(Audio and audio/video copies of the meeting are available at the Office of the Clerk and Recorder.)

Board of County Commissioners (“BOCC”) Meeting  
Tuesday, January 17, 2017 9:00 AM  
Centennial Hall Auditorium  
200 S. Cascade Avenue, Colorado Springs, Colorado  
**PRESENT: GLENN, WALLER, VANDERWERF, GONZALEZ AND LITTLETON**  
**ABSENT:**  
**PRESENT LATER: N/A**

Call to Order.

1. Invocation.  
**THE INVOCATION WAS GIVEN BY TERESA MARSHALL.**

2. Pledge of Allegiance to the Flag of the United States of America.
3. Staff Emergency Items.
4. Changes/Postponements/Notice of Next Meeting.

**ITEM 9.a. WAS WITHDRAWN BY STAFF.**

5. Comments by Elected Officials and Commissioner Liaison Report(s).
6. Public comment on items not scheduled on the agenda.

**DEBORAH STOUT MEININGER SPOKE ABOUT SAFETY CONCERNS OF HIGH WINDS AT THE WINDFARM AND ASKED THE BOARD TO PAY ATTENTION TO THE SAFETY ADVISEMENTS OF THE MANUFACTURERS OF THE TURBINES.**

7. Community Service Organization Reports.
8. Consent Calendar:
  - a. Request to approve the January 3 and 5, 2017 minutes. (Vicki Ratterree - Clerk to the Board Manager, Clerk and Recorder's Office)  
**(APPROVED)**
  - b. Resolution to ratify submittal of a grant application in partnership with Falcon School District 49 – Stetson Elementary School for a Great



Outdoors Colorado School Yard Initiative grant. (Tim Wolken - Executive Director, Community Services Department/Christine Burns - Community Outreach Manager, Community Services Department)

**(APPROVED - RESOLUTION NO. 17-22)**

- c. Resolution to issue an Ambulance Service License to The City of Fountain Fire Department. (Ted Sayer - ESA Business Analyst, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-23)**
- d. Resolution to issue an Ambulance Service License to Security Fire Protection District. (Ted Sayer - ESA Business Analyst, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-24)**
- e. Resolution to approve application for Preliminary Acceptance of certain streets within Misty Acres Filing No. 3 subdivision into the El Paso County road maintenance system. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-25)**
- f. Resolution to approve application for Preliminary Acceptance of certain streets within Meridian Ranch Filing No. 9 subdivision into the El Paso County road maintenance system. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-26)**
- g. Resolution to approve application for Final Acceptance of certain streets within Buffalo Crossing Filing No. 1 subdivision into the El Paso County road maintenance system. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-27)**
- h. Resolution to approve application for Final Acceptance of certain streets within Buffalo Crossing Filing No. 2 subdivision into the El Paso County road maintenance system. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-28)**
- i. Resolution to approve application for Preliminary Acceptance of certain streets within Misty Acres Filing No. 2C subdivision into the El Paso County road maintenance system. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-29)**

- j. Resolution to approve application for Preliminary Acceptance of certain streets within The Dunes at Woodmoor Filing No. 2 subdivision into the El Paso County road maintenance system. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED - RESOLUTION NO. 17-30)**
- k. Partial release of Letter of Credit No. 9610200360 for public improvements (construction) of Misty Acres Filing 4 subdivision in the amount of \$22,119.60. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED)**
- l. Partial release of Letter of Credit No. 9610200228 for public improvements (construction) of Misty Acres Filing 3 subdivision in the amount of \$194,752.57. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED)**
- m. Partial release of Letter of Credit No. 201506 for public improvements (construction) of Misty Acres Filing 2C subdivision in the amount of \$64,925.75 (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED)**
- n. Final release of Bond No. 4404553 for public improvements of Meridian Ranch Filing No. 9 (public improvements) subdivision in the amount of \$1,333,633.74. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED)**
- o. Final release of Bond No. 4404560 for public improvements of Meridian Ranch Estates Filing No. 3 subdivision in the amount of \$356,440.00 (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED)**
- p. Final release of Check # 18939 for public improvements (erosion control) of Meridian Ranch Estates Filing 3 subdivision in the amount of 18,025.00. (Jim Reid - Executive Director, Department of Public Works/Jennifer Irvine - County Engineer, Department of Public Works)  
**(APPROVED)**
- q. Contracts and Procurement 2017 Regular Items: (Eileen Gonzales - Contracts and Procurement Manager)
  - 1. Ratification of an Emergency Purchase Order approved on January 10, 2017 to Douglass Colony Group for the emergency temporary

roof repairs at the courthouse for the Public Works Department – Facilities Division at a total not-to-exceed cost of \$100,000.00.

**(APPROVED)**

2. Award of 2017 Annual Purchase Order to Cintas Fire Protection for fire sprinkler and fire alarm inspection services for the Public Works Department Facilities Maintenance Division at an annual not-to-exceed cost of \$34,363.00. (IFB 17-008)

**(APPROVED)**

3. This request is to approve the single-source award of a 2017 contract to Randox Laboratories-US Limited for an Analyzer Placement to provide a Refurbished Evidence Investigator System, Biochips and other Consumables for the Coroner's Office at a not-to-exceed cost of \$29,568.00. (CON# 17-022)

**(APPROVED)**

**BOCC ACTION: WALLER MOVED/GONZALEZ SECONDED TO APPROVE. MOTION CARRIED (5-0).**

9. Land Development Code, Engineering Criteria Manual, Code or Ordinance Violation Matters Consent Calendar:
  - a. Request to authorize the County Attorney's Office to pursue litigation to bring the property located at 17975 Black Squirrel Road into compliance with El Paso County Ordinance No. 06-02 and El Paso County Land Development Code. (continued from December 13, 2016) (Steven Klaffky - Assistant County Attorney/Gayle Jackson - Code Enforcement Officer, Planning and Community Development Department)  
**(WITHDRAWN)**
  - b. Request to authorize the County Attorney's Office to pursue litigation to bring the property located at 34440 Truckton Road into compliance with El Paso County Ordinance No. 06-02. (Steven Klaffky - Assistant County Attorney/Mindy Madden - Code Enforcement Officer, Planning and Community Development Department)  
**(APPROVED)**
  - c. Request to authorize the County Attorney's Office to pursue litigation to bring the property located at 1495 North Yoder Road into compliance with El Paso County Ordinance No. 06-02. (Steven Klaffky - Assistant County Attorney/Mindy Madden - Code Enforcement Officer, Planning and Community Development Department)  
**(APPROVED)**
  - d. Request to authorize the County Attorney's Office to pursue litigation to bring the property located at 1390 Hathaway Drive into compliance with El Paso County Land Development Code. (Steven Klaffky - Assistant County Attorney/April Smith - Code Enforcement Officer, Planning and Community Development Department)

**(APPROVED)**

- e. Request to authorize the County Attorney's Office to pursue litigation to bring the property located at 7222 Sioux Circle into compliance with El Paso County Ordinance Nos. 06-02 and 06-03. (Steven Klaffky - Assistant County Attorney/April Smith - Code Enforcement Officer, Planning and Community Development Department)

**(APPROVED)**

- f. Request to authorize the County Attorney's Office to pursue litigation to bring the property located at 1106 Maxwell Street into compliance with El Paso County Ordinance Nos. 06-02, 06-03 and the El Paso County Land Development Code. (Steven Klaffky - Assistant County Attorney/April Smith - Code Enforcement Officer, Planning and Community Development Department)

**(CONSIDERED UNDER ITEM NO. 11)**

**BOCC ACTION: LITTLETON MOVED/VANDERWERF SECONDED TO APPROVE 9.b. THROUGH 9.e. MOTION CARRIED (5-0).**

10. Proclamation recognizing National School Choice Week. (Peggy Littleton - Commissioner, Board of County Commissioners)

**BOCC ACTION: LITTLETON MOVED/WALLER SECONDED TO APPROVE. MOTION CARRIED (5-0) (RESOLUTION NO. 17-31)**

11. Called-Up Consent Calendar.

**BOCC ACTION ITEM NO. 9.f.: LITTLETON MOVED/WALLER SECONDED TO CONTINUE TO FEBRUARY 14, 2017. MOTION CARRIED (5-0).**

12. Department and Committee Reports/Non Action Items.

13. Addendum.

14. Executive Session.

- a. Pursuant to C.R.S. §24-6-402(4)(b) an Executive Session is requested with the Board of County Commissioners regarding allegations against the Sheriff's office and legal options in response thereto: including anonymous allegations against the Sheriff and the Sheriff's office by letter and internet and the County Attorney's oversight and consultation in the substance of some of the allegations as well as allegations made by way of a demand letter by a former Sheriff's office employee who resigned after demotion. The executive session is requested for the specific purpose of:
  1. Conference with the County Attorney's Office for the purpose of receiving legal advice on specific legal questions surrounding the

allegations, the County Attorney's involvement and options going forward. (Amy Folsom, County Attorney).

**BOCC ACTIONS: AT 9:26 A.M., LITTLETON MOVED/WALLER SECONDED TO RECESS INTO EXECUTIVE SESSION FOR THE PURPOSES STATED ON THE RECORD. MOTION CARRIED (5-0).**

**AT 10:40 A.M., LITTLETON MOVED/VANDERWERF SECONDED TO RECONVENE. MOTION CARRIED (3-0) WALLER AND GONZALEZ EXCUSED. IT WAS NOTED THAT AN EXECUTIVE SESSION WAS HELD FOR THE PURPOSES STATED ON THE RECORD, NO OFFICIAL ACTION WAS TAKEN.**

b. Other.

**THE MEETING ADJOURNED AT 10:40 A.M.**

Approval Date: 1/31/2017

By: Chuck Broerman  
Chuck Broerman  
County Clerk and Recorder