

INTERSECTION
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forcement on Aug. 16, 2012, telling them about the two code violations, and a homeowners meeting resulted. At the HOA meeting discussing the county's objections, several options were mentioned to fix the problems. As reported in OCN's October 2012 article, HOA board President Jeff Zeikus told homeowners at the Sept. 9 Brookmoor HOA meeting that Brennan, as the developer, had agreed to take care of the issue

"financially, whatever it needs to rectify that situation." See www.ocn.me/v12n11.htm#brookmoor

On Nov. 20, County Engineer André Brackin sent a letter to Brennan explaining that the report submitted to the county by Brennan's engineer, LSC Transportation, was not done correctly due to an error in calculations. Brackin's letter said, "The private improvements ... have encroached on the Lake Woodmoor Drive public Right-of-Way." The consultant needed to re-

view the calculations and resubmit them to the county. The letter informed Brennan that "removal of some portion of the private improvement (wall) is required." LSC Transportation Consultants is a traffic engineering consultant firm with offices in Colorado Springs and Denver. See www.ocn.me/v12n11.htm#brookmoor

The issue came before the commissioners on Dec. 20, 2012, when Mark Gebhart, deputy director of the Development Services Department, sought to pursue

litigation against the HOA by the County Attorney's Office to bring the property into compliance with the final PUD site plan.

At that meeting, Brennan was asked by Brackin to get "(road) plans and an estimate to review," which would require hiring an engineer and doing surveying. By the Feb. 19 meeting, Brennan was to provide a "cost comparison between correcting this with a road plan, as opposed to correcting this with a wall solution," Brackin said. In addition, Commissioner Darryl Glenn asked Bren-

nan to put together "some sort of press release" to make sure the information going out was balanced. See www.ocn.me/v13n1.htm#bocc

Developer asks for postponement

At the Feb. 19 meeting, Gebhart began the discussion. "This item was continued from the board's Dec. 20 meeting to allow the applicant and the county engineer to get together and discuss some alternatives that would occur. The applicant is present in the audience. He emailed me and (county engineer) André (Brackin)

last night indicating that he did not have the information yet to put together those cost estimates or work. The county engineer is also present in the audience. The developer also requested in that email to ask for a postponement, but he is here to address those concerns," Gebhart said.

In response, Brennan told the commissioners, "LSC Transportation is doing my (engineering) work. I actually delivered a map to their Denver office last night at 7 o'clock. We just don't have it done yet. But it is in the making. What I'm asking or requesting is a 30-day extension so we can get all of our ducks in a row and most importantly get it to André for their review."

The commissioners did not ask any questions of Brennan during this meeting, and there was no mention of the press release that Commissioner Glenn had requested of Brennan at the Dec. 20 meeting.

Assistant County Attorney Steven Klaffky said, "We would have no objection to a continuance." He offered two possible dates, March 12 or April 9, for Brennan to present the engineering information that the county had initially said was due Feb. 19.

Commissioner Glenn immediately made a motion to choose the earlier date, and without any additional comments from the commissioners, the motion to continue this item to March 12 was unanimously approved.

Regional cooperation on flood control measures

Another item on the BOCC agenda also related to the Tri-Lakes area since it is part of the Fountain Creek

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