

Brennan later explained that if he gets the county engineer's permission, he would do part of the road realignment work with his own earthmoving equipment

and then "hire a commercial paver like Martin Marietta to do the actual paving. That's why the cost (estimates) aren't as high as they would typically be." Brennan would have to obtain a construction permit from the county to alter the county's Lake Woodmoor Drive, if the county elects to not hire its own contractor.

Commissioner Glenn asked for Brackin's recommendation about cost-sharing to correct the sight distance problem. Brackin said, "I do not believe the county should have to participate in this. I believe this is an impact that was caused to the public right-of-way, not by the county, but the developer and/or subdivision should be held responsible for it." He said that it didn't matter what happened 20 years ago or why these problems exist now. "I'm just looking at ... how to right an existing condition. Basically it's an obstruction in the right-of-way that's got to be corrected," Brackin said. The board made no decisions on cost-sharing on March 12.

Glenn told Brackin he would support the county attorney's recommendation to approve litigation and asked, "How much time do you think the developer should be allocated to submit that? ... I am requesting we approve some sort of litigation with a potential stay ... but we need to draw a line in the sand that shows that we're serious about this and something has to be done." The other commissioners supported Glenn's proposal.

Brackin said that a two-week deadline for Brennan to get the construction documents for the road realignment

to Brackin was very reasonable. "I think he picked the right firm (LSC Transportation) and (a final plan to do these improvements) could be done very quickly."

However, in his closing comments to the board, Brennan said, "I don't think it can be done in two weeks."

Klaffky recommended approval of authorization to file a lawsuit with a 30-day stay. County Attorney Amy Folsom recommended that "the county not undertake any financial responsibility" and concurred with Klaffky to give Brennan until April 11 to provide "something substantial." Brackin clarified Klaffky's statement and said that he needed engineering plans from Brennan in two weeks so that Brackin could review them and prepare a recommendation to the commissioners by April 11.

Commissioner Glenn's motion to approve the pursuit of litigation, with a 30-day stay, was then approved unanimously.

To listen to audio recordings of El Paso Board of County Commissioners meetings, go to <http://bcc2.elpasoco.com/bocc/agenda.asp>.

The Moveen Heights/Brookmoor Estates item will be heard next at the El Paso County Board of County Commissioners meeting at 9 a.m. April 11 in Centennial Hall Auditorium, 200 S. Cascade Ave., Colorado Springs. See <http://bcc2.elpasoco.com/bocc/agenda.asp?page=3&selectyear=2013> for updates on the agenda.

Lisa Hatfield can be reached at lisahatfield@ocn.me.

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WOODMOOR WATER (cont. from page 1)
cially during summer months, the district will perform a 30-day Best Management Practices Study to analyze the water and make suggestions on maintaining healthy

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aquatics. The results of the study will be presented at the May meeting.

Gillette also asked the board to consider approval of leasing (with an option to purchase) a mechanical reservoir mixer for Lake Woodmoor. The mixer would improve water quality and the health of the lake and help improve taste and odor issues. The board unanimously approved leasing the equipment for one year with an option to purchase.

Dale Beggs discussed a supplemental water reserve agreement with the board for Village Center Filing 3. District Manager Jesse Shaffer stated the district terminated the previous supplemental water reserve agreement with Beggs due to nonpayment. Beggs wants to resurrect the project and build 75 single-family homes. Beggs said he has 75 customers for all 75 lots and a construction start date of April 2013. The board unanimously approved the supplemental water agreement.

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