



STATE OF
COLORADO

Russell - DNR, Elliott <elliott.russell@state.co.us>

FW: richard bolen, special use permit

1 message

Williams, Dan <WilliamsD@co.teller.co.us>

Wed, Jun 7, 2017 at 7:34 AM

To: "Titterington, Amy J -FS" <amyjtitterington@fs.fed.us>, "Voorhis, Josh -FS" <jvoorhis@fs.fed.us>, "elliott.russell@state.co.us" <elliott.russell@state.co.us>

Amy/Josh/Elliott

Based on the information we have received on Mr. Bolen and his current medical situation and having been given assurances that he has ceased and desisted all mining operations we have granted 180 days for the SUP Mining Process at our level. Note that he has to comply fully with any and all requirements from State and Federal level entities, then, and only then, he can present all of your materials and approvals to us and we can take him thru the same process we did for Fretterd and Sulfrian.

Respectfully

Dan

From: Williams, Dan

Sent: Wednesday, June 07, 2017 7:31 AM

To: 'Mark Hanchey' <hancheylaw@hotmail.com>

Subject: RE: richard bolen, special use permit

Mark

Attached please find Teller County's concurrence with your proposal. Once Mr. Bolen has complied with all Federal and State requirements, to include BLM (subsurface lease), USFS Plan of Operations and DRMS to include the reclamation bond, we will be happy to take him through the SUP Mining Process for Teller County which requires two public hearings, one with the Planning Commission for recommendation and one with the Board of County Commissioners for Decision.

Thank you for reaching out to us and assisting in the resolution of this matter

R/ Dan

Dan Williams

Teller County Planner

Teller County


P O Box 1886, Woodland Park, CO 80866

[719-686-5414](tel:719-686-5414)[719-687-5256](tel:719-687-5256) - FaxWilliamsD@co.teller.co.us

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From: Mark Hanchey [<mailto:hancheylaw@hotmail.com>]
Sent: Wednesday, May 31, 2017 10:06 AM
To: Williams, Dan <WilliamsD@co.teller.co.us>
Cc: Mark Hanchey <hancheylaw@hotmail.com>
Subject: richard bolen, special use permit

Hi Mr. Williams. Thanks again for chatting with me today about Mr. Bolen's issue in Teller County. I represent Mr Bolen concerning a federal issue surrounding his mining claim on federal land located in Teller County. We recently reached an agreement on that case whereby the prosecution was deferred pending his accomplishment of several tasks, among them being the filing of a reclamation bond and the removal of a structure which he had placed on his claim. Another condition of his deferred prosecution was that he get in compliance with any and all permits necessary under county and state law. Richard has provided to me the letter from Teller County which is dated April 3, 2017. Unfortunately, he has been unable to address the issues raised in that letter due to a very serious and unexpected health issue. He was admitted to UC Health up in Denver on April 24th and underwent surgery for cancer. He was released on May 7th but was readmitted a few days later because of some serious post op complications. He is currently undergoing chemo as well as various other debilitating treatment measures and will continue to be off his feet for at least a couple of months. For these reasons, I am hopeful that your office will grant him an extension during which he can get in compliance as to the special use permit process. To be safe, I think it may be prudent to request 180 days. The good news is that I think much of the outstanding compliance issues will allay both the feds as well as your office so once he is able to address them he will make quick progress on both fronts. Let me know if your office needs anything else from me or Mr Bolen in order to facilitate such an extension and I will be happy to secure and provide you with whatever documents or information you may need. Again, thank you very much for your willingness to work with Richard. Very sincerely, Mark Hanchey. (219-3144)

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TELLER COUNTY COMMUNITY DEVELOPMENT SERVICES

P.O. Box 1886 • Woodland Park, CO 80866 • Phone: (719) 687-3048 • FAX: (719) 687-5256

VIA U.S. CERTIFIED MAIL # 70161370000039542147 AND VIA U.S. REGULAR MAIL

June 5, 2017

Mark S. Hanchey
Attorney at Law
2212 West Colorado Avenue
Colorado Springs, CO 80904

Re: **Notice of Violation of the Teller County Land Use Regulations**

For: Mr. Bolen
39602 Highway 24
Lake George, Colorado 80816

Legal Description: Blue Hills Mining Group MS, Unpatented Mining Claims on USFS Land in Teller County – **Mining without a required Special Use Permit**
Resident's Address Legal Description in Teller County – Unknown
Physical Address: 39602 Highway 24
Zone District: Agricultural (A-1)

Dear Mr. Hanchey;

Thank you for contacting Mr. Dan Williams via phone and email reference Mr. Bolen. He shared your conversation and email(s) with me. Please also pass on my wishes for a quick recovery to Mr. Bolen.

It is my understanding with the information you provided Mr. Williams in your conversation with him and in your May 31, 2017 emails, that Mr. Bolen is not currently mining and will not do so until all of the appropriate permits, to include the Teller County Special Use Permit for Mining, have been applied for and obtained. Based on the stipulation that Mr. Bolen cease and desist all mining activities on the above-described Mining Claim, I am granting him **180 days from the date of this letter** to become compliant, as you have requested.

Please contact Dan Williams or me at 719-686-5414 or via his email at WilliamsD@co.teller.co.us if you have any further questions.

Sincerely,


Lynda Morgan
Community Development Services Director

cc: *Dan Williams, Planner*
File