

June 6, 2024

**Via Email (bart.greer@elbertcounty-co.gov)**

Bartholomew Greer, Esq.  
Elbert County Attorney  
P. O. Box 7  
215 Commanche St.  
Kiowa, CO 80117

Re: Road Signs at Wild Pointe Ranch

Dear Bart:

We are in receipt of your email dated May 1, 2024. Both the Elbert & Hwy 86 Metropolitan District (the "Metro District") and the homeowners association of Wild Pointe Ranch subdivision (the "HOA") reject your offer to resume ownership and maintenance responsibility of the roads and associated easements. Given that signage is a life safety issue, and given the sense of urgency earlier expressed by the county, please promptly remove all of the signage within your easement and bring it up to standard before anyone is hurt or emergency services find themselves confused. Please advise as to the dates when this work will be done so that we can advise the residents.

On a final note, your communications continue to be rife with factual errors, which is concerning because proper advice can only be provided if the facts underlying various assumptions made in offering such advice are accurate. The most salient error is the notion the Metro District collects taxes for road maintenance. It does not and has not done so for well over the past decade, if ever. What is accurate, however, is that during the last ten (10) years, Wild Pointe residents have contributed nearly three-quarters of a million dollars to road and bridge for its use at locations county-wide. See the enclosed summary. In that same period of time, Elbert County has done minimal road work within the community even though the vast majority of the roads were accepted by the Elbert County long ago. Over the past decade, the county has done less than a half-dozen small asphalt patch jobs in the community, most of which have since deteriorated. Significantly, and as road and bridge is well aware, there are a number of roads within Wild Pointe that are at the point they need complete re-paving. To date, we have been patient with and sensitive to other priorities of road and bridge as a consequence of, *inter alia*, recent flooding events. That said, while the residents of Wild Pointe have been responsible, significant and participatory taxpayers in Elbert County, reasonable and appropriate consideration from certain government officials seems to be lacking.

We tried to create a win-win scenario, and our efforts were rebuffed. The lack of appropriate cooperation has been noted by all concerned. Please replace and repair the life safety necessities of Wild Pointe with due haste.

473 Heritage Trail  
Elizabeth, CO 80107  
303 292 0902  
tr@ricelle-law.com

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Bart Greer  
June 6, 2024  
Page 2

Very truly yours,



T. R. Rice

TRR/bsd

Encl.

cc: Elbert & Hwy 86 Metropolitan District (w/encl.)  
Elbert County Board of County Commissioners (w/encl.)  
Posted Wild Pointe Ranch Homeowners Assoc. website and circulated (w/encl.)

### Road and Bridge Tax paid by Wild Pointe

Year Tax Paid	Assessed Value	Mill Levy	Wild Pointe Tax
2015	3,990,279	9.50	37,907.65
2016	4,574,660	9.50	43,459.27
2017	5,302,800	9.50	50,376.60
2018	7,391,970	9.50	70,223.72
2019	7,576,510	9.50	71,976.85
2020	8,433,190	9.50	80,115.31
2021	8,563,198	9.50	81,350.38
2022	9,617,250	9.50	91,363.88
2023	9,302,220	9.50	88,371.09
2024	11,985,712	9.50	113,864.26
			<b>729,009.01</b>



## TR Rice

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**From:** Bart Greer <Bart.Greer@elbertcounty-co.gov>  
**Sent:** Wednesday, May 1, 2024 9:54 AM  
**To:** TR Rice  
**Subject:** RE: BOCC/Wild Pointe signage

Good Morning Mr. Rice,

Thank you for your email. It does not appear that an agreement between the County and the Special District(s) or HOA are possible with respect to allowing for continued installation and maintenance of signage within Wild Pointe that deviates from the signage or posts utilized by Public Works which are themselves utilized due to being in conformance with all applicable Federal, State, and County regulations and standards. Consequently, the request that Public Works allow for Wild Pointe to install posts and signs that fail to meet Federal, State, and County standards and regulations, while also being asked to contribute financially towards the installation and/or maintenance of the same not something the County is willing or able to do.

Because the County owns the roadways and rights-of-way within Wild Pointe where the posts and signage are located, the County will be installing and utilizing the signs and posts that conform with County standards and requirements to replace the posts and signs located in Wild Pointe in order to ensure conformance with the aforementioned standards and regulations. That means the County will be responsible for installation and maintenance of all posts and signage of County owned roads within the Wild Pointe subdivision, and will be fully financially responsible for all such expense as well.

One alternative solution that could afford Wild Pointe the opportunity to utilize posts and signage of their preference that differs from the post and sign format used by the County, is for the Special District to resume ownership and maintenance responsibility of the roads within Wild Pointe. This would result in essentially reverting the roads in the Wild Pointe subdivision back to private roads. This could afford Wild Pointe the ability to purchase and utilize signage could deviate from the signpost and sign option County uses and the limited color/design scheme the County uses so long as it still meets the applicable federal, state, and County standards (reflectivity, setback, size, etc.)

It appears that based on the service plan(s) and tax collection information that the Special District still collects money from Wild Pointe residents for the purpose of road maintenance (even though the County is currently doing the road maintenance), so this approach may be a viable alternative. Please let me know if pursuing Special District road ownership and converting road classification to that of private road is an approach you and the other residents of the Special District would like to pursue.

If resuming ownership and maintenance of the roads within Wild Pointe is not something the Special District and its residents wish to pursue, the County will need to move forward with replacing the posts and signs with the standard post and sign format it keeps in inventory which meet Federal, State, and County safety/reflectivity/size/breakaway regulations and requirements.

Best Regards,

Bart Greer  
Elbert County Attorney  
215 Comanche St.  
P.O. Box 7  
Kiowa, CO 80117

Phone: 303.621.3143

**\*\*The sender and receiver should be aware that all incoming and outgoing emails may be subject to the Colorado Open Records Act, C.R.S. 24-72-201 through 24-72-206 et seq. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the Elbert County. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Elbert County. Finally, the recipient should check this email and any attachments for the presence of viruses. Elbert County accepts no liability for any damage caused by any virus transmitted by this email. \*\***

**\*\*Elbert County is closed on Fridays\*\***

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**From:** TR Rice <tr@ricellc-law.com>

**Sent:** Friday, April 19, 2024 1:26 PM

**To:** Chris Richardson <Chris.Richardson@elbertcounty-co.gov>; Dallas Schroeder <Dallas.Schroeder@elbertcounty-co.gov>; Grant Thayer <Grant.Thayer@elbertcounty-co.gov>

**Cc:** Bart Greer <Bart.Greer@elbertcounty-co.gov>

**Subject:** [External] BOCC/Wild Pointe signage

See attached.

**T. R. Rice**

**Rice LLC**

**473 Heritage Trail**

**Elizabeth, CO 80107**

**(303) 292-0902**

**tr@ricellc-law.com**



April 19, 2024

**Via U.S. Mail and Email (bart.greer@elbertcounty-co.gov)**

Bartholomew Greer, Esq.  
Elbert County Attorney  
P. O. Box 7  
215 Commanche St.  
Kiowa, CO 80117

Re: Road Signs at Wild Pointe Ranch

Dear Bart:

As you recall, the Elbert & Hwy 86 Metropolitan District (the "Metro District") asked me to assist regarding signage in the Wild Pointe Ranch subdivision ("Wild Pointe"). To bring everyone up to speed, please note as follows:

1. On September 27, 2023, I wrote to Dallas Schroeder outlining certain issues regarding signage. A copy of that letter is enclosed as Exhibit 1.
2. The above letter was apparently routed to your office, and on November 6, 2023 I received an email from you containing certain factual inaccuracies. On that same day, I responded and asked that you advise as to which roads, if any, had not been accepted by the County. A copy of that exchange is enclosed as Exhibit 2. I have not heard from you since.
3. There can be no dispute that all roads in Wild Pointe have been accepted by the County. See Resolutions 06-102, 06-103, 08-41, 08-74, 20-34 and 22-07.
4. As a matter of law, acceptance of the roads is acceptance of the signage. Someone passed on conformance of the signage with the MUTCD code prior to tendering the draft resolutions for the county commissioners; consequently, the signage is per se conforming with the MUTCD code. Absent an agreement to the contrary, which apparently cannot be found, maintenance for those signs is that of the County, and certain of those signs are in present need of repair.
5. I suspect as to the proposition in paragraph 4, above, you and I are not going to agree. Similarly, I do not think you and I are going to agree whether at this point the County has the unfettered ability to replace all of the existing signs with the standard green reflective signage. If the County were allowed to simply replace the signs, which the Metro District and the homeowners association would contest, I believe the cost of the signage alone would be somewhere in the range of \$40,000.

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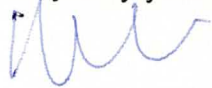
Bartholomew Greer, Esq.  
April 19, 2024  
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6. With the foregoing as a backdrop, I propose a compromise. The Metro District has enlisted the services of Magnify Signs in Parker to provide a quote for the replacement of all signs in Wild Pointe. A copy of this quote is enclosed as Exhibit 3 and includes any necessary cost of removal of current signage. The existing wooden posts, which are in fact a break-away design, would remain. However, the wood arms would be replaced with reflective and double sided aluminum arms; the color of the signage is as set forth in the quote and is not inconsistent with some of the signage found in other upscale neighborhoods in Elbert County. The total cost would be in the approximate amount of \$55,000, of which we would ask the County to commit \$32,500. The balance of the cost would be borne by the Metro District, and the Metro District would assume the risk of cost overruns.

7. The foregoing would allow the County to save significant money as compared to the cost of the installation of standard green signage and at the same time, satisfy the department of road and bridge which raised the issue of the signs in the first instance. County crews would not be required to either remove the old signs or install the new signs. It would also eliminate the prospect of additional expense associated with a determination of who owns the existing signs and which party bears the cost of maintenance moving forward. As noted above, there are signs that need repair, and we believe it is the responsibility of the County to provide the same, particularly since life safety issues are at play; we can forbear in seeking a determination as to the issue of that responsibility so long as this process is moving forward in a prompt fashion.

Please review the foregoing with the powers that be. This is a proposal that, at the end of the day, is a win-win proposition. We would appreciate your formal input by not later than May 22, 2024. The street signs have an 8-week lead time for fabrication, and if approved by the County, we can get the signage completed during the 2024 construction season.

Very truly yours,



T. R. Rice

TRR/bsd

Encl.

cc: Elbert & Hwy 86 Metropolitan District (w/encl.)  
Elbert County Board of County Commissioners (w/encl.)



December 7, 2023

**Via U.S. Mail and Email (bart.greer@elbertcounty-co.gov)**

Bartholomew Greer, Esq.  
Elbert County Attorney  
P. O. Box 7  
215 Commanche St.  
Kiowa, CO 80117

Re: Road Signs at Wild Pointe Ranch

Dear Bart:

As you recall, the Elbert & Hwy 86 Metropolitan District (the "Metro District") asked me to assist it regarding signage in the Wild Pointe Ranch subdivision ("Wild Pointe"). To bring everyone up to speed, please note as follows:

1. On September 27, 2023, I wrote to Dallas Schroeder outlining certain issues regarding signage. A copy of that letter is enclosed herewith as Exhibit 1.
2. The above letter was apparently routed to your office, and on November 6, 2023 I received an argumentative email from you with certain factual inaccuracies. On that same day, I wrote back and asked that you advise as to which roads, if any, had not been accepted by the County. A copy of that exchange is enclosed herewith as Exhibit 2.
3. To cut to the chase, each and every road in Wild Pointe has been accepted by the County. The most recent acceptances took place on November 18, 2020 and January 26, 2022, the latter of which post-dated the somewhat misinformed correspondence of Rory Hale dated October 18, 2021. Copies of recorded resolutions of the county commissioners are enclosed herewith collectively as Exhibit 3.
4. As a matter of law, acceptance of the roads is acceptance of the signage. That being said, someone passed on conformance of the signage with the MUTCD code prior to tendering the draft resolutions for the county commissioners for approval and as a result, the signage is per se conforming with the MUTCD code.
5. I suspect that at all times it was determined by county officials the roads in Wild Pointe qualify as low volume roads under Chapter 5A of the MUTCD code. That designation would obviate the need for strict compliance with the MUTCD code as

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Bartholomew Greer, Esq.  
December 7, 2023  
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suggested in your email of November 6, 2023. The current signage, subject to some need of repair, are in compliance with that which is required on low volume roads.

6. With the foregoing as a backdrop, the Metro District and its constituents would be well within their rights to make demand on the County that it replace the existing signage with the standard for green metallic reflective signs along with steel posts. That would be an expense to the County likely approaching \$40,000.

7. Because the Metro District and its constituents like the appearance and function of the current signs, it will resist in making demand that the County incur an expense that is wholly unnecessary. Additionally, the Metro District and its constituents are understanding of the stresses put on the road and bridge department as a consequence of the various weather events which occurred last summer. Accordingly, and in order to resolve this impasse, here is what we are going to do.

- a. Your office will coordinate an onsite meeting with County and Metro District officials on or before February 1, 2024 to determine which specific signs in Wild Pointe Ranch need to be repaired or replaced. The template for conformance will not be that as suggested in your November 6, 2023 email, but instead, the nature and condition of that sign marking the crossing at Heritage Trail and High Meadows Loop. That is a sign accepted by the County by virtue of Resolution 22-07, a copy of which has been previously enclosed. The sign remains in good repair and will be the exemplar for conformance with the MUTCD code.
- b. In conjunction with the foregoing, your office will prepare and provide a form of agreement for review by which it is made clear that signage in Wild Pointe is in conformance with the MUTCD code and that moving forward, it will be the obligation of the Metro District to maintain and repair signage within Wild Pointe. The agreement will call for the repair of any sign damaged by the neglect of County vehicles, e.g. plowing operations not conducted in a prudent manner, by the County.
- c. By March 15, 2024, we will have either have an agreement in place for review by the county commissioners or green metallic signs in place of the currently existing signs. If neither can be accomplished, the Metro District and/or its constituents will be put in the position of needing to file a declaratory judgment action with the Elbert County District Court in an effort to determine the relative rights and obligations of the parties in the context of, *inter alia*, resolutions 20-34, 22-07 and the various documents and communications previously provided by the County under CORA on or about

Bartholomew Greer, Esq.  
December 7, 2023  
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April 14, 2021.

Thank you for your cooperation in moving this matter along. It has been languishing since October 18, 2021, and despite our efforts to reach an earlier dialogue and/or resolution, we have been unsuccessful. For the time being, we will attribute that to turnover in the office of road and bridge because most recently, personnel in that office have been most cooperative and professional in their dealings with the residents of Wild Pointe and others.

Very truly yours,



T. R. Rice

TRR/bsd

Encl.

cc: Elbert & Hwy 86 Metropolitan District (w/encl.)  
Elbert County Board of County Commissioners (w/encl.)



## TR Rice

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**From:** TR Rice  
**Sent:** Monday, November 6, 2023 9:14 AM  
**To:** Bart Greer  
**Cc:** BradfordAE@aol.com  
**Subject:** RE: Letter to Wild Pointe Subdivision - Non-Compliant Signage and Sign Posts

1. What roads have not been accepted? My records show that every road in the subdivision has been accepted by the county.
2. Since we are working toward a resolution, I will not argue with you point by point on any number of your assertions. Suffice to say, I have made my record and you have made yours, we disagree, and we will leave it at that. However, if you think ANY of the roads within Wild Pointe have not been accepted, we do need to hash that out and resolve it at this point.
3. My inclination is to recommend acceptance of your apparent acceptance of our earlier offer, but before doing that, I think it would be prudent for all concerned to schedule a meeting with road and bridge and/or your office to do an inventory of what is currently acceptable and what is not. I suspect we may have some signs that need to be updated on the issue reflectivity, but as to height, setbacks, size, coloring, etc., we are going to need to confirm in some form of writing that as is, the signs satisfy MUTCD before anyone agrees to undertake the expense of those signs moving forward.

Thanks.

T. R. Rice  
Rice LLC  
473 Heritage Trail  
Elizabeth, CO 80107  
(303) 292-0902  
[tr@ricellc-law.com](mailto:tr@ricellc-law.com)

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**From:** Bart Greer <Bart.Greer@elbertcounty-co.gov>  
**Sent:** Monday, November 6, 2023 8:51 AM  
**To:** TR Rice <tr@ricellc-law.com>  
**Subject:** Letter to Wild Pointe Subdivision - Non-Compliant Signage and Sign Posts

Dear Mr. Rice,

On October 18, 2021, Elbert County Public Works Department sent a memo to Elbert & Hwy 86 Metropolitan District via a letter to the Metropolitan District's representative, Sarah J. Kolz, at CVL Consultants. The letter describes Elbert County's concerns over Wild Point Subdivision's street signs not meeting MUTCD code with respect to reflectivity, and concern over the ability of sign posts to meet breakaway requirements as required by MUTCD, and County code requirements.

While some roads within Wild Pointe have been accepted for ownership and maintenance by the County, in direct contravention to your assertion within your September 27, 2023 letter, there has never been an agreement with Wild Pointe that allowed for deviation of road construction or safety standards, code requirements (including MUTCD code), or safety standards and regulations related to the roads of Wild Pointe.

## TR Rice

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**From:** Bart Greer <Bart.Greer@elbertcounty-co.gov>  
**Sent:** Monday, November 6, 2023 8:51 AM  
**To:** TR Rice  
**Subject:** Letter to Wild Pointe Subdivision - Non-Compliant Signage and Sign Posts  
**Attachments:** Letter to Wild Pointe Subdivision - Non-Compliant Signage and Sign Posts.pdf

Dear Mr. Rice,

On October 18, 2021, Elbert County Public Works Department sent a memo to Elbert & Hwy 86 Metropolitan District via a letter to the Metropolitan District's representative, Sarah J. Kolz, at CVL Consultants. The letter describes Elbert County's concerns over Wild Pointe Subdivision's street signs not meeting MUTCD code with respect to reflectivity, and concern over the ability of sign posts to meet breakaway requirements as required by MUTCD, and County code requirements.

While some roads within Wild Pointe have been accepted for ownership and maintenance by the County, in direct contravention to your assertion within your September 27, 2023 letter, there has never been an agreement with Wild Pointe that allowed for deviation of road construction or safety standards, code requirements (including MUTCD code), or safety standards and regulations related to the roads of Wild Pointe.

Additionally, Elbert County has never granted permission for signs or signposts or actual signs which do not meet County standards, MUTCD code, CDOT requirements, or applicable Federal requirements for the same.

MUTCD chapter 2B.01 states "regulatory signs shall be retroreflective or illuminated to show the same shape and similar color by both day and night, unless specifically stated otherwise in the text discussion of a particular sign or group of signs." Section 2B.03 (size of regulatory signs) is a chart showing required sizes for various signs and that 24 x 24 inches is the minimum for stop signs. Section 2B.04 relates directly to stop signs states "*The stop sign shall be an octagon with a white legend and border on a red background. Chapter 2D addresses guide signs -- conventional roads which what street signs are considered. The standard is "except where otherwise provided in this manual for individual signs or groups of signs, guide signs on streets and highways shall have a white message and border on a green background. All messages, borders, and legends shall be retroreflective and all backgrounds shall be retroreflective and all backgrounds shall be retroreflective or illuminated."*

Elbert County Standards concerning street name signs, (section 731.01): requires "*All signs shall be constructed with 0.080 aluminum blanks. They shall have three-eighths (3/8) inch holes punched in the center two (2) inches from the bottom and top edges, green high intensity, retro-reflective sheeting, high intensity retro-reflective letters or numbers.*"

Elbert County Standards concerning stop signs, (section 731.03: mandates "*Stop signs shall be installed at all approaches to streets designated by Elbert County as through streets. Stop signs shall be mounted on the same support posts as street name signs where possible. All signs shall have Diamond Grade Reflective sheeting and meet the MUTCD Conventional Road Dimension charts and the MUTCD Standard Highway Signs.*"

Elbert County Standards concerning signposts (section 732.00): requires "*All sign supports and sign posts shall conform to specifications for perforated square steel tubing and to ASTM A366, Standard Specifications for Cold Rolled Carbon Steel Sheets, Commercial Quality. Tubing with plain finish shall be roll-formed from 10-gauge (.135 U.S.S. Gauge) and 12-gauge (.105 U.S.S Gauge) hot rolled steel, ASTM A1011 Grade 50 pickled and oiled. Tubing with galvanized finish shall be roll-formed from 10-gauge (.135 U.S.S. Gauge) and 12-gauge (.105 U.S.S. Gauge) hot rolled steel, galvanized material ASTM A653 Grade 50. The average minimum yield strength after cold forming*



*shall be 60,000 PSI. The finished members shall be straight and shall have a smooth, uniform finish. Consecutive sizes of tubes shall freely telescope with a minimum amount of play. All holes and cut-off ends shall be free of burrs. Seven-sixteenth (3/8) inch diameter holes shall be punched on one (1) inch centers on the entire length of all sides of the tube. All posts shall be galvanized.*

In response to your inquiry, the County may be willing to enter into an agreement regarding sign posts and signs within Wild Pointe in which Metro District maintained signage meets all aforementioned MUTCD code requirements for size, height, setback, reflectivity, color, lettering, etc., but which afforded the Metro District to utilize wooden sign posts (instead of galvanized signposts) that still meet all MUTCD requirements (but not necessarily County requirements), provided Wild Pointe is covering all expense, maintenance, installation, and repair for the road signs and posts within the Wild Pointe subdivision.

If, however, the Metro District is unwilling to ensure signage meets all County and MUTCD signage requirements, while also ensuring sign posts meet all MUTCD requirements, the County will have no alternative other than to move forward with program in which sign posts are replaced with galvanized metal sign posts instead of wood, and that all road signage also meets all MUTCD and County requirements to meet size, reflectivity, etc. to ensure health, safety, and welfare concerns are adequately addressed.

Please let us know your response.

Respectfully,

Bart Greer  
County Attorney, Elbert County Colorado

CF:  
Elbert County Board of County Commissioners

September 27, 2023

Via U.S. Mail and Email (dallas.schroeder@elbertcounty-co.gov)

The Hon. Dallas Schroeder  
Elbert County Board of Commissioners  
215 Comanche St.  
P. O. Box 7  
Kiowa, CO 80117

Re: Wild Pointe Ranch Signage

Dear Commissioner Schroeder:

The Elbert & Hwy 86 Metropolitan District (the "Metro District") has asked me to communicate with you regarding signage in the Wild Pointe Ranch subdivision ("Wild Pointe"). As a matter of background:

1. On October 18, 2021, Elbert County sent a memo asserting the current street signs in Wild Pointe are non-compliant with the MUTCD code. A copy is enclosed.
2. The vast majority of the existing signage is wood with reflective lettering. Subsequent communication with road and bridge made clear the County desired that all wood signage be replaced with standard metal signage.
3. All of the roadways within Wild Pointe have been accepted by Elbert County, and in each case, acceptance was by virtue of resolution by the Board of Commissioners.
4. Roadway acceptance is covered by Section 200 of the Elbert County Construction Standards. Section 200 is part of the broader framework for the construction of public improvements in Elbert County, which includes Section 731 of the standards.
5. Section 731 generally contemplates the installation of standard street signs. However, it is further provided that "[p]rior to installing custom signs and/or posts in a development, the Developer or Contractor shall obtain a signed maintenance agreement" with the County. As such, custom signage is not prohibited but subject to acceptance.
6. The signage installed and accepted by the County was custom in nature. However, we have been unable to find any form of maintenance agreement. Given the fact that both the roads and signage were accepted, we assume the agreement was either lost or not created as a consequence of some administrative oversight.
7. From a factual standpoint, the letter referenced in paragraph 1 is incorrect. The existing street signs, although somewhat aged, are compliant with the MUTCD code as it relates to custom signs and posts. By way of example, even a cursory inspection of

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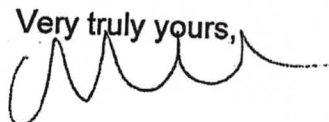
the signage would reveal the breakaway features of the same. Some refurbishment would be appropriate, however.

Without going through significant detail and legal analysis, it is easy to conclude the street signs in Wild Pointe are not owned by the Metro District, the homeowners or the homeowners association. Ownership and maintenance responsibility for the existing signage is that of the County. If the signage was to be replaced and standard signage installed, that would be the responsibility of the County. The existing signage, because of its age, needs to be refurbished and/or repaired. That, again, would be the responsibility of the County.

Obviously, at one point the County approved the custom signage. If a maintenance agreement was signed, no one seems to have a copy of the same. The custom signage is consistent with the character of Wild Pointe and enhances property values. In order to assist the County in avoiding the expense of replacing the existing custom signage with standard signage, the Metro District stands ready, willing and able to enter into a maintenance agreement of the nature set forth in Section 731 by which the Metro District would assume the responsibility to refurbish and/or repair the existing custom signage and to keep that signage in good repair moving forward. Failing to enter into such an agreement, it would be the responsibility of the County to either repair the previously accepted custom signage or to remove the existing signage with standard signage. Our best estimate is the cost of replacement would be in excess of \$40,000 and would certainly divert manpower resources from other important projects. Given the fact that some of the signs are life safety in nature, and given the fact that some of those signs are in need of at least refurbishment, time is of the essence. The Metro District would have earlier made repair, but the October 18, 2021 letter referenced above brought those efforts to a halt.

As such, we propose the County tender the Metro District a form of maintenance agreement of the nature contemplated by Section 731 of the Elbert County Construction Standards by which the County would make clear the acceptability of the existing custom signage, subject to refurbishment and/or repair, with the Metro District, in turn, accepting responsibility to maintain the signage moving forward.

Very truly yours,



T. R. Rice

TRR/bsd

The Hon. Dallas Schroeder  
September 27, 2023  
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Encl.

cc: Elbert & Hwy 86 Commercial Metropolitan District (w/o encl.)





# ELBERT COUNTY GOVERNMENT

Public Works Department  
Road & Bridge Division  
Office 303-621-3157 Fax 303-621-3157  
PO Box 116, 215 Comanche St, Kiowa, CO, 80117

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October 18, 2021

Sarah J. Kolz  
CVL Consultants  
10333 East Dry Creek Road, STE 240  
Englewood, CO 80112

**RE: Wild Pointe Subdivision Road Signage**

While performing road work within the Wild Pointe Subdivision, Elbert County Road & Bridge personnel observed many signs that are not in MUTCD compliance. While there are many compliance factors, the main concerns we have are reflectivity of signage and that all signs are on breakaway posts.

These items are considerable insurance liabilities and need to be taken care of as quickly as possible.

I would like to request a plan be submitted to me as soon as possible outlining a schedule for replacing all signs that do not meet the MUTCD code.

Please let us know if you have any questions or concerns.

Sincerely,

*Rory Hale*

Rory Hale  
Public Works Director