

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, SEPTEMBER 30, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

County payroll and accounts payable were approved from the following funds:

County General	\$137,397.04
Road & Bridge	54,683.31
Emergency Service	11,443.75
Social Service Department	16,872.01
Capital Improvement	715.39
Total	\$221,111.50

Commissioner Hoag made a motion seconded by Commissioner Shy to approve the liquor license renewal for the Alpine Lodge. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to contribute \$500.00 to the Goal Miners Soccer Club from the Conservation Trust Fund in lieu of the county doing in-kind work. Motion carried unanimously.

The Board will notify Clint, at the Road & Bridge Department to remove the “Children Playing” signs located on Verdemont Road in front of Nancy Handy’s house.

Debbie Livengood informed the Board that she had received a call from John Herrera concerning his recent arrest in Pueblo for suspected relief fund scam. According to John, he had permission to set up in front of American Furniture in Pueblo and collect money for the victims of Katrina. He later set up in front of Wal-Mart with the consent of the store manager, but this time was conducting a fundraiser for the San Isabel Fire Department. The reason for his phone call was to ask the Commissioners to write a letter on their official letter head stating that the county has only given the volunteer fire department a total of \$1,000.00 to help pay for their insurance. All other operating funds have either been donated or generated by fundraisers. The fire equipment has been purchased through grants and matching funds. This request was on behalf of his lawyer. The Boards decision was to do nothing unless Mr. Herrera’s lawyer contacted the county attorney.

The Board discussed the pond located on the Donley property known as the Barton Place Pond. The water in this pond was used in the Mason Gulch Fire. There was some damage done to the pond while being used. The damage from the use was not so extensive that it needs to be repaired, but more so to improve its condition should it need to be used again in the future. The Forest Service would like to start this repair in the fall, due to the winter run off supplying the pond with water in the spring. Paul Crespin estimates the cost of these repairs to be \$3,000.00. It was agreed upon that due to the county's interest in fire fighting, the county would do the work providing we were reimbursed by the USFS. It is up to the USFS to guarantee reimbursement.

John Piquette will meet with the Board on October 11th to present the draft copy of the 2006 budget.

County Extension Agent, Gary Hall, and CSU Regional Director, Joel Plath, met with the Board concerning the resignation of Gary Hall effective January 1, 2006. Gary is accepting a position in El Paso County. Extension Agent, Jim Conley, from Huerfano County has been asked to be an interim agent for our county. Mr. Conley has worked on Community Economical Development Programs, 4-H programs and Weed Prevention Programs through his office and since these are very important functions of our extension office, Mr. Plath felt he would be a benefit to us. Mr. Conley will also do some supervision of the Master Gardening Program as well.

Mr. Plath suggested to the Board that they take the county's portion of Gary's salary, \$10,400.00 a year, and apply it to Mr. Conley's salary and possibly hire someone locally to help with the 4-H program. Mr. Plath has already talked with the Commissioners in Huerfano County and they do not have a problem with Mr. Conley being an interim agent. Jim will start working with Gary right away. The Board agreed to pay travel expenses for Mr. Conley commuting from Walsenburg to Westcliffe.

It was decided not to pay JR Phillips the full dollar amount allotted through the weed program since he did not spray all of the areas that had been identified with a problem. Gary did say that there was evidence that JR had sprayed some on Macy Lane and County Road 130.

Gary is working on a Youth and Government Grant with Pat Weaver, who is a teacher at the high school. The second grant the extension office has worked on and received through the Colorado Department of Health. This grant will be used to supply radon-testing kits to individuals in the community to check for radon gas. Mrs. Musgrave, a county resident, has been hired to administer this grant.

Commissioner Hoag signed the National 4-H Week Proclamation for 2005.

Sam DeNardo, representing Garren, Ross & DeNardo, Inc., presented and reviewed the 2005 audit and detailed some of the changes that were created by the GASB 34 regulations that went into effect this year. He also suggested that the county adopt a common form to be used by all county officials and employees for travel

reimbursements. The second suggestion made by Mr. DeNardo was to remove the landfill expenses and revenues from the general fund. By creating a fund for the landfill, only the user fees would be used to operate the facility. He also stated that a few counties are looking seriously at privatizing some county services. And thirdly he suggested that if the county had any other capital improvements to be purchased that they check into bond funding instead of making any other lease payments.

Commissioner Downey made a motion seconded by Commissioner Hoag to approve the 2004 audit as presented. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to approve the minutes of July 19th, 29th, August 1st, 2nd, and 11th. Motion carried unanimously.

Being no further business the Board adjourned.

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS REGULAR MEETING, OCTOBER 3, 2005

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

Road & Bridge Supervisor, Clint Englehart, met with the Board to give his monthly report. According to Clint, the main focus in September was to grade roads. County Road 140 was one road to receive major work that included hauling gravel to the roughest parts of the road. Repair to Copper Gulch Road has been started. The sections that have been completed are holding well. County Roads 271 and 265 have also received attention. There have been requests to repair these roads for several months. Other roads in the north and south end of the valley floor have been worked on, as well as in Antelope Valley, Cuerno Verde and Hermit Road. Several culverts and cattle guards that needed to be cleaned or repaired have been given attention. The fire department has offered to let the Road & Bridge Department use their pumper truck to clean the culverts on Hermit Road and will define it as a training exercise. Clint also related to the Board that their most recent purchase of diesel (5000 gallons) was approximately \$2.50 a gallon.

Clint stated to the Board that they are making an effort to reply to citizens who have requests or concerns in a timely manner. They are starting a list of requests to be prioritized according to urgency. County Road 255 is scheduled to receive some major grading. They are going to continue grading the valley floor as well as completing work on Hermit and County Road 271.

Clint is going to check on cattle guards located on County Road 220, Junkins Loop and below Kettle Lane on Macy to see if they need cleaned or could possibly be removed. There is also a cattle guard located on County Road 271 and the Custer/Fremont county line that has a padlock on the gate that goes into the Dilley Ranch Subdivision. Clint is going to contact the landowners and ask them to remove the lock, otherwise the county is going to remove it. A cattle guard is going to be installed on County Road 255.

Clint is going to provide John Piquette with a proposed 2006 budget he has prepared to replace the proposed budget Gary Havens submitted. He also informed the Board that the general morale of the employees at the Road & Bridge Department seems to be improving.

The Board requested that both Clint and Dave Trujillo attend the winter CCI Conference in Colorado Springs.

County Health Nurse, Kelly Johnson, met with the Board to give her monthly report. There were thirteen well child exams/physicals given, thirty-one child immunizations and six adult immunizations given and thirty-health screening done in the month of September. There was one reportable illness (Giardiasis) and one environmental issue where two people were exposed to a bat that may have had rabies. Both individuals have taken the rabies shots since the bat was disposed of before testing could be done.

The county has been awarded \$26,022.00 for the state budget year 2005-06 from the Emergency Preparedness/Bioterrorism Grant. The Mini Health Fair was held on September 9th and approx. 100 people were in attendance. Kelly met with Fran Hudson on September 22nd concerning the Learning Circle and their records for those children attending there. Fran is the new nurse consultant for this organization.

Kelly met with Elenor Sanchez, representing the CSU Nursing Program in Pueblo. She is going to send five students to our county to help with the Community Health Assessment Study that is to be completed by December 31, 2006. Also mentioned was the Regional Institute of Health and Environmental Leadership Conference that Kelly will be attending in Aspen this month and the Public Health Nurses Association of Colorado meeting she attended in Snow Mass where she was elected President-Elect for the coming year.

She also discussed Pestussis (Whooping Cough). Whooping Cough is becoming more common in adolescents and is a very serious and contagious virus. Parents are now given the option to give their children a booster shot for pertussis when they receive their second set of shots for tetanus and diphtheria. Kelly will also be monitoring the Avian Flu and keep the Board informed.

Kelly, Art Nordyke and Fred Jobe attended a Quarantine and Isolation training program in Lamar this past month. Kelly reviewed the presentation with the Board. The group also made a recommendation that the county should put together an emergency preparedness plan for the agriculture (animals) community in our county. Commissioner

Downey suggested that Fred, Art, Kelly and Greg Sullivan meet with the local veterinarians to discuss a plan.

Custer County School has been chosen as one of the fifty-seven schools chosen for a state immunization survey.

Jean Mavromatis met with the Board to give her monthly report.

1. Helped with the Fall Health and Safety Fair
2. The Interagency meetings are going to be held on a monthly basis instead of quarterly.
3. Custer County is looking for an adult sponsor for the “Get Real” Conference. The purpose of this conference will be about dealing with the pressures of smoking and chewing.
4. Two students attended the Model Health Fair and are going to write articles in the Bobcat Tracker on teen health.
5. Since our school does not have a PTA program, parents have organized a group called CCPA (Custer County Parent Collation) that is going to have speakers come to the school and talk on various topics.
6. There will be a N-O-T training on September 30th. This will be a program that deals with how to quit smoking and chewing.
7. Jean complimented Deputy Jason Koch on the excellent job he does as a leader to the students. He speaks to the freshman class on drinking and drugs.

Jean has ordered red bracelets that will be handed out to the middle school students for “Red Ribbon Week”, which represents being tobacco and drug free. Red Ribbon Week will take place from October 23rd through the 31st. Jean will be in the school on October 24th through the 27th talking with the students.

Jean also showed the Board various pictures she had taken of the signage in front of the Tobacco Shop located on Main Street. The signs that were in question at the last commissioner’s meeting are not legal signs according to the state. Any large sign posted to advertise a certain type of tobacco that is 1000 feet or less from a school is prohibited. Shelly Shelly, the owner of the shop has removed the signs.

Vernon Thompson, President, and Terry Napolitan, Manager of Sales & Marketing for Enxx Propane, met with the Board requesting their approval to lease a one-acre parcel of land owned by the county located at the old landfill site on County Road 241. Enxx would like to lease this parcel of land for a period of 99 years at a cost of \$100.00 per year with an option to terminate the lease after 10 years with a 90-day termination notice. Their purpose for wanting to lease this ground is to place a 12 to 18K gallon storage tank above ground on this one-acre tract and provide a centralized underground propane gas system to 109 parcels in the Shadow Ridge Subdivision that was just currently developed by Jerry Seifert of Westcliffe. The Board denied their request stating that they felt this would be putting a huge liability on the county. Other reasons stated were, they did not feel the current board should obligate future commissioners, they did not feel comfortable

leasing to a certain company, the community could possibly feel the county was playing favoritism, plus the fact that they were not comfortable leasing out any of the old landfill that has been reclaimed, due to the fact that the state still checks on the property and they do not want to do anything that might cause a problem.

The Board met with the Social Service Department.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, OCTOBER 4, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

Commissioner Shy made a motion seconded by Commissioner Downey to raise mileage reimbursement for county officials and employees to .38 a mile effective today. Motion carried unanimously.

County Treasurer, Doris Porth, who was not in attendance left her monthly report for the Board to review. It was approved. It was noted by the Board that the Highway Users Fund is down \$76,000.00 from this time last year, but sales tax is up \$8,200.00.

Commissioner Shy made a motion seconded by Commissioner Downey to go into executive session on a personnel issue citing C.R.S. 24-6-402(4). Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to reconvene into open session. Motion carried unanimously. No action taken.

Zoning Director, Christy Kesselring, met with the Board to give her monthly report.

- ❖ Bob Bush from Canon City was in Westcliffe on September 16th and 23rd and discussed different options concerning the county's GIS program.
- ❖ Currently there are four special use permits in progress: Terry Cook with the proposed ski area near Bigelow Divide; Madden's Lodge/Spa proposal in Rosita Hills; Flick's Kennel/Doggie Daycare to be located on County Rd. 271; Guilkey's at risk youth treatment facility on Muddy Road. This facility would be for youths that the court system would sentence to this facility instead of the Department of

Corrections. It would be a non-profit organization and the parents of the youths would be obligated to pay expenses.

- ❖ Deb Downs, from DOLA contacted Christy on September 23rd notifying the office that they had been selected to receive an intern for a period of two years. The intern position would start in January 2006; the county would pay a total of \$15,000.00 a year and DOLA, would match this amount to pay for salaries and related benefits. An individual from the county will travel to do interviews.
- ❖ The Reed/Cooper vs. Beckwith Mountain Ranch Property Owners Assoc. suit was settled out of court. Christy did not have to testify.
- ❖ The county attorney is going to write a letter to Deanne R. Stodden, Esq., representing the law offices of Castle Mienhold & Stawiarski, LLC who is representing Wells Fargo Bank on a foreclosure concerning property located at 6470 County Rd. 328 owned by Paul and Michele Kelling. It has come to the attention of the lien holders that Mr. & Mrs. Kelling and their neighbors, Mr. & Mrs. Tim Thruns, submitted a request to the county to vacate the original plat of Kelling's Parcels and approve a replat of both the Kelling and Thrun properties to reconfigure the lot lines. This request was approved without the lien holder being notified, which is causing a problem with the legal description involved in the foreclosure.
- ❖ Christy received a letter from the Colorado Department of Transportation, Agent Brian Sauber, who administer the Tourist Oriented Directional Signs program. Mr. Sauber's letter states the county has two signs that need to have the county's approval by October 14th. According to Christy, both signs meet the requirements and she will send the approval to the state. The two signs being referred to are for the "Cross D Bar Trout Ranch" and the "Rainbow Lutheran Trail Campground".
- ❖ The County Administrator is approving permits that come into the office and this seems to be working quite well.
- ❖ Reviewed the agenda for today's joint planning and zoning meeting.

The Board adjourned from their regularly scheduled meeting at 12:00pm.

The Board reconvened at 1:00pm in a joint meeting with the Planning Commission and the Board of Zoning Adjustment.

Commissioner Downey moved to accept the recommendation of the Planning Commission to approve the concept of developing a ski area as proposed by Terry W. Cook and Elinor Brown, as long as the applicant will have to address the concerns of the USFS, water issues, office questions and engineering issues. However, this is not an overall approval until all the issues are addressed and, issues, which came up in the workshop, will be reviewed. Commissioner Shy seconded the motion. Motion passed unanimously.

Being no further business the Board adjourned.

