

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEEETING, MAY 31, 2006**

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

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

The meeting was called to order at 8:40am.

Present in the audience was: Nora Drenner and Allen Butler

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

County General	\$155,673.05
Road & Bridge	149,152.17
Emergency Service	15,456.13
Social Service Department	15,289.78
Capital Improvement	100,062.22
Total	\$435,633.35

The Board discussed the Stone parcel map that was recorded in the Clerk's Office on October 27, 1994, reception number 167380. There is a statement on the recorded map concerning the Wildlife Overlay District. The real estate office working with the sellers of the Stone property located in Bull Domingo Ranch is concerned with the statement that is printed on the map concerning this overlay district. They are concerned it may cause a problem with the closing of the sale. The real estate company would like the Board to write a letter stating that the Wildlife Overlay District clause on the map is not enforceable and is null and void. They directed the county clerk to give a copy of the minutes stating this fact to the real estate company and suggest they revisit this issue with the title company. They also suggested offering them time on the agenda if they would like to discuss this further with the Board.

The sheriff's report for the month of April was approved.

Commissioner Downey made a motion seconded by Commissioner Shy to transfer \$17,128.78 from the Conservation Trust Fund to the County General Fund. Motion carried unanimously.

Commissioner Downey reported that he had visited with Amy Finger, owner of Bear Basin Ranch concerning the possibility of donating or selling the county two acres of land right off of the highway for parking. Amy does not think that they will be able to help the county due to the fact that they have put their property in a conservation easement. However, she does believe that the State Highway Departments right of way extends onto their property. If this is correct, possibly there might be a way working with the state on this issue.

Commissioner Shy updated the Board on the Zebulon Pike celebration. DOLA has funded \$20,000.00 for the production of a map lay out showing the trail that Pike followed. Custer County will be a part of this map. The front of the brochure will be the map and the back of the brochure will list all of the events that will take place. There will be 95,000 brochures printed and distributed to all the communities that are involved.

Being no further business the Board adjourned at 11:50am.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JUNE 5, 2006**

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

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioner
Ric Ferron	County Administrator

Absent: Debbie Livengood – Clerk to the Board

Meeting was called to order.

Present in the audience was: Nora Drenner, Carol Custer and Allen Butler.

Clint Englehart and Dave Trujillo met with the Board to give the monthly report for the Road & Bridge Department.

**WORK COMPLETED IN MAY**

- ❖ Cleaned cattle guards on County Rd. 106, 271, and 265
- ❖ Removed two cattle guards on County Rd. 206
- ❖ Graded County Rd. 191, 192, and 193
- ❖ Hauled road base and graded County Rd. 198 and 150
- ❖ Graded County Rd. 125, 132, and 131
- ❖ Installed “FREE RANGE” sign on County Rd. 255
- ❖ Hauled road base to County Rd. 358 and 341
- ❖ Graded parts of County Rd. 328

**WORK PLANNED**

- ❖ Haul base to Wykagel between Airport Road and Choctaw
- ❖ Grade Wykagel and Airport Rd
- ❖ Grade County Rd 260
- ❖ Install culvert at Geroux’s on Verdemont Rd
- ❖ Grade County Rd 320

Clint raised an issue concerning County Rd. 105. A rancher has abandoned six junk cars in the right-of-way past the gravel pit, just past the first gate. He advised the Board that he had reported the situation to the sheriff’s department.

Commissioner Downey raised the issue of the fact that the USFS is not in line with the county's fire band. They are allowing fires in developed fire pits in the developed campgrounds. The Board of County Commissioners will write a letter to Paul Crespine, District Ranger for our area asking that they totally ban all fires in the campgrounds. (note: Forest Service put this into effect June 21, 2006)

The Board discussed their actions concerning the building code. They scheduled a meeting for June 12<sup>th</sup> at 7:00pm.

Commissioner Hoag made a motion seconded by Commissioner Shy to approve the minutes of the May 16<sup>th</sup> meeting. Motion carried unanimously.

The Board met with Charles Beard and Keith Hood who are representatives for the water round table. Charles presented to the Board several documents concerning water in Southern Colorado. Bob Senderhauf was present for most of this presentation.

A discussion was held concerning the role of the round table and what influence it might have in water issues. Mr. Hood advised that the round table is empowered and financed to do water use/need studies so they may make recommendations. The round table has no enforcement powers. Bob Senderhauf advised that the Upper Arkansas Water Conservancy District was involved in protesting the three filings filed by the City of Aurora.

Bob Stone and Bob Joslen met with the Board in reference to the sale of property in Bull Domingo Ranch and the restrictions concerning the Wildlife Overlay District. The title company is concerned that the restrictions are still on the property even though it has been determined the restrictions are non-enforceable because they were not adopted properly. The Board directed the county administrator to write a letter to Bob Joslen to that effect.

Judy Lohnes, representing the Upper Arkansas Area Council of Governments, met with the Board to provide updated information on the activities and services that COG offers.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JUNE 6, 2006**

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

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioners
Ric Ferron	County Administrator
John Naylor	County Attorney

Absent: Debbie Livengood – Clerk to the Board

The Board met with the County Attorney. Mr. Naylor talked about the legal action against the state in reference to the proposed voting machine purchases. John noted that the Colorado County Clerks Association and the Colorado County Attorneys Association would be discussing this issue at their conferences.

The Board asked Mr. Naylor how they should go about dissolving the Regional Planning Commission. John noted that since it was established by resolution it must be dissolved by a resolution as well.

Mr. Naylor advised that he and the other participating parties would meet this month to finalize the rewrite of the subdivision regulations.

County Treasurer, Doris Porth, met with the Board to give her monthly report. It was approved. She informed the Board that Horn Creek had made a donation of \$2,500.00 to the county to help with road maintainance.

The Board approved a transfer of funds from the Self-Insurance Fund to the IRS Section 125 Plan account in the amount of \$1,95501. This transfer was done on May 26<sup>th</sup> to cover the account from being short of funds.

Commissioner Shy made a motion seconded by Commissioner Hoag to transfer \$1,954.97 from the Self Insurance Fund to the Section 125 account. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Hoag to authorize Doris and John Piquette to develop a method that would cover the expenses of the Section 125 Plan for the remainder of this year. Motion carried unanimously.

Doris Porth raised the issue of the state mandated salary increases for elected officials. She advised the Board that she had talked with Senator Kester and CCI and both advised her that the county officials could opt out of the raise by sending a letter to the county stating they would like to take a lesser salary. The exception in salary would be for the full term of the elected official and could not be changed during that term. Commissioner Shy and Downey provided related information to the discussion. Doris pointed out that the elected officials with the exception of the commissioners will receive a 17% raise, and the commissioners will receive a 40% increase to their salary. Doris voiced a concern that future budgets may not have sufficient funding to provide future salary increases for county employees if such large increases are made to the elected officials salaries.

County Health Nurse, Kelly Johnson met with the Board and presented her report for both April and May.

Jean Mavarothis met with the Board and made a presentation concerning the Colorado Clean Indoor Air Act of 2006.

Christy Kesselring met with the Board and presented her monthly report for the Planning and Zoning Office.

Craig Feldmann, Officer of Emergency Management, met with the Board in reference to CERT. He reported that Fremont County would like to take part in this effort. A regional CERT coordinator has been certified for training. Craig also has a plan to ID volunteers for the CERT training among pre-existing members of the Wet Mountain Fire Protection District, EMT's, Posse members, ect. Craig also made a proposal that in the month of August that he and the assistant OEM Director switch roles.

Commissioner Hoag made a motion seconded by Commissioner Shy to switch the roles of the OEM officer and his assistant effective Sept. 1, 2006 through December 31, 2006. At that time they would re-write the OEM contract to reflect any changes. Motion carried unanimously.

Bob Senderhauf presented the Board with information on the water issues discussed earlier.

The Board adjourned at 12:00pm for lunch.

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

Commissioner Shy moved to accept the recommendation of the Planning Commission to approve the Special Use Permit request by RDH Holdings/Ralph and Donna Hood with conditions that; 1) The SUP will be in effect as long as the property is owned by RDH Holdings, LLC; 2) The permit will be reviewed on a written complaint basis; 3) The

project will comply with all local, state, and federal regulations. This includes the water issue; 4) The facility will meet the conditions of the fire district and will be inspected annually for compliance. Adding that the applicants need to find out what the engineer's design capacity is for the septic system. Anything over that capacity would require portable toilets. Commissioner Hoag seconded the motion. The motion passed unanimously by voice vote.

Being no further business the Board adjourned.