

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, JANUARY 31, 2007**

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

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

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

County General	\$718,060.51
Road & Bridge	87,338.74
Emergency Service	9,077.03
Social Service Dept.	14,839.89
Capital Improvement	5,767.93
Self Insurance	125,638.50
Total	\$960,722.60

The pledge was recited.

OLD BUSINESS

Discussed the earthbank that Len Lankford has in front of his property on County Road 328. The Board discussed with Mr. Lankford the problem it is creating when the wind blows snow across the road causing white-out conditions. Mr. Lankford has plowed in snow berms on the inside of the earth bank to help with this problem. However, according to the Road & Bridge Supervisor it has not helped.

Discussed the county credit card and deleting Dale Hoag's name from the account. Debbie Livengood stated that this has not been changed yet. Mr. Hoag will be coming into the clerk's office and we will call the credit card company together to get it changed.

Sue Hutton does not want to be involved with the Economic Development Committee at this time.

NEW BUSINESS

Commissioner Shy made a motion seconded by Commissioner Downey to adopt Resolutions 06/06 and 06/07 appropriating additional sums of money to defray expenses in excess of amounts budgeted for the county in the Capital Improvement Fund and the

General Fund to be backed dated into the December 2006 minutes. Motion carried unanimously.

Commissioner Downey reported on the CCI steering committee meetings he attended on January 26th for Public Lands, Agricultural, and Land Use/Natural Resources concerning pending legislation. He reviewed all of the House Bills and Senate Bills that were involved with these committees.

Commissioner Shy made a motion seconded by Commissioner Downey to have the county administrator write a letter to Mr. & Mrs. Dwight Brothers informing them that they will re-schedule the site tour of the property and gate in question, along with reviewing any other written documentation that they have for the Board at a date that is mutually agreed upon by all parties when the weather permits.

Commissioner Shy made a motion seconded by Commissioner Downey to appointment Charles Beard as the representative for the towns on the Upper Arkansas River Basin USGS Ground Water Study.. Chris Haga will represent the Round Mountain Water and Sanitation District and Carole Custer will be the representative for the county. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to approve the minutes of the January 9th and 12th meetings as corrected. Motion carried unanimously.

USDA Rural Development Manager, John Kost, met with the Board to give a presentation of what this program offers and how it can benefit the community. He shared that this program is set up to help low-income families with housing. Some of the programs available are direct home loans, which assists very low income families purchase or build a home; mutual self help housing program; guaranteed loan program; home repair assistance, along with other various programs. According to Mr. Kost, this program spent \$30 million dollars on financing in the year 2006. The loans that are made vary from 33 years to 38 years with interest rates from 1% to 5-¾ %. The Board asked Mr. Kost if he would mind rescheduling his complete presentation to a later date so other interested parties could have the opportunity to attend. He agreed.

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

Charles Beard, Bob Senderhauf, Chris Haga, and Sue Hutton met with the Board to discuss a grant request to the Colorado Water Conservation Board, for the purpose of improving the Round Mountain Water and Sanitation District Water System. The amount of the grant request is \$120,000.00. They would like the county to write a letter of support that may be attached to their grant application. They also informed the Board that they are applying for an additional grant through DOLA in the amount of \$500,000.00.

Chris Haga, Bud Piquette, Charles Beard, and Sue Hutton will give a presentation to the seven members of the Upper Arkansas River Basin Round Table Committee on February 7th concerning their request and the need to upgrade the current system.

Mr. Beard explained that there are two phases in this plan. The first phase will be to get the well in and electricity to the well.

Commissioner Shy made a motion seconded by Commissioner Downey to have the county administrator write a letter of support for the Round Mountain Water & Sanitation District Water System Improvements to be modeled by the letter of support written by the Town of Silver Cliff that will be attached to the grant application. Motion carried unanimously.

Commissioner Custer reported on the Human Services Steering Committee meeting that she attended on January 26th in Denver. She reviewed the various House Bills that were discussed and the direction that CCI was taking on each of these bills.

Commissioner Shy made a motion seconded by Commissioner Custer to accept Linda Swift's letter of resignation as the Useful Public Service Coordinator and accept her recommendation of appointing Kay Rocheleau to fill the position and her request for a severance check. Motion carried unanimously.

The Board discussed personnel changes due to the resignation of the county administrator effective March 31st, 2007.

After much discussion between the Board, the county administrator, and Rusty Christensen, the landfill supervisor, it was decided that Rusty would assume the duties of the landfill that the administrator currently does. Rusty will assume these duties immediately and Chuck Ippolitio will be available for support while he learns the added responsibilities.

Commissioner Custer made a motion to start the process of Dawna Hobby assuming the position of Human Resource/Finance Officer as soon as feasible. Commissioner Shy made an amendment to the motion that this position would be located in the current county administrators office. Commissioner Custer seconded the amendment to the motion. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to place Commissioner Downey in charge of the custodian personal in the absence of the administrator. Motion carried unanimously.

Commissioner Custer made a motion seconded by Commissioner Shy to pay the position of Human Resource/Finance Director \$40,000.00 a year to become effective February 1st, 2007. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to increase the salaries of the landfill personal as follows due to the additional responsibilities in their jobs.

Rusty Christensen - \$4,000.00 a year; Rick Smith – \$1.00 per hour increase; and Nick Kantjas - \$.50 per hour to become effective March 1, 2007. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Custer to place Commissioner Shy in charge of the landfill operation on an as needed basis in the absence of the administrator. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to present Clint Englehart with a Dedicated Service Award in the amount of \$750.00 for his performance during the recent snowstorms. Motion carried unanimously.

Being no further business the Board adjourned at 4:00pm.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 5, 2007**

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

Dick Downey	Chairman
Kit Shy	Vice-chair
Carole Custer	Commissioner
Debbie Livengood	Clerk to the Board

Absent: Ric Ferron – County Administrator

Also present was Nora Drenner.

Meeting was called to order at 8:30am.

The pledge was recited.

The Board met with Christy Feldmann, the OEM Director, and Craig Feldmann to discuss the voucher that was presented to them on January 31st for payment in the amount of \$531,838.00 payable to Motorola. This voucher included the tower, which was in the amount of \$514,582.00, and the radios were a total of \$17,256.00. Christy explained that as soon as the state has received proof that the radios have been paid for, they would reimburse the county \$17,256.00.

Christy informed the Board that the mobile command center would be installed this week and she will be vouchering \$7,436.23 in February for it. She will also be requesting a new recorder for dispatch from the Homeland Security Grant funds. The county will be

receiving \$10,000.00 this year from EMPG to be used for administration costs and office expenses. The CERT program has been reorganized and monthly meetings have started for this year. There is a total of \$8,000.00 that has been granted to our region (there are five counties in our region) through the CERT Grant.

Christy Feldmann has met with Bob Wright, who is the FEMA representative. He will be helping Christy with the task of contacting all Private Non-Profits in our county to inform them of the possible eligibility of relief funds.

Christy Feldmann also informed the Board that OEM will be starting a program that will access everyone's credentials who are involved with EMS. She explained the way this would work is that a card with a magnetic strip would be issued to everyone in the emergency field. When an individual would show up to an emergency situation they would swipe their card and it would bring up their credentials. The county has the equipment and the region has finally agreed upon the protocol for the ID's, which will be issued.

Christy will be attending the Governor's Conference from March 26th through April 1st. The first two days will be a workshop for new Emergency Managers.

Jerry Brown met with the Board concerning County Road 136. During the recent snowstorms Mr. Brown called one of the local contractors to plow out his driveway. His wife, who has a medical condition, was in need of medication and he was unable to get out of his driveway. The contractor was unable to get to the Brown's driveway without first plowing the county road. Mr. Brown explained that the county had plowed the county road the day before, and he did not realize that the road had blown shut again before calling the contractor. He was asking if the county would consider reimbursing him the \$150.00 that he was charged for plowing the county road. The Board apologized, but said they could not reimburse him the money he paid out. They suggested that next time there was a situation like this to call dispatch.

The Board made a presentation to Clint Englehart for his hard work and dedication of service during these recent snowstorms.

Road & Bridge Supervisor, Clint Englehart and Dave Trujillo, met with the Board to give the road and bridge report. Clint reported that the D6 Cat, is in need of roller repair and the 936 loader is not in working condition due to the transmission. The month of January has been either snow removal or repairing equipment.

The Board suggested that Clint talk with CTSI about the possibility of homeowners insurance being involved with the recent damage to mailboxes and fences that have resulted from the recent snowstorms. Clint advised the Board that due to the fact that the snow has been piled so high, when the crew is out plowing they are unable to see the mailboxes and some of them have been destroyed. The other problem that the county will be seeing when the snow starts to melt a number of fences have been torn down due to piling the snow on the sides of the road.

Clint also discussed the possibility of having the Road & Bridge crew have individuals sign a waiver that would release the county from all liability should any injuries or damage be caused when the county is helping someone who needs pulled out of the snow, etc. The county administrator will visit with CTSI concerning this issue and get back to Clint.

Christy Kesselring reviewed the agenda for tomorrow's meeting. Other items discussed were as follows:

1. Discussed the zoning fees that are charged and possible changes for 2007. Commissioner Downey made a motion seconded by Commissioner Shy to make the following adjustments to the current fee schedule to become effective April 1st, 2007. Motion carried unanimously.

Under Septic Permits changes will be as follows:

<i>Modification of Septic System</i>	<i>\$125.00</i>
<i>A repair to a Septic System</i>	<i>75.00</i>

Under Zoning Variances changes will be as follows:

<i>All variances that are administrative will be</i>	<i>\$100.00</i>
<i>All variances that are board action will be</i>	<i>300.00</i>
<i>Special Events permit (administrative)</i>	<i>\$100.00</i>
<i>Special Events permit that requires additional fees (professional services plus postage)</i>	<i>\$300.00</i>
<i>Special Use Permit Modification (administrative)</i>	<i>\$300.00 plus exp.</i>

2. Discussed subdivision regulations.
3. Mr. Gomez has filed his alternate sewage system plan to resolve his problem with his current septic system. According to his plan he will have this new plan in effect by November 2008. The zoning office has accepted his plan.
4. The special use permit issued to Guy and Karen Madden is up for review. According to Christy, the zoning office has reviewed the file and there have been no complaints. The SUP will expire five years from the date of application.

Jackie Hobby asked the Board for their permission to work on a septic resolution. The Board approved her request.

Other issues Christy inquired about:

1. The memo that was sent to the offices concerning the recycling of paper within the courthouse. Christy was concerned that the information from their office usually has too much personal information printed on it to be recycled.
2. She informed the Board that the zoning office is using time cards for their personnel.
3. Elizabeth French has requested a split keyboard. According to Elizabeth her doctor says she has carpal tunnel and a split keyboard would help. Christy asked Elizabeth to get a note from her doctor stating that she has carpal

tunnel and needs a certain kind of keyboard. Until she provides a note from the doctor, Elizabeth will provide her own keyboard.

4. Christy offered the suggestion that a way to save money within the county would be to open the zoning office from 8:00am till 2:00pm. She checked with Fremont County and this is what they do and it seems to work with no problems.

Commissioner Custer made a motion seconded by Commissioner Shy to present the three individuals that were not re-appointed to either the BZA Board or as alternates to the Board with a certificate and letter of appreciation for their dedicated service to these boards. Motion carried unanimously.

Commissioner Custer made a motion, that as the Board of County Commissioners, we eliminate Bullet B of Section 4 on page 27 of the Custer County Zoning Resolution. Commissioner Custer withdrew her motion.

Angie Arterburn, representing the Economic Development Committee, met with the board requesting their approval to form a tourism council that would be developed through the county. Angie believes that there are two reasons why a tourism council needs to be formed. The first reason being that if a question is put on the ballot for a tourism tax and it should fail, this committee would have the means to apply for grant funds. Secondly, she feels that there needs to be a committee formed to work on the information needed to put a lodging question on the ballot.

The Board did not give their approval of her request to develop a committee, but instead suggested that the Chamber of Commerce and the Economic Development Committee communicate with one another.

The Board informed Angie that they would like to receive a letter from the chamber stating that they want to be involved with and participate in the community assessment process.

County Extension Agent, Karen Crumbaker, met with the Board to make recommendations of appointments to the Custer County Extension Advisory Board, Custer County Fair Board, Weed Advisory Committee, and the Economic Development Committee.

Commissioner Custer made a motion seconded by Commissioner Shy to accept the recommendations to the various boards as presented by Ms. Crumbaker. Motion carried unanimously.

Custer County Extension Advisory Board
(3-year terms)

Jack Canterbury (Fair Board Representative)

Custer County Fair Board
(3-year terms)

Joanne Canda

1/1/2010

Custer County Weed Advisory Committee
(1-year term)

Jean Canterbury

Harvey Geroux

Christina MacLeod

Bill Donley

J.R. Phillips

Jim Sperry

Custer County Economic Development Committee
(1-year term)

Charles Bogle – Chamber of Commerce

Cindy Howard – Chamber of Commerce Alternate

Brian Woods – Construction

Christe Feldmann – Emergency Services

Dee Hoag – Health Care

Enos Mullett – Health Care Alternate

Wanda Johnson – Lodging

Robert Weisenbach – Lodging Alternate

Jim Johnson – Non-Profit Organizations

Mike Shields – Ranching

Bruce Lind – Real Estate

Jack Canterbury – Real Estate Alternate

Lance Villers – School/Education

Alan Urban – Silver Cliff Town

Janice King – Silver Cliff Town Alternate

Glen Livengood – Utilities

- Utilities Alternate

Bob Senderhauf – Water

Jess Price – Westcliffe Town

George Draper – Wetmore/San Isabel/Hillside

Jim Conley – Facilitator

Karen Crumbaker – Facilitator

Angie Arterburn – Steering Committee

Jim Johnson – Steering Committee

Peggy Quint – Steering Committee

Karen Crumbaker – Facilitator

Jim Conley – Facilitator

Karen Crumbaker informed the Board that CSU has decided to drop the word “Cooperative” in their title for the extension office. In our county the name will now be Custer County Extension.

Jim Sperry, J.R. Phillips, and Karen Crumbaker have applied for a matching grant through NRCS in the amount of \$182,000.00. J.R. and Karen are also applying for a USFS grant.

There was some discussion on the Economic Development Committee meeting that was held on February 9th. Karen Crumbaker informed the Board that she needs letters of support from both towns as well as the county that will be attached to the application for the community assessment process plan.

Being no further business the Board adjourned at 2:15pm.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 6, 2007**

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

Dick Downey	Chairman
Kit Shy	Vice-chair
Carole Custer	Commissioner
John Naylor	County Attorney
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

The meeting was called to order at 8:45am.

The pledge was recited.

Various topics discussed with the county attorney:

- Discussed the action that was taken on January 30th, 2007 to separate the Board of Zoning Adjustment and the Planning Commission meetings. Both would be held on the same day. However, the BZA, should there be a need for a meeting, would meet in the morning and the Planning Commission would continue with the joint meeting with the commissioners in the afternoon. Also discussed was the separation of the alternates for these two boards.
- Site tours were discussed. The county attorney’s opinion was that a site tour gives a board member a better perceptive of what the situation is that they will be deciding on at the hearing instead of just reading the material. The boards just need to be reminded that there can be no discussion or questions asked by them of

the landowner(s) during these site tours. The only questions that may be asked is by the staff of the zoning office.

- The county attorney informed Christy that is okay to approve the Board of Zoning Adjustment minutes at their next scheduled meeting. The action that was taken will still be enforced even though the minutes have not been approved.
- Discussed the Custer County Zoning Regulations. Mr. Naylor stated that there is no need to modify the zoning regulations concerning the deletion of Bullet B, Section 4, on page 27. The regulations do not mandate that these items be followed. If the board decides to split their meetings, the chairman of each board will conduct the meeting.
- Discussed the Master Plan. According to Christy, this is the year the Master Plan is to be reviewed. She was asking for the attorney's opinion if this is a "must do" requirement. According to Mr. Naylor, the statute is very vague. It reads that the plan "should" be reviewed.

Christy Kesselring asked the Board what their priorities were for the Planning Commission. Did they want the board to work on the Zoning Resolution, Subdivision Regulations, or Master Plan first? After some discussion it was decided on by the Board that the Planning Commission should finish the subdivision regulations first since they have been working on them and they are just about done. After the completion on the subdivision regulations then the second priority would be to work on the zoning regulations. Commissioner Shy did suggest that at today's joint meeting, that it be announced that they will be starting a comprehensive review of the master plan.

The Board will review the Special Events Use Permit application and address it at next months meeting.

Donna McDonnall met with the Board to give the County Health Nurse report. There were six child immunizations and forty-four adult immunizations given, along with twenty-five health screenings done in January. Donna just finished taking two courses on line that were required for the emergency preparedness program. She has also given a presentation on the symptoms and treatment of hypothermia to the Community Emergency Response Team.

Gail Stoltzfus, Gail Frickell, and Donna McDonnall have been working on the Community Health Plan through the State Nursing Service Grant program. They evaluated their progress on the objectives that were set last year and re-wrote their objectives for this year. They listed their top three priorities as; 1) emergency preparedness, 2) limiting tobacco use, and 3) increasing the vaccination rate for vaccine-preventable diseases. This process has to be done every five years.

She has provided two families with information sheets along with an application that they may fill out and send in for HCP (Health Care Plan for Children with Special Needs) if they would want assistance.

Donna is continuing to give flu shoots. She has ordered an additional 1200 doses for the fall of 2007. She will also be ordering the HPV vaccine (human papilloma virus) and a vaccine for shingles. She also reported that she has submitted her MCH report (Maternal Child Health). The report deals with the number of children that have been seen by the county health nurse in 2006 and their insurance status.

Dave Roever, owner of Eagle Springs Ranch, has a three-phase generator that he is willing to donate to the county that can be used at the school. Mr. Roever in exchange for the generator would like to have a receipt from the county for tax purposes and a little positive press in the paper.

Laree Villers has volunteered to help Donna one-day a week in her office at the clinic.

Gail Stoltzfus has been nominated for the Nightingale Award for "Excellence in Caring". She will be honored at a luncheon on March 2nd at the La Renaissance Restaurant in Pueblo. Donna suggested that the Board write her a letter of congratulations on her nomination for this award.

Tolola Pearl, Administrator for the West Custer County Clinic, met with the Board and presented an amended copy of the West Custer County Hospital District/Custer County Public Health Nurse Memo of Understanding to be signed by the Board.

Commissioner Shy made a motion seconded by Commissioner Custer to accept the amended contract, becoming effective the date it is signed by the Board of County Commissioners. Motion carried unanimously.

Tolola Pearl informed the Board that they would probably be moving forward to place a question on the November 2007 ballot asking the electors of this county to approve the creation of a Special Ambulance Corps District.

Jean Mavromatis, Tobacco Education and Prevention Coordinator, met with the Board to give her monthly report. This program has received \$24,515.63 from STEPP and \$5,000.00 from ADAD. She reviewed the different meetings that she attended in the months of December and January.

County Treasurer, Virginia Trujillo, met with the Board to give her monthly report. It was approved.

Commissioner Shy made a motion seconded by Commissioner Custer to transfer \$301.12 from the In Lieu of Taxes Fund to the Health Insurance Fund. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Custer to have the county treasurer close the County Road and Bridge sales tax account that was created for the sale of culvert pipe (account number L05-14664-000). Motion carried unanimously.

Bill LeRoy, Chairman of the Custer County Building Committee, met with the Board to present a draft copy of their building committee report.

The purpose of this report is to inform the Board of their progress in analyzing the building deficiencies in our county and to make recommendations on how to correct these deficiencies. This committee is made up of eight very diverse individuals that have been assigned certain tasks.

This committee has been researching various items such as the problems our county has experienced with the current building practices, the UBC Code, ICC Code, alternative building solutions, adopting regulations instead of a building code, and the possibility of having contractors be registered or licensed. They are inquiring with other counties that are similar to ours to see why they chose to adopt a building code or not. The building practices are being looked at for safety reasons, and public welfare. The committee has gathered no information to substantiate unsafe practices, however, there is some evidence of poor contractor performance. Mr. LeRoy plans to interview recent homebuilders to establish their expectations and problems they might have had. Commissioner Shy cautioned Mr. LeRoy on confidentiality and care in “not identifying” the data received.

Commissioner Custer made a motion seconded by Commissioner Shy to approve the minutes of the January 29th and 30th minutes. Motion carried unanimously.

Being no further business the Board adjourned.