

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, DECEMBER 29, 2009**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS BOARDROOM.

Commissioner Lynn Attebery called the meeting to order at 9:00 AM and the Pledge of Allegiance was recited

Roll Call was taken:

Lynn Attebery	Chairman	Present
Jim Austin	Vice-Chairman	Present
Carole Custer	Commissioner	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present was Nora Drenner reporter for the Wet Mountain Tribune and several community members.

AGENDA

Call meeting to order
Pledge of allegiance
Roll Call
Amend agenda
Approval of minutes
Old Business:
Custer County Community Development
Staff Reports
Hanssen Haus Resource Center (HHRC)
Veterans Service Office (VSO)
Enterprise Zone Grant Representative

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To accept the posted agenda. The motion carried unanimously.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To approve the minutes of December 7 and 8, 2009. The motion carried unanimously.

Commissioner Attebery stated that the Custer County Community Economic Development Committee (CCCEDC) is requesting guidance and support from the BOCC. He remarked a work session was held on December 15, 2009 for discussion purposes.

The Board invited Nora Drenner into the discussion.

Commissioner Attebery expressed concern regarding the number of members on the CCCEDC and felt reducing that number would assist the decision making process. He felt the present direction of the CCCEDC is too broad and vague. He suggested the CCCEDC interact with the Southern Colorado Economic Development District (SCEDD) to access incentives and finances.

Commissioner Attebery stated that the extension agent role is a leading force of the CCCEDC. He proposed inviting the CCCEDC to the next Summit Meeting for open communication and suggestions from all three entities: Custer County, Town of Silver Cliff, and the Town of Westcliffe.

Commissioner Austin expressed concern that the county was not in a position to provide any funding to the CCCEDC at this time and suggested the committee research funding options. He said the Board needed to determine a mission statement for the CCCEDC to assist them with direction. He acknowledged the loss in continuity resulting from the absence of an local extension agent and stated that Tommy Covington, acting interim Extension Agent should interact with the CCCEDC and be the facilitator on behalf of the extension office. Commissioner Austin stated he was in complete support of the Custer County Veterans Cemetery project. The BOCC agreed to prepare of letter of support for the Veterans Cemetery Project and forward it to the appropriate congressmen and senators. Commissioner Attebery will request a letter of support from Huerfano County. Commissioner Austin will request a letter of support from Fremont County. .

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

To prepare a letter of support for the Custer County Veterans Cemetery proposal. The motion carried unanimously.

Commissioner Custer said that the BOCC should attend and participate in the CCCEDC regular scheduled meetings. She suggested that on the conflicting dates with scheduled BOCC meetings, the BOCC agenda be revised to enable the Board or one representative to attend the CCCEDC meeting. Commissioner Custer said she felt the BOCC should prepare a focus direction from the county's perspective prior to the Summit Meeting scheduled in February 2010.

Following a discussion the Board agreed the name Custer County Community Economic Development Committee (CCCEDC) would stay as it was originally envisioned and referenced in the by-laws. The CCCEDC would continue to follow the Community Action Plan (CAP) with the following sub-committee topics.

Business and Community Development – support the buy local campaign.

Human Resources – provide the best educational opportunities for adults and work related education programs in the county (collaborate with the school district, on-line opportunities; explore resources to offer services under CSU extension).

Natural Resources – retain water within the county, conservation and sustainability.

Tourism and Marketing – collaborate with the tourism board, appoint a tourism board member to serve on the CCCEDC board, promote the county as resources allow.

The BOCC added Financial Opportunities to the topics and recommended that the CCCEDC interact with SCEDD to obtain funding guidance, support and incentives. The Board agreed to prepare a letter to the CCCEDC outlining the focus.

Commissioner Custer presented the Contract between the Custer County Government and Custer County Transitions for the Boards approval and signature. She stated the Custer County Kids Club (CCKC) would transition to a 501 (c) (3) at the close of 2009. Commissioner Custer stated the County Attorney had reviewed and approved the contract as presented.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To sign the Contract as presented. The motion carried unanimously.

This Contract entered this 29th day of December, 2009 by and between the Custer County Board of County Commissioners, hereinafter referred to as “County”: and Custer County Transitions, a Colorado Not for profit Corporation, hereinafter referred to as “Transitions”, for the transfer of assets.

Whereas, County desires to no longer operate a children or youth after-school and summer educational program funded through the Colorado Works Temporary Assistance to Needy Families (TANF) county reserves and state Child Care monies provided by the County Department of Social Services, and
Whereas, Transitions, a community based, Colorado Not for profit corporation registered with the Department of Treasury, Internal Revenue Service, Employer Identification Number (EIN) 61-1603836 desires and who purpose is to operate children and youth after-school and summer education programs, and

Whereas, Transitions has been developed in response to local needs determined by a Strategic Planning Process and based on the advice of the Kids' Club Advisory Board of Directions; and
Whereas, Transitions and County recognize the need for quality after-school and summer programs for children, youth and their families in the county and matching state/county financing and position authorization is not available; and

Whereas, Transitions and County desire to enter into this Contract as a document to set out the nature of the program and the relationship of the parties:

Now, therefore, for good and valuable consideration the parties do hereby agree to expend their best efforts to conduct and support a Transition program under the following terms and conditions:

Section 1, County agrees:

- (a) To transfer all equipment, furniture and operating supplies as outlined on the attached Kids' and Youth Clubs Equipment and Furniture Inventory and Replacement Plan Lists to Transitions.
- (b) To transfer all monies in the Kids' Club county line item to Transitions after all 2009 invoices and vouchers have been paid and verified.
- (c) To allow Transitions to conduct activities at the Hanssen Haus Resource Center in exchange for Transitions making the Youth Club equipment and furniture available for county use.

Section 2, Transitions agrees:

- (a) To comply with all requirements, rules and regulations related to the operation of state licensed Child Care facility and a best practices Youth Club program.
- (b) To maintain accurate Equipment and Furniture Inventory and Replacement Plan Lists that account for all property in the possession of Transitions that was purchased with public funds.
- (c) To comply with the Transition Bylaws.
- (d) To provide age and culturally appropriate activity and programs that are of high quality, safe, interactive, and hands on that comply with the Kids' Club and Youth Club Bylaws.
- (e) In the event Transitions would dissolve, in compliance with its article of incorporation, any items transferred hereunder, which remain or are still in existence, shall be transferred to the Custer County C-1 School District.

Section 3, Program Priorities:

The Parties acknowledge that Transitions has sole discretion, based on the requirement set forth in grant contracts received, concerning activities and programs provided.

In Witness Whereof, the parties hereto have set their hands as indicated below:

Board of County Commissioners of Custer County

John R. Naylor, County Attorney

Lynn Attebery, Commissioner, Chairman

Custer County Transition

Gregory L. Watkins, Transitions Attorney

Carole J. Custer, Ph.D., Director

Commissioner Custer presented a letter to Monica J. Backson for the Boards approval and signature. The correspondence acknowledges Ms. Backson's contributions to the CCKC and outlines the items to be returned in the event of the CCKC disbandment.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To sign the letter as presented. The motion carried unanimously.

Commissioner Attebery remarked that the County Attorney has received notice from Banner & Bower, P.C., Attorneys at Law representing Robert Hamilton stating they will defend any attempt Custer County makes to intervene in the Halpin/Hamilton litigation.

Commissioner Custer proposed that BOCC meet regularly on Tuesdays with an additional Wednesday plus the last working day of the month in 2010. Commissioner Attebery and Commissioner Austin responded that the proposal was duly noted and the BOCC meeting schedule for 2010 would be determined in January 2010.

Commissioner Austin requested that the BOCC support the wilderness designation process for western Colorado proposed by Eagle County. The Board agreed to have Commissioner Austin respond in support of Custer County.

The BOCC recessed at 10:40 AM.

The BOCC reconvened at 11:00 AM.

Lorraine Silva, HHRC Navigator and Veterans Service Assistant met with the BOCC and gave a report. She provided the Board with a year to date revenue and expenditure report on the HHRC and the VSO. She gave an update on the Promoting Safe and Stable Family; Tony Garcia Youth Services and Energy Outreach grants. Ms. Silva presented the Board with the County Veterans Service Officers Monthly Report and Certification of Pay for November 2009. Commissioner Custer signed the report as the County Commissioner/Designee. Ms. Silva reported that eighteen veterans were served in November and seventeen in December 2009. Commissioner Attebery requested that Ms. Silva prepare a monthly report outlining the specific usage (time and date) of entities utilizing the HHRC.

Kathy Reis, Enterprise Zone Grant Representative and UAACOG Business Loan Representative met with the BOCC and gave a report on the enterprise zone grant and the UAACOG business loan program. Ms. Reis expressed support for the Downtown Colorado project. The Board asked Ms. Reis to investigate if the CCCEDC would qualify for funding under the enterprise zoning grant.

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To adjourned the meeting. The motion carried unanimously.

The meeting was adjourned at 11:45 AM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman