

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, MAY 5, 2010**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONER’S 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 Paul Crespin, District Ranger with the US Forest Service and Carl Bauer, San Carlos District Ranger.

**AGENDA:**

- Call meeting to order
- Pledge of allegiance
- Roll Call
- Amend agenda
- Audience introduction
- Approval of minutes: April 14, 2010
- Old Business:
- Discussion and update on the Wetmore Project
- Discussion on County Extension/Agent Administration Assistant Report.
- New Business:
- Discussion Lake Deweese Campground maintenance
- South Colony Proposal – Paul Crespin USDA Forest Service
- IT Report - Chuck Ippolito
- District Attorney – Thom Ledoux (reporting on 2009 budget figures)
- Public Health Report – Donna McDonnall
- Tobacco Educator – Jean Mavromatis signature on grant application
- Human Resource/Finance Report – Dawna Hobby
- Social Service Report – Laura Lockhart
- Road Bridge Report – Dave Trujillo
- Treasurer Report – Virginia Trujillo
- Hanssen Haus Resource Center/Veterans Service Report – Lorraine Silva

**MOTION by Commissioner Attebery, seconded by Commissioner Austin:**

To accept the posted agenda. The motion carried unanimously.

**MOTON by Commissioner Custer, seconded by Commissioner Austin:**

To approve the minutes from the April 14, 2010 BOCC meeting as presented. The motion carried unanimously.

Paul Crespin, US Forest Service District Ranger distributed a drafted news release to the BOCC. The US Forest Service is soliciting public comments on its proposal to initiate a permit and fee system for recreational access to South Colony Basin and the surrounding 14,000-foot peaks in the Sangre de Cristo Range. Mr. Crespin said that managing the recreational use and protecting the environment in South Colony Basin presents the forest service with many challenges not found in other back country locations; such as maintaining costly summit trails, restoring degraded alpine ecosystems, supporting search and rescue operations, and dealing with human waste. The appropriated funds are not sufficient to sustain the recreational facility and environmental protections in the basin. He said the revenue from the proposed recreational use fees will help close the gap. Mr. Crespin said the preliminary fee proposal would require visitors to obtain a special recreational permit for access to South Colony Basin and adjoining summit trails. The proposed permit fee would be \$10 per person per trip for day trips, and \$20 per person per trip for overnight trips. He said the fee proposal will likely be considered between January and April of 2011. He commented that the US Forest Service may request a letter of support on the proposed permit fees from the BOCC in the future.

Carl Bauer, San Carlos District Ranger reported that the trailhead register data indicates that approximately 3,500 to 4,500 people visit the small basin at the head of the South Colorado drainage during each summer season. He said the public services and environmental protections to be provided through the fee collections included but were not limited to: maintenance and development of summit trails; ecological monitoring; designated campsites; waste alleviation and gelling (wag) bags will be provided at the trailhead sites; the presence of a wilderness ranger; maintenance of portal areas and facilities; installation of trash dumpsters; support for search and rescue services; and to provide a partnership and a volunteer stewardship.

Commissioner Custer inquired about the procedure for the administration of the permit and fee system. Mr. Crespin responded that options being considered were a stationary box at the trailheads; accessibility on the website; and customer service at the local forest service offices. Commissioner Custer suggested the forest service research the possibility of hiring a local youth intern under the Governor's Summer Job Hunt Program. She also suggested a partnership with the local Custer County Conservation District.

Commissioner Custer remarked that all across the front range, people with disabilities are struggling to enjoy these types of facilities and asked for consideration for American Disability Act (ADA) accessible trails. Mr. Crespin and Mr. Bauer responded that by law the US Forest Service must comply with the ADA guidelines. Commissioner Custer asked where the information regarding the ADA physical access to USFS facilities could be found. Mr. Bauer replied that the US Forest Service was in the process of revising the national website and that information will be available on the website.

Commissioner Austin said there has been some discussion regarding the establishment of a mountain trekking trail from the Cotopaxi area to the southern terrain.

Commissioner Attebery expressed appreciation for the services and support of the US Forest Service. He said that he supported the proposed permit and fee system and felt that it was a priority for the protection and preservation of our natural resources. Commissioner Attebery confirmed the August 17, 2010 BOCC meeting will be in the San Isabel. He asked Mr. Bauer to provide an update on the request made last year regarding a rock crusher and gravel pit for that area.

Thom LeDoux, District Attorney met with the BOCC and reviewed the line items of the 2009 and 2010 District Attorney 11<sup>th</sup> Judicial District budget. Mr. LeDoux reported that the final 2009 budget was in balance. Commissioner Attebery commended the department for weathering the current budget shortfalls. Commissioner Austin agreed. Commissioner Custer referenced the line item reflecting a 10% increase in the District Attorney salary. Mr. LeDoux responded that the salary was mandated by state statute. Commissioner Custer inquired on the accounting/audit line item and asked if these services were completed internally or externally. Mr. LeDoux responded that the accounting/audit services were both in-house and through an accounting firm in Boulder, Colorado. Commissioner Custer suggested that in an on-going effort to keep those funds within the district, that the District Attorney's office engage in research for a local accounting firm that could provide those services. Mr. LeDoux agreed.

Mr. LeDoux requested that the Counties comprising the 11<sup>th</sup> Judicial District of Colorado consider the addition of a ballot question for the general election to be held on November 2, 2010. He stated the proposed ballot question would waive the existing term limits for the office of District Attorney. He reported that Chaffee, Fremont and Park Counties were in support of the proposal. He distributed a Resolution template for review and approval of the BOCC. Commissioner Attebery responded that he supported the proposal. He said he would like to confirm the support of the other Counties in the 11<sup>th</sup> Judicial District. He stated the resolution would require the review of the Custer County Attorney. Commissioner Austin agreed. Commissioner Custer stated that she did not support the proposal. She said she was willing to have the proposal on the ballot to allow the voters to decide.

Mr. LeDoux reported that he had completed his investigation and determined the shooting death in downtown Westcliffe, Colorado last month was handled appropriately. He said Sergeant Rafferty was justified in using deadly force to defend himself from a person yielding a deadly weapon. He stated that he had reviewed the law enforcement reports, and discussed the case with the Colorado Bureau of Investigation (CBI). He commended the Custer County Sheriff's Department for their support and actions during the incident.

Chuck Ippolito, IT Director met with the Board and gave a report. He said that he wrote several programs for the Planning and Zoning Office, the Sheriff's Department and the Road and Bridge Department. He reported the last six townships have been digitized. He said the most competitive quote for satellite imagery photography for the county would be approximately \$60,000. He said that imagery would meet the needs and requirements for the wildfire mapping; the flood mapping; hydrology study mapping and emergency service; search and rescue criteria. The Board agreed that satellite imagery would meet the guidelines of the Title III County Funds. The BOCC will review the proposal with the County Attorney at the BOCC meeting scheduled May 11, 2010. Commissioner Austin proposed consideration be given for the purchase of an all weather and terrain search and rescue vehicle under the Title III County Funds. Mr. Ippolito requested that a portion of the remaining capital funds previously allocated for the GIS Digitizing be used for the purchase of computer backups for the courthouse.

**MOTION by Commissioner Austin, seconded by Commissioner Attebery.**

To amend the GIS budget and authorize the purchase of a computer backup for the courthouse not to exceed \$1200. The motion carried unanimously.

Donna McDonnall, Public Health Nurse met with the BOCC and gave a report. She said that 19 childhood immunizations, 3 adult immunizations, and 29 blood pressure screenings were administered in April, 2010. She reported the 9 Health Fair that was scheduled on April 10, 2010 was a success and included 140 volunteers and 581 participants. Ms. McDonnall remarked that the Intergrated Medical, Public Health, Preparedness and Response Training Summit scheduled for next week in Nashville, Tennessee had been cancelled due to the flooding in that area. She stated she had attended the following meetings: Project Public Health Ready (PPHR); Medical Research Council (MRC); Public Health Directors of Colorado (PHDoC); and the Red Cross Disaster training. She said a Psychological First Aid Course has been scheduled for May 9, 2010 and a Sheltering Class on May 10, 2010. She commented that the Central Emergency Service Wildfire Mitigation and Sheltering Exercises would be scheduled at the end of June 2010.

Jean Mavromatis, Tobacco Education and Prevention Coordinator addressed the BOCC and requested a signature on the Amendment for the Colorado Department of Public Health and Environment PSD-STEPP Contract Routing Number 11-12556.

**MOTION by Commissioner Austin, seconded by Commissioner Attebery:**

To approve and sign the Amendment as presented. The motion carried unanimously.

Ms. Mavromatis requested approval of the State Tobacco Education Prevention Partnership (STEPP) continuation grant.

**MOTION by Commissioner Attebery, seconded by Commissioner Austin:**

To approve the STEPP continuation Grant provided the Public Health Department agrees that it is cost effective. The motion carried unanimously.

Virginia Trujillo, County Treasurer met with the BOCC and gave a report. The beginning balance on April 1, 2010 was \$2,799,477.85 and the ending balance on April 30, 2010 was \$3,965,362.59.

**MOTION by Commissioner Attebery, seconded by Commissioner Custer:**

To accept the Custer County Treasurer Report for April 2010 as presented. The motion carried unanimously.

The BOCC recessed at 12:05 PM.

The BOCC reconvened at 2:00 PM

Commissioner Attebery gave an update on the Wetmore Project. He said the auction is scheduled for June 19, 2010 and KER Auction will serve as the auctioneer. He stated the auction of the county owned building and contents will be held at the Wetmore Project site starting at 10:00 AM.

Commissioner Attebery stated that Bob Dreher and Carol Kennedy have assumed the responsibility for the maintenance of the US and POW Flags at the Custer County Courthouse. As the result of the high winds several weeks ago, the courthouse POW/MIA Flag was damaged beyond repair and requires replacement.

**MOTION by Commissioner Austin, seconded by Commissioner Custer:**

To authorize the purchase of two (2) POW Flags (one for display and one for a reserve). The motion carried unanimously.

Commissioner Attebery reported that he has been in communication with Joel Plath, Colorado State University (CSU) Extension, Southern Regional Director. Mr. Plath submitted a draft outlining the regional extension agent position that would serve three counties for the BOCC's review. Mr. Plath is proposing that a meeting be scheduled with one BOCC member from each county to review, discuss and determine the appropriate course of action. Commissioner Custer said she wanted to reiterate that it is still her desire that Custer County hire an extension agent who would contract back with CSU rather than a CSU regionally appointed extension agent. She stated that she did not support any proposal that would not include the entire Board of Custer County Commissioners in the decision making process.

Commissioner Austin said he has been receiving citizen complaints regarding the condition and appearance of the Lake Deweese campground area. He proposed that representatives from the Division of Wildlife (DOW) come before the Board to discuss maintenance of the campground. Commissioner Austin will contact the DOW office to schedule the meeting.

Kris Lang, BOCC Administrative Assistant said that the Board was asked to join the Downtown Colorado Inc. (DCI) community revitalization round-table forum with the Town of Westcliffe and the Town of Silver Cliff. The Town of Westcliffe itinerary is at 12:00 PM, on May 10, 2010 in the Community Room of Cliff Lanes. The Town of Silver Cliff itinerary is scheduled for 4:00 PM, on May 10, 2010 in the Town of Silver Cliff Senior Center. The representatives will present their findings to the public at 5:30 PM on May 12, 2010 in the Community Room of Cliff Lanes. Ms. Lang confirmed that the BOCC meeting for May 12, 2010 has been cancelled so the Board could attend the DCI presentation.

Dave Trujillo, Road and Bridge Supervisor met with the BOCC and gave a report of April 2010. The completed work: plowed snow; repaired culverts, fences and cattle guards; completed flagger and flood control training; repaired and replaced damaged road signs; patched pot holes; continued with the work at the Wetmore sand shed; continued with the clean up at the Wetmore Project property; and graded numerous county roads. The work planned would include but not be limited to: grading of roads; cleaning and repair of culverts, fences and cattle guards; hauling rock; and crack sealing. Commissioner Attebery shared an e-mail he received from Bob Dreher and Carol Kennedy complimenting the Road and Bridge Department for the road maintenance in the Antelope Valley area.

Lorraine Silva, Hanssen Haus Resource Center (HHRC) Navigator/Veterans Service Assistant met with the BOCC and gave a report. She said 35 veterans were served in April 2010. She reported the final payment under the Veterans Trust Fund Grant has been received. She presented the April 2010 report to the Department of Military and Veterans Affairs for the Board review and signature. Ms. Silva said she would be attending the week long State mandated meeting in Denver from May 10 through May 14, 2010 and has scheduled volunteers to facilitate the HHRC in her absence. She said she is still waiting to hear on the mini grant submitted for the donation of heirloom seeds that would be planted at the Cliff Park-Community Garden.

Ms. Silva gave a report on the Promoting Safe and Stable Families (PSSF) and Tony Grampas Youth Services (TGYS) grants. She gave a summary of the HHRC conference room and office space usage for the month of April 2010.

Commissioner Austin left the meeting at 3:25 PM.

Dawna Hobby, Human Resource/Finance Manager met with the BOCC and gave a report. She stated that the Scale Operator/Maintenance employee Boone Harper had submitted his resignation effective May 18, 2010. The BOCC suggested reviewing the previous applications submitted for the position to determine if there was a viable candidate.

**MOTION by Commissioner Attebery, seconded by Commissioner Custer:**  
**To adjourn the meeting. The motion carried.**

The meeting was adjourned at 3:46 PM.

---

Debbie Livengood, Clerk and Recorder  
Attest

---

Lynn Attebery  
Chairman