

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, SEPTEMBER 30, 2011**

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
Allen Butler	Commissioner	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present was Bob Senderhauf, Nora Drenner, reporter for the Wet Mountain Tribune and her daughter Brooke.

**AGENDA:**

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes:

Audience introduction

Public Comments

Old/New Business:

- Review vouchers and sign checks
  - UAWCD/BOCC dialog confirmation 10/27/11
  - Resolution #11-13 Adoption of Custer County Policy and Procedures Manual for purchasing and contracting, credit cards and grants.
  - Memorandum of Understanding (MOU) Upper Arkansas Area Council of Governments (UAACOG).
  - Colorado Dept. of Agriculture Measurement Standard update.
- Courthouse Security Grant – Kristi Geroux

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

To amend the posted agenda and add the Federal Forest Payment & Secure Rural Schools and Community Self Determination Act Election Form. The motion carried unanimously.

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

To approve the minutes from September 12, 13 and 20 of 2011 as presented. The motion carried unanimously.

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

County General	\$ 197,004.47
Road and Bridge	\$ 67,208.02
Emergency Services	\$ 13,572.72
Human Services	\$ 36,802.82
Capital Improvement	\$ 1,158.41
Airport Fund	\$ 1,538.48
Tourism Fund	\$ 371.75
Self Insurance	\$ 0
TOTAL	\$ 317,656.67

Commissioner Attebery asked if there was anyone wishing to speak. Hearing none, he continued with the meeting.

Commissioner Attebery stated that the Department of Local Affairs (DOLA) has requested the completion of the Federal Forest Payment & Secure Rural Schools and Community Self Determination Act Election form. He said that Custer County has elected to receive the full payment amount and would set aside 15% for Title III as required.

**MOTION by Commissioner Attebery, seconded by Commission Butler:**

To approve the Federal Forest Payment & Secure Rural Schools and Community Self Determination Act Election form as presented. The motion carried unanimously.

Commissioner Butler remarked that a meeting was scheduled on October 27, 2011 between the BOCC and the Upper Arkansas Water Conservancy District (UAWCD) Board. Bob Senderhauf, UAWCD Board Chairman, requested that the BOCC and the County Attorney prepare and submit a series of specific questions they would like discussed at the meeting. Commissioner Austin said that out of respect for the efforts of the Water Assessment Committee (WAC) they should be allowed to make a presentation to the UAWCD at the beginning of the meeting. Mr. Senderhauf said that copies of the WAC presentation and findings were distributed to each of the UAWCD board members, engineers and attorneys for review. Commissioner Attebery remarked that he supported a meeting between the BOCC and the UAWCD Board Members. Commissioner Butler agreed. He remarked that as Chairman of the WAC, he attended and participated in the WAC meetings and discussions. He said that he would be able to provide any information or clarification requested.

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

To adopt Resolution 2011-13, the Custer County Policy and Procedures Manual for Purchasing and Contracting, Credit Cards and Grants as presented. The motion carried unanimously.

RESOLUTION OF THE BOARD OF CUSTER COUNTY COMMISSIONERS

RESOLUTION 2011-13

Concerning:Adoption of Custer County Policy and Procedures Manual for Purchasing and Contracting, Credit Cards and Grants.

**Whereas**, the Board of County Commissioners of Custer County, Colorado has determined that consistent procedures should be followed by all Custer County elected officials, department heads, and staff for the purchasing and contracting of supplies, materials, equipment, and services (including leases, lease purchases, contractual services, and rentals); and for the accountability, usage and enforcement of County credit cards and grant processes; and

**Whereas**, the Board seeks to assure itself and the public of maximum economies to be achieved through fair and equitable purchasing, credit card usage, grant processes, and contractual services included in Section 1, 2 and 3 of the Custer County Policy and Procedures Manual for Purchasing, Credit Cards, Grants, and Contracting; and

**Whereas**, adoption of the Custer County Policy and Procedures Manual for Purchasing and Contracting, Credit Cards and Grants will foster effective broad-based competition within the free enterprise system to ensure that the County will receive the best possible service or product at the "best overall value," and ensure accountability in public processes; and

**Whereas**, the Custer County Policy and Procedures Manual for Purchasing and Contracting, Credit Cards and Grants may be amended in the future via a resolution adopted by the Board of County Commissioners at a noticed public meeting .

**Now, Therefore, Be It Resolved**, by the Board of County Commissioners of Custer County, Colorado, that the policies and procedures contained in the Custer County Policy and Procedures Manual for Purchasing and Contracting, Credit Cards and Grants are hereby established and shall be followed by all County elected officials, department heads and staff except as may be otherwise provided by Colorado Revised Statutes or determined by the Board of County Commissioners at a noticed public meeting. If any provision of this Resolution of the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the Resolution which can be given effect without the invalid provision or application, and to this and the provision of this Resolution are declared to be severable. All resolutions or parts thereof or procedures or policies in conflict with this Resolution are hereby repealed.

Adopted this 30<sup>th</sup> day of September 2011.

BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO.

Lynn Attebery, Chairman

Jim Austin, Vice-Chair

Allen Butler, Member

Debbie Livengood, County Clerk and Recorder – Attest

The Board acknowledged and commended the efforts of Dawna Hobby, Human Resource/Finance Manager on the preparation of the policy and procedure manual.

Commissioner Butler presented the Memorandum of Understanding (MOU) of the Upper Arkansas Area Council of Governments (UAACOG), and the partners regarding the application for the HUD Sustainable Community Regional Grant Program. He said that the focus of the grant funds will be on broadband planning for deployment, regional planning for economic vitality, and the planning for the establishment of a regional energy office. He remarked that Custer County will: actively participate in the process; attend meetings, provide input, ideas, and relevant documents when appropriate; consider and make recommendations of Livability Principles; provide expertise of county staff, including the planning department, county manager, etc. as in-kind contributions to the project; and allow UAACOG to designate the County paid dues as matching funds for the Livability Principles grant in an amount of up to \$14,808 over three years.

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

To approve the MOU as presented. The motion carried unanimously.

Commissioner Attebery read the list of the county and city participants of the MOU into the record: Fremont County, Chaffee County, Lake County, Custer County, City of Leadville, City of Canon City, City of Florence, City of Salida, Town of Buena Vista, Town of Poncha Springs, Town of Westcliffe and the Town of Silver Cliff.

Commissioner Austin gave an update on the Colorado Department of Agriculture Measurement Standard (weight scales). He said that he spoke with the inspector and confirmed that the digital weighing device S/N 2,798 was inspected and passed. The beamed weight device S/N 45625-15-77 was not inspection and has been tagged unusable.

Kristi Geroux, Sheriffs Office, Administrative Assistant presented the 2012 Court Security Grant Request for the BOCC's review. She explained that the \$53,996 grant funding request would provide the continuation of the full time court security officer along with the purchase and installation of bullet resistant glass for the court room doors and a replacement door lock to the judge's chambers.

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

To move forward with the 2012 Court Security Grant as presented. The motion carried unanimously.

**MOTION BY Commissioner Attebery, seconded by Commissioner Butler:**

To approve the September 2011 bills and vouchers. The motion carried unanimously.

Commissioner Austin gave an update on the local Colorado Department of Transportation (CDOT) projects. He said the right turn lane from the school driveway onto Main Street is now complete. The removal project of the visually obstructing hill alongside highway 69 north near the rodeo grounds will be completed within two weeks.

Commissioner Butler reported that the road and bridge department is preparing a rental agreement regarding the use of the county tractor at the Saddle Club. Following a brief discussion regarding the county's ownership and liability, the Board asked Commissioner Austin to research the legal ownership of the land and the Saddle Club building.

Commissioner Austin addressed the BOCC agenda guidelines. He said that he felt anyone wishing to be added to the agenda after it has been submitted and published in the local newspaper should be given that opportunity. He proposed that the administrative assistant contact each BOCC member for approval before adding items to the published agenda. Commissioner Butler expressed concern regarding the appearance and the perception of the public when agenda items are added after the publication and notification. Commissioner Attebery said that the published agendas include a statement that any true emergency items will be heard. He remarked that the BOCC cannot make any decision or motions on agenda topics that are not properly posted or published. Following a brief discussion the Board agreed that the published agenda would remain unchanged other than true emergency items. The agenda for the BOCC meetings has a public comment period where anyone is given the opportunity to speak.

Commissioner Attebery and Commissioner Austin gave a brief report on the Action 22 conference they attended on September 29, 2011.

Commissioner Attebery gave an update on the courthouse projects. He said that the installation of the tile in the courthouse hall areas is being met with a positive response. He remarked that there appears to be enough remaining tiles to complete the front foyer area. The restrooms near the courtroom will not be tiled at this time. Those restrooms will be painted under the useful public service program. He advised the new vending machine will be delivered and setup over the weekend. The projection screens for the courtroom, boardroom and resource center have been received and will be installed. Mike Halpin, Court Security Officer remarked for the record that there is a noticeable improvement in the appearance of the courtroom with the services of the new custodial team.

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

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 10:15 AM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery  
Chairman