

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, DECEMBER 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: Mark Evert, Dan Fox, Dawna Hobby, Cal Leslie, Scott Lundstedt, Ron Rodriguez, Bob Senderhauf, Kit Shy, and Nora Drenner, reporter for the Wet Mountain Tribune.

AGENDA:

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes: November 30, December 5, 6 of 2011

Audience introduction

Public Comments

Old/New Business:

- Review vouchers and sign checks
- Transfer from Conservation Trust Fund to the County General Fund – Dawna Hobby
- Transfer from PILT to County General Fund – Virginia Trujillo
- Liquor License Renewal Alpine Lodge Restaurant
- CCI Steering Committee Proxy
- CDOT Path HWY 69 Issue update
- Approve 2011 Budget Resolutions – John Piquette
- Plastic Recycling Program – Tim Thrun
- IT Staff Report – Chuck Ippolito
- Extension Office Report – Robin Young
- 2012 EMPG Grant Application/Open Burn Mgt Plan/Custer Emergency Service –
Christe Feldmann
- Public Health Report – Donna McDonnall

Commissioner Butler said that Page 3 of the December 5, 2011 minutes required a spelling correction from silk to silt regarding the Road and Bridge Department report.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve the minutes from November 30, December 6, 2011 as presented and December 5, 2011 as amended. The motion carried unanimously.

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

County General	\$255,456.29
Road and Bridge	\$ 52,174.14
Emergency Services	\$ 11, 568.58
Human Services	\$ 21,751.17
Capital Improvement	\$ 28,845.34
Airport Fund	\$ 650.89
TOTAL	\$370,446.41

Commissioner Attebery asked if there was anyone wishing to speak. Bob Senderhauf said as a representative of the Upper Arkansas Water Conservancy District (UAWCD) he would still like to schedule a meeting between the UAWCD Board and the BOCC in 2012 for continued discussion on the water augmentation plan. The BOCC agreed that the request would be considered after the completion of the BOCC 2012 calendar. Dan Fox asked the BOCC if the Colorado Counties Incorporated (CCI) dues in the amount of \$9,236.00 and the CCI Land dues in the amount of \$1,500.00 had been approved in the 2012 budget. The BOCC replied that the CCI dues was approved in the 2012 budget. Mr. Fox requested a full accounting of the county's CCI costs and benefits. He said that the public needs to be aware of the tax dollar distribution and have input in any future decisions regarding CCI membership. Mr. Fox stated that several citizens were in attendance to discuss the Colorado Department of Transportation (CDOT) Highway 69 south path issue.

Kit Shy representing the Wet Mountain Fire Protection District (WMFPD) addressed the BOCC and said that the WMFPD will include a letter to the public outlining the fire department concerns with the 2012 property tax mailings. He said that the WMFPD is providing the treasurer's office with additional man power to help stuff the tax mailing envelopes that will include the correspondence. Mr. Shy remarked that the purchase of a generator for the fire station was being considered and reviewed. He said that in the event of power outages it is critical to have a source of back-up power. Commissioner Attebery stated that the WMFPD was scheduled on the agenda for the January 10, 2012 BOCC meeting and that the Board would take action at that time. The BOCC agreed that Mr. Shy could investigate the options regarding a generator and requested that a representative of the WMFPD report on the findings at the scheduled BOCC meeting on January 10, 2012.

Dawna Hobby, Human Resource/Finance Manager requested a transfer of \$313.06 from the Conservation Trust Fund to the County General Fund. She said that she was representing the clerk and recorder for the request and that the funds were allocated for the repair work on the t v towers.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the transfer of \$313.06 from the Conservation Trust Fund to the County General Fund as requested. The motion carried unanimously.

Commissioner Attebery said that the BOCC would need to complete a 2012 Steering Committee Proxy for Colorado Counties Incorporated (CCI). The proxy is effective for any 2012 steering committee meeting when a county commissioner is not in attendance.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To appoint Commissioner Jim Austin as the proxy for the CCI steering committee. The motion carried unanimously.

Commissioner Austin reported that the Colorado Department of Transportation (CDOT) will assume the maintenance of the proposed paths along highway 69 south after completion of the project. He said the county would not be under any obligation regarding the maintenance of the paths.

Dan Fox asked for clarification that the county would not be responsible for any repairs or maintenance of the widened Amish buggy paths. Commissioner Austin responded that CDOT would assume those responsibilities. He said that the CDOT Project FSA 069A-027 is listed as the State Highway 69 Amish Lanes, Custer County but the project is the widening of the shoulders/path along Highway 69 south for safety reasons. Mr. Fox stated for the record that he felt the project was an obscene waste of taxpayer dollars. He said that there were equal safety concerns on Highway 69 north and requested that CDOT consider a path for five miles on Highway 69 north. Mark Evert said he felt that CDOT not plowing the state highways overnight was more of a safety concern than the proposed paths. Commissioner Austin agreed with the concern and explained that the CDOT funds available for the safety paths were not interchangeable with other projects. Mr. Fox requested that CDOT revise the categorization of snow plowing from maintenance to safety concern. Ron Rodriquez expressed concern that vehicle registration dollars were being utilized on a project that appears to benefit the uninsured and unregistered population of the county. Cal Leslie expressed concern that the project is moving forward without the scheduling of a public hearing and feasibility study. He said that truck traffic on Highway 69 and Main Street were also a safety issue. Bob Senderhauf shared concern regarding the lack of passing lanes through Hardscrabble. Scott Lundstedt expressed concern regarding the lack of passing lanes along Jackson Hill. Kit Shy shared his concerns that the FASTER monies are being allocated to visible and cosmetic projects to satisfy the publics perception of their taxpayer dollars at work. Commissioner Austin agreed to present the following concerns to CDOT: that night time plowing be considered a safety issue rather than a maintenance issue; that proposed passing lanes along Hardscrabble and Jackson Hill be reviewed; request an update on the alternative truck route and round-about at Highway 69 and Main Street; that shoulder widening/path be considered for five miles along Highway 69 north of town; and that CDOT provide a summary of the FASTER project allocations. Commissioner Austin presented prepared correspondence for the Boards signatures. He remarked that the county attorney was aware of the correspondence. The letter addressed to CDOT from the BOCC agrees with the historic findings of Martha Palmer Homestead (5CR584) aka Matt Miles property for determination of eligibility and effects CDOT project FSA 069A-027 State Highway 69 Amish Lanes, Custer County. Following a brief discussion the BOCC agreed to sign the correspondence as revised. Commissioner Austin read the revised correspondence into the record.

December 30, 2011

State of Colorado Department of Transportation Environmental Programs Branch
Jane Hann, Manager Shumate Building
4201 East Arkansas Avenue
Denver, Colorado 80222

Dear Ms. Hann:

The Colorado Department of Transportation (CDOT) provides a valuable service to our county, and the Custer County Board of County Commissioners (BOCC) recognizes and appreciates the support and commitment. We have received your correspondence dated December 13, 2011 regarding the Determination and Eligibility and Effects, of the CDOT Project FSA 069A-027, State Highway 69, Custer County. The BOCC is in agreement with the National Register of Historic Places evaluation and determinations as outlined.

Most sincerely,

Lynn Attebery
Chairman

lynn@custercountygov.com

Jim Austin
Vice-Chair

jim@custercountygov.com

Allen Butler
Commissioner

allen@custercountygov.com

Laura Lockhart, Human Services Director presented three contracts for BOCC approval: the Legal Service Contract between Custer County Department of Human Services and Gregory Watkins, Attorney at Law; the Child Support Enforcement Purchase of Services Agreement between the Custer County Department of Human Services and Gregory Watkins, Attorney and the Special Project Accrual Account Contract between Custer County Department of Human Services and John Piquette, Bookkeeper.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To sign the three contracts as presented. The motion carried unanimously.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To approve Resolutions #15-11, 16-11, 17-11, 18-11 as submitted by the County Financial Officer, John Piquette. The motion carried unanimously

RESOLUTION 11-15

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2011 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

SALES TAX \$15,916.00

Now, therefore be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2011 appropriation for the CAPITAL IMPROVEMENT FUND is hereby increased by \$15,916.00 for the purpose of covering increased expenditures as follows:

Account No. 50.40600.913 PHONE SYSTEM \$15,916.00 Adopted this 30th day of December, A.D. 2011.

RESOLUTION 11-16

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2011 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

HIGHWAY USERS TAX \$195,000.00

Now, therefore be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2011 appropriation for the ROAD AND BRIDGE FUND is hereby increased by \$195,000.00 for the purpose of covering increased expenditures as follows:

Account No. 20.43040.913 CAPITAL \$79,460.00

Account No. 20.43040.360 ASPHALT & OIL \$115,540.00 Adopted this 30th day of December, A.D. 2011.

RESOLUTION 11-17

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2011 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

-REVENUE SOURCE

STATE ASBESTOS GRANT \$12,000.00

RECYCLING GRANT \$42,000.00

EL POMAR GRANT \$10,000.00

Now, therefore be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2011 appropriation for the GENERAL FUND is hereby increased by \$64,000.00 for the purpose of covering increased expenditures as follows:

Account No. 10.48500.530 WETMORE PROJECT \$12,000.00

Account No. 10.40670.913 RECYCLING BUILDING \$42,000.00

Account No. 10.44220.315 COUNTY NURSE EXPENSE \$10,000.00 Adopted this 30th day of December, A.D. 2011.

RESOLUTION 11-18

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2011 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

REVENUE SOURCE

CHILD WELFARE ASSISTANCE GRANT \$30,000.00

TRANSPORTATION ASSISTANCE GRANTS \$4,500.00

AND ASSISTANCE GRANTS \$2,700.00

Now, therefore be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2011 appropriation for the WELFARE FUND is hereby increased by \$37,200.00 for the purpose of covering increased expenditures as follows:

Account No. 70. 45025.600 MEDICAL TRANSPORTATION \$4,500.00

Account No. 70. 45031.600 CHILD WELFARE \$30,000.00

Account No. 70. 45033.600 AID TO NEEDY DISABLED \$2,700.00

Adopted this 30th day of December, A.D. 2011.

Beth Lenz, UAACOG Recycling; Christy Veltrie, Veltrie Disposal Services; and Sue Pitman, Sustainable Ways joined the meeting.

Tim Thrun, Recycling Coordinator said that the BOCC was not able to make any decisions or take any action at the December 6, 2011 Recycling Program Work Session. He outlined the proposals presented. Proposal #1 Plastic at the Landfill-Single Stream at Veltrie Disposal. Proposal #2 Single Stream Recycling Program. Proposal #3 WE RECYCLE takes over the Custer County recycling program. Following a brief discussion the BOCC agreed that no decisions would be made until after June 30, 2012 when the requirements of the Wet Mountain Valley Waste Minimization Grant have been satisfied. The Board agreed to review and discuss the topic during a BOCC meeting scheduled in March or April 2012.

The BOCC recessed at 10:40 AM.

The BOCC reconvened at 10:55 AM.

Chuck Ippolito, IT Director met with the BOCC and gave a report. He said that the installation of the network upgrade had been completed and software has been designed to track and record sales and lodging taxes. He remarked that backup of the courthouse computers was being done off-site for security reasons. The final Affiliated Computer Services (ACS) conversion in the courthouse is scheduled for February 20, 2012. Mr. Ippolito provided a summary of the computers changed out in the courthouse and extra units available.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the December 2011 accounts payable. The motion carried unanimously.

The BOCC accepted the Sheriffs Reports for December 2011.

Robin Young, Colorado State University (CSU) Extension Agent met with the BOCC and gave a report. She provided an update on: the Bottom's Up Region Custer County, the Broadband Initiative, Custer County non-profit collaborative, the 4-H Development, and the Horticulture/Agriculture issues. Ms. Young distributed the CSU Extension Custer County 2012 Planning Outline for review and discussion.

Christe Feldmann, Office of Emergency Management (OEM) Director addressed the BOCC and distributed a copy of the Senate Bill 11-110 concerning a requirement that certain Boards of County Commissioners develop an open burning permit system for the purpose of safely disposing of slash. Ms. Feldmann presented a copy of

the Custer County Open Burn Management Plan for the Boards review and approval. She stated that the plan will require the completion of an open burning application and permit.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To adopt the Custer County Open Burn Management Plan as presented following the review and approval by the local fire districts and the local fire warden. The motion carried unanimously.

Ms. Feldmann presented the BOCC with a signed Interagency Agreement for Mutual Aid between Chaffee, Custer, Fremont, Lake and Park Counties and the City of Salida for Emergency Management. She requested that the agreement be filed in the clerk and recorders vault. Upon further review it was noted that the agreement was not properly dated. Ms. Feldmann will follow-up and submit a correctly dated agreement for filing. Ms. Feldmann presented the BOCC with the Colorado Division of Emergency Management Program Grant Functions (EMPG) report. The EMPG/LEMS work plan outlines the annual program paper and quarterly progress reports.

Donna McDonnall, Public Health Nurse met with the BOCC and gave a report. She said that 237 childhood immunizations, 61 adult immunizations, 301 blood pressure screenings, 31 seasonal flu immunizations under the age of nine and 667 season flu immunizations over the age of nine were administered in 2011. Ms. McDonnall provided of summary of the public health agency activities, training, classes and accomplishments for the year 2011.

The BOCC signed a correspondence acknowledging and thanking Christy Veltrie for her services on the Custer County Tourism Board.

The BOCC recessed at 12:10 PM.

The BOCC reconvened at 2:00 PM.

Commissioner Attebery and Commissioner Austin were present. Commissioner Butler was absent.

Virginia Trujillo, Treasurer addressed the BOCC and requested a transfer of \$150,000.00 from the Payment in Lieu of Taxes (PILT) Fund to the County General Fund.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To approve the transfer of \$150,000.00 from the PILT Fund to the County General Fund as requested. The motion carried.

Marilyn Keffer, Deputy Clerk and Recorder presented the liquor license renewal for the Alpine Lodge Restaurant, Westcliffe Colorado. She stated that she was representing the clerk and recorder for the request. Ms. Keffer said that the application was complete and in order. She reported that the sheriff department investigation report was without incident.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To approve the liquor license renewal as presented. The motion carried.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To adjourn the meeting. The motion carried.

The meeting was adjourned at 2:20 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman