

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MAY 31, 2012**

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: Dennis Sprecher, Robin Young and Nora Drenner, reporter for the Wet Mountain Tribune.

AGENDA:

Old/New Business

- Review vouchers and sign checks
- Summary of Colorado Counties Incorporated (CCI) membership dues versus the benefits to Custer County.
- Appointment to the Upper Arkansas Economic Development Regional Partnership Program.
- CART letter of support
- County Website use for Broadband and EDC – Robin Young
- Liquor License Renewal – Wet Mountain Goods, Wetmore CO. – Debbie Livengood
- STAFF MEETING

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To accept the posted agenda. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve and accept the minutes of May 1 and May 16, 2012 as presented. The motion carried unanimously.

Commissioner Austin remarked that after reviewing the draft minutes of May 1, 2012, he requested that the specifics of his CDOT report be included in the final and approved minutes. He read the specific portion from the May 1, 2012 minutes into the record. On May 1, 2012 Commissioner Austin reported that Tezak Heavy Equipment Co. Inc. of Canon City was awarded the bid from CDOT for the Highway 69S Project and Bridge Replacement. The project budget is approximately five million dollars. He said that CDOT estimates the project will begin the first or second week of June. He remarked that he was the primary contact person for the CDOT project and that a secondary contact was required. Following a brief discussion the BOCC agreed that the secondary contact should be Dave Trujillo, Road and Bridge Supervisor. Commissioner Austin said he would like to address some of the misinformation associated with the project. He said that in 2009 the project started out as a path for buggies and/or pull outs along a portion of Highway 69 S. He commented that as a result of the opposition expressed from the ranches along the route and several citizens, the project was quickly revised for the widening of the shoulders along Highway 69S from Hermit Lane to Schoofield Road. Commissioner Austin said he would like to specifically respond to comments that the public was not adequately informed or made aware of the project. He said that the project is referenced in the official BOCC minutes dating back to 2009. He said the topic was also discussed at the Summit Meeting in 2010 and 2011.

He commented that until recently the project did not have any opposition. Commissioner Austin remarked that CDOT has allocated \$50,000.00 for a traffic study of the Intersection of SH69 and SH96 in the town

Commissioner Attebery asked if there were any public comments. Hearing none he continued with the meeting.

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

County General	\$164,938.53
Road and Bridge	\$ 83,644.61
Emergency Services	\$ 15,638.07
Human Services	\$ 20,667.70
Capital Improvement	\$ 1,227.23
Airport Fund	\$ 13,215.64
Tourism Fund	\$ 1,350.00
Self Insurance	\$ 427.50
TOTAL	\$301,109.28

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To approve the May 2012 payroll and accounts payable. The motion carried unanimously.

Commissioner Austin said that he had received a correspondence from the Custer County Sheriff's Posse regarding the recent CERT training course. He read the letter in its entirety for the record. County Commissioner Jim Austin. Please be informed that from the 5th through 7th of April Christe Feldmann (with the part time assistance of Jim Lewis from the fire department) conducted a 20 hour CERT course for ten members of the Sheriff's Posse. We, the Posse, learned much about the CERT program and how we can coordinate with the previously trained CERT members in the event of various disasters. Christe did an exemplary job with her presentation. We, the entire community are lucky to have her as our Office of Emergency Management honcho. Best Regards, Capt. Robin A. Schmutzler with copies to Sheriff Fred Jobe and Christe Feldmann.

Commissioner Attebery said that the LARCAN contract, the proposal of Doctor Sinclair and other options regarding the TV translators were currently in discussion and review. The topic will be addressed with the County Attorney at the June 12, 2012 BOCC meeting.

Commissioner Austin said that Colorado Counties Incorporated (CCI) is a membership association whose purpose is to offer assistance and legislative representation for the counties of Colorado. He said that 100% of the counties in Colorado belong and participate in CCI. He remarked that CCI offers and provides education, support and legislation updates. Commissioner Austin said that CCI is an advocate for the counties on a local, state, and federal level. He said it would be difficult to determine the exact financial benefits Custer County receives from CCI but felt the county membership fee is money well spent. He remarked that membership and participation in CCI significantly influenced CDOT's decision to bring approximately five million dollars worth of projects into Custer County. These projects include shoulder widening on Highway 69S and bridge replacements. He said that CCI was focusing on the continuation and extension of the Payment in Lieu of Taxes (PILT) for the rural counties in Colorado. He said PILT alone could bring approximately \$150,000.00 into Custer County. He remarked that in addition CCI works to protect the counties against unfunded mandates that would adversely affect the budget. Commissioner Austin said that the benefits of CCI far exceed the membership fee. He said that in addition to CCI, 100% of the counties in Colorado are members in the National Association of Counties (NACO). NACO represents county governments in the United States before the Administration and Congress.

Commissioner Attebery said that the BOCC was asked to appoint three members to the Upper Arkansas Economic Development Regional Partnership (UAEDRP). He proposed the appointment of Charles Bogle and Brian Clince. Commissioner Butler proposed that Nora Drenner be appointed as the third member to the UAEDRP. He said he was comfortable and confident with the three selections and that he was ready to make a motion for appointment. Commissioner Austin expressed concern that the Ad-Hoc Committee was not informed or involved in the appointment selections. Robin Young asked for clarification on the roles of the Ad-Hoc Committee and the UAEDRP appointments. She said that the Ad-Hoc Committee volunteers have worked on the economic development of the county for the past year and a half and expressed concern that the committee was being over-looked and replaced. She said that the Ad-Hoc Committee members are currently involved and are aware of the local economic concerns. She expressed displeasure that the Ad-Hoc Committee members were not selected for the UAEDRP appointments. The Ad-Hoc Committee is comprised of Commissioner Lynn Attebery, Charles Bogle, Donna Hood, Dale Mullen, Kathy Seei, and Robin Young. Commissioner Attebery said that the official appointments to the UAWDEP were a separate and different issue from the Ad-Hoc volunteers. Commissioner Butler agreed. Commissioner Austin shared his objection and said that he felt the Ad-Hoc volunteers should be a part of the decision process. Following a discussion that included the BOCC, Mr. Bogle, Mr. Mullen, Ms. Seei, Mr. Weisenbach and Ms. Young, it was agreed that the appointments to the UAEDRP would be postponed until the Ad-Hoc members had an opportunity to address the BOCC at the June 11, 2012 BOCC meeting.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To sign a letter of support for the hiring of a Vista Worker for CART dba Cliff's Commercial District. The motion carried unanimously.

Robin Young addressed the BOCC and said that the Ad-Hoc Committee (Economic Development Team) is requesting the approval for additional space on the county website. She asked that the broadband issue be recognized and included on the county website. Chuck Ippolito, IT Director said that the Custer County Local Technology Team Broadband (Internet Access) Service Survey was still available on the county website. Ms. Young thanked Mr. Ippolito and said the Economic Development Team would like to add a link specifically addressing the broadband issue. She asked Mr. Ippolito on the protocol involved in setting up a separate web page for Custer Connect. Mr. Ippolito responded that it would involve time, labor and a \$20.00 a year internet fee. Following a brief discussion it was agreed that the \$20.00 initial web page fee would come from the BOCC miscellaneous budget line. Mr. Ippolito agreed to work with the Economic Development Team to revise and update the economic development link on the county website and to assist with the setup of the Custer Connect web page. The BOCC asked Mr. Ippolito to track the time he spends on the projects.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To offer space on the country website to the Ad-Hoc Committee. To approve that the initial \$20.00 web page fee come out of the BOCC miscellaneous budget line item. The motion carried unanimously.

Ms. Young thanked the BOCC for their assistance and support. She distributed the 4-H and FFA Market Livestock Sale brochures. She said the event was scheduled on July 22, 2012 at the Custer County Fair Grounds.

Debbie Livengood, Clerk and Recorder presented the liquor license renewals for the Wet Mountain Goods, Wetmore, CO. She said one license renewal is for the 3.2 beer sold in the store. The second was for the beer and wine served in the restaurant. Ms. Livengood said that the applications were complete and in order. She reported that the sheriff department investigation reports are without incident.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the liquor license renewals as presented. The motion carried unanimously.

Ms. Livengood said that St. Andrews at Westcliffe Golf Course has applied for a change of liquor license. She said that the application required a public notice, posting and public hearing. The public hearing is scheduled at the June 12, 2012 BOCC meeting. Ms Livengood stated she will forward the application and associated paperwork to the county attorney for review prior to the meeting.

The BOCC recessed at 10:50 AM.

The BOCC reconvened at 11:00 AM.

Bob Senderhauf asked to address the BOCC with an update on the findings of the District Court, Water Division 2, Colorado Case 08CW47. The Board agreed. Mr. Senderhauf said that the decree in W-4321 was vacated by 95CW09 regarding the application for the change of water rights by the City of Fountain and Widefield Water and Sanitation District. Mr. Senderhauf referenced the H2O Ranch in Westcliffe and said that the UAWCD opposed the findings and went to court. The judge ruled in favor of the UAWCD on April 24, 2012. The BOCC thanked Mr. Senderhauf for the information.

The BOCC recessed at 10:55 AM.

The BOCC reconvened at 11:05 AM.

The department heads, elected officials and staff met with the BOCC for the staff meeting. Present were: JD Henrich, Dawna Hobby, Jackie Hobby, Chuck Ippolito, Debbie Livengood, Dennis Sprecher and Virginia Trujillo.

The following topics regarding the capital improvements in courthouse were discussed:

- The lock on the back door of the courthouse will be replaced with a unit that will require a key to open and lock the door.
- The lavatory facilities on the first floor of the court house are scheduled for a maintenance inspection on June 1, 2012 to determine and rectify the water flow concern.
- The safety issues regarding the stairway leading to the second floor in the courthouse are currently under review.
- The installation of automatic access front doors to the courthouse has been tabled at this time due to budget restraints. Debbie Livengood offered the permanent use of front and back door handicap ringers that are used during the election process.
- The replacement windows on the first floor of the courthouse are currently being installed. The old windows and frames will be stored in the resource center garage until a public county auction can be scheduled.
- Painting and touch up work within the courthouse will be scheduled by useful public service at a later date.
- The lights in the parking lot of the courthouse have been replaced by Dark Skies.

Commissioner Austin said that Colorado Counties Incorporated (CCI) is soliciting potential legislative issues for the 2013 legislative session. He asked the elected officials and department heads to notify him of any issues or concerns they wished to be addressed.

Commissioner Butler gave an update on the Custer County Resource Center Annex (CCRCA). He said that the county was entering into an agency agreement with Custer County Community Sharing Center (CCCSC). He explained that the CCCSC will use the CCRSA as a temporary distribution and storage facility for commodities. In exchange or return they will provide general building cleaning, open and close sign notification, proper closure of the facility and assist with a three month calendar to ensure there are no scheduling conflicts.

He said that the Sheriffs Office (SO) will schedule their patrol meetings in the main room in the building. He remarked that the SO in conjunction with the Human Services Department will setup the south west office for audio and video interviews. Commissioner Butler said these usages fall under the guidelines and meet the grant compliance criteria for the CCRCA.

The BOCC thanked the elected officials and department heads for participating in the Staff Meeting. The next Staff Meeting is scheduled on August 31, 2012.

The Staff Meeting concluded at 11:30 AM.

Commissioner Austin remarked that he felt some of the accumulated slash in the county could possibly be used on the reparation and restructure of the Upper Arkansas River Project. He said that currently slash type materials were being used to stop erosion and strengthen and secure the river bank on the project. He proposed that the Road and Bridge Supervisor research the option. Commissioner Butler will present the suggestion to Dave Trujillo, Road and Bridge Supervisor.

Commissioner Butler said that Dave Trujillo, Road and Bridge Supervisor would like to attend an auction on June 19, 2012. Mr. Trujillo has requested a letter of authorization from the county to bid on a drill/seeder machine. Commissioner Butler said that he asked Mr. Trujillo to research the cost of a new machine for comparison purposes. He said that the BOCC had some time to approve the letter of authorization and that the Board would review it during Mr. Trujillo's monthly report scheduled on June 11, 2012.

Motion by Commissioner Butler, seconded by Commissioner Austin:
To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 11:45 AM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman