

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, NOVEMBER 30, 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 9:05 AM and the Pledge of Allegiance was recited.

Commissioner Attebery asked everyone to remain standing in remembrance of Sherry Rorick who passed away. Ms. Rorick was an active and standing member of the Planning Commission since 1995. A moment of silence was observed.

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 Giacomelli, and Nora Drenner, reporter for the Wet Mountain Tribune

**AGENDA**

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes:

Audience introduction

Public Comment

Old/New Business:

Review vouchers and sign checks

Transfer from the PILT Fund to the County General Fund – Virginia Trujillo

Colorado Department of Transportation (CDOT) Presentation/Review 2012-2013

Staff Meeting

**PUBLIC HEARING 1:00 PM Courtroom**

To consider terminating the authority of the Custer County Airport Authority Board.

Further consideration; the BOCC would assume the responsibility for the airport operation with the assistance of an Airport Advisory Board.

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

To accept the posted agenda . The motion carried unanimously.

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

To approve and accept the minutes of November 13 and November 14, 2012 as presented. The motion carried unanimously.

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	\$202,082.56
Road and Bridge	\$105,264.21
Emergency Services	\$ 17,062.65
Human Services	\$ 22,516.34
Capital Improvement	\$ 920.00
Airport Fund	\$ 9,704.45
Tourism Fund	\$ 560.35
Self Insurance	\$ 547.50
Total	\$358,658.06

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

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

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

To transfer \$50,000.00 from the PILT Fund to the County General Fund. The motion carried unanimously.

The BOCC recessed at 9:20 AM.

The BOCC reconvened at 9:45 AM.

The following Representatives of the Colorado Department of Transportation (CDOT) met with the BOCC. Tom Wrona, Regional Transportation Director; Chuck Bennett; Carl Valdez, Deputy Maintenance Supervisor; Adam Padilla, Maintenance Supervisor; Lisa Streisfeld, Environmental Manager; Jason Ahrens, Business Manager; Sasan Delshad, Traffic Engineer; Doug Lollar, Engineer; Dan Hunt, Engineer; Wendy Pettit, Planning and Randy Grauberger, Project Manager. Also presented was Gilbert Ortiz, Transportation Commissioner.

Lisa Streisfeld gave a presentation on CDOT Transportation Matters. Randy Grauberger gave a status report on the current State Highway 69 Widening and the Antelope Creek Projects. He said that a future CDOT project could improve the turning movements at the intersection of State Highway (SH) 69 and State Highway (SH) 96. He stated that the project is funding dependent on the future budget of CDOT. Several project options and potential changes were discussed. Sheriff Jobe shared concern regarding the three ways stop at the intersection of SH 69 and SH 96 and requested that CDOT change that intersection to a four way stop. He said that the three way stop was both confusing and dangerous for the drivers and pedestrians at the intersection. Jerry Keffer, Park Maintenance Supervisor for the Town of Westcliffe and Manny Fernandez, Park Maintenance agreed and said that they have observed several missed accidents at the intersection. Sasan Delshad addressed the concerns and said that CDOT follows a specific numeric volume formula regarding the placement of stop signs and this intersection does not warrant a four way stop. Sheriff Jobe remained adamant that the intersection was a safety concern and regardless of numbers he asked that CDOT re-evaluate his proposal. Mr. Delshad agreed to research and review the safety concerns. Dave Trujillo, Road and Bridge Supervisor asked if CDOT was planning on applying chip seal or overlay at the intersection. Mr. Wrona responded that currently it was cost prohibited but said that CDOT will upgrade the highway stripping in the intersection. He agreed that the intersection was a challenge and that further review and research was necessary. Commissioner Butler asked if there were any initiatives in place for additional funding. Mr. Ortiz said that it was a state wide referendum issue and tax rates would require the governors' approval. Sheriff Jobe said that the new drainage in the road at Sixth Street and Rosita Avenue appeared to be extremely deep and was causing numerous vehicles to bottom out. He asked CDOT to review the completed project.

The Board thanked all the representatives for joining the BOCC meeting. Commissioner Austin excused himself and left with the representatives at 10:40 AM for a luncheon gathering.

Fred Jobe informed the Board that the sheriff's department has two vehicles that would be available for auction. He would like to designate the 1998 Chevy Blazer to the EOM Director. Commissioner Attebery said that the vehicle was part of the sheriff's departmental budget and as an elected official; the Sheriff could make that decision without BOCC approval. The Board thanked Sheriff Jobe for bringing the matter before them.

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

To proceed with the Sheriff's proposal to designate one of the sheriff's vehicles to the OEM Director. The motion carried.

Further discussion with Ms. Feldmann confirmed that the fuel and maintenance of the vehicle would fall under the OEM budget line item.

Sheriff Jobe presented Ms. Feldmann with an outstanding award plaque for her support and services during the Wetmore Fire.

The department heads, elected officials and staff met with the BOCC for a staff meeting. Present were: Ron Fisher, Mike Halpin, JD Henrich, Jackie Hobby and Laura Lockhart.

The following topics were discussed:

- The Courthouse will be closed from 12 PM to 2 PM on December 19, 2012 and on December 28, 2012 to allow the courthouse employees to celebrate the holidays.
- The new lock to the judge's chamber door will be installed prior to the close of 2012.

The BOCC recessed at 11:35 AM from the Boardroom.

The BOCC reconvened at 1:00 PM in the Courtroom.

Commissioner Attebery closed the regular meeting at 1:05 PM and opened the Public Hearing in the Courtroom. He read the published public notice into the record. Notice is hereby given that a PUBLIC HEARING will be held by the Board of Custer County Commissioners (BOCC) in the Courtroom at 205 S. Sixth Street, Westcliffe, CO. at 1:00 PM on the 30th day of November 2012 to consider terminating the authority of the Custer County Airport Authority Board. Further consideration; the BOCC would assume the responsibility for the airport operation with the assistance of an Airport Advisory Board.

Commissioner Attebery stated that all the correspondences received regarding the topic and public hearing have been reviewed by the BOCC and will be a part of the formal record. He asked those present and wishing to speak to remain on topic, to speak once and avoid repetition. He said that the BOCC is asking that each public comment period be limited to three minutes.

The following spoke in opposition of the dissolution of the Airport Authority Board: Dale Mullen, AAB Chairman; Bob Jolley, AAB; Dave Ulane, AOPA; Wray Pedro; Clyde Butler; Wes Taylor; Kathy Seei; Bob Giacomelli; Jill Rowland; Dallas Anderson; Hans Miesler; Shelly Shelly; Linda Anderson; Grant Lewinsky; Jerry Hoel; Daniel Dunn; Bob Koester; Darrell Kness; Patrick Lynch, Dave Noble, Ron Davidson, Elaine Jolley, Dennis Shaydak and Cynthia Williams.

B. Carroll Smiley presented the BOCC with a petition against the BOCC dissolving the current Board from the Silver West Homeowners Association (HOA).

The concerns expressed included but were not limited to: safety regulations; licensure; inspections; monitoring, maintenance; neglect and abandonment of the facility; the lack of experience and expertise for compliance with the state and federal standards. The adverse affect on property values in the general area; the economic loss from those utilizing the airport (real estate, lodging, restaurants and local merchants); the loss of potential investment and businesses; the loss of the visitor and tourism exposure the airport offers; and the loss of revenue the airport brings into the county through hanger leases.

The following spoke in support of an Airport Advisory Board rather than the existing Airport Authority Board: Mike Hess; Cal Leslie; and Dennis Shaydak.

The concerns expressed included but were not limited to: the yearly increase in the county budget to subsidize the airport facility; that the facility serves a minimal number of citizens and residents of the county; the lack of accountability to the BOCC and the taxpayers regarding the expenditures and proposed projects; the failure to operate under the county guidelines regarding the purchasing policy and not obtain approval from the County Attorney and BOCC on grant applications and contracts prior to submission and commitment. Additional remarks included concern that the AAB could take out bonds and notes for the airport on behalf of the county without proper notification or authorization of the county representatives.

Commissioner Elect Shy said that he believed the dissolution of an Authority Board with an Advisory Board would not jeopardize the operation of the airport. He said that the airport is a recognized and valuable county asset. He said that as long as the facility was subsidized with taxpayer dollars, the Airport Authority Board should be accountable to the county officials, taxpayers and citizens. He expressed concern that the figures presented by the AAB regarding the hanger lease, property taxes, and fuel sales brought into the county require further review and confirmation. He suggested that the BOCC schedule a workshop with all the parties concerned to further discuss and review the airport operational guidelines.

JD Henrich presented the airport fuel figures prepared by the Treasurer regarding the figures on the airport fuel. He said that in 2009 there was a profit of \$7,221.91, in 2010 a profit of \$9,055.66, in 2011 a loss of \$2,040.77 and to date in 2012 a loss of \$111.18.

Commissioner Attebery asked if there was anyone else wishing to speak. Hearing none he closed the public hearing at 3:05 PM and returned to the regular meeting.

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

The meeting was adjourned at 3:10 PM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery,  
Chairman