

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JULY 2, 2013**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS 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
Allen Butler	Vice-Chairman	Present
Kit Shy	Commissioner	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present was Nora Drenner, Sangre DeCristo Sentinel.

**AGENDA:**

- Call meeting to order
- Pledge of allegiance
- Roll Call
- Amend agenda
- Approval of minutes:
- Audience introduction
- Public Comment
- Commissioner Items
- Executive Session
- New/Old Business
- DOLA Local Government Agent Information Claim HB12-1244
- Landfill/Recycling Report – Rusty Christensen
- Treasurer Report – Virginia Trujillo
- Geyser Gateway Memorial Park Rest Area – Dorothy Urban
- Pike National Historic Trail
- Planning and Zoning Report – Jackie Hobby
- Teleconference with CDPHE

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

To accept the posted agenda. The motion carried unanimously.

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

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

To designate Kris Lang, Deputy Clerk to the BOCC as the agent for notices and correspondences for the Department Of Local Affairs (DOLA). The motion carried unanimously.

Commissioner Butler gave a report on the Silver West Airport. He said that the Airport Advisory Board (AAB) is reviewing and updating the Airport Improvement Program (AIP). He commented that the specific material necessary to crack seal the airport runway was being reviewed.

Commissioner Butler said that the audit for the Upper Arkansas Area Council of Governments (UAACOG) was completed and approved. He commented that due to the current governmental sequestration, funding for the UAACOG has been reduced.

The BOCC recessed at 9:50 AM.

The BOCC reconvened at 10:10 AM.

Commissioner Shy said he was in conversation with Colorado Counties Incorporated (CCI) regarding the correspondence that the Colorado Department of Revenue, Fuel Tax Unit mailed to Colorado City and County Governments. The unsigned correspondence reads that fuel purchased tax-exempt by a governmental entity must be used exclusively in performing its governmental functions and activities. Furthermore, the fuel is to be used only in vehicles owned and operated by the governmental entity granted the fuel tax exemption certificate. Non-governmental use of the fuel is subject to tax. Commissioner Shy said that the fuel usage for the Wet Mountain Valley Fire Protection District is being reviewed, however, at the present time will remain tax-exempt.

Rusty Christensen, Landfill Manager met with the BOCC. He reported that as the result of state regulations, slash and electronics are no longer being accepted at the landfill facility. Commissioner Shy said that he attended the UAACOG Recycling Meeting. He commented that the Town of Canon City and Florence will continue to participate in UAACOG Recycling at this time. Commissioner Shy said that he has been contacted regarding electronic recycling. He remarked that Oak Disposal Services (previously Veltrie Disposal Services) is accepting e-recycling at this time. Following a brief discussion the Board agreed that the county should opt-out of electronic recycling. The BOCC agreed to add the topic to the BOCC meeting agenda of July 16, 2013. The BOCC instructed the Deputy Clerk to the Board to contact Beth Lenz of UAACOG Recycling to obtain the guidelines and requirements necessary for Custer County to opt-out of electronic recycling.

Virginia Trujillo, Treasurer met with the BOCC and gave a report. The beginning balance on June 1, 2013 was \$3,566,924.47 and the ending balance on June 30, 2013 was \$3,907,893.86.

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

To accept the Treasurers report for June 2013 as presented. The motion carried unanimously.

Virginia Trujillo, Custer County Public Trustee gave a quarterly report of the Public Trustee to the BOCC pursuant to 38-37-104(3) CRS2002.

Commissioner Butler said that during the month of July he would be attending the following events: Airport Advisory Board, SCEDD, STAC, Water Round Table, Front Range TPR, Fourth of July activities, the County Fair activities, the County Auction and BOCC meetings on July 16 and 31, 2013.

Commissioner Shy said that during the month of July he would be attending the following events: 911 meeting, Work Force, Fourth of July activities, the County Fair activities, the County Auction and BOCC meetings on July 16 and 31, 2013.

Commissioner Attebery said that during the month of July he would be attending the following events: SCEDD, 911, Fourth of July and County Fair activities, the County Auction and BOCC meetings on July 16 and 31, 2013.

Approved 7/16/13

The BOCC discussed the County Auction scheduled for July 27, 2013 and agreed to hire an auction coordinator. The \$200.00 compensation will be paid to the auctioneer from the proceeds of the auction.

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

To hire an auction sales coordinator to manage and over-see the county auction scheduled July 27, 2013 with a caveat that the \$200.00 compensation will be paid from the auction proceeds. The motion carried unanimously.

The Board asked the Deputy Clerk to the Board to send out an e-mail to all the county departments notifying them of the motion. Letters of interest for the position will be accepted in the commissioner's office until July 5, 2013.

Jackie Hobby, Planning and Zoning Director met with the BOCC and gave a report. She presented the Special Events Permit (SEP) application for the Ride Westcliffe event scheduled on September 14, 2013 for the Boards approval. She said the application is complete and the fee has been paid. Upon further review it was noted that the insurance coverage submitted will expire prior to the date of the event.

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

To approve the SEP for the Ride Westcliffe event scheduled on September 14, 2013 with a caveat that the proper and current insurance confirmation be submitted to the Planning and Zoning Office prior to the event. The motion carried unanimously.

Ms. Hobby said that according to the Colorado State Onsite Wastewater Treatment System Regulation #43, septic permits are only valid for one year. She said that the Custer County Septic Regulations will be revised to reflect this regulation.

Dorothy Urban and Mayor Larry Weber joined the meeting. They gave an outline and presentation of the Geyser Gateway Memorial Rest Area project in the Town of Silver Cliff. Ms. Urban said that this is a planned project with low maintenance, open space, a walkable community design that will provide economic benefits, an increase in housing values and restore a blighted area through restoration and development. She said that to help pay for the new Rest Area and Memorial Walk vitralase engraved bricks will be sold. Ms. Urban asked the BOCC for a letter of support for the project.

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

To prepare a letter to the Town of Silver Cliff supporting the efforts and dedication for the creation of the Geyser Gateway Memorial Rest Area. The motion carried unanimously.

Dorothy Urban gave a report on the Pike National Historic Trail Study Act of 2013. She said the study act would amend the National Trails System Act for the designation of a Pike's Trail, a series of routes that follow the route taken by Lt. Zebulon Montgomery Pike during the 1806-1807 Pike expedition. Ms. Urban asked the BOCC to send a letter of support to Congressman Tipton, Senator Bennet and Senator Udall.

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

To prepare a letter addressed to Congressman Tipton, Senator Bennet and Senator Udall supporting the Pike National Historic Trail Study Act of 2013. The motion carried unanimously.

The BOCC recessed at 10:45 AM.

The BOCC reconvened at 1:20 PM

Approved 7/16/13

The BOCC participated in a teleconference phone call with Roger Doak and Eric Jacobs of the Colorado Department of Public Health and Environment regarding the Westcliffe Landfill, County Road 241 one mile north of Westcliffe, Colorado 81252. Also present was Rusty Christensen, Landfill Manger.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 2:35 PM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery,  
Chairman