

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 14, 2013**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION AT THE SAN ISABEL RESTAURANT LODGE IN SAN ISABEL, COLORADO.

Commissioner Lynn Attebery called the meeting to order at 12:00 PM 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 were: Rusty Christensen, Kevin Day, Christe Feldmann, Alden Gray, Larry Haynes, Jackie Hobby, John Spaar, Ruth Spaar, Bob Senderhauf, Dave Trujillo and Marge White.

AGENDA

- Call meeting to order
- Pledge of allegiance
- Roll Call
- Amend agenda
- Audience introduction
- Approval of minutes
- Public Comment
- Commissioner Items
- Executive Session
- Old/New Business
- CDPHE Correspondence
- OEM Report
- P&Z Report
- USFS Report

MOTION by Commissioner Butler seconded by Commissioner Shy:

To approve the minutes from July 31, August 5, and August 6, 2013 as presented. The motion carried unanimously.

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

The Board of Custer County Commissioners signed a correspondence responding to the Colorado Department of Public Health and Environment regarding the meeting of August 2, 2013 between CDPHE and the BOCC. The Board is in agreement with the finalization of the closure of the Westcliffe Landfill. The BOCC also signed a correspondence prepared for the High Altitude Garden Club thanking them for their contribution of time and effort on the grounds surrounding the county courthouse.

Commissioner Butler gave a report on the Statewide Transportation Advisory Council meeting he attended that included discussions on: the Colorado Department of Transportation, the Transportation Planning Region, the development of a transit system from DIA to Vail and from Fort Collins to Pueblo. He commented that he would like to see the county submit their 2014 projects and funding requests to STAC/CDOT in the beginning of the new year.

Commissioner Shy said he will be attending the Upper Arkansas Area Council of Government Work Force meeting.

Commissioner Attebery said he would be out of town from August 15 through August 25, 2013.

Christe Feldmann, Office of Emergency Management Director met with the BOCC and gave a report that included: incident action plan for parades and rodeos; Custer Emergency Services; 911 Authority Board; EMS/Dispatch guidelines; evacuation plans and communications. She commented on the regional activities that included: South Region All-Hazards Committee, Middle Arkansas Wildfire Protection Partnership; the Southern Front Range Public Information Officers Group; the Regional Emergency Trauma Advisory Council and the South Region Communications Committee. Ms. Feldmann remarked that the Code Red (Reverse 911) notification was near completion and that ICS NIMS700/ICS100 training was scheduled for June 25, 2013. She said that she continues to work and prepare mutual aid agreements that would assist and benefit the county. Ms. Feldman said that she applied to get match money from the Emergency Management Program Grant Special Project fund for the emergency sign that will be housed at the school and that it was approved. She said that she has been in contact with the owners of signage on Highway 69 N and Highway 69 S to display emergency notifications on a need basis. The BOCC said that the official county public signage for emergency information would be the emergency sign at the school. The Board expressed concern regarding the county's liability for emergency information displayed on private signs. The Board asked Ms. Feldmann to fully review and research the options and suggested she proceed with caution.

Commissioner Attebery remarked that the BOCC has started the process to adopt an Ordinance prohibiting the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities or retail marijuana store within the unincorporated boundaries of Custer County, State of Colorado. He said the first reading took place on August 5, 2013; the Ordinance will be published in its entirety on August 15, 2013; the second reading and public hearing is scheduled on August 30, 2013; adoption of the Ordinance is scheduled on September 4, 2013 with an effective date of September 5, 2013.

Commissioner Attebery gave an update on the CDOT Way Finding Interpretive Kiosk Signage to be placed in the Wetmore area. He said that the county has been given the opportunity to upgrade from a one panel kiosk to a three panel kiosk. He remarked that the By-Ways program had the additional funds required for the upgrade. He said that kiosk would require the review and approval of the Board of Zoning Adjustment (BZA).

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To proceed with a formal and official application for the kiosk to the BZA with a caveat that the ruling on this idea is subject to the Wetmore Community approval. The motion carried unanimously.

The topic will be added to the September 17, 2014 BOCC agenda for the meeting in the Wetmore area.

Commissioner Attebery said the next item on the agenda was a continuation of the Planning and Zoning Report from August 6, 2013. He excused himself from the remainder of the meeting due to a potential conflict on File #101-31-701.

Commissioner Butler, BOCC Vice Chair continued with the meeting.

Jackie Hobby, Planning and Zoning Director said she was requesting sub-division waivers under Senate Bill 35. She explained that the sub-division process does not need to be followed because the hardship is not made by the owners but that the county roads were splitting the properties.

She said that under these conditions a landowner may apply for an application for exemption from subdivision regulations.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To approve the subdivision waivers on File: 101-79-250, 101-32-700 and 101-31-701 under Senate Bill 35 with the condition that the county is deeded the recorded right-a- way as applied to the center of the driven surface. The motion carried.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To amend the motion to include that the landowners will be notified that the sub-division waiver gives them the right to apply for a zoning permit, well permit and septic permit but is not a guarantee of the said permits. The motion carried.

Ms. Hobby said that the insurance coverage on record with the Special Events Permit application for the Bike Westcliffe Event on September 14, 2013 from Club America expires three days prior to the event. She said that she has been assured that the renewed insurance card will be forwarded as soon as it becomes available and asked the Board to sign the SEP application.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To approve and sign the SEP for the September 14, 2013 Bike Westcliffe Event as presented with a caveat that the appropriate insurance coverage information is received. The motion carried.

Ms. Hobby said she spoke with Sheriff Jobe regarding the request from the Tractor Club to drive the tractors to the Alpine Restaurant and Lodge from one of the Town Parks and he said that he felt it was not an agricultural usage but rather an event and would require a Special Events Permit.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To require that the Tractor Club apply for a Special Events Permit for the proposed event. The motion carried.

Dave Trujillo, Road and Bridge (R&B) Supervisor asked the Board for direction regarding a heating system for the Wetmore R&B Shop. He said that the two options would be propane or usage oil. Following a brief discussion the Board asked Mr. Trujillo to review the options for a propane heater system and obtain an estimate for consideration.

Commissioner Butler asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 2:20 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman

Allen Butler,
Vice-Chair