

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 28, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

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

County General	\$162,656.08
Road & Bridge	70,953.88
Emergency Service	12,734.54
Social Service Dept.	16,321.56
Capital Improvement	1,450.49
Total	\$264,116.55

The sheriff's report for the month of January and February were approved.

County Administrator, Ric Ferron, informed the Board that he had spoke with Tom Ruth, Operation Manager from Aquila, concerning last months meeting with representatives from Sangre De Cristo Electric Company concerning the power outages that the county has been experiencing. Mr. Ruth will contact the Senior Vice President for line transmissions out of Kansas City to see if he will meet with the Board when the next meeting date is scheduled.

Commissioner Shy made a motion seconded by Commissioner Hoag to appoint Dick Downey to the Upper Arkansas Water Conservancy District Director Recommendation Committee for the year 2005. Motion carried unanimously.

Commissioner Shy reported to the Board that he had visited with Chip from CCI concerning a transfer tax in our county. According to Chip we are not able to enact a transfer tax due to Tabor.

Commissioner Downey made a motion seconded by Commissioner Shy to go into executive session to discuss personnel issues citing CRS 24-6-402(4). Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to reconvene into open session. Motion carried unanimously. No action was taken.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 1, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

Road & Bridge Supervisor, Gary Havens, met with the Board to give his monthly report.

WORK COMPLETED

- ❖ Pulled edges and did shoulder work on County Rd. 255 and Copper Gulch
- ❖ Completed White International sanding gear and chain repair
- ❖ Sent 6 employees to Pueblo for DOT physicals
- ❖ Ordered "Y" sign for County Rd. 341 and County Rd. 220
- ❖ Talked with Eddie at DOT and Becky at DOW about signs for Lake DeWeese on Highway 96. DOW is ordering new signs and will give us the old signs and Eddie will install the signs with arrows at County Rd. 241 showing directions.
- ❖ Checked out the report that someone was cutting wood on County Rd. 192. There was evidence of someone trimming tree limbs but no wood cutting
- ❖ Worked on washout areas on County Rd 318 as well as repairing and replacing culverts
- ❖ Worked on low spots at the lower end of County Rd 255
- ❖ Continued work on scraper and welding on tire chains
- ❖ Patching chip seal with UPM
- ❖ Received our supply of culverts for the year

WORK PLANNED

- ❖ Plow snow as needed
- ❖ Continue work on washout areas in roads
- ❖ Start blading County Rd. 255, 318, 319, 320, 232 and Airport Road on corners where areas are rough
- ❖ Screen gravel as weather permits
- ❖ Install culverts on County Rd. 255, 254, 323 and White Rock Rd., weather permitting

- ❖ Start blading secondary roads, weather permitting
- ❖ Annual MSHA refresher training on March 25

The Board approved the request by Gary to have the DOT physicals done at the West Custer County Clinic instead of going to Pueblo.

Clint will be attending a UNCC (utility locate company) meeting on March 16th in Colorado Springs on the procedures that counties must follow before any county roads are bladed or ditches pulled for road maintenance, or any installation of culverts or cattle guards.

Gary inquired if a decision had been made concerning his comp time.

The Board will meet with Mr. Cooper on March 15th at 1:00pm to discuss the proposed road work on County Road 243.

Commissioner Shy will write a letter to Mr. Seegers about the possibility of the county acquiring an easement for drainage and drainage structures to improve Copper Gulch Road. This will also help Mr. Seegers to proceed with his plans for this property. This easement would be for access, construction, maintenance and removal of materials only.

Commissioner Downey made a motion seconded by Commissioner Shy to adopt the following resolution. Motion carried unanimously.

RESOLUTION 05-2

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO TO VACATE AND ABANDON A PORTION OF VIRGINIA STREET IN THE UNINCORPORATED TOWNSITE OF ROSITA, COLORADO

WHEREAS, Custer County is a political sub-division of the State of Colorado; and,

WHEREAS, Colorado Revised Statutes (CRS) grant certain powers to Colorado Counties; and,

WHEREAS, CRS 43-2-303 specifically grants Boards of County Commissioners the authority to vacate all rights, titles, or interest, of a county to any roadway in any unincorporated portion of the county; and,

WHEREAS, Custer County has identified the following street as no longer required for public use in Custer County:

- A. A portion of a platted, but never constructed, city-street of Virginia Street in the disincorporated town-site of Rosita, Colorado; northerly, approximately 110 feet (+/-) from the platted intersection with County Road 328 (AKA: Rosita Road) to the northern termination of the platted Virginia Street; and,

WHEREAS, no public or private property will be land-locked by the contemplated action; NOW,

THEREFORE BE IT RESOLVED, that in accordance with the provisions of CRS 43-2-303, Custer County hereby vacates all right, title, or interest in the above described county street or road; AND,

BE IT FURTHER RESOLVED, that in accordance with the provisions of CRS 43-1-202.7, this resolution before us will be recorded with the Custer County Clerk and Recorder.

RESOLVED, ADOPTED AND SIGNED THIS 1ST DAY OF MARCH 2005, AT WESTCLIFFE, COLORADO.

CUSTER COUNTY BOARD OF COMMISSIONERS

DALE J. HOAG
CHAIRMAN

DEBBIE L. LIVENGOOD
CLERK & RECORDER

The Board met with the Social Service Department.

Sam DeNardo, representing Garren, Ross & DeNardo Accounting Firm, met with the Board to discuss the upcoming changes to the audit of the county finances for the year 2004. These changes are required in order to comply with the new GASB 34 regulation. Mr. DeNardo briefed the Board that while some elements of the old fund accounting would remain the same, the new requirement is for full accrual accounting, which will require changes to how the county accounts for their assets, liabilities and depreciation of the same. He discussed the requirement for a management discussion and analysis which must be client prepared. The Board advised him that the County Administrator would be responsible for the Management Discussion and Analysis. Mr. DeNardo concluded that the required changes would be made during the upcoming 2004 audit.

Jean Mavramatis updated the Board on the anti-tobacco program. Jean applied for a DUNS number to be used when applying for grants. The DUNS number issued to the county is 014842504.

County Health Nurse, Kelly Johnson, met with the Board to give her monthly report. In the month of February there were five well child exams, twenty-six immunizations given, forty-six health screening and one reportable illness. She also made a presentation on the role of Public Health and a second presentation on "Healthy Living Study of Centurions".

Commissioner Downey made a motion seconded by Commissioner Shy to transfer \$40,000.00 from the Capital Improvement Fund to the Self-Insurance Fund. Motion carried unanimously.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 2, 2004**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
John Naylor	County Attorney
Debbie Livengood	Clerk to the Board

Commissioner Downey made a motion seconded by Commissioner Shy to go into executive session to discuss personnel issues citing CRS 24-6-402(4). Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to reconvene into open session. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to appoint Dan Wachob, of Wachob & Wachob Surveyors, as the County Surveyor to replace Kit Shy who resigned from this position after being elected as County Commissioner. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to go into executive session to discuss personnel issues citing CRS 24-6-402(4). Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to reconvene into open session. Motion carried unanimously.

Commissioner Hoag made a motion seconded by Commissioner Shy to hire Gregory Sullivan as the Director of the Office of Emergency Management and to go into negotiation with Mr. Sullivan for a contract for this position. Motion carried unanimously.

Allen Butler and Lynn LaGree, representing the Airport Authority Board, met with the Board and presented a draft copy of the resolution called "Airport Protection Overlay

District for the Silver West Airport”. Those present reviewed the document and made the appropriate changes. Lynn will retype the document reflecting the changes and meet back with the Board for their consideration to adopt the proposed resolution. If adopted, this resolution would regulate and restrict the height of structures and objects of natural growth, and otherwise regulate the use of property in the vicinity of the Silver West Airport by creating appropriate zones and establishing boundaries.

County Treasurer, Doris Porth, met the Board to give her monthly report. It was approved.

Commissioner Shy made a motion seconded by Commissioner Downey to have the County Assessor abate the taxes in the amount of \$68.62 for the year 2004 assessed to Lots 1-4, 7-10 Blk 29; Lots 6 S1/2 of Lot 7, N1/2 of Lot 8 and Lots 9 & 10 Blk 32; Lots 1-10 Blk 116; Lots 1-3 and 7-10, N1/2 of lot 5 Blk 125 Silver Cliff. Motion carried unanimously. The above mentioned property ownership was reverted back to the county from the previous owner, Frank Burdine.

Commissioner Downey made a motion seconded by Commissioner Shy to appoint Elizabeth Watson to fill the vacancy created on the Custer County Extension Advisory Board due to the resignation of John Watson. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to go into executive session for personnel issues and to consult with the County Attorney citing CRS 24-6-402(4). Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to reconvene into open session. Motion carried unanimously.

County Zoning Officer, Linc Lippincott, met with the Board to give his monthly report. Topics discussed were:

- ❖ Sign permit regulations were discussed with the county attorney. All signs posted must be no larger than 20 sq. ft. and for the use of the occupant of the property only. It is the opinion of the county attorney, that if a contractor wants to post a sign on the property while working there, it would be acceptable. They are the occupants of the property at the time. When they have completed the project and leave the premises, the sign must be taken down.
- ❖ Lots 5 & 6 Cristo Vista #4 have been consolidated into Lot 5A. The correction plat for this subdivision still reads lots 5 & 6, does this need to be corrected? According to the county attorney, the Zoning Office needs to record a document in the clerk’s office stating that Lots 5 & 6 are now know as 5A. A copy of this recorded document will be attached to the plat.
- ❖ A vacation or replat that is creating lot line adjustments needs to be signed by the Planning Commission, Board of Zoning Adjustment and the Commissioners.

- ❖ Public notices for workshops were discussed. According to the county attorney if the statement “and other related subjects” is listed on the notice, it covers all of the requirements.
- ❖ Are site tours legal - The county attorneys opinion is that as long as all decisions are made in the public meeting, site tours are legal.
- ❖ Special Use Permit Review for LaDonna Slifco’s landscaping business. The recommendation of the Zoning Office is to review on a written complaint basis since there have been no complaints.
- ❖ Special Use Permit Review for Rob McIllwraith’s restaurant. The recommendation of the Zoning Office is to review the SUP again in five years since there have been no complaints and he has met all requirements.

Being no further business the Board adjourned.