

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, MAY 31, 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	\$ 162,790.26
Road & Bridge	153,799.80
Emergency Service	13,335.99
Social Services	16,556.68
Capital Improvement	98,000.23
Self-Insurance	4,396.00

The Board received a "Thank You" from the Town of Silver Cliff, for allowing both towns the use of the landfill facilities free of charge for the fifth annual "Clean -up Day".

CCI is requesting historical photos from all sixty-four counties with a brief description attached be used in the decorating of the new commissioner's conference room in the CCI building. The county administrator will contact the historical society to inquire about what photos might be available to make copies of and send to CCI.

The County Administrator is to audit all deposits and expenditures that are related to the OEM Office and to ensure that all deposits are covering the expenses of that office.

Chuck Steigerwalt, representing the San Isabel Fire Department, met with the Board concerning insurance coverage on their equipment. Mr. Steigerwalt informed the Board that they have no problem receiving grants to buy equipment, but, are not able to receive grants for operating expenses. Since the county is not able to help with the operating expenses out of the conservation trust fund monies, due to the changes the way these funds may be used, Chuck was inquiring if the county possibly could insure their equipment and the volunteers of the fire department under the counties insurance policy. County Administrator, Ric Ferron, thought there was a possibility that under our policy volunteer organizations were covered if they where under the supervision of the county, therefore the San Isabel Fire Department would have to be under the supervision of the sheriff. CTSi would possibly cover the fire equipment if the San Isabel Fire Department would be willing to sign ownership of the equipment over to the county. However, the building would not be covered since it is on private property. Mr. Steigerwalt will

pursue this conversation with the Fred Jobe, the county's fire marshal and meet back with the Board at a later date.

Harold Frank was scheduled to meet with the Board, but did not show.

Johnny Zwegardt from the Lake DeWeese area, met with the Board with concerns about the 10' X 10' sheds that are being built at Lake DeWeese to circumvent the zoning regulations and then being modified for living quarters. He is concerned about the close proximity of wells to septic systems and the possible health issues. He also has concerns about individuals not having septic systems or very poor systems; building without purchasing permits and would like to see Lake DeWeese become a state park. Law enforcement on holidays such as Memorial Day, 4<sup>th</sup> of July and Labor Day was also discussed. Commissioner Downey suggested that Mr. Zwegardt write a formal complaint of possible zoning violations. The code enforcement officer will investigate these complaints.

The Board adjourned at 2:25pm.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JUNE 6, 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

Meeting was called to order at 8:30am.

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

**WORK COMPLETED**

- ❖ Completed work on County Rd. 243 including hauling base, installing driveways, culverts and cattle guards
- ❖ Bladed Hermit, Ula, Airport Rd. east of Wykagel, Rosita, Alpine, Willow, County Rd. 341, Butter Cup, County Rd. 220
- ❖ Hauled base to Wetmore
- ❖ Dozed a pile for screening at the south pit
- ❖ Installed mail boxes on County Rd 243
- ❖ Picked up culverts on Colony and moved to County Rd. 243 driveways

## **WORK PLANNED**

- ❖ Blade Wykagel, Choctaw, Sangre Dr. Music Mtn Dr., Spread Eagle, Rosita Hills, Muddy, Ute Mesa, County Rd. 164, 172, 173, Colony, County Rd 136, south end of County Rd 220

## **OTHER ITEMS DISCUSSED**

- ❖ Land fill personnel still needs to view video to complete their drug program for DOT
- ❖ Gary and Ric will work together on putting together a committee to promote a mill levy increase on the November ballot. Commissioner Shy suggested contacting Roger Camper, Jim and Lynn Ward, Steve Marintino, Don Kaufman, Marty Frick and Joe Arbuckle if they would be interested in helping with a committee.
- ❖ Gary has accepted applications for the last two weeks and has only received one application. He is considering extending the deadline to accept applications
- ❖ The Board asked Gary to grade Tanglewood Rd. and add some road base and blade Centennial Road this month.
- ❖ Roger Squire in going to do shoulder work on the Airport Rd.
- ❖ Re-building blade on the loader. The money is in the budget.
- ❖ Reviewed Road & Bridge budget.
- ❖ County Rd. 255 still needs a cattle guard installed.
- ❖ One of the diesel pumps at the Wetmore Shop is not working. The quote on purchasing a new pump is \$5,000.00.

Commissioner Shy made a motion seconded by Commissioner Downey to approve the minutes of March 31<sup>st</sup>, April 4<sup>th</sup> and 5<sup>th</sup>. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to renew the liquor license for St Andrews at Westcliffe. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to approve the minutes of April 19<sup>th</sup>. Motion carried unanimously.

The Board set the date of August 2<sup>nd</sup> for the Board of Equalization hearing. Hearings will be scheduled from 3:00pm to 5:00pm.

County Extension Agent, Gary Hall, and Joel Plath, Regional Director from the Colorado State University Cooperative Extension, met with the Board to inform them that CUS have chosen Gary Hall fill in as a temporary replacement agent in El Paso County effective June 1<sup>st</sup> one day a week. Gary will be doing mostly administrative duties in the office, working with the 4-H Foundation, the Advisory Board and the Budget Committee.

Steve Chaney, representing the USFS, met with the Board to update them on the purchase of Baca Ranch. The closing date on this transaction was September 10, 2004 and the re-

designation of the land to a National Park took place on September 13, 2004. There is approx. 97,000 acres of land in the Baca Ranch, approx. 50,000 acres of this land has been turned into a refuge, which at this time is not open to the public. The rest of the land is either park or forest land and is open to the public.

Steve Chaney also discussed the “General Operational Management Plan”. A few of the changes that are going to be made include; changes in the rules for dogs, due to the sheep population; ATV’s, and vehicle access at the north boundary of the park by Crestone. All of the changes that are going to be made will be announced in three to four weeks. Mr. Chaney also stated that they are interested in purchasing water rights from Mr. Redmond. Mr.Redmond owns the only senior water right before the National Park.

Mr. Chaney also informed the Board that they are thinking about empty Sand Creek and re-stocking it with native species of fish, but as of right now they are only collecting data.

The Board met with the Social Service Department.

The Board discussed a letter received from Jim and Donna Hecke, who own lots 128 & 129 in the Town site of Rosita, and Jim and Anne Mariner, who own lots 130 and 131 in the Town site of Rosita, requesting that a portion of 3<sup>rd</sup> Street that runs between 2<sup>nd</sup> Ave. and 1<sup>st</sup> Ave. be vacated, stating that “this portion of 3<sup>rd</sup> Street is impassable due to the rugged terrain”. After reviewing the letter received by the homeowners and checking with the records on file in the county. It was the decision of the Board not to vacate 3<sup>rd</sup> St. since 2<sup>nd</sup> Street has already been vacated, leaving 3<sup>rd</sup> Street as the access road. The county administrator will write a letter to the parties making the request to inform them of their decision.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JUNE 7, 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
John Naylor	County Attorney
Debbie Livengood	Clerk to the Board

Meeting was called to order at 8:30am.

Ms. Leona G. Calderwood met with the Board concerning an action that was approved by the County Commissioners in February 2004, that allowed for a zone change on property owned by Ms. Calderwood in Sections 14 & 15, Twp 23S Range 72W of the 6<sup>th</sup> P.M. on the condition that there be a deed restriction prohibiting future division of the property on the recorded plat. According to the Zoning Office this has never been done. The county attorney recommended that a reconveyance deed from Ms. Calderwood to herself showing the deed restriction be recorded in the Clerk's Office.

Commissioner Shy made a motion seconded by Commissioner Hoag to have Ms Calderwood prepare a Bargain and Sale Deed with language that reflects the designated restriction that is recorded in book 491, page 102, reception number 197889 and that the document be accompanied by an O & E (ownership and encumbrance report) along with a sketch for the county attorney's approval. The deed and sketch shall be recorded once approved by the county attorney. Motion carried unanimously.

County Treasurer, Doris Porth, met with the Board to give her monthly report. It was approved. Doris reported that sales tax is up from this time last year and that the highway users monies were down from last year.

Doris informed the Board that she is in the process of working with the state to recover sales tax monies from the San Isabel Lodge that was sent to Pueblo County. The Board suggested that if she did not get a response back from the state to contact Senator Kester.

The Sheriff's report for the month of May was approved.

County Health Nurse, Kelly Johnson, met with the Board to give her monthly report. There were seventeen child immunizations and ten adult immunizations given in the month of May. Sixteen health screening were done and one reportable illness. There has been approx. \$20,000.00 approved to be used to updated GIS system for the 911 system. The funds will be coming out of the Bio-terrorism grant money. Commissioner Shy is going contact Bob Bush, who is the GIS Director in Fremont County for the GIS Foundation and have him contact Christy Geroux for their input.

There is going to be a quarantine and isolation training on August 16 & 17 in Lamar. Greg Sullivan, Fred Jobe and Kelley are going to attend. The money to pay for hotel accommodations will come out of the Bio-terrorism grant. The Board would like Ric to also attend.

The vaccinating for the Sheriff 's Office, Road & Bridge Department, coroner and the landfill employees will be paid for out of the each departments misc. funds.

Jean Mavromathis gave her monthly report. She presented a contract to the commissioners for their signature to extend her budget. Jean is going to conduct a teen health fair again next year. They are revisiting the five-year plan for Tobacco Abuse Prevention.

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

- ❖ Review of documentation for Shining Mountain Estates Subdivision – Neither John Naylor nor Linc received any documentation prior to the meeting to be reviewed. No decision was made.
- ❖ Sam Guerrero met with the Board in regards to land he purchased in Silver cliff Heights four years ago. They have cleared an area for their building site and have discovered there is an easement on both sides of the road, along with a cul-de-sac. If they move their building site to meet the set back regulations there is a problem with a steep drop off that would require a lot of backfill, or to build his home on pillars. According to Mr. Guerrero there is no Homeowners Assoc. to meet with about this situation. He is requesting the permission of the Board to allow him to vacate the cul-de-sac. The Board informed Sam that these roads were never dedicated to the county; therefore they do not have ownership to vacate them. The Board suggested that he pursue a setback variance and recommended that he get a letter or support from his neighbors.
- ❖ Nancy Strickland aka Nancy Johnston owns three lots in Blumenau #3 that were consolidated in July 2001. She is requesting that the Board allow her to separate this property back to its original three lots. The Zoning Office has told Nancy that she must follow the subdivision process, however, she is looking for an alternative to this process. The Board concurred with the zoning office. Linc will notify Nancy with their decision.
- ❖ Round Mountain Water & Sanitation Offsite Leach Expansion – Linc joined Michael Liuzzi and Kent Kuster, both state inspectors, on their site tour and reviewed the proposal infiltrator fields on 37 acres in the county. The state was not satisfied completely with accepting their proposal for all the site areas. Round Mountain is going to have to install inspections ports, which should have already been in place. They will also need to re-submit their application after making necessary modifications.
- ❖ Discussed the Special Use Permit for the Bed and Breakfast owned by Mr. & Mrs. Seibel. Their permit is up for review in 2006. They are in full compliance and there have been no complaints.

Commissioner Downey made a motion seconded by Commissioner Shy to terminate Mike Hess's appointment as and alternate to the Planning and Zoning Board. Motion carried unanimously.

Joy Lewis met with the Board in reference to animal control within the two towns, and the county and the responsibility that each entity has with animal control. Joy has formed a non-profit organization called "Pawsitive Reaction". Her major concerns are emergency evacuation of animals if there should be a disaster and stray animals receiving proper care. She was inquiring if the county would be interested in having a rescue shelter for strays, and if so would the county be willing to help with this endeavor. The Board's was that they felt this was not a problem within our county.

Silver Cliff Mayor, Allen Butler, Silver Cliff Town Administrator, Sue Hutton and Westcliffe Town Administrator, Don Stuart, met with the Board to review and discuss the Rural Transportation Authority Intergovernmental Agreement. The Town Attorney for Westcliffe was also present and made the statement that he was concerned that there was no budget attached with the IGA, nor did it state who would be administrating this program or the cost of an administrator. After a lot of discussion and reviewing of the IGA, it was decided that the above mention individuals would meet back after June 14<sup>th</sup> and made a decision of proceeding with the IGA or just proceed on our own.

Office of Emergency Management Director, Greg Sullivan, met with the Board to give an update.

- ❖ CES meeting on June 15<sup>th</sup> at 1:00pm to discuss the Community Fire Plan.
- ❖ Planning a mass casualty exercise in September. Chad Ray will plan and do the analysis of the exercise. Everyone in the exercise will be volunteering there time. The only expense that will be involved is for hotel rooms and food for those traveling out of town for the exercise. The approx. expense will be \$1,000.00 and will be taken out of the bio-terrorism grant funds.
- ❖ Gary is trying to get three more 800mz radios to use to determine the dead zones within our county. He is also looking for a site to erect another tower to be used with the 800mz radios to help with these areas where no service is available in the Hardscrabble Canyon and Wetmore.
- ❖ Bob Benz, representing Digit comb will be in the county on July 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> with the new 800mz radios. He will be programming the radios and doing training on the use of these radios for three days. Commissioner Shy suggested that the radios be stored in the firehouse.
- ❖ Gary informed the Board that he had applied for and has been approved for the CERT grant that may be used to pay the OEM's salary. Mr. Sullivan will be writing a letter asking them to release these funds.
- ❖ Commissioner Shy suggested that Gary visit with Kenny Patterson concerning the 800mz radios. Kenny is the person in charge of communication at the fire station and could be of help to the OEM.
- ❖ Commissioner Downey asked Gary to find out the status of the dispatch console that was requested in a grant.

Patrick O'Conner met with the Board in regards to the Gold Miners Soccer Club. They are writing a grant for the construction of a multi-purpose field to be located on Hermit Road. He was requesting a letter from the county supporting this project that would be attached to the grant application. The Board agreed to write a letter.

Being no further business the Board adjourned at 4:00pm.