

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MAY 31, 2011**

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 9:00 AM and the Pledge of Allegiance was recited.

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 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 Comments

Old/New Business:

Review vouchers and sign checks

County In-Kind Service guidelines (discussion)

9:30 AM St. Andrews Golf Course Liquor License/manager change

Transfer of Funds requests - Debbie Livengood, Clerk and Recorder

Treasurer Report – Virginia Trujillo

STAFF MEETING

MOTION by Commissioner Austin, 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.

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

County General	\$185,441.40
Road and Bridge	\$128,201.31
Emergency Services	\$ 11,261.96
Human Services	\$ 20,912.65
Capital Improvement	\$ 2,345.13
Airport Fund	\$ 725.55
Tourism Fund	\$ 5,135.25
Self Insurance	\$ 2,757.88
TOTAL	\$356,781.13

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To approve the May 2011 accounts payable. The motion carried unanimously.

Dale Mullen, Custer County Airport Authority Board (CCAAB) Chairman joined the meeting and said he was in attendance to support the Clerk and Recorder's request for a transfer of funds from the County General Fund to the Airport Fund. He expressed continued concern regarding the county's hesitation to sign a direct deposit contract with the Hiller Group, Inc. He said that the direct deposit contract would provide aviation fuel reimbursement within two days of the credit card purchase. The Board agreed to discuss the request with the County Treasurer during her monthly report scheduled on this date.

Debbie Livengood, Clerk and Recorder addressed the BOCC and presented a complete application from St. Andrews Golf Course at Westcliffe, Colorado requesting a change in manager as part of their liquor license. Ms. Livengood introduced the new manager, Scott L. Chapman. She said that she has been in communication with the County Attorney and that he was currently available by landline if the BOCC had any questions or concerns. She said that Mr. Chapman was present to provide any additional information necessary.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To approve the request from the St. Andrews Golf Course at Westcliffe, Colorado designating Scott L. Chapman as the manager for the facility . The motion carried unanimously.

Ms. Livengood requested the transfer of \$24,554.03 from the Conservation Trust Fund to the County General Fund.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve the transfer of \$24,443.03 from the Conservation Trust Fund to the County General Fund as requested. The motion carried unanimously.

Ms. Livengood requested the transfer of \$10,000 from the County General Fund to the Airport Fund.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the transfer of \$10,000.00 from the County General Fund to the Airport Fund as requested. The motion carried unanimously.

Ms. Livengood stated that the clerk and recorder's office has numerous election boxes filled with outdated paperwork that need to be destroyed. She said that an estimate from a mobile record shredder was approximately \$835.00. She remarked that since the estimate was over \$500.00 that she was requesting BOCC approval. Ms. Livengood commented that she would review the clerks budget for the funding required. The Board agreed to research other possible funding options.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the shredding request as presented by Debbie Livengood, Clerk and Recorder, not to exceed \$1,000.00. The motion carried unanimously.

Virginia Trujillo, Treasurer met with the BOCC and gave a report for the month of April 2011. The beginning balance was \$2,955,959.15 and the ending balance is \$3,936,942.32.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To accept the Treasurer's report for April 2011 as presented. The motion carried unanimously.

Dale Mullen, CCAAB Chairman addressed the Board and the Treasurer and explained the direct deposit request from the airport authority board for aviation fuel sales. He presented the electronic fund transfer authorization from the Hiller Group, Inc. for review. Ms. Trujillo responded that the County Attorney had previously advised against the electronic fund transfer authorization and her department was following that recommendation. She expressed concern regarding the charge back process with electronic transfers and stated that the treasurer department would not assume that responsible. Mr. Mullen agreed that if the electronic funding process was approved he would assume responsibility for any charge backs for the airport fund. The Board agreed the topic would be discussed with the county attorney at a future date.

Sheriff Fred Jobe presented the 2011 Annual Operating and Financial Plan between the Custer County Sheriff's Office and the USDA, Forest Service for the BOCC's approval. He explained the total allocation was \$9,880.00. The reimbursement for patrol activities shall not exceed \$5,265.00 and the reimbursement for equipment shall not exceed \$4,549.92.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To approve the Cooperative Law Enforcement Annual Operating and Financial Plan #10-LE-11021203-023 as presented. The motion carried unanimously.

Commissioner Attebery signed the agreement as Chairman of the BOCC.

Sheriff Fred Jobe and Deputy Mike Halpin addressed the BOCC regarding the extended warranty for the courthouse security panic buttons. Deputy Halpin said the cost of the extended warranty would be \$308.00. Following a discussion the Board agreed that Deputy Halpin would obtain clarification regarding the equipment repair, replacement and service call costs.

Commissioner Austin asked Sheriff Jobe for clarification of a specific detention center expenditure on the sheriff reports submitted. Sheriff Jobe responded the expenditure was for inmate medications.

The BOCC accepted the Sheriffs Reports for February, March and April of 2011.

The BOCC recessed at 10:10 AM.

The BOCC reconvened at 10:35 AM.

Dave Trujillo, Road and Bridge Supervisor joined the meeting.

Commissioner Attebery referenced the Custer County policy on use of county equipment adopted as a personnel directive on April 9, 1997. He stated that John Naylor, County Attorney confirmed that this policy was still in effect. A portion of the policy reads that no county owned or leased equipment will be used by any county employee or member of the public for personal use. County equipment may be used for public benefit by civic or charitable groups and will be operated by county employees. The equipment will not be used during normal working hours and the civic or charitable group must pay the operator wages equal to county pay, unless said operator willingly donates his/her time to the organization. All requests should be made in writing to the Road and Bridge Supervisor.

Mr. Trujillo expressed concern regarding the increasing amount of in-kind services requested and provided by the road and bridge department. He said that all in-kind service requests should come before the BOCC for approval. He proposed that any non-County requests be subject to a reimbursement fee or compensation to the county. Commissioner Butler suggested that Mr. Trujillo meet with his staff to review and revise the agreement. He remarked that the road and bridge department assists the Town of Silver Cliff and the Town of Westcliffe each year with chip seal on the roads. Commissioner Austin proposed that approval for in-kind services be determined by the supervisor and not require a BOCC approval. Additionally, the approval will be based on the availability of the road and bridge staff and equipment. Commissioner Attebery suggested eliminating the section that addresses the use of county shops since it was no longer applicable. He said that at the May 2, 2011 meeting the BOCC and Mr. Trujillo agreed that all in-kind requests would require Board approval.

Commissioner Austin announced that due to scheduling conflicts the Staff Meeting at 1:00 PM was cancelled.

Commissioner Attebery presented a letter addressed to Mullet Excavating for the Boards signature. The correspondence confirms in-kind services at the Wetmore project amounting to \$5,300.00 The BOCC signed the letter.

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

The meeting was adjourned at 10:55 AM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman