

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, APRIL 16, 2013**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE WETMORE FIRE STATION, WETMORE, COLORADO.

Commissioner Lynn Attebery called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Commissioner Attebery asked those present to remain standing for a moment of silence for all those affected by the tragic incident at the Boston Marathon on April 15, 2013.

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: Sandra Attebery, Bill Donley, Alden Gray, Jackie Hobby, Greg Tabuteau, Dave Trujillo and Virginia Trujillo.

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
Road and Bridge Report (update)
Planning and Zoning Report (update)

MOTION by Commissioner Butler, seconded by Commissioner Shy:

To approve the minutes from March 29, April 1 and April 2, 2013 as presented. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments. Bill Donley said that a 2006 Fire Truck has been added to the Wetmore Fire Station. He remarked that the vehicle required two large tool storage bins and would need tires in the future. Following a brief discussion the BOCC agreed to research the requirements and availability of the Title 111 funding to assist with these purchases. Mr. Donley shared concerns regarding three loud helicopters that were flying low over the area after 9 PM. The BOCC suggested that Mr. Donley contact the Sheriff's Office and report the incident(s) so that it will be logged in at the SO. Greg Tabuteau requested an update regarding the millings for the helipad adjacent to the Wetmore Fire Station. The BOCC and Road and Bridge Supervisor said that the millings were available in Walsenburg, CO, but would require the use of a front end loader. It was suggested that the Wetmore R&B crew approach CDOT when they are repairing the detour bridge on Highway 67 regarding any excess millings for the project.

The BOCC agreed to review the topic at the next scheduled BOCC meeting in the Wetmore area on July 16, 2013.

Alden Gray thanked the Board for all their efforts in getting the second light installed in the Wetmore area.

Commissioner Shy said that he spoke with Justin Krall regarding the Southern Colorado Climber's Resource and Action Group (SoCo.CRAG) request to gain the approval of the Colorado State Land Board to allow rock climbing at Beddows Mountain. He said that Mr. Krall shared some additional information with him that he would include in the support letter from the BOCC. Commissioner Shy will review and revise the correspondence to reflect the concerns. He reported that Custer County hosted visits from State Legislators Scott Tipton, Jim Wilson and Larry Crowder. He said that all the commissioners had participated in the 9 Health fair.

Commissioner Butler said that he would be attending a COG meeting in Chaffee County on April 17, 2013. He gave a report on the TRP and STAC meeting he attended on April 12, 2013 that presented a concept being considered for a future high speed rail from DIA to Breckenridge and Vail and from Fort Collins to Pueblo.

Commissioner Attebery said that it has been suggested that the May 22, 2013 BOCC meeting be revised to 6 PM to accommodate the working public. He said that the clean-up effort will continue for the Wetmore area.

Greg Tabuteau said he was on the Fremont County Airport Advisory Board and that he encouraged the Custer County Airport Advisory Board to research and pursue the funding available from the Department of Aviation.

Dave Trujillo, Road and Bridge Supervisor presented an estimate in the amount of \$15,200 from the Eaton Sales and Service LLC., Salt Lake City, Utah for the purchase and installation of a fuel pump dispenser system at the Road and Bridge facility. The new fuel system will be accessible with a key or cards. Following a discussion the BOCC agreed to consider increasing the fuel price five cents a gallon for the departments and county entities utilizing the system to help offset the cost of the installation.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To approve the contract from Eaton Sales and Services as presented. The motion carried unanimously.

Mr. Trujillo presented a \$6,000 estimate from PSI Systems in Colorado Springs, CO, to install an oil burning heating system in the R&B Wetmore Shop. Following a discussion the BOCC asked Mr. Trujillo to research other options and vendors before proceeding and report back to them.

Jackie Hobby, Planning and Zoning Director met with the BOCC and reviewed the zoning violation File 102-36-922. Following a lengthy discussion the BOCC agreed to accept the Planning and Directors recommendation regarding the zoning fees; an ISDS variance and the installation of an approved septic system in six months.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To accept a payment plan for the zoning permit fees without the penalty. To approve a six month variance for the ISDS and to require the installation of an approved septic system in six months.

Commissioner Butler recused himself from voting and stated for the record that the property owner is also one of his employees. The motion carried.

Ms. Hobby said that effective July 1, 2013 state regulations will prohibit the installation of vault systems and asked if Custer County would continue to allow them. Following a short discussion the BOCC agreed that without a plumbing code the county would defer to the state regulations. Ms. Hobby said that it was her understanding that the permitting of an incinerating or composting toilet may be subject to the jurisdiction of a local agency regulating plumbing or the Colorado Plumbing Board. She said that she has been in contact with a representative of the Colorado Department of Public Health and Environment and a plumbing inspector from the Department of Regulatory Agencies for confirmation and would report back to the BOCC at a later date.

Ms. Hobby reported that after receiving a complaint regarding malnourished horses, she and a sheriff's deputy went to the property and checked on the condition of the horses. She said they did not observe any horses that were malnourished, injured or dead. In fact on arrival, they noticed that the animals had plenty of water and hay. Ms. Hobby said she notified the President of the Sierra Mojada Home Owners' Association that the property is a use by right under the Custer County Zoning Regulation Section 7 states in 7.1.1. Uses Allowed by Right if Farming and Ranching. One single dwelling unit, Accessory structures and Non-conforming uses subject to Section 9.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 7:40 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman