

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING FOR THE PURPOSE OF
DISCUSSION AND REVIEW OF THE WETMORE COMMUNITY CENTER/LIBRARY PROJECT
December 15, 2015**

Commissioner Kit Shy called the meeting to order at 2:00 PM and the Pledge of Allegiance was recited.

Roll Call was taken:

Kit Shy	Chairman	Present
Lynn Attebery	Vice-Chairman	Present
Bob Kattnig	Commissioner	Present
Clint Smith	Attorney	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present was: Brent Bruser, Donna Hood, Peggi Collins, Steve Cox, Paul Reagan, Cindy Reagan, Russ Hartbauer, Dale Falske, Dale Mullen, Walter van Woudenberg, Paul Sage, reporter for the Sangre DeCristo Sentinel and Jillian Ward and Wayne Ewing, reporters for the Wet Mountain Tribune.

AGENDA:

Call meeting to order
Pledge of allegiance
Roll Call
Amend agenda
Audience introduction
Public Comment
Approval of minutes
Commissioner Items
Attorney Items
Executive Session
New/Old Business:
Elected Official State Salary – B. Bruser

Amend Agenda

None

Public Comment

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

Approval of Minutes

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:

To approve the minutes of the December 7, 2015 BOCC meeting as presented. The motion carried unanimously.

Commissioner Items

None at this time.

Attorney Items

Attorney Smith said that he has received the documentation regarding the closure of the landfill from Fidelity National Insurance and would complete the required paperwork for submission to CDPHE. He said that he

spoke with the legal representation for Maurice and Lois Woods, File #102-87-405 and asked the BOCC to table any legal action against the property owners until the December 30, 2015 BOCC. Attorney Smith said the property owners are part of the agenda for the meeting that day. The Board agreed.

Executive Session

None at this time.

Larry Weber, representing Search and Rescue (SAR), presented the BOCC with an estimate from Kenny Crofford in the amount of \$1,050.00 for the patch work and paint of the drywall damaged in the SAR building. He said that the quote is subject to change if the drywall and or the insulation need to be removed and replaced. The BOCC said since it was not an agenda item for the meeting, they would not take any action and agreed to add the topic to the agenda for the December 30, 2015 meeting.

NEW/OLD BUSINESS

Elected Official State Salary – B. Bruser

Brent Bruser distributed packets that included: Exhibit 1, 2, and 3, as well as questions and observations received from the public and recommendations regarding Senate Bill 15-288. He reviewed each document in its entirety and expressed his concern regarding the state mandated raise for county elected officials. Mr. Bruser said that it appears that the topic was handled under the radar, at the eleventh hour without public notification or participation. He said even though it was on the December 8, 2015 BOCC agenda, he did not feel it was correctly advertised as an action item. He said that he has been in discussion with Commissioner Kattnig regarding the topic and thanked him for his candor and forth coming communication on the issue. He said that it appears that the BOCC had the option of taking less than a 30% increase and questioned whether that was ever discussed or considered. He remarked that there were lower sub-categories of 20%, 10% or 0 % options available. He said that the BOCC was a part time position and proposed those positions should agree to accept a lower increase. Lastly, Mr. Bruser asked how the county would pay for these additional expenditures. Mr. Bruser proposed that the BOCC appoint a blue ribbon committee to review SB 15-228, to gather facts, and evaluate the financial impact. Commissioner Shy said that the county elected officials were all aware and informed of the process. He said that the BOCC met with the county elected officials and discussed the options during a public and open BOCC meeting on December 8, 2015. He further added that the topic was posted on the agenda. He said that the increases have been in the works for over five years and were recently passed into law and signed by the Governor. He said that the BOCC did not have the option of separating out the individual county elected positions to determine which position would receive the increase or at what tier. The state requires that the county function as a whole on the issue and that all the elected officials agreed with the 30% state mandated increase. The BOCC argued that their positions were not part-time responsibilities and in addition to the meetings and responsibilities within the county, they are on various regional panels and boards throughout the state that require research, preparation, participation, and attendance. Other members present in the audience shared concern on how the county was going to pay for the mandated increases and whether increased taxes or mil levies were being discussed. Commissioner Shy said that tax or mil levy increases were not being discussed or considered at this time. He said that the topic of the proposed wage increase has been discussed with the elected officials and department heads during the past two budget cycles and budget hearings. The departments are aware of the situation and he said they would rely on over-all spending discretions as well as the potential for increased revenues to absorb the cost during the years 2017 through 2019. He said that the county elected officials have not received an increase in compensation for over twelve years and that an increase was warranted. Commissioner Shy said that the only action or motion required at the December 8, 2015 BOCC meeting would have been for a change from the 30% state mandated increase. He said that he called for a motion twice without any response and then stated for the record that by taking no action, the 30% legislative tier level would not change.

Commissioner Kattnig remarked that the BOCC should have made a motion to accept the state mandated 30% increase. Commissioner Shy said that the only motion or action necessary or required was if the BOCC was not going to accept the state mandated increase. Commissioner Attebery agreed. Commissioner Kattnig said that he would like to have further discussion on the topic at the December 30, 2015 BOCC meeting. The topic will be added to the agenda.

The BOCC recessed at 3:30 PM.

The BOCC reconvened at 3:45 PM.

Commissioner Shy announced that Custer County has received correspondence from the Office of the State Court Administrator of the Colorado Courts. The Underfunded Courthouse Facility Commissioner has approved an application for funding for the Fiscal Year 2016, Underfunded Courthouse Facility Fund in the amount of \$40,000.00. He said the county requested \$25,000.00 for the planning process of expanding and improving the courthouse and was pleased to learn that the commission approved \$40,000.00 Commissioner Shy thanked those involved in the grant application and presentation process.

Wetmore Community Center/Library Project

Commissioner Attebery gave an update on the required commitment to the Department of Local Affairs (DOLA) regarding the Wetmore Community Center/Library Project. He said that he spoke with the DOLA representative who assured him that the original timelines for the contractor bidding process had been extended. He explained that the county is not required to bid out the contractor portion and had the option of going with the architect of record. He said that T.A. Duke & Associates, is the architect of record and that they submitted a proposal for the construction documentation, construction administration, architectural services, MEP engineering services and structural engineering services in the amount of \$59,294.00 for the improvements to the Wetmore Community Center/Library Project. Commissioner Attebery asked the BOCC for direction on how to proceed with this portion of the grant. He said that Mr. Duke has been involved since the drafting phases of the project and currently has the information and documentation to process. Commissioner Attebery said that if the county elects to advertise for contractor bids, there will be a great deal of time, effort and energy spent in bringing someone up to this point. Commissioner Kattnig said that he felt there was enough time to seek additional bids and proposals and that he was uncomfortable in not pursuing those options.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To accept the proposal from T.A. Duke and Associates to include the following actions:

1. T.A. Duke and Associates will use local architects to assist with the project.
2. T.A. Duke and Associates will address the exterior cosmetic concerns.
3. The BOCC will review and approve the plans at one mark-up session at no additional cost.
4. That 75% of the project will be completed before February 15, 2015
5. That the appropriate penalty will be established for non-compliance.

The motion carried unanimously.

Commissioner Attebery said that he will meet with Mr. Duke by the end of the week and review all the concerns shared and expressed. The topic will be added to the agenda for the December 3, 2015 BOCC meeting. Commissioner Attebery suggested that the BOCC prepare correspondence with a project status to the El Pomar Foundation as a gesture of communication and appreciation for the funding they allotted to the Wetmore Community Center/Library Project.

Commissioner Shy asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 4:40 PM.