

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
AUGUST 17, 2016**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION AT THE LODGE IN SAN ISABEL.

The meeting was called to order by Commissioner Attebery at 12:00 PM and the Pledge of Allegiance was recited. Roll call was taken and the following were present:

Lynn Attebery	Chairman	Present
Kit Shy	Vice-Chairman	Present
Bob Kattnig	Commissioner	Present
Kelley Camper	Clerk to the Board	Present
John Naylor	County Attorney	Present
Clint Smith	Assistant County Attorney	Present
Brenda Gaide	BOCC Administrative Assistant	Present

AMENDMENTS TO THE AGENDA

Two items were removed from the agenda – “Transfer of funds for translator” and “Letter of support for grant application”

AUDIENCE INTRODUCTIONS

Present in the audience were Alden Gray; Margie White; John and Ruth Spaar; Richard Austin; Zoning Director, Jackie Hobby; Road & Bridge Department, Larry Haynes and Kevin Day; Paul and Candi Sage; Bob Senderhauf; Dan Bubis; Sentinel reporter, Jackie Bubis; Sheriff, Shannon Byerly; Undersheriff, Chris Barr; Wilson Jarvis; Ruth Roper; Nan and Courtney Davenport; Dave and Carol Thomas; and Karen Smith.

APPROVAL OF MINUTES

MOTION by Commissioner Shy, seconded by Commissioner Kattnig, to approve the minutes from July 29th, August 2nd and August 3rd as amended. Motion carried unanimously.

PUBLIC COMMENT

There was public comment from Bob Senderhauf regarding the Wetmore Community Building.

COMMISSIONER ITEMS

Commissioner Attebery commented that the Southern Colorado Economic Development District (SCEDD) will have a comprehensive economic development strategy session on August 23rd; there will be a courthouse security meeting on August 24th; and the county auction will be held on August 21st.

Commissioner Kattnig attended the Custer County Communications meeting and also met with CenturyLink regarding several different communications issues.

Commissioner Shy went to a 911 board meeting; met with the Philanthropy Days film crew that filmed footage in Custer County; CU architectural school did an assessment on public buildings in the county; attended a CES meeting; will be attending a Resource Advisory Committee (RAC) meeting where he is the chair; and stated that the Colorado Department of Health and Environment (CDPHE) has a new contact for the county.

ATTORNEY ITEMS

Assistant County Attorney, Clint Smith, informed the BOCC that he has not yet heard back from Fremont RE-2 School District. Commissioner Attebery commented that the school board has tabled the issue until their next meeting. Clint also stated that he has not received the certificate for the old county landfill yet; he will be meeting with the attorney's that are representing Robert Hamilton, and Mike and Laura Halpin next week; he would like to recognize that the New York Time's did an article on the Dark Skies certification that Westcliffe and Silver Cliff has.

NEW AND OLD BUSINESS

SPECIAL EVENTS PERMIT

County Clerk and Recorder, Kelley Camper, presented the board with an application for a Special Events permit for Custer 2020 Inc. DBA Club America for their event on September 17th.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to approve the Special Events permit for Club America. Motion carried unanimously.

LIQUOR LICENSE RENEWAL

Kelley also presented the board with an application for a liquor license renewal for the Letter Drop Inn.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to approve the liquor license renewal for the Letter Drop Inn. Motion carried unanimously.

TRANSFER OF FUNDS

MOTION by Commissioner Attebery, seconded by Commissioner Shy, to transfer \$5,000 from the County General fund to the Airport fund. Motion carried unanimously.

Commissioner Kattnig updated the board on the cost for the crack seal at the airport. This will be on a future agenda.

REDI GRANT

County Clerk and Recorder, Kelley Camper, spoke with a Conservation Trust Fund representative at DOLA regarding the \$5,000 matching funds needed for this grant. At this time CTF funds cannot be used for this. Commissioner Kattnig informed the board that he had spoken with Human Resource and Finance Director, Dawna Hobby, and John Piquette to see

where else the funds might be available. They felt that the funds could be taken out of the communications account.

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig, to take the \$5,000 matching funds needed for the REDI grant that is part of the five-county plan out of the courthouse communications fund. Motion carried unanimously.

VALE GRANT

Undersheriff, Chris Barr, worked with BOCC Administrative Assistant, Brenda Gaide, to prepare the VALE Grant in the amount of \$10,000 to be used for training and compensation for the victim's assistance advocate that volunteers for the Sheriff's Office. Sheriff Byerly commented that he is statutorily obligated to provide victim's assistance.

MOTION by Commissioner Shy, seconded by Commissioner Kattnig, to authorize the BOCC Chairman to sign the VALE Grant. Motion carried unanimously.

VALLEY STRONG PROCLAMATION

Commissioner Attebery read the Valley Strong Proclamation. He felt that the "valley" reference in the proclamation should be taken out since this was for the whole county. Since the Valley Strong event is not until September 21st, this will be tabled until the next meeting after the proclamation is changed.

PIKE ROUTE RESOLUTION

The BOCC received a letter from Town of Silver Cliff Mayor, Steve Lassell, regarding designating Zebulon Pike's route through the county as a section of pioneer trail. The BOCC would have to do a resolution in order to do this. Commissioner Shy would like to table this until another meeting so that he can clarify all the routes.

ENACTMENT CLAUSE/2016 ZONING RESOLUTION

Zoning Director, Jackie Hobby, presented the board with an Enactment Clause for their signatures. This is for the change that was made to the Zoning Resolution regarding political signs.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to approve the Enactment Clause for the 2016 Zoning Resolution. Motion carried unanimously.

GUY RICHTER SITE VISIT

San Isabel resident, Guy Richter, recently applied for a road vacation. Prior to the BOCC meeting today, the Board did a site visit at the property. The Assistant County Attorney also attended the site visit and verified that no business was conducted. The road is very narrow and Guy would like to have the road vacated due to safety issues. Commissioner Shy commented that the road was dedicated to the county on the original plat. After a lengthy discussion where several ideas were given to Mr. Richter, it was decided that he would meet

with Jackie Hobby and see if they could come up with a plan to be discussed at a future meeting.

HE WHITLOCK CONTRACT

The contract with HE Whitlock for the Wetmore Community Building project was received. It has a starting date of September 6, 2016 and a completion date for 95% of the work of January 17, 2017. County Attorney, John Naylor, did not review the contract because he does other work for HE Whitlock and he felt it was a conflict of interest. Assistant County Attorney, Clint Smith, reviewed the contract and finds everything in order. Commissioner Attebery stated he does not feel comfortable signing the contract until they have the supplemental funds from DOLA in order. County Attorney, John Naylor, stated that the BOCC could authorize the signature of the contract upon receipt of the DOLA supplemental funds. Commissioner Kattnig is concerned about the reverter clause that the Fremont RE-2 School District holds. Attorney Smith feels that will not be a problem to sign the contract prior to receiving a deed from the school district. The property would only revert back to the school district if the county changed the use of the building as a community building.

MOTION by Commissioner Shy, seconded by Commissioner Kattnig, to sign the contract with HE Whitlock as presented with the condition that authorization for signature is allowed only upon receipt of confirmation of the \$80,000 DOLA supplemental grant. Motion carried unanimously.

Commissioner Attebery discussed some items that need to be taken care of prior to the start of the project. The architect would like to have a kickoff meeting on August 30th.

MOTION by Commissioner Attebery, seconded by Commissioner Shy, to modify the BOCC calendar to include the meeting on August 30th at 9:00 AM. Motion carried unanimously.

COUNTY SURVEYOR

County Clerk and Recorder, Kelley Camper, informed the BOCC that she had an inquiry regarding the County Surveyor office. After some research, she found that according to statute, the county cannot have a vacancy in that office. Therefore, she has sent letters to both the Democrat and Republican central committee's giving them the opportunity to appoint someone to be on the 2016 General Election ballot in November. If they do not appoint somebody, then in January, the BOCC would appoint someone to fill that vacancy.

Having no further business, Commissioner Attebery adjourned the meeting at 2:05 PM.

BOCC Chairman, Lynn E. Attebery

Attest:
County Clerk & Recorder, Kelley S. Camper