

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JANUARY 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	\$193,041.27
Road & Bridge	83,324.25
Emergency Service	11,833.65
Social Service Dept.	15,693.73
Capital Improvement	4,303.27
Self-Insurance	150,114.50
Total	\$458,310.67

Commissioner Downey made a motion seconded by Commissioner Shy to accept the recommendation of The Upper Arkansas Area Council of Government to use the CSBG Block Grant Monies of approx. \$5,400.00 for emergency services to help assist low income and elderly residents of the county. Motion carried unanimously.

Commissioner Hoag made a motion seconded by Commissioner Downey to adopt the following resolutions to appropriate additional funds to defray expenses in excess of the amounts budgeted for 2004 and to be back dated to the 30<sup>th</sup> of December and to become part of those minutes. Motion carried unanimously.

**RESOLUTION 04-11**

A resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2004 year,

And Whereas, the additional revenue was received from sources other than the property tax mill levy,

REVENUE SOURCE – HIGHWAY USERS TAXES FROM THE PRIOR YEARS  
FUND BALANCES

Now, Therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2004 appropriation for the Road and Bridge Fund is hereby increased by \$154,600.00 for the purpose of covering increased expenditures as follows:

Acct. No. 43030.229 SALT AND GRAVEL	6,600.00
Acct. No. 43030.235 CULVERTS	3,000.00
Acct. No. 43030.350 BASE, PATCHING, ETC.	45,000.00
Acct. No. 43040.101 SALARIES	38,000.00
Acct. No. 43040.311 MISCELLANEOUS	62,000.00

Adopted, the 30<sup>th</sup> day of December, A.D. 2004.

ATTEST:

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#### **RESOLUTION 04-12**

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2004 year,

And Whereas, the additional revenue was received from sources other than the property tax mill levy,

**REVENUE SOURCE – OPERATING TRANSFERS FROM GENERAL FUND**

Now, Therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2004 appropriation for the Insurance Fund is hereby increased by \$15,000.00 for the purpose of covering increased expenditures as follows:

Acct. No. 40600.307 INSURANCE	\$15,000.00
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Adopted, this 30<sup>th</sup> day of December, A.D. 2004.

ATTEST:

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#### **RESOLUTION 04-13**

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2004 year,

And Whereas, the additional revenue was received from sources other than the property tax mill levy,

**REVENUE SOURCE – SALES TAXES FROM PRIOR YEARS FUND BALANCES**

Now, Therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2004 appropriation for the Capital Improvement Fund is hereby increased by \$27,000.00 for the purpose of covering increased expenditures by \$27,000.00 for the purpose of covering increased expenditures as follows:

Acct. No. 40124.913	PLANNING AND ZONING	6,000.00
Acct. No. 40650.913	LANDFILL	7,000.00
Acct. No. 42110.913	COUNTY SHERIFF	14,000.00

Adopted, this 30<sup>th</sup> day of December, A.D. 2004.

ATTEST:

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\_\_\_\_\_  
\_\_\_\_\_

Jean Mavromatis, Coordinator for the Custer County Tobacco Education and Prevention Program, met with the Board to give her monthly report. She listed all of the programs that have been administered in the year 2004 and the upcoming programs planned for 2005. She also asked for the approval of the Board to apply for a BIDS and DUNS number. According to Jean, the ADAD for Colorado (Alcohol and Drug Abuse Division) has encouraged our county to apply for their grant concerning Family Youth and Community. However, to apply you must have a BIDS number and a DUNS number. The State of Colorado provides the BIDS number and there is a cost of \$30.00. The DUNS number comes from Dun and Bradstreet and there is no charge. The Board asked Jean to provide them with both applications for their review before a decision is made.

County Health Nurse, Kelly Johnson met with the Board to give her monthly report. She reported that in the month of January there were six well child exams/physicals, thirty immunizations that were given, thirty health screenings and one reportable illness. On February 10<sup>th</sup>, Dan Bubis, Russ Conner and Ric Ferron will be trained as satellite administrators of the satellite that was installed in the basement.

The Board signed the Emergency Management Program Grant request for the last quarter of the year. This reimbursement request is in the amount of \$3,740.18.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS**

## **REGULAR MEETING, FEBRUARY 1, 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

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

### **WORK COMPLETED**

- ❖ Finished hauling asphalt millings to shop
- ❖ Finished hauling base on Kettle from Muddy to CR 136
- ❖ Hauled base from Kettle on Hermit to Tom Flower
- ❖ Installed stop signs in valley
- ❖ Dave still working on scraper
- ❖ Getting screening plant and work area ready to start screening base
- ❖ Snow removal on end of Kettle, Berry Loop and the Lutheran Camp due to drifting
- ❖ Patched on Colfax and Lake Road and Schoolfield
- ❖ Rebuilt transmission for red International plow truck

### **WORK PLANNED**

- ❖ Plan to pull edges and shoulder chip seal on CR 255
- ❖ Haul rock to raise Kettle (start at Livengood's driveway and go north on Kettle. )
- ❖ Screen base
- ❖ Plow snow as needed
- ❖ Continue to work on scraper (should have ready when the frost is gone)
- ❖ Finish white international plow truck with new sanding chains and gears
- ❖ Sending six employees for DOT physicals in Pueblo

Gary also informed the Board that he had met with the Fremont County Commissioners to inquire about the status of the gravel pit on County Road 255. He was informed that Mr. Tezak has never done the paper work to reclaim the pit, therefore, Fremont County is still in possession of the pit and will continue to maintain it.

The approx. cost to pave behind the courthouse house will be \$7,000.00. This would be for materials only. Fremont County Road & Bridge will send some of their employees to Westcliffe, along with their paver to help with this job. In exchange for their help our R & B Department will help them. No exact details have been worked out yet.

Discussed taking County Road 121 off of the highway users fund and adding County Road 164. County Administrator, Ric Ferron, will contact the only owner of property on County Road 121 to see if he would object.

Discussed comp time for the road supervisor. Gary accumulates too much comp time during the winter months and is unable to take all of the time off he earns before he loses it according to the personnel policy. The Board informed Gary they would check into an alternate solution whether that be increasing his monthly salary or paying for comp time during the winter months.

Gary informed the Board that Steve Garrett has submitted his resignation effective January 27<sup>th</sup>, and since there was a hiring freeze, he wanted to know how this could affect replacing Steve. There was a discussion on hiring an individual to work only for the winter months or just on an as needed basis. The Board gave Gary permission to ask Rusty, Nick and Rick if they would be available to help fill in at the shop. They also gave Gary permission to advertise for temporary help.

The Board and Gary went over the supplemental budget that was adopted for Road & Bridge for 2004. The total supplemental budget was \$154,600.00. Gary explained that the overage was due to the following reasons:

1. 6/10" of sand and gravel was used on roads instead of 5/10".
2. \$3,000.00 was spent on culverts for the Bull Domingo Project that was not included in the budget.
3. Bought \$25,000.00 of base from Fremont County that was not in the budget.
4. Patching costs were \$20,000.00.
5. Paid \$62,000.00 for the purchase of a water truck that was not in the budget.
6. Also, wages for overtime was deleted from last years budget and Donna Usina's wages were not included in the salaries line item, instead it was included in the administrator's line item.
7. Approx. \$35,000.00 was put back into the R& B budget from the sale of property the county owned in Rosita. This dollar amount is not being reflected as a credit back to these budget lines.

Commissioner Shy reported to the Board that Dick Daniels has agreed to remove the sign posted on Highway 96 that reads "This is not the Dam Lake Road" if the county would post a sign stating that this road does not go to Lake DeWeese. The Board will visit with the state highway department. They also discussed that "no hunting" and "no trespassing" signs need to be posted at the entrance of the north pit located off of Highway 96.

The Board met with the Social Service Department.

Commissioner Downey made a motion seconded by Commissioner Shy to approve the minutes of the January 11<sup>th</sup> and 27<sup>th</sup> minutes. Motion carried unanimously.

Commissioner Downey made a motion seconded by Commissioner Shy to adopt the following resolution. Motion carried unanimously.

**CUSTER COUNTY RESOLUTION**

RESOLUTION NO. 05-01

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM.**

WHEREAS, on February 28, 2003, President George W. Bush issued Homeland Security Presidential Directive HSPD-5; AND,

WHEREAS, the Department of Homeland Security was directed, in cooperation with federal, state, and local governmental authorities, to develop a National Incident Management System (NIMS) that would provide a consistent approach to the effective management of situations involving natural disasters, manmade disasters or terrorism; AND,

WHEREAS, the final NIMS product was released on March 1, 2004; AND,

WHEREAS, the final NIMS product represents the best practices model for the accomplishment of the significant responsibilities associated with prevention, preparedness, response, recovery, and mitigation of all hazards situations; AND,

WHEREAS, the State of Colorado and the Homeland Security Regions of Colorado have declared that adoption of the NIMS is in the best interests of Colorado Communities and local governments, NOW, THEREFORE,

BE IT RESOLVED, that the Custer County Board of Commissioners hereby formally adopts the National Management System (NIMS) as the guideline and protocol for incident management for Custer County governmental departments and agencies,

**RESOLVED, ADOPTED AND SIGNED THIS 1<sup>ST</sup> DAY OF FEBRUARY 2005, AT WESTCIFFE, COLORADO.**

CUSTER COUNTY BOARD OF COMMISSIONERS

DALE J. HOAG  
CHAIRMAN

DEBBIE L. LIVENGOOD  
CLERK AND RECORDER

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, FEBRUARY 2, 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
John Naylor	County Attorney
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

County Attorney, John Naylor, reported to the Board that he has been in contact with Frank Burdine and will prepare a deed for Mr. Burdine's signature to revert the ownership of property located in Blks 157, 167, 177, and 158, 168, 178, all in the Town of Silver Cliff back to the county.

John Herrera, representing the San Isabel Fire Department, requested \$1,000.00 from the county. They are in need of additional funds to pay for the insurance premiums. Since the fire department does not meet the requirements set by the state to receive Conservation Trust money. The Board called Carl Bauers who is employed by the US Forest Service, to inquire if the forest service ever contracts with other organizations and/or individuals to help maintain their campgrounds and if so would they consider having the fire department maintain the Ophir Creek Campground. Mr. Bauers didn't see a problem with this suggestion as long as the organizations and/or individuals were under the supervision of the Forest Service. If this agreement between the San Isabel Fire Department and the Forest Service would work, the county would be able to pay the fire department for their services, which would meet the requirement to receive conservation trust money. The Board will have John Herrera contact Mr. Bauers.

County Treasurer, Doris Porth, met with the Board to give her monthly reports for December 2004 and January 2005. They were approved. She informed the Board that she is now collecting taxes from those property owners that were annexed into the Rye Fire Department.

Doris has started collecting an administration fee of \$5.00 on all taxes that are \$10.00 or less this year. This added fee will generate approx. \$5,000.00 in revenue this year.

Doris inquired if Ric had looked into the possibility of the county being overcharged for their legal publications from the Wet Mountain Tribune.

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

- ❖ There are three special use permits that are ready for review. The recommendation from the zoning office at the March meeting will be as follows:
  1. Wet Mountain Goods General Store/George, Linda and Hanna Withers – They have met all of the conditions that was specified in their SUP except for hooding their lights. George is waiting for Dark Skies to provide him with the hoods. The recommendation will be to handle their reviews on a complaint basis only.
  2. Seifert's Gravel Pit located at Boyer's – Neighbors are complaining that it is an eye sore. However, the dust problem that was expected has not been a problem. The state continues to do inspections and has required them to erect a sign at the location that states the name of the gravel pit along with the permit number. The have met all the conditions that were set in their SUP. The recommendation will be to review it again in three years or by complaint.
  3. Myron Mullet / Log Home Assembly at the construction yard – The Fire Marshall still needs to do a review of their location. They also need to store their materials 25' away from the property line. The Zoning Office has no recommendations at this time.
  
- ❖ Ray Pedro's sign at the Airport PUD is in compliance.
  
- ❖ Zoning Office year-end summary of Deposits - \$221,704.36 of revenue was generated by the Zoning Office in 2004.
  
- ❖ Zoning fee schedule - there was discussion of increasing some of the fees to help generate more revenue. It was recommended by the zoning staff to increase zoning permits 5 cents a sq. ft.; decks/balconies that are greater than 100sq. ft. built after the original structure permit is closed to be \$50.00; new installation permits for septic systems \$200.00; modification permits \$125.00; septic evaluations \$125.00; chemical or portable toilet permits \$30.00 plus a \$25.00 annual fee. If an additional inspection is needed an additional \$75.00 trip cost would be charged, and a \$100.00 administrative fee for a lot line vacation review. Access permits for driveways be increased to \$75.00 and \$200.00 for a county subdivision road access permit.
  
- ❖ Gash/Regan – Discussed the complaint received from Randy Gash concerning his neighbor. Ms. Regan is installing a septic system on her property and Mr. Gash is concerned that the septic system is being installed to close to his well. The problem that the zoning office is experiencing is that Ms. Regan's septic system was approved in 1996. The county as well as the engineer all signed off on the permit. The county attorney will review the Regan's file and meet back with his legal opinion on how to handle this situation.

Commissioner Downey made a motion seconded by Commissioner Shy to accept the recommendation from the zoning department to increase the zoning fees as presented effective March 1, 2005. Motion carried unanimously.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING, FEBRUARY 3, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN A SPECIAL 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

Commissioner Shy made a motion seconded by Commissioner Downey to go into executive session to discuss personnel issues citing CRS 24-6-402(4). Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Downey to reconvene into open session. Motion carried unanimously. No action was taken.

County Health Nurse, Kelley Johnson met with the Board concerning the need to purchase a Sensaphone/model 1104. With all of the power outages that we have been experiencing the refrigerator/freezer at the clinic has shut down twice causing Kelley to lose her vaccines. This Sensaphone would give notification of the refrigerator/freezer dropping below the temperature needed for the vaccines. The approx. cost of this piece of equipment is \$300.00. The Board approved this purchase if Kelley felt it would meet her needs.

Being no further business the Board adjourned.

