

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, APRIL 28, 2006**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

The meeting was called to order at 8:40am.

Nora Drenner, representing the Wet Mountain Tribune, was present.

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

County General	\$154,896.70
Road & Bridge Dept.	66,362.09
Emergency Service	12,370.00
Social Service Dept.	13,729.97
Self Insurance	1,621.25
Capital Improvement	7,716.59
Total	\$256,696.60

Sheriff's report for month of April was approved.

Interviews were conducted for the position of County Agent. There were two candidates to be interviewed. The interview committee was comprised of individuals from the County Fair Board, the County Extension Advisory Board, staff from the Extension Office, a 4-H member and the Board of County Commissioners. Karen Crumbaker, of Fort Collins was the first candidate interviewed and then Gina McAndrews, from Iowa. Joel Plath, the CSU Cooperative Extension Regional Director for the Southern Region, will take all comments and recommendations of the interview committee back to CSU where the final decision of who will be hired will be decided.

Steve Chaney, Director of the Great Sand Dunes National Park, met with the Board to give them an update. Mr. Chaney reviewed the draft copy of the General Management Plan/Wilderness Study/Environmental Impact Statement of the Great Sand Dunes National Park and Preserve. This plan was prepared by a private contractor and cost approximately eight hundred thousand dollars. He explained the purpose of a management plan is to describe the general path that the National Park Service intends to follow in managing the San Dunes National Park over the next 15 to 20 years. In the plan, four alternatives have been developed for managing visitor use and resources at the

Park. Each of the alternatives provide a different management approach. The preferred alternative was developed with substantial public, interagency, and National Park Service staff participation between 2003 and 2005. The options in this plan would be created for dispersed hiking and horseback riding. A few new trails would also be provided.

Cooperative or joint facilities (such as access routes, trailheads, and ranger stations) with neighboring management agencies or private partners would be emphasized. Mr. Chaney explained that there is a 60-day comment period for the public to make comments on this draft. This comment period has already started and will continue through June 30th.

After this date there will be a public hearing held in Westcliffe on May 17th, at 7:00pm at All Aboard Westcliffe.

Projects that are planned at the San Dunes National Park for this summer are:

- ❖ Re-paving in the park everywhere there is currently asphalt.
- ❖ New visitor centers, new exhibits, and a new movie.
- ❖ Interpretive talks will start on Memorial Day.
- ❖ U.S. Postal Service will host an open house at the park.
- ❖ Mr. Chaney also agreed to pursue the idea of a sign, as suggested during his last visit, to inform the public that ATV's were not allowed in the park. This sign would be placed on the east side of Medano Pass.

According to Mr. Chaney, there were approx. 280,000 visitors that went through the park last year. He also informed the Board that they have filed for all unappropriated ground water in the park and that the Forest Service has committed approx. \$30,000.00 for improvements to the Trail Head of Music Pass (upper and lower trails).

Commissioner Shy made a motion seconded by Commissioner Hoag to approve the minutes of the February 28th, March 6th, 7th, 21st, 31st, April 3rd, 4th and April 18th, meetings. Motion carried unanimously.

Jeff Outhier, with the U.S. Forest Service, informed the Board that there would be logging trucks going in and out of the Verdemont area. He has contracted out with a company to clean up that area and haul out the logs. There has also been some clean up taking place in Horn Creek, and on Pass Creek. However, the work on Pass Creek has been stopped due to finding trees that had been striped by Indians.

Dorothy Urban met with the Board concerning the master plan that had been completed for a trail system some years ago. When the original plan was drafted the representatives were: Sue Hutton for the Town of Silver Cliff, Don Stuart for the Town of Westcliffe, Dan Bubis was the GIS Coordinator, and Linc Lippincott was the representative for the county. Of the four individuals that participated in the plan, only one representative still lives within the county. Ms. Urban was inquiring if the original draft still fits the needs of the county according to the Board, and if so, would they be willing to appoint new representatives to this committee since Sue is the only original remaining representative.

Commissioner Shy made a motion seconded by Commissioner Hoag to appoint Dorothy Urban as the county's representative on all areas of trail systems for our county. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Hoag to appoint Sue Hutton as Dorothy's assistant and alternate representative for the above motion. Motion carried unanimously.

Being no further business the Board adjourned for the day.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MAY 1, 2006**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

County Road & Bridge Supervisor, Clint Englehart, met with the Board to give his monthly report.

WORK COMPLETED IN APRIL

- ❖ Finished hauling topsoil for soccer field.
- ❖ Repaired wash-out on County Road 111.
- ❖ Graded County Road 236 and County Rd. 238.
- ❖ Continued to haul base to Qurida.
- ❖ Bladed County Road 265 & County Road 264.
- ❖ Completed CPR training.
- ❖ Screened road base.
- ❖ Completed culvert and widening on Junkins Park Road.
- ❖ Bladed County Road 236 and County Road 238.
- ❖ Removed old fence on County Road 318.
- ❖ Completed grading and hauling base to County Road 264.
- ❖ Installed Chevron signs on “S” curves on Copper Gulch and Rosita Road.
- ❖ Graded Wykagel.

WORK PLANNED

- ❖ Continue grading County Road 271.
- ❖ Continue grading on County Road 255.
- ❖ Culvert repair where needed.
- ❖ Clean & repair cattle guards on County Road 220.

TALKED ABOUT

- ❖ Water approaching crisis point – Clint is going to start the paper work to start the process to allow the county to use gray water on the roads. The cost of purchasing water to put on the roads was outrageous this month. Commissioner Shy suggested that Clint visit with Bud Piquette before processing any paperwork.
- ❖ Ditches on County Road 140 – The individual who was stealing gravel out of the ditches and spreading it onto his driveway has stopped and Clint had a deputy go to the house and visit with him. The culverts have been cleaned and extensions have been added to the culverts.
- ❖ Radio problem repaired – The problem with the radios has been corrected. The problem was created when the new internet service was allowed to connect to our tower. Clint had Bob McDonald to correct the problem.

Mr. and Mrs. Tom Sheppard met with the Board representing the Centennial Ranch Aspen Mountain Ranch Property Owners Association. The POA sent ballots out to all property owners for the purpose of doing a survey to see if they were in favor of leasing out the ground for grazing. The results of the survey showed that most property owners were in favor of leasing the ground. Therefore, the POA will enter into an agreement with Greg and Kathy Curtis to allow grazing in the ranch contingent upon approval of the commissioners to allow them to install cattle guards at all four entrances to Centennial Ranch off of State Highway 69. The four entrances being referred to are at Round Mountain, Pass Peak, Airway Road and Centennial Ranch Road. Only funds that are generated from leasing the ground will be used on cattle guards. No POA dues will be used for this purpose.

After listening to the Sheppard's, the Board informed them that they do not have any control on three of the entrances they are referring to. The only entrance that would be affected by the County is off of Centennial Ranch Road. The Board did suggest that they visit with the State Highway Department concerning all four entrances, since they all access Highway 69 directly.

The POA asked if the Road & Bridge Department would be able to build and install the cattle guards if they purchased the materials. Dave Trujillo, Clint's assistant, agreed to build the culverts and install the cattle guard. By doing so, county specs would be met. Dave informed the Board, and the Sheppard's, that Road & Bridge has two cattle guards at the shop that are in very good condition. The only reason they do not use them is because they are not wide enough to withstand all of the traffic on the county roads. The Board authorized Clint to work with the POA in negotiating a purchase price if they would be interested in purchasing them. They would be sold "as is"; with "no warranty," and it would be the responsibility of the purchaser to pick them up.

Clint reported to the Board that in the last four months they have spent approx. \$30,000.00 in fuel.

There was discussion on the roads being built in Sierra City Sub #3. Mr. McCarty, the owner and developer of this subdivision, has stopped by the shop and visited with Clint about these new roads. Clint is concerned that since the plat states that the county will

maintain the roads, they will have to maintain them. The Board believes that since the commissioners did not sign the plat, the county is not responsible. They will ask the county attorney for his opinion.

Dave Trujillo will ask Wildlife Officer, Becky Manley, about the Road & Bridge Department doing some work on the north side of Lake DeWeese on County Road 220. He would like to trench in ditches on both sides of the road, making more definition to the road.

Paul Crespin, representing the U.S. Forest Service, Julie Schaefer, Social Scientist with the U.S. Department of Agriculture, and Cass Cairns, Public Affairs Specialist, along with Judy Leons representing DOLA, met with the Board to update them on the Forest Plan Revision they are working on. According to Julie, who is with both the state and regional office, the Pike and San Isabel National Forests and Cimarron and Comanche National Grasslands units are currently revising their 1984 Land and Resource Management Plan. There will be two revised plans when finished. One plan will be for the Forests and one for the Grasslands. Julie explained that land and resource management plans are planning documents that describe the desired conditions of a U.S.D.A. Forest Service unit, and give guidance on how resources in those units are managed. In order to accomplish this project, the Pike San Isabel National Forest would like to coordinate with individual counties and the State Demography Office of the Department of Local Affairs to gather data. Commissioner Downey suggested to Julie that she contact the extension office before leaving the courthouse today. Since the county has developed an Economic Development Committee, and they have already started putting data together, they might have what she needs. If the data in the extension office is sufficient, Julie will schedule a public meeting for our county.

Judy, who is filling in for Jim Withrow the State Demographer, reported that their part of this plan is to supply the data needed to complete an economic base analysis and economic population forecast. Paul explained that the BLM is also involved in this process and they will have an individual serve as a liaison, to keep them informed. It is intended that the plan will have plenty of opportunity for local input.

Charles Bogle, James Johnson, Kristi Jo Corey, Jerry Lacy and Jon Wallestad, all representing the American Legion Organization, met with the Board concerning the position of County Veteran's Service Officer, which is currently held by Ric Ferron. Last March the Board received a letter from the organization expressing their desire to take over this position. At that time the Board chose to leave the position within the county courthouse. They are once again asking that their organization be considered to fill this position. Jerry Lacy, a member of the American Legion here in Westcliffe and also very active in the Pueblo Charter, has volunteered his time to this position. The office would be located in his house but all information concerning veteran assistance would be posted at the courthouse. Jon Wallstad asked if they would consider attaching the position to the organization, instead of a certain individual and let the organization appoint the Veteran's Officer. The Board explained that the statute reads that this position has to be tied to an individual, not an organization.

Commissioner Shy made a motion seconded by Commissioner Hoag to appoint Jerry Lacy as the Veteran's Officer beginning July 1, 2006. This date is to overlap with the appointment of the current Veteran Officer, Ric Ferron. Mr. Lacy will also be accountable to make a monthly report to the Board. Motion carried unanimously.
Ric agreed to help Mr. Lacy make a smooth transition from Ric's tenure to his.

The Board met with the Social Service Office.

Being no further business the Board adjourned for the day.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MAY 2, 2006**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioner
John Naylor	County Attorney
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

Also present was Nora Drenner, Allen Butler, Alan Urban, and J.D. Henrich.

The meeting was called to order at 8:45am.

Discussed and reviewed the following items with the county attorney:

- ❖ Reviewed the Scott's case. The court date to continue the hearing has been set for May 8th. However, there is a possibility it might be re-scheduled due to Mr. Scott's wife's health.
- ❖ Jim McCarty's new development of roads in the Sierra City Subdivision, filing #3. The original plat states that the county will maintain the roads in this subdivision; however, the county never signed this plat. The County Attorney's opinion is that the county is not responsible for maintenance.
- ❖ Discussed the need for the county to have their own water supply. The Ilse Pit, and the pit north of town, were two of the locations discussed, along with finding a third location in town. Mr. Naylor agreed with the Board that the first step would be to visit with Steve Kastner with the Water Division 2, and Clyde Young. The airport well was also discussed as a water source.
- ❖ Discussed V-Bar Ranch and the need for a special use permit. According to Christy in the Zoning Office, the owners of the V-Bar Ranch are advertising cattle drives, trail rides, meals and lodging. All cattle drives and trail rides are done on private property, lodging is in motels, and meals are served at restaurants. Mr. Naylor stated that as long as there are no meals or lodging at the ranch, there is no need for a special use permit. Mr. Naylor did suggest that the Board write a letter to the Rusher's explaining at what point in their business they would need to apply for a Special Use Permit.

County Assessor, J.D. Henrich, met with the Board to set a date and time for the Board of Equalization hearings. The date was set for August 3rd, starting a 9:00am.

County Treasurer, Doris Porth, met with the Board to give her monthly report. It was approved.

Custer County Tobacco Education and Prevention Coordinator, Jean Mavromatis, met with the Board to update them on her program. She supplied them with a list of activities for the month of May. She informed the Board that twelve schools and school district in Colorado were recognized and awarded with distinction in tobacco prevention from the Rocky Mountain Center. More than fifty schools and school districts in Colorado received funding from RMC. So it is a great honor to be recognized with distinction. The Rocky Mountain Center announced on March 20th, that Custer County was the recipients of one of these K-12 Tobacco Prevention Initiative Awards. The individuals, schools, and districts are recognized for their outstanding efforts in school-based tobacco prevention from 2003-2005.

County Health Nurse, Kelly Johnson, met with the Board to give her monthly report. There were 650 people that attended the 9-Heath Fair; out of that number 626 people had their blood drawn. There was approx. \$25,000.00 collected between the fees for blood work and colorectal kits. There were thirty-eight tetanus shots given at the health fair this year. This is the first time they have been offered.

The Teen Health Fair that was held on May 12th was very difficult this year. There were 120 –130 students that signed up for sports physicals. Approx. seventy-two of the physicals was completed that day; another date will be set to finish the remaining physicals. According to Kelly, there are not enough medical providers in our county to set aside a full day for just sports physicals. The program has grown to such great numbers, that it is just not possible to provide this service. The administrator of the clinic will visit with the athletic director and his secretary concerning future years.

The Emergency Service meeting that was held on April 12th went very well. The guest speaker spoke about response to a possible flu pandemic. The next meeting is scheduled for May 10th.

There will be a mass vaccination exercise held. However, Kelly has found no funds available to pay for the vaccine. If she is not able to locate any funds for this exercise she would like to at least find a way to pay for the vaccine for first responders, and all those that volunteer their time in this exercise.

Kelly has received calls from the community concerning water quality and Hantavirus.

The Wetmore Steak House has been out of compliance for the past three years concerning their water quality. Kelly and John Martinez, from the Huerfano County Health Office, are working with the Reeder's to try and get them back into compliance.

Commissioner Shy made a motion seconded Commissioner Hoag to sign the resolution needed to lease a 2006 Dodge Durango and to authorize Dick Downey, Chairman of the BOCC to sign and execute the lease agreement with Fremont National Bank of Canon City. Payments will start on May 1, 2006 and go through May 1, 2012. Yearly payments will be \$5,789.80. Motion carried unanimously.

Ted Lindtveit, representing CTSI, met with the Board to give them a progress report on the insurance pool. According to Mr. Lindtveit, he sees nothing alarming for our county. In general all of the counties involved in the pool are doing very well as a group.

Commissioner Hoag made a motion seconded by Commissioner Shy to sign the master contract between the Colorado Department of Public Health and Environment and Custer County. This contract will start on July 1, 2006 and go through June 30, 2011. Motion carried unanimously.

Commissioner Hoag made a motion seconded by Commissioner Shy to sign the contract with Hart InterCivic and the Secretary of State's Office for the purchase of new voting equipment. Motion carried unanimously.

The Board adjourned for lunch at 12:00pm

The Board reconvened at 1:00pm in a joint meeting with the Board of Zoning Adjustment and Planning Commission.

Commissioner Hoag moved to accept the recommendation of the Planning Commission to approve the "Airport Protection Overlay District for the Silver-West Airport" as presented. Commissioner Shy seconded by the motion. Motion passed unanimously by voice vote.

Commissioner Shy moved to approve the Bosse's Special Use Permit at their home location as long as they own the business. The permit will be reviewed on a written complaint basis only. Bosses' are to be operating the business for this permit to apply and their fees will be refunded back to them, less the county expenses not to exceed \$500.00. Commissioner Hoag seconded the motion. The motion passed unanimously by voice vote.

Commissioner Hoag made a motion to accept the recommendation of the Planning Commission to approve the vacation and re-plat of Parcels A-1 and B-1 Thatcher Parcels. Commissioner Hoag said he would also approve a Senate Bill 35 exemption in case it was not on the plat. Commissioner Shy seconded the motion. Commissioner Shy amended the motion to reinstate all conditions of the 1997 plat take effect. Commissioner Hoag agreed with the amendment. The motion passed unanimously with a voice vote.

Being no further business the Board adjourned.

