

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, AUGUST 5, 2008**

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

Kit Shy	Chairman
Dick Downey	Vice-Chairman
Carole Custer	Commissioner
Kris Lang	Deputy Clerk to the Board

Also present was Nora Drenner, reporter for the Wet Mountain Tribune and commissioner candidates; Lynn Attebery, Cindy Howard, Jerry Lacy and Tom Millikan

AGENDA:

8:30 AM	Call meeting to order Pledge of Allegiance Old Business John Naylor – County Attorney
9:30 AM	Board of Equalization Hearings
11:00 AM	Jackie Hobby – Planning and Zoning report
11:30 AM	Virginia Trujillo – Treasurer report
2:30 PM	Joint Session with Planning Commission

The meeting was called to order at 8:45 AM and the Pledge of Allegiance was recited.

John Naylor, County Attorney met with the BOCC and the following items were discussed:

- Robert D. Scott Jr./Colorado Court of Appeals
- Sale of Golden Arrow Valley Lots
- deBrucing within Custer County
- County Right-Of-Way/Ophir Creek
- Dilley Lane vacation (cul-de-sac)
- A letter to owners on CR341 informing them of the status of County authority and BLM issues.

Action:

The Board will issue a letter to John Asquith notifying him that they do not have the authority or jurisdiction for a vacation on Dilley Lane.

Commissioner Shy will advise Art Nordyke of the snowmobile club to contact the owner of the property on Ophir Creek regarding a right of way agreement.

The BOCC recessed at 9:25 AM.

The BOCC reconvened at 9:45AM

J. D. Henrich, County Assessor reported his office had received and processed eleven appraisal appeals. None were being forwarded to the Board of Equalization.

Commissioner Shy opened the public hearing for the Board of Equalization and asked if anyone wished to speak. Hearing none, he closed the Public Hearing and returned to Regular Session.

#### OLD BUSINESS

Commissioner Shy reported Russ Conner has been in contact with dark skies regarding the court house lighting and a revised estimate is in progress.

Commissioner Shy reported the Wetmore shop requires internet service and that IT Specialist, Chuck Ippolito will review options with the local telephone agency and vendors. and obtain quotes for submission to the Board.

Commissioner Shy reported the IGA 911 is in process of being signed by the entities involved: Wet Mountain Fire District, Wet Mountain Valley Community Clinic, Town of Westcliffe, Town of Siler Cliff, School District C-1 and the BOCC. He explained the usage of the fee's collected from telephone customers to maintain the 911 equipment used in reverse 911 actions.

#### **MOTION Commissioner Downey, seconded Commissioner Custer**

**Authorizing the Chairman to sign the Intergovernmental 911 Agreements. Motion carried unanimously.**

Cindy Howard, commissioner candidate announced several grants and possible property transfers were being reviewed for the purchase of the Club America facility.

Commissioner Downey addressed the statute prohibiting the carrying of concealed weapons into the court house Deputy Mike Halpin stated carrying a concealed weapon is prohibited under federal law on school property, property where the property owner is against it and in buildings having a metal detector. County Attorney, John Naylor will research Statute 18-12-214 regarding the legality of prohibiting persons carrying firearms from entering the county courthouse building. Deputy Halpin requested keys for the front glass doors of the court house and the exit from the basement for security purposes.

Jackie Hobby, Planning and Zoning Director/Code Enforcement gave the monthly report to the Board. Ms. Hobby summarized notices were sent to Sandy Hollis regarding multiple campers on the property; Arlene Macchia regarding a non-inspected incinerating toilet; Max and Glenys Chartrand regarding property non-compliance; John Asquith and Janice Carroll regarding a non-permit accessory building; Kenneth Green and Annie Moran regarding a non-permit accessory building; Mark and Jana Davies regarding non-permit accessory building; Joyce Ortega regarding a non-permit accessory building, Kim & Robert Brexel regarding a non-permit accessory building; Patrick and Bonnie Kerns regarding a non-permit accessory building. Ms. Hobby said she had followed-up on a complaint received that Brad Barber was living in a motor home on property in the Rosita Hills subdivision and was presently assisting Mr. Barber. She reported Darla Wilhite of the Cowboy Church was given ninety day usage of a tent to be used temporarily on the property due to the delay in the delivery of the metal building ordered for the Cowboy Church.

Planning and Zoning Director Hobby submitted a sample of the letter sent to septic contractors with notification that all licensed septic contractors must be present during the septic inspection or their representative or employee must be licensed. The licensed contractor will be required to sign the septic permit and pay any use tax due at the septic inspections. Ms. Hobby proposed adding a flat fee on septic systems when use tax due cannot be determined or verified.

Commissioner Shy acknowledged George Colgate and honored him for all his time and efforts regarding the revised septic guidelines and rates. Ms. Hobby commended him for his assistance.

**MOTION by Commissioner Shy, seconded by Commissioner Downey.**

To present Mr. Colgate with an honorary gift (appx: \$50) in appreciation and acknowledgement of his efforts. Motion carried unanimously.

The BOCC recessed at 10:35AM.

The BOCC reconvened at 10:45 AM.

Virginia Trujillo, County Treasurer submitted a detailed monthly report of the Custer County Treasurer Department. She reported the beginning balance on July 1, 2008 was \$2,783,549.94 with an ending balance on July 31, 2008 of \$2,629,552.11 She stated 93% of the property taxes have been collected at this time. Commissioner Custer asked for clarification on county treasurer's fees and Ms. Trujillo explained the calculation was a percentage of the monies collected from each county department.

**MOTION by Commissioner Downey, seconded by Commissioner Shy**

Adjourn the meeting. Motion carried unanimously

The meeting was adjourned at 11:00 AM

