

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, SEPTEMBER 9, 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, Jim Austin, Jerry Lacy and Tom Millikan

AGENDA:

8:30 AM	Call meeting to order Pledge of allegiance Approval of August 13, 2008 Minutes Old Business: John Naylor – County Attorney
	• Assigning Lots to US Forest Service in the San Isabel Area
10:00 AM	Christe Feldmann – OEM Report
11:00 AM	Jackie Hobby – Planning and Zoning report
	• Update on the recognition gift for George Colgate
11:30 AM	Virginia Trujillo – Treasurer report
1:00 PM	RidgeviewTel Franchise Presentation Ed Gray Director of Area Development

The meeting was called to order at 8:40 AM and the Pledge of Allegiance was recited.

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

- Assigning Lots to the USFS in the San Isabel Area. Commissioner Shy stated that County Assessor, JD Henrich advised the Board that Custer County did not own any lots under San Isabel Lake for assignment to the USFS.
- Sale of Golden Arrow Valley Lots will commence on October 21, 2008 and purchasers will have ten days to complete the transaction with certified funds. Mr. Naylor read the letter of notification in its entirety.
- CR 341 will be reopened and the first gate south of Hwy 96 will be removed and all other gates will remain unlocked. The County will not provide road maintenance or snow removal.
- Robert D. Scott Jr./Colorado Court of Appeals. Mr. Naylor proposed closing the long-standing case.

MOTION by Commissioner Shy, seconded by Commissioner Downey.

Close the case of Robert D. Scott Jr. and Custer County. Motion carried unanimously.

- Conflict of Interest Policy. Mr. Naylor referenced the state statute and clarified that elected officials and appointed employees are prohibited from acquiring financial gain as a result of their positions. He stated the Custer County handbook reflected a code of ethics policy outlining the same.

- Noise complaints of the FLDS working after dark are not enforceable under county regulations and should be processed through the local property association.

Chris Haga, Round Mountain Sanitation Board inquired whether Steve and Jennifer Desponett were scheduled to meet with the Board. Commissioner Shy replied they were not on the agenda.

The BOCC recessed at 9:30 AM.

The BOCC reconvened at 9:50 AM.

Mike Halpin, Deputy reported weekend arrests were being processed through the video advisement system. He said the prisoners were being brought into the court room around the outside of the building rather than through the office halls for security purposes. He reported emergency keys to the basement were designated to the sheriff's office and custodian.

Christe Feldmann, Office of Emergency Management submitted the OEM job description.

Ms. Feldmann presented the Board with the US Department of Interior Bureau of Land Management Financial Assistance Agreement.

MOTION by Commissioner Downey, seconded by Commissioner Shy.

Authorizing Christe Feldmann to sign the grant with a co-signature of Commissioner Shy.

Motion carried unanimously.

Ms. Feldmann presented the Board with the CWIN Intergovernmental Agreement/Lease from the State of Colorado Governor's Office of Information Technology Communication Services.

MOTION by Commissioner Shy, seconded by Commissioner Downey.

Authorizing Christe Feldmann to sign the amended grant outlining Custer County as the local government entity with a co-signature of Commissioner Shy. Motion carried unanimously.

Ms. Feldmann presented the Board with the EMPG grant. Commissioner Custer requested additional time to review the contents of the EMPG grant and action on the grant was deferred until the grant contract could be adequately reviewed. Contracts with all sub-contractors on this grant will be prepared prior to any contract work being completed.

Ms. Feldmann reported the school shooting exercise with local enforcement was scheduled on Friday, September 19, 2008 starting at 9:00 AM and stated the local radio station would routinely announce that the situation is an exercise to prevent public panic. Additionally signs reflecting an exercise, mock scenario situation would be strategically placed on site. She said a pandemic flu awareness presentation will be scheduled in October and the public would be invited to attend.

Jackie Hobby, Planning and Zoning Office Director gave the BOCC the monthly report. She reported dwelling permits issued in August 2008 were down. Renewal license applications were sent to the septic contractors. John Asquith has removed the non-permitted accessory building addressed at the August 5, 2008 BOCC meeting.

The dwelling permit for Bill Knoth has not been closed out and she received concerns regarding the height. Investigation revealed the plans were approved by previous Planning and Zoning Director Linc Lippincott on December 31, 2003. The BOCC advised Jackie Hobby to prepare correspondence notifying Mr. Knoth that the dwelling and barn will require a final inspection. The notification will be issued to Mr. Knoth following review and approval from the County Attorney, John Naylor.

Max Chartrand has applied for a plat and replat and an interior line vacation and this issue will be heard by the Planning Board at the October 7, 2008 meeting. The survey completed by Wachob and Wachob revealed that Mr. Chartrand is still a few inches from the required setback.

She reported the building permits and septic systems on the A. L. Steed property are in the process of coming into compliance at this time.

Eric West had been notified regarding his over-sized for sale sign and agrees to remove it, however to date the sign remains.

Ms. Hobby stated that she had received several questions and concerns from Matti Burt regarding septic requirements and the single family household definition. Following a brief discussion it was agreed that Matti Burt would be advised to present her concerns to the BOCC and Deputy Clerk, Kris Lang would contact Ms. Burt in this regard.

Planning and Zoning Director, Jackie Hobby presented the following requests:

Ray Bachura requested a year extension on building permit A06092112 due to health problems and conditions.

MOTION by Commissioner Custer, seconded by Commissioner Downey.

Authorize a year extension on building permit A06092112. Motion carried unanimously.

Mark Davies requested a reduction of the penalty zoning fee. Mr. Davis had installed a shed without a permit within the fifty foot easement. Following a brief discussion the Board determined the penalty permit fees of \$1.20 per square foot will remain.

Ms. Hobby, Planning Zoning Director and Chuck Ippolito IT Director GIS Coordinator presented the Board with a job description for a GIS Analyst/Code Enforcement Officer for consideration. Following a brief discussion a work-shop was scheduled on September 23, 2008 at 10:00 AM in the Commissioners Room for further review and discussion.

The BOCC recessed at 12:10PM

The BOCC reconvened at 1:10PM

Commissioner Custer excused herself from the afternoon agenda due to illness.

Ed Gray, Director of Area Development/Sales Ridgeview Tel LLC made a presentation to the BOCC and submitted a contract to co-locate on the tower at Greenleaf Lane and Verdemonte Road. He explained their frequencies would not interfere with the county service. Mr. Gray stated the co-location would provide fast speed internet to residents in the area and that it has been Ridgeview's policy to give to the community and they have been contributing funds to the Search and Rescue team through the Wet Mountain Community Foundation where they receive matching funds. Following a lengthy discussion the BOCC advised Mr. Gray to contact Kim Coleman at the Governor's Office of Information Technology to determine if the CWIN IGA contract between the State and Custer County would allow a co-location. Additionally, County Attorney John Naylor will review and revise the submitted contract.

MOTION by Commissioner Downey, seconded by Commissioner Shy.

Adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 2:30PM

