

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 30, 2009**

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

Lynn Attebery	Chairman
Jim Austin	Vice-Chairman
Carole Custer	Commissioner
Kris Lang	Deputy Clerk to the Board

Also present was Nora Drenner reporter for the Wet Mountain Tribune and several community members.

AGENDA

Call meeting to order
Pledge of allegiance
Approval of Minutes
Old Business:
Resolution 09-04 Municipal Lease/Purchase Agreement
 Law Enforcement Vehicles
Resolution 09-03 Fire Ban Amendment
Community Wildfire Protection Plan 2009 Action Plan
Kids Club Director and Program Leader Contract
County Health Nurse Report
Tele-Conference call with State Department of Human Services
Mel Porth – All Board Westcliffe Funding
Debbie Livengood, Clerk and Recorder
Liquor License Renewal – Wet Mountain Goods
Claire McCutcheon – CCMCC CTO Grant

The meeting was called to order at 10:00 AM and the Pledge of Allegiance was recited.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To approve and sign Resolution #09-04 Certificate Exhibit B. Motion carried unanimously.

Exhibit B
Certificate
Board of County Commissioners
County of Custer Resolution No. 09-04

WHEREAS, pursuant to Section of the Regulations of the County of Custer, the Board of County Commissioners is expressly empowered to lease for such term as the Board shall determine, which may include a term in excess of one year, any real or personal property; and WHEREAS, the Board has determined that the following items of equipment are needed by the county to carry out its lawful functions:

- (1) 2009 Dodge Charger AWD 4-Door V.I.N. 2B3KK43VX9H578795
- (1) 2009 Dodge Sport Utility AWD 4-Door V.I.N. 1D8HB38P29F715244

("Equipment"); and

WHEREAS, the Board deems it to be in the best interest of the County and of its inhabitants to lease the Equipment, which Equipment Bankers' Bank of the West Leasing Company, Inc., a Colorado corporation, has agreed to purchase and to lease to the County of Custer, all upon the terms and conditions of certain Municipal Lease/Purchase Agreement and Exhibits and Certificates attached thereto in the form presented to this meeting; and

WHEREAS, the Board has determined, and has taken such action and made such investigations as are necessary, in its judgment, to support its determination, and that the proposed rental for the equipment is fair and reasonable; and

WHEREAS, in the opinion of the County Attorney for the county of Custer, the County has full power and authority to make and enter into such Municipal Lease/Purchase Agreement with Bankers' Bank of the West Leasing Company, Inc. for the purposes and upon the terms and conditions set forth in such proposed Municipal Lease/Purchase Agreement and attached Exhibits and Certificates without incurring an indebtedness or other obligation on the part of the County of Custer, which might be deemed a general obligation debt as provided in the Constitution and Statues of the State of Colorado;

WHEREAS, the Board has designated that the Municipal Lease/Purchase Agreement, Exhibits and Certificates attached thereto is a "Qualified Tax-Exempt Obligation" under Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986.

NOW THEREFORE BE IT RESOLVED, that the Municipal Lease/Purchase Agreement and Exhibits and Certificates attached hereto in the form submitted to this meeting, a copy of which is hereby directed to be attached to this Resolution and made a part of the Minutes of this meting, providing the leasing of the equipment by the County of Custer from Bankers; Bank of the West Leasing Company, Inc. for a period of 5 months, at the rentals and upon the terms and conditions therein provided for, are hereby authorized approved and confirmed.

FURTHER RESOLVED, that the appropriate officials of the County of Custer by and they hereby are authorized, empowered and directed in the name of the county of Custer, and on behalf of the Board, to make, execute and deliver any and all documents, certifications and other instruments necessary, required or desirable in the opinion of the County Attorney or the County of Custer to effectuate the leasing of the Equipment upon the terms and conditions present to this Board and set forth in the documents referenced herein.

CERTIFICATION

The undersigned, the duly elected, qualified and acting County clerk of the County of Custer, Colorado, does hereby state and certify that at a meeting of the Board of County Commissioners of County of Custer, Colorado, duly called and held in Westcliffe, Colorado on the 30 day of March, 2009, at which a quorum was present and acting throughout, the foregoing Resolution was unanimously adopted, that said Resolution is in the Minutes of said meeting, and that they same have not been amended, rescinded or revoked.

Dated this 30 day of May 2009
Debbie Livengood, County Clerk

Debbie Livengood, Clerk and Recorder presented the 3.2 liquor license renewal for the Wet Mountain Goods in Wetmore, CO. She stated the application was complete and in order.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

At approve the 3.2 liquor license renewal for Wet Mounting Goods in Wetmore CO. Motion carried unanimously.

Debbie Livengood advised the BOCC that the Tourism Board has requested voucher use of the county postage machine to mail out approximately two-hundred tourism packets. The Tourism Board would reimburse the county for the postage utilized. Following a brief discussion the BOCC determined to provide a clean audit trail the tourism mailings should be processed through the local postal office service.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

Approve the minutes from March 17, 2009. Motion carried unanimously.

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

Approve the minutes from March 18, 2009 as amended. Motion carried unanimously.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To sign the Contract to implement the Custer County 2009 Community Wildfire Protection Plan (CWO) Action Plan. Motion carried unanimously.

MOTION BY Commissioner Custer, seconded by Commissioner Attebery:

To sign the letter of support for John B. Cordova, Sr. Board of Pueblo County Commissioners to service on the State of Colorado District 10, Transportation Board. Motion carried unanimously.

Donna McDonnall, County Health Nurse met with the BOCC to give her monthly report. She advised 5 childhood immunizations, 20 adult immunizations and 10 shingles immunizations were administered in March 2009 along with 43 blood pressure screenings. She reported attendance at the Colorado Volunteer Administrator Training, Colorado Physical Activity and Nutrition Conference, Regional Public Health Nurse Meeting. Ms. McDonnall reported on the 9 Health Fair scheduled on Saturday, April 11, 2009 from 7am to 12 noon and advised volunteers are in place.

The BOCC recessed at 10:45 AM.

The BOCC reconvened at 11:00 AM.

An open door teleconference in response to a request from Commissioner Custer regarding the proposed TANF funding of three new Custer County human services programs: the Custer County Kids Club, the Custer County Youth Club, and the Hanssen Haus Resource Center commenced. Present were Commissioners Attebery, Austin and Custer; Human Service

Director, Laura Lockhart; Administrative Assistant, Kris Lang and Reporter for the Wet Mountain Tribune, Nora Drenner. Participants via teleconference were County Attorney, John Naylor; Director of Colorado Works, Kevin Richards; Director of CEHS Audit Division, Charissa Hammer; State Staff Jenise May, KC Robbie and Tom Perkins, Field Administrator.

The following topics were discussed:

- Providing more detail on the Memorandums of Understanding for the Kids Club, Youth Club and Hanssen Haus Resource Center
- Agreements contracts with outside entities for space rental in the Hanssen Haus Resource Center
- Strategic Planning Conference TANF criteria
- Review of expenditures to date for the Kids Club, Youth Club and Hanssen Haus Resource Center and proposed expenditures for the remaining three months until the end of the TANF calendar year cycle
- Hanssen Haus Resource Center Purchase and Operation
- Role of the Resource Navigator and Veterans' Service Office in the Hanssen Haus Resource Center
- Youth Club Directors determination and designation
- County Capitalization and Depreciation Policy
- Federal, State and County co-mingled and segregated funds itemization

Prior to the completion of the teleconference it was determined that Field Administrator, Tom Perkins would arrange a compensated field trip for the representatives from the Department of Human Services to Custer County early next week. The purpose of this visit is to support the County regarding TANF documentation and tour the Kids Club and Hanssen Haus Resource Center facility for a better insight to the programs. The team also expects to meet with the Board of County Commissioners and provide technical assistance to Laura Lockhart and her Social Service Department in this regard.

The BOCC recessed for lunch at 12:25 PM.

The BOCC reconvened at 1:00 PM.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To stop the two director positions for the Custer County Youth Club until July 1, 2009 when they may be reviewed under a new state fiscal year. Motion carried unanimously.

Cindy Howard, Tourism Board met with the BOCC and advised through collaborative efforts with the County Tourism Board and other entities that the Chamber of Commerce had submitted a grant application to the Colorado Tourism Office last fall. The total amount of the grant was \$5900 and required \$2950 in matching funds. The County Tourisms matching funds were in a form of \$2950 payment for the Colorado State Vacation Guide publication. Claire McCutcheon, Director for the Chamber of Commerce stated the grant application required documentation of these matching funds and inquired if the BOCC had any suggestions. Commissioner Attebery and Commissioner Custer responded they supported whatever method worked for the Tourism Board and the Chamber of Commerce and thanked both entities for keeping the BOCC informed.

Cindy Howard advised that the tourism board with the assistance of Kit Shy had established a special event marketing policy. She reported they were in the process of writing grant according to their by-laws and the first grant request was scheduled at the April 14, 2009

Cindy Howard said although it would have made the mailing of the state vacation guide tourism packets easier through a voucher with the clerk and recorders office, she understood the county accounting process and requirements. She inquired if an out of sequence check could be initiated through the finance department. Commissioner Attebery said he would review the suggestions with Dawna Hobby, Finance Manager. Ms. Howard stated a board member would have to use their credit card for the postage purchase with reimbursement from the tourism budget at a later date. Commissioner Attebery suggested this process of postage be reviewed and submitted as part of the tourism budget for 2010.

Commissioner Austin excused himself from the meeting to attend a funeral service.

Commissioner Attebery reported the County Attorney, John Naylor advised against signing the Custer County Kids' Club (CCKC) Probationary Employment Contracts at this time.

Mel Porth reported on the Denver and Rio Grande Depot in Westcliffe Grant Application. He outlined various stumbling blocks and setbacks he encountered during the process and asked if the BOCC would like him to continue. Commissioner Attebery responded that if Mr. Porth felt some of these stumbling blocks could be overcome and he was willing to continue that he Commissioner Attebery fully supported the grant process. He advised Mr. Porth that the BOCC had prepared a draft letter of support for the project and have the draft letter to Mr. Porth for his review stated a formal signed copy would be available on request. Commissioner Custer stated that if Mr. Porth was willing to go through all the angst involved she fully supported his continuation of the process.

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To adjourn the meeting. Motion carried

The meeting was adjourned at 1:40 PM

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chair