

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, MARCH 31, 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
- Review vouchers and sign checks
- BLM- Roy Masinton
  - Dan Grenard
  - Gary Curtis – Mine Reclamation
- Mine Reclamation Project under Economic Stimulus Package
- 1:00 PM Staff Meeting

The meeting was called to order at 9:00 AM and the Pledge of Allegiance was recited.

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

County General	\$197,907.82
Road and Bridge	\$145,671.12
Emergency Services	\$ 10,593.80
Human Services	\$ 20,637.07
Self Insurance	\$ 0
Capital Improvement	\$ 7,164.27
Airport Fund	\$ 16,866.72
Tourism Fund	\$ 553.50
TOTAL	\$399,394.34

Commissioner Austin asked Commissioner Custer to give a summary of how the Kids Club and Youth Club evolved. Commissioner Custer requested that Nora Drenner present in the audience be included in the conversation and stated that the process was initiated prior to Commissioner Attebery and Austin being elected. Nora Drenner said the Kids Club discussion began when the Learning Circle Facility went defunct and the Town of Silver Cliff took the building back. She remarked that under the agreement, the Town of Silver Cliff had to make every effort to get child care back into the facility and that the grant had a requirement that the building had to be used as a childcare facility until at least February 2010.

Commissioner Custer explained that since the existing preschool building is in need of some renovations she thought there was an opportunity for a win-win situation. She approached the Town of Silver Cliff Board of Trustees, the School Board and School Superintendent Lance Villers with the proposal of turning the building at 118 Jerry Court into a pre-school and day care center. She then discussed this with Commissioners Downey and Shy. When the Superintendent Villers, Board of Education President Woods and I met in regular session with the Silver Cliff Trustees, Regional DOLA Representative Deb Downs asked the school district to provide an Infant/Toddler program there and Commissioner Custer explained that was not an option and suggested a preschool through 5<sup>th</sup> grade after school state licensed program instead. DOLA agreed with that compromise and that is when Commissioner Custer, the school administration, members of the Board of Education and community volunteers began formulating a plan to provide an after school program. She reported that as the plan evolved the School Board was in favor of the project but did not want it to be a school district program but rather a community program. Again, this was discussed with Commissioner Downey and Shy as plans evolved. When an agreement was reached between the Town of Silver Cliff and the School District to purchase the 118 Jerry Court building, Commissioner Custer helped negotiate the funding for the transfer and secured a \$25,000 grant from the Boettcher Foundation for the interior renovations of the first floor of the building.

Commissioner Custer explained the Youth Club was proposed to provide a seamless transition of programs for all of our children. She suggested that some of the Middle School after school activities for the Youth Club could be conducted after 4PM in the Hanssen Haus Resource Center. Commissioner Custer reported she had discussed the projects with Commissioner Shy and Commissioner Downey and proposed that until the programs could acquire a 5013C status that the county would run the programs and that is basically how it all started. Commissioner Austin asked if there was ever any action taken by the BOCC to proceed. Commissioner Custer replied the minutes would have to be reviewed but that it was her understanding it was approved.

Commissioner Austin asked for clarification on the staff hiring for the Custer County Kids Club (CCKC), Custer County Youth Club (CCYC) and Hanssen Haus Resource Center. (HHRC). Commissioner Custer responded the Director and Program Leader for the Kids Club were interviewed and hired in December 2008 by the Kids Club Board of Directors at a comparable salary of other after school programs in the region. The Resource Navigator for the Hanssen Haus Resource Center was also interviewed and hired by an advisory interviewing committee and she started the first week of December 2008. Commissioner Austin said he felt the hiring should have been a BOCC action that followed the county personnel policy. Commissioner Custer responded that everything had been up front and in fact the Human Resource/Finance Manager Dawna Hobby had advertised the positions for the HHRC and the CCKC, did the first screening, helped put together the interview committees and supported the process throughout. The HHRC is a county position to be funded partly with TANF funds for services provided to TANF eligible families. The CCKC staff understood from the beginning that they were funded by program start-up dollars from TANF and Child Care funds and that once they were established that funding would not be available at the same level and they would be required to be self supporting to continue. The CCYC situation was a “proof of concept” project only with a very limited time frame of funding and that is why those positions were not advertised and were offered to current county employees that had the skills necessary to do the job. The truth of the matter is that that I do make mistakes. I had no support and worked long hours to make these things successful. The volunteers and professionals involved are why these programs have a chance to succeed. That is why we had the Strategic Planning process.

Commissioner Custer asked specifically what board approves county job descriptions since there are many positions the BOCC does not review or approve. Commissioner Austin said he reviewed the manual and reported he was not able to find a specific description or clarification. Commissioner Custer responded that is why she attempted to revise the county employee manual for clarification but that the department heads did not support the project.

Commissioner Austin asked Commissioner Custer if she felt there was anything wrong with the method of hiring the Youth Club Directors without an open process. Commissioner Custer replied that although the Youth Club positions were temporary she should not have interfered with Ken Custer's current position as a Detention Officer at the Custer County Sheriff Department that he resigned from to take on this temporary assignment. Commissioner Austin stated that he understood Commissioner Custer's explanation but when you step back and look at it, it looks like she created a job and put her son into it. Commissioner Custer responded that she is aware that is how it appears. She explained that none of these positions were going to remain county positions. Commissioner Austin said they are right now and the therefore BOCC is responsible for them. Commissioner Austin said he wanted to make sure that everyone understood the county personnel policy and read the following sections from the 2000 manual. Section L Recruiting; L-1 Authority to Fill Vacancy; L-2 New Positions, L-3 Types of Recruiting. Commissioner Austin asked if there was BOCC action for the approval of hiring the five new people. Commissioner Custer replied there was for three of the five but not for the Youth Club positions. She explained she had been under the gun with a time limitation to get the Youth Club up and running in order to provide our youth with a Youth Job Service Program for summer employment. She said she understood the decision for the Youth Club Director positions being stopped but requested the Youth Club program remain.

Commissioner Custer said she welcomed the fact that representatives from the State of Human Service will be here next week to tour the Kids Club, Hanssen Haus and meet with the BOCC, the County Attorney and Department of Social Services.

**MOTION by Commissioner Custer, seconded by Commissioner Austin:**

As a Board all decisions would be brought in front the BOCC for review including any and all expenditures. Motion carried unanimously.

**MOTION BY Commissioner Custer, seconded by Commissioner Austin:**

To amend the official county publication to include the Pueblo Chieftain if funds allow. Motion carried unanimously.

**MOTION by Commissioner Custer, seconded by Commissioner Austin:**

Approve and sign the Custer County Special Event for the Bike with Pike Event scheduled September 12 and 13 of 2009. Motion carried unanimously.

The BOCC recessed at 10:30 AM.

The BOCC reconvened at 10:50 AM.

Roy Masinton, Cass Cairns, Melissa Smeins of the Bureau of Land Management (BLM) US Forest Service (USFS) and Gary Curtiss of the Colorado Division of Reclamation and Mining Safety met with the BOCC and gave a presentation on the Querida Tailings Remediation Project. Following the presentation BOCC expressed support for the project. Roy Masinton outlined and presented a March 24, 2009 U.S. Drought Monitor Chart and advised the BLM is predicting an active fire season. The BOCC stated they were recommending the appointment of Kit Shy, County Surveyor to the Bureau of Land Management Regional Advisory Council and would issue a letter of support in this regard.

Commissioner Custer reported she has been in contact with Cynthia Barnes of Colorado Technical Service Inc. (CTSI) to schedule presentations and classes in staff training, team building and customer service.

The BOCC recessed at 11:50 AM.

The BOCC reconvened at 1:00 PM.

The department heads met with the BOCC for the monthly staff meeting. Present were: Rusty Christensen, Karen Crumbaker, Mike Halpin, J.D. Henrich, Dawna Hobby, Jackie Hobby, Chuck Ippolito, Debbie Livengood, Laura Lockhart, Donna McDonnall, Kaye Rocheleau, Lorraine Silva, Dave Trujillo, Virginia Trujillo.

Chuck Ippolito, IT Director reported the last time the county phone system was reviewed and updated was over eight years ago. He announced a meeting was scheduled on April 1, 2009 at 11AM with century-tel technicians in the commissioner's room. The purpose of the meeting was to discuss possible upgrades to the county phone system and all courthouse personnel are welcome to attend and submit suggestions.

Commissioner Attebery asked if the county had a policy regarding employee snow days. Following a discussion it was determined the county did not have a specific policy. The department heads and or elected officials decide on any weather related closures for their individual department as well as employee compensation. All present agreed safety is the number one priority along with good judgment and common sense during hazardous weather conditions. Dave Trujillo, Road and Bridge Supervisor stated he contacts the school district and makes the recommendation for school closures and or delays. Following a brief discussion the Board asked Mr. Trujillo to contact them of any recommended school closures and delays. The Board will than make a decision and contact the elected officials and department heads.

Donna McDonnall, Public Health Nurse gave a report on the Health Fair scheduled on Saturday, April 11, 2009.

The Staff Meeting concluded at 1:35PM.

Commissioner Austin reported the next step regarding the energy audit would be to enter into the contractual agreement with Ennovate Corporation to participate in the free audit. Commissioner Custer stated she supported the next step and advised the contractual agreement be forwarded to the County Attorney for review and approval.

Commissioner Custer gave an update on the proposed recycling trailers and cages. She summarized the cost would be approximately \$2600 for each trailer. Following a discussion the Board agreed to review the purchase of one trailer/cage for plastic recycling pending review confirmation that the funds for this process were available in the county recycling fund.

**MOTION by Commissioner Custer, seconded by Commissioner Attebery:**

To adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 2:00 PM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery  
Chair