

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, JUNE 29, 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
Amend Agenda
Approve minutes: May 5, 13, 22, 27, 28, 29; June 1, 2, 2009
Loretta Kennedy, Congressman Salazar Office
Custer County Conservation District
Staff Reports:
Custer County Youth Club
Custer County Kids Club
Hanssen Haus Resource Center
WORK SESSION - Personnel Manual /Ethics
Airport Board
RETAC report

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

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To accept the agenda as posted. Motion carried unanimously.

Loretta Kennedy, Southeast Regional Director for the Honorable John Salazar, Member of Congress, 3rd District, Colorado said it was a pleasure to be in Custer County. She commented it was her goal to visit the southern counties of Colorado at least once a year to discuss the needs of the county and gather input and information. She reported \$125 million of the stimulus fund was allocated to rural areas for broadband. She said a grant application could be downloaded from the State Office of Informational Technology (IT) website.

Ms. Kennedy stated she was meeting with Veteran, Jerry Lacey to discuss and review the needs of the veterans in Custer County with the primary focus of providing veterans service at the Wet Mountain Valley Community Clinic. She said she would return to Custer County at the end of July with Grant Administrator, Erin Meeks to provide assistance and support for grant needs. Ms. Kennedy asked the Board to share any questions and concerns. The Board expressed appreciation to Ms. Kennedy for her visit and welcomed her back with Ms. Meeks in the future.

Commissioner Custer shared some county issues with Ms. Kennedy. She explained that the county is still struggling to find the funds to pay for the installation of the two American Disability Act (ADA) compliant stair chairs that had been donated to Custer County. She said one stair chair was scheduled to be installed at the Custer County Courthouse and the second at the Wetmore Community Building. She reported that the ADA installation estimate from a certified licensed contractor as required by the state was approximately \$10,000. Commissioner Custer stated that permanent ADA access ramps are needed at the Hanssen Haus Resource Center (HHRC). She reported that the county had signed a Technical Energy Audit (TEA) with Ennovate Corporation and would require energy upgrades to the county buildings. Commissioner Custer outlined the Wetmore Library Project for the purchase and demolition of the abandoned building at Highway #96 and #67 in the Wetmore area. The county is proposing the construction of a building that would be ADA accessible for public use.

Hal Julson, Robin Young and Jim Sperry representing the Custer County Conservation District (CCCD) met with the BOCC and discussed how the CCCD can build a stronger partnership with the Board for the benefit of the community. The CCDC provides assistance with agriculture, weed control, water conservation and management, soil analysis and erosion control, subdivision reviews, reclamation plans, education, drought, fire and wildlife. Mr. Julson reported the CCCD is recognized by the Colorado Association of Conservation District and operates from funding through Direct Assistance which is now being threatened by cutbacks. He said other districts have mill levies but that CCCD does not and they are asking for funding from the County during this economic hardship to keep the programs running. Mr. Julson stated the CCCD is requesting \$2500; possibly from the Extension Department budget to cover the costs of operations, matching grant programs, and other small sponsorships that benefit their programs. He said in the absence of a Colorado State University (CSU) Extension Agent the CCCD will assume a lot of the responsibilities that the CSU Extension Agent does. Commissioner Custer suggested the CCCD send a letter, similar to the one they sent to the commissioners, to Joel Plath, CSU Extension Representative outlining their needs and request for use of funds and that they provide a copy to the BOCC. Commissioner Austin suggested the CCDC contact Chuck Ippolito, IT Director for inclusion and reference on the county website. Commissioner Attebery complimented the CCDC on their standards and knowledge and expressed appreciation for their assistance in the community.

Micki Campbell, Custer County Youth Club (CCYC) Coordinator met with the BOCC and gave her report. She said for the past six weeks she has made contact phone calls, e-mails and gathered information for the work force that will provide our students with summer employment. She completed the Individual Education Plan (IEP) required by the work force. Ms. Campbell said she met with the CCYC Advisory Board and they voted to purchase curriculum that would be integrated into the school day in the fall of 2009. She said she had not personally seen or reviewed the curriculum and was not aware of review by any school board member.

Commissioner Custer responded the curriculum required review and approval by the school district before it could be implemented in the classroom and that Barbara Jones, Custer County High School Principal had reviewed the program. Ms. Campbell stated due to the uncertainty of the CCYC she had not pursued a summer activity program.

Commissioner Custer asked Ms. Campbell to share her other roles in the community. Ms. Campbell responded she was a member of the Prevention Leadership Council and functioned as the School to Work Alliance Program (SWAP) Coordinator through the Colorado Department of Education and the Department of Vocational Rehabilitation. She also provides services under the Persistent Drunk Driver (PDD) program.

Lisa Kaufman, Custer County Kids Club (CCKC) Program Leader met with the BOCC and gave a monthly report. Ms. Kaufman reported the building renovations are almost complete. The playground will be relocated from the old preschool to the present facility on July 7, 2009. She reported the CCKC had completed several successful field trips and explained the CCKC Advisory Board reviews and approves the field trip criteria and destination. Ms Kaufman reported fifteen (15) children were enrolled at the CCKC. Commissioner Austin inquired on the status of the protocol to help assist families in need with the enrollment fees. Ms. Kaufman responded that supplemental funds were being sought under the Childcare Programs through the Social Service department and Mile High United Way Fund.

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

To approve the minutes from May 5, 13, 22, 27, 28, 29, June 1, 2, 2009

Commissioner Austin said he was still uncomfortable with all the editing to the minutes and does not feel it has been adequately addressed or resolved. He agreed to approve of the minutes as presented. Motion carried unanimously.

Commissioner Attebery reported he approved the voucher for the Wet Mountain Saddle Club to receive \$1000 from the Conservation Trust Fund.

Commissioner Attebery reported Marty Frick, West Custer County Library District had provided vintage photographs of the Custer County Courthouse. The photographs were received from the Custer County Historical Society (CCHS). He said following the approval of CCHS the photographs would be duplicated and one set displayed at the Colorado Counties Incorporated (CCI) building in Denver and another in the Custer County Courthouse.

Commissioner Attebery suggested the BOCC meeting on June 30, 2009 be moved from the Courtroom to the Boardroom. Commissioner Austin agreed.

Commissioner Austin said it was in the best interest of the county to have the Custer County Water Augmentation Plan (CCWAP) reviewed by an outside water expert. Following a brief discussion the Board agreed to review the proposal with County Attorney, John Naylor at the July 7, 2009 BOCC meeting. Commissioner Custer said in an effort to be as transparent as possible the rebuttal letter received by the BOCC from C-4 should be forwarded to Ralph (Terry) Scanga, Upper Area Water Conservancy District (UACWD) Director for his review and comment. The Board agreed. Lockett and Sue Pitman, citizens stated they still had concerns regarding the CCWAP. Tim Kelling, citizen clarified that the CCWAP was being filed by the UAWCD on June 30, 2009 and that the BOCC will discuss the proposal of hiring a water lawyer with the County Attorney at the July 7, 2009 BOCC meeting.

The BOCC recessed at 11:10 AM.

The BOCC reconvened at 11:20 AM.

Lorraine Silva, Veteran Service Administrator (VSA) and Resource Navigator of the Hanssen Haus Resource Center (HHRC) met with the BOCC and gave her monthly report. She reported she has been in collaboration with the Veterans of Foreign War (VFW), the Historical Society, Robert Dreher and Planning and Zoning Director, Jackie Hobby to ensure that all the veteran gravesites in the county cemeteries have appropriate markers and monuments. She reported the American Legion was awarded a \$48,250 grant for veteran disbursement and presented a 1999-2008 VA expenditure summary. Ms. Silva stated the Probation Counseling rent at the HHRC is \$125 per month (contract pending), Magic Moments-Parents as Teachers proposed rent is \$250 per month and the Veterans Service Office rent savings from an off site location is \$175 per month. She said the administrative costs for Magic Moments are projected to be an additional \$7850.

Commissioner Austin asked how much of the HHRC expenditures would be covered under the Temporary Assistance to Needy Families (TANF) funds. Commissioner Custer responded that confirmation of the approved amount need to be a discussion with the Social Services Department. She said the last she heard was that TANF would cover 45% of the total costs. Commissioner Austin remarked that left 55% not covered and asked how that outstanding amount was going to be covered. Commissioner Custer reminded the Board that when Ms. Silva was hired 50% of her time was to serve as the Veteran's Service Officer Assistant. Lockett Pitman, citizen asked if there was a shortfall or a potential shortfall of funds for the HHRC. Commissioner Custer responded that the wording shortfall was not an accurate statement, since the HHRC was still in a start-up phase and not all the regional partners have completed their contracts to provide services in the facility on a regular basis. Ms. Silva said the goal was to make the HHRC both self-supporting and self-sustaining. Commissioner Custer agreed. Commissioner Austin said it was his understanding that no county monies would be spent. He said on more than one occasion Commissioner Custer had stated that no county funds other than in-kind services would be used and that was his intent. Commissioner Custer responded that was never her intent during the start-up process of the program to provide space and support to be used by regional services providers like the Workforce Center. It is a state statutory requirement that the county provide at least half time staff support to Veterans. Now, thanks to the HHRC the county is finally able to meet that requirement. Commissioner Austin asked it would be correct to say that the county does not know what the outstanding expenditures are at this time. Commissioner Custer replied that would be correct.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To recess until the start of the work session at 12:30 PM Motion carried unanimously.

The BOCC meeting recessed at 11:40 AM.

The BOCC reconvened in the Work Session at 12:40 PM.

Commissioner Attebery remarked the subjects listed for the work session were the personnel policy and ethics. He stated that work sessions were scheduled for discussion purposes and no decisions would be made.

The BOCC recessed from the Work Session at 12:55 PM.

The BOCC meeting reconvened at 12:56 PM.

Terry Nimnicht, Custer County Medical Center, Executive Director distributed the USDA Rural Development and West Custer County District Hospital invitation to attend a ceremonial presentation to award a \$25,000 Community Facility Grant on July 14, 2009. The funding is being provided through the American Recovery and Reinvestment Act funds to stimulate the economy and provide equipment for the EMT training center and living quarters in the EMS Ambulance Barn in Westcliffe.

Terry Nimnicht, representing the Southern Colorado Regional Emergency/EMS Trauma Advisory Council (SECRETAC) met with the BOCC and presented the Southern Colorado RETAC, Inc. Contract for Fund Disbursements-Fiscal Year 2009-2010. SECRETAC will provide the County with \$13,000 (the Funds). The Funds will be distributed in two payments. The first payment of \$6,500 will be provided upon execution of the Contract. The second payment of \$6,500 will be provided on January 31, 2010. Mr. Nimnicht submitted the Custer County SECRETAC Budget for July 2009 - June 30, 2010 and said the funds were allocated for training and certification. Commissioner Attebery stated that the contract would be reviewed by the County Attorney prior to the Boards signatures. Commissioner Custer inquired on the pay compensations. Mr. Nimnich responded that based on a twelve hours shift: Paramedics \$78, Intermediate \$66, Basic \$54 and CPR \$42. Commissioner Austin stated having people with advanced life support skills on the ambulance calls tremendously benefits the community. Mr. Nimnicht said due to our remote distance from major medical facilities having on-board EKG equipment that transmits information from the scene increases the quality of service provided. He announced the EMS picnic was scheduled on August 15, 2009 at the Westcliffe Park and would feature a pig roast and pie auction. Tickets are available for purchase and the public is welcome.

Commissioner Custer requested clarification on the change of name from Clinic to Medical Center. Mr. Nimnicht responded the term Medical Center was chosen as a marketing tool to help broaden the public perception of the expanded services and care that is available at the facility.

The BOCC recessed at 1:15 PM.

The BOCC reconvened at 1:30 PM.

Allan Butler, Silver West Airport Chairman met with the BOCC and announced the Silver West Airport has received the first grant payment from the state in the amount of \$40,904. Mr. Butler distributed financial graphs outlining the monetary draws amounts required by the airport from March to September 2009. He gave an update on the building construction. Commissioner Custer said during the BOCC meeting on June 17, 2009 in Wetmore the public had inquired on the uses of the new building at the airport. Mr. Butler stated the building will be used to store tools, equipment, vehicles and also provide a winter vehicle maintenance space. The building will house an office facility and have a heated room for the pilots with computers, phones, beverage vending machine and lavatory facilities. He explained for safety and security requirements the pilots accessibility would be limited to the heated room provided for them. Mr. Butler reported for the next few years any available grants will address safety issues. He said the Silver West Airport Board submitted a request for a new security safety gate at the facility.

Approved 07/15/09

Mr. Butler said the airport board had previously discussed the option of having a credit card. He felt a credit card would not be utilized often and due to the liability and paperwork involved preferred not to secure one at this time. He will discuss this further with the Airport Board at their next meeting. He remarked that fuel sales at the airport were down. Commissioner Attebery suggested the Airport Board contact the Tourism Board for possible inclusion as part of their grant cycle to market the airport outside the county.

Commissioner Custer asked if the Board had determined a time frame for review and discussion of the proposed personnel policy. She suggested the topic be discussed at the Staff Meeting during the BOCC meeting on June 30, 2009. Commissioner Attebery responded that he would like to move along as quickly as possible with the personnel policy. He recommended a copy of the personnel policy be forwarded to County Attorney, John Naylor for review.

Commissioner Attebery remarked that he would investigate the responsibility, liability and the usage of the cell phone previously issued to the CSU Extension Agent and report back to the Board. He said that the interim CSU Extension Agent, Tommy Covington should be available to assist and support Beverly Goertz, Extension Office Manager during the upcoming fair. He recommended that Mr. Covington schedule a weed tour in Custer County. Commissioner Custer stated she still recommends the preparation of a job description outlining services being provided to Custer County by the interim CSU Extension Agent.

MOTION by Commissioner Custer, seconded by Commissioner Austin.
To adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:00 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chair

BOARD OF CUSTER COUNTY COMMISSIONERS
WORK SESSION

June 29, 2009
12:30 PM
Commissioners Board Room

Personnel Policy
Ethics

Present: Commissioner Attebery
Commissioner Austin
Commissioner Custer
Mike Halpin
Jackie Hobby
Debbie Livengood
Nora Drenner
Bob Dreher
Lockett Pitman
Sue Pitman

Commissioner Attebery remarked that Custer County is currently working under the 2000 personnel policy. This personnel policy has been forwarded to Cynthia Barnes of Colorado Technical Services Inc. (CTSI) for review and revisions to bring it up to date. Ms. Barnes returned the policy with suggestions and the addition of other recommended policies.

Commissioner Custer said that Cynthia Barnes, CTSI had been asked to review the Custer County Personnel Policy that was adopted in 2000, along with the revision suggestions she had received from county departments heads in 2007. The reason Ms. Barnes was asked to review it is that there have been federal and state statute changes since 2000 and we want to include the most current laws and regulations in the revised policy. Commissioner Custer reported she had asked that the policy be as simple as possible, condensed and yet cover all the legalities required. She stated she had reviewed the policy and was in support of the contents as submitted by Ms. Barnes. She recommended that Commissioner Attebery and Commissioner Austin review the policy and that as a Board address any questions or concerns prior to distributing the documents to county elected officials and department heads for their input.

Commissioner Attebery stated that some members of the audience expressed concerns with the ethics portion of the personnel policy. He reported CTSI has included four and a half pages on ethics. Commissioner Austin remarked he had concerns over the ethics portion of the 2000 Personnel Policy. He said he reviewed the ethics revisions, clarification and additions from CTSI including Amendment 41 and was satisfied with the contents.

Lockett Pittman, citizen asked how the public could get copies of the policy pages being reviewed. Commissioner Custer responded this was a work in process and that during this work session and that the documents were not yet ready for public distribution. She explained that the current draft documents will be distributed to department heads and county staff for their review first. Second there will be a discussion with county staff and then there will be revisions as necessary. The revised policy will then be approved by the BOCC at a later date. She said the personnel policy will not be made available to the public until after county employees have an opportunity to review and comment.

Commissioner Attebery said he was in support of the revised ethic portion of the personnel policy. He stated that he believe ethics was covered when the elected officials were sworn into office to uphold the constitution of the United State and the State of Colorado.

Bob Dreher, citizen remarked that he had submitted the ethics policy of Adams County for consideration. He explained the policy was the result of an inquiry he made to the Colorado Ethics Watch. He asked them what county in the state had the best and most current ethics policy and was referred to Adams County. The Adams County assistant District Attorney (DA) said their policy was required to be signed by everyone in the county who was elected. The assistant DA explained that previously there were some issues in the county regarding ethical behavior that were not covered or clear so a new ethics policy was created requiring the signature of the commissioners and everyone employed.

Commissioner Attebery thanked Mr. Dreher for his efforts and acknowledged he had received the Custer County and Adams County Ethics Policies.
Jackie Hobby there

The work session ended at 12:55 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chair