

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 11, 2009**

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

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

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

AGENDA:

- Call meeting to order
- Pledge of allegiance
- Roll call
- Amend agenda
- Approval of Minutes July 30, 31, 2009
- GIS Report - Chuck Ippolito
- EOM Report – Christe Feldmann
- Courthouse Security Grant – Sheriff Fred Jobe
- Work Session

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

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To accept the posted agenda. Motion carried unanimously.

Commissioner Attebery stated the approval of the minutes for July 30 and 31, 2009 would be deferred to the BOCC meeting on August 12, 2009.

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

To defer the Advisory Board CCKC, CCYC topic from the August 11, 2009 work session to September 17, 2009 work session. Motion carried unanimously.

Commissioner Austin presented the Fee Agreement between Duncan, Ostrander & Dingess, P.C (Law Firm) and Custer County and the Statement of Opposition concerning the Application for Water Rights of Upper Arkansas Water Conservancy District (UAWCD) for the Boards approval. He stated the law firm would be providing the County with legal advice and services concerning water right matters, regarding the opposition of Water Division 2, Case Nos. 09CW85 and 09CW86. He remarked the law firm has filed opposition for the City of Aurora in the water right matter and when applicable the fees could be split for a cost savings to Custer County.

MOTION by Commissioner Austin to retain the services of Duncan, Ostrander & Dingess, P.C. Commissioner Custer seconded the motion with the amendment that the county needs to be cognoscente regarding the fee's incurred since the item was not part of the 2009 budget. Motion carried unanimously.

Commissioner Attebery stated the Fee Agreement required that one person be designated as the client contact to represent the county. He said he would be willing to accept the responsibility with the approval of the remainder of the Board. Commissioner Austin responded that he had obtained the background information and was involved in the initial phases for retaining legal counsel. He said he would like to continue in this role and represent the county.

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To appoint Commissioner Austin as the designated client contact as part of the Fee Agreement. Motion carried unanimously. (Original Fee Agreement and Statement of Opposition forwarded to Duncan, Ostrander & Dingess, P.C./Copy retained in BOCC Administrative Assistant files).

Commissioner Austin said he would like to discuss accepting the grant writing services of Bob and Rene Tobin. Commissioner Custer responded that during her discussions with Bob and Rene Tobin they agreed to provide support to the county in helping to help write grants. Butch Gemin working under the auspices of the Wet Mountain Valley Community Foundation also agreed to help the county and community write grants. Commissioner Custer stated as the Grant Administrator she would coordinate the grant applications. The Board instructed the Administrative Assistant to schedule a meeting with Bob and Rene Tobin and Butch Gemin at the September 17, 2009 BOCC work session to discuss collaborating on future grant applications. Commissioner Custer stated that Bob and Rene Tobin offered to help with two Great Outdoors Colorado (GOCO) planning grant applications: one to provide a raised safe egress underneath Highway #69 north near the Preschool and Custer County Kids Club facility. This project would connect to and coordinate with the Trails and Path System as outlined in the Custer County, Westcliffe and Silver Cliff Master Plan that Dorothy Urban is coordinating. The second planning grant would be to purchase the property in Wetmore, as discussed in earlier BOCC meetings. Following a brief discussion the Board agreed all the parties involved should be in agreement prior to submitting grant applications and that level of transparency will be evident starting with the two GOCO Planning Grants that must be submitted the last week of August. Commissioner Austin advised he forwarded the Colorado Department of Transportation 2010 Colorado Safe Routes to School Application to Bob Tobin and Lance Villers. He said the application could provide another source of funds for the project. Commissioner Custer reported that the GEO-NEED grant application for the county project had to be submitted electronically. She said that if the Board agreed to move forward with the project, she would prepare a grant letter of support and present it at the August 12, 2009 BOCC meeting for the Boards signatures. The Board agreed.

Commissioner Austin requested appointment as the county representative to the 2009 Legislative Committee meeting on October 9, 2009 at Colorado Counties Inc. (CCI). Commissioner Custer stated she planned on attending and would like to be the contact person. Commissioner Attebery remarked Commissioner Custer is Vice-chair of the General Government Steering Committee and that appointing Commissioner Austin would provide him additional involvement in CCI.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To appoint Commissioner Austin as the 2009 Legislative Committee Member. Commissioner Custer was opposed. Motion carried.

Chuck Ippolito, IT Director met with the BOCC and gave a report:

Sheriffs Department - upgraded the incident tracking program to include an audit log.

Search and Rescue - computer (PC) setup completed.

Wetmore Library – computer (PC) setup completed, updated the existing unit at the facility.

Treasurer Office – researching a receipt program.

Silver West Airport – airport website is linked to the county website.

Planning and Zoning – assisting with the master plan, developing a program to coordinate access of all applications and permits in one program for the department.

Census Bureau – comparison and revisions on the county addresses in process.

Century Tel – estimate for a new phone system is approximately \$90,000.

Windows 7 – as the county computers are upgraded Windows 7 will be installed.

Courthouse Security – newly installed cameras are functioning, courthouse security orientation is scheduled for at the August 31, 2009 BOCC meeting.

Mr. Ippolito gave the BOCC and those present a demonstration of the new GIS Software. He remarked that 90% of the county parcels (essentially the most populated areas) have been entered into the system. He said the \$4500 Rural Community Development (RC&D) Grant covered the cost of the project. He reported GIS will be providing new state imagery next month. Mr. Ippolito stated as the GIS process evolves the program will assist with locations for emergency services, rescue, wild fires and law enforcement calls. Commissioner Austin requested Mr. Ippolito link the RC&D website to the county website.

The BOCC recessed at 10:00 AM.

The BOCC reconvened at 10:30 AM.

Christe Feldmann, Office of Emergency Management met with the BOCC and gave a report.

She stated the defensible space and wildfire protection training was completed. The Silver Circle power line picnic and tour was a success. She remarked that fire mitigation project applications are still being accepted. Ms. Feldman remarked that she was in the process of preparing the county capabilities assessment. She explained the capability assessment gauges how the county handles hazards including terrorism. The capabilities and risk assessments are the tools used to determine the awards under the Homeland Security Grant. Ms. Feldman reported the Pre-Disaster Mitigation Plan would require FEMA flood maps, surveys, a public hearing and matching funds. She reported the IT department was reviewing the cost of FEMA flood maps. She distributed the Pre-Disaster Mitigation surveys to the BOCC for completion. The Board agreed to distribute the surveys throughout the court house and present them to those in attendance at the BOCC meeting in San Isabel on August 12, 2009. She reported rewriting the County Emergency Plan in Emergency Support Function Format was in progress. She said the Community Emergency Response Team training would be scheduled in October, 2009. The National Incident Management System training would be scheduled in the fall of 2009. She announced the Custer Emergency Services meetings were scheduled on the second Wednesday of the month and they were hosting the Regional South All-Hazards Committee on August 13, 2009. Ms. Feldmann said she would be attending a conference in October, 2009 on legal issues in emergency management; case studies and litigation on disaster management, requirement and standards for emergency operation plans, Windsor tornado issues and effective policies to maximize recovery.

Sheriff Fred Jobe met with the BOCC and requested approval for the 2010 Courthouse Security Grant application. He said the grant provides the salary, benefits and training for Deputy Mike Halpin to function as the Courthouse Security Officer for our county. Commissioner Custer asked if the grant provided the option for a cost of living increase for Deputy Halpin. Sheriff Jobe replied a determined cost of increase was calculated into the grant. He stated the total amount on the grant application was \$48,539.00. He advised the Sheriff Department Administrator, Kristi Geroux would file the grant electronically and provide the Board with the electronic access. Deputy Halpin reported that the State of Colorado is leading the nation for the implementation and upgrades on court house security. He expressed his appreciation to the judges, administrator, BOCC and courthouse personnel for their participation and support.

Sheriff Fred Jobe presented the Cooperative Law Enforcement Agreement between the Custer County Sheriffs Department and the U.S. Forest Service for the Boards signature. He stated Paul Crespin, San Carlos District Ranger was the designated Forest Service representative and Sheriff Fred Jobe the Custer County Sheriff Department representative. Alternate representatives Ken Archuleta, Law Enforcement Officer and Craig Feldmann, Undersheriff were also named. The agreement outlined the patrol activities, equipment, special enforcement situation, and billing frequency.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To sign the 2009 Financial and Operating Plan as presented. Motion carried unanimously.

(Original agreement with the Sheriffs Department/Copy retained in the BOCC Administrative Assistant file).

Commissioner Custer provided Sheriff Jobe with a copy of the recommendations she had shared with the Sheriff Department Administrator, Kristi Geroux regarding the Victim Assistance and Law Enforcement (VALE) grant application presented at the August 4, 2009 BOCC meeting.

Commissioner Austin asked the BOCC review their calendars and provide the Town of Westcliffe with available dates for the next Summit Meeting. Following a brief discussion the Board agreed October 8, 2009 would be an available date and instructed the Administrative Assistant to forward the information to the Town Clerk of Westcliffe.

Commissioner Austin requested an update on the replacement of a CSU Extension Agent in Custer County. Commissioner Attebery responded that support correspondence was in the process and would be forwarded to Extension Office Manager and Commissioner Custer for their review and input. The final approved draft would be prepared on official BOCC letterhead and presented for the Boards signature at a BOCC meeting.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 11:25 AM

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chair