

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, AUGUST 31, 2009**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS BOARDROOM.

Commissioner Chairman Lynn Attebery called the meeting to order at 10:00 AM and the Pledge of Allegiance was recited

Roll Call was taken:

Lynn Attebery	Chairman	Present
Jim Austin	Vice-Chairman	Present
Carole Custer	Commissioner	Absent
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  
 Amend Agenda  
 Approval of minutes August 3, 4, 11, 12, 2009  
 Review vouchers and sign checks  
 Transfer from Airport Fund to General Fund  
 Federal Forest Payment FFP  
Old Business:  
 BOCC Budget Review  
 Diverse Datum Agreement  
 BOCC Administrative Assistant Report  
 Staff Meeting  
 - Courthouse Security Orientation  
 - Personnel Policy Review

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

County General	\$ 200,448.90
Road and Bridge	\$ 111,154.62
Emergency Services	\$ 11,678.65
Human Services	\$ 16,881.79
Self Insurance	\$ 0
Capital Improvement	\$ 7,266.71
Airport Fund	\$ 1,845.39
Tourism Fund	\$ 178.75
TOTAL	\$ 349,454.81

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

To accept the agenda as posted. Motion carried.

Commissioner Attebery stated that on the advice of the County Attorney, the Administrative Assistant, Kris Lang may be excused from the portion of the BOCC meeting when the Board is signing checks and vouchers. The recorder will remain on. Ms. Lang was instructed to listen to those portions of the recordings prior to preparation of the BOCC minutes to ensure that all pertinent information is noted.

Commissioner Attebery stated the BOCC meeting would be adjourned shortly before 11:00 AM so that the Board can attend the Grand Opening Celebration of the Custer County Preschool and the Custer County Kids Club.

Commissioner Custer joined the meeting at 10:08 A.M.

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

To approve the minutes of August 3, 4, 11, 12 of 2009.

Commissioner Custer requested the motion be placed on hold until she has had the opportunity to review the minutes submitted. Following review of the minutes Commissioner Custer agreed to approve the minutes. Motion carried unanimously.

Commissioner Custer proposed the Board forward a letter to the Custer County District Four representatives to the Upper Arkansas Water Conservancy District (UAWCD) providing an update on the actions taken by the BOCC regarding the proposed water augmentation plan. Following a brief discussion the Board agreed that Commissioner Custer would prepare the correspondence for their review and signature at the September 1, 2009 BOCC meeting.

Virginia Trujillo, County Treasurer presented a transfer request for \$38,130.00 from the Airport Fund to the County General Fund.

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

To approve the transfer as presented.

Commissioner Custer stated she was in support of the transfer of funds. She proposed that the Airport Board Chairman, Allen Butler is present or be notified of the transfer prior to the motion being carried. Mr. Butler was able to join the meeting and agreed with the transfer. Motion carried unanimously. (original with treasurer office/copy retained in the clerk and recorder file)

Virginia Trujillo, County Treasurer presented the Federal Forest Payment (FFP) & Secure Rural School (SRS) and Community Self Determination Act (CSDA) Election Form for the 2010 Federal Fiscal Year to the BOCC for approval. Ms. Trujillo remarked that the Department of Local Affairs must certify the election results for those counties that have selected the SRS and CSDA payment method for Forest Payments from the US Department of Agriculture. Note for the record: This has relevance to the Federal Payment in Lieu of Taxes (PILT) the county receives. . She reported the deadline for returning the form to the Division is Friday, September 18, 2009.

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

To accept the full payment amount option and divert 15% to Title III projects within Custer County. The motion carried unanimously.

Commissioner Attebery, Chair signed the election form as presented.

(original with treasurer office/copy retained in the clerk and recorder file)

Commissioner Austin presented a Statement of Opposition concerning the application of the City of Fountain and Widefield Water and Sanitation District in Custer County, Colorado; Case Number: 08CW047 for the Boards approval. He stated the county would be represented by Duncan, Ostrander & Dingess and they were the same attorneys filing the Statement of Opposition on the Custer County Water Augmentation Plan. He remarked that the County Attorney has reviewed and approved the Statement of Opposition. Commissioner Austin explained that other counties are involved in both Statement of Opposition cases and the fees would be shared resulting in a financial savings to Custer County.

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

To retain the services of Duncan, Ostrander & Dingess to file a Statement of Opposition concerning the application of City of Fountain and Widefield Water & Sanitation District in Custer County, Colorado.

Commissioner Custer abstained from voting and stated the county needs to be cognizant regarding the fee's that are being incurred by this action especially during the present budget short-fall. Motion carried. (Original forwarded to Duncan, Ostrander & Dingess PC/copy retained in the Clerk and Recorder file) file).

The BOCC recessed at 10:55 AM.

The BOCC reconvened at 1:10 PM.

The department heads met with the BOCC for the monthly staff meeting. Present were: Beverly Goertz, Mike Halpin, J.D. Henrich, Dawna Hobby, Jackie Hobby, Chuck Ippolito, Debbie Livengood, Laura Lockhart, Dave Trujillo and Virginia Trujillo.

Chuck Ippolito, IT Director and Mike Halpin, Courthouse Security Deputy gave a power point presentation on the courthouse security system. Deputy Halpin stated that five (5) motion sensory cameras had been installed (two in the courtroom, three in the halls of the courthouse). The cameras recorded movement twenty four hours – seven day a week. Deputy Halpin reported that he and IT Director, Chuck Ippolito had access to the locked security system server. Deputy Halpin said the purchase and installation of rotating exterior cameras around the courthouse were being considered in the next security grant cycle. He explained the function of the distress buttons installed throughout the courthouse and encouraged the elected officials, department heads and all personnel to utilize them when needed. Mr. Ippolito gave a presentation on potential e-mail scams and viruses to those present.

Commissioner Attebery asked if any staff members wished to address the Board at this time.

Debbie Livengood, Clerk and Recorder stated the State of Colorado Security Procedures for Electronic Voting Systems (Rule 43 Requirements) requires that under 43.8.3.2 all counties, use keypad door, codes or locks, vault combinations, computer and server passwords, encryption key codes and administrator passwords on voting devices shall be changed at least once per calendar year prior to the first election of the year. Ms. Livengood said both offices occupied by the Clerk and Recorder houses election equipment and records so those locks would need to be replaced prior to this year's election. She asked if these costs should be covered under the Clerk and Recorder's Budget or the Ground and Building Budget. Commissioner Attebery responded the Board would review the budget line items and notify Ms. Livengood of their findings.

Jackie Hobby, Planning and Zoning Director requested that the locks to the Planning and Zoning office be replaced or re-keyed.

Virginia Trujillo, Treasurer requested the job description for the courthouse janitorial services be reviewed and updated. She expressed concern that the janitorial duties were not being performed satisfactorily. Beverly Goertz, Extension Office Manager agreed and Chuck Ippolito, IT Director commented that some things have been overlooked. Ms. Trujillo said the courthouse doors had not been locked and secured at 4:00 PM and it was her understanding that responsibility was part of the janitorial job description. Commissioner Attebery asked those present for additional comments. Hearing none, he asked the Board for comment. Commissioner Custer stated personnel issues should be discussed and reviewed during executive sessions. She said it was not appropriate to continue the conversation at this time. The BOCC agreed discussion or review of any personnel issues warranted an executive session. The Board agreed having the courthouse doors left unlocked after the close of a business day is a security issue.

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

To adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 2:10 PM.

The BOCC turned the commissioners room over to the elected officials and department heads present for their continued review of the Personnel Policy.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery  
Chair