

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, SEPTEMBER 7, 2010**

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

Commissioner Lynn Attebery called the meeting to order at 9:10 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
John Naylor	County Attorney	Absent
Kris Lang	Deputy Clerk to the Board	Present

Also present was Allen Butler, Mayor for the Town of Silver Cliff and Nora Drenner, reporter for the Wet Mountain Tribune.

**AGENDA:**

Call meeting to order  
Pledge of allegiance  
Roll Call  
Amend agenda  
Audience introduction  
Approval of minutes  
County Attorney:  
- Resolution for the Support of Preservation of Historic Resources  
- Resolutions from Planning and Zoning /Property Vacation  
- Service agreement with Auditors, Garren, Ross & DeNardo, Inc.  
- Intergovernmental Agreement with Garfield County for ADA Projects.  
- Submission of questions from the Tourism Board  
Old Business  
- Wetmore Project Update  
- Wet Mountain Valley Waste Minimization Project Update.  
Karin Milisavljevich - CSU Community Energy Coordinator  
Grant Opportunities Discussion  
Staff Reports:  
Planning and Zoning  
Human Resource/Finance

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

To accept the posted agenda. The motion carried unanimously.

Commissioner Attebery remarked that the County Attorney would not be in attendance due to a medical concern.

Commissioner Attebery said the preliminary observations during the environmental testing of the building at the Wetmore Project indicated that an asbestos abatement may be required. The final report on the findings would be available from Dan Ogden Consulting within a few days.

Commissioner Attebery reported that he has been in contact with the regional public health agencies involved and that he would provide a status update at the BOCC meeting scheduled on September 15, 2010 in Wetmore, Colorado.

Commissioner Austin reported the committee for the Wet Mountain Valley Waste Minimization (WMVWM) project is nearing the final stages of the building plans. He said that the proposed second cardboard baler at the landfill facility will require more wattage than originally anticipated and is currently under discussion. He reported the interviews for the recycling coordinator were in the process of being scheduled

Commissioner Custer joined the meeting at 9:25 AM.

Commissioner Custer asked if the county attorney had notified the BOCC regarding the status of the Intergovernmental Government Agreement (IGA) that is being drafted between Custer County and Garfield County in a county to county grant. The purpose of the grant is to help the county comply with American Disability Act (ADA) physical access issues in county owned buildings. Commissioner Attebery responded that John Naylor, Custer County Attorney had left a message for Don Deford, the Garfield County Attorney to contact him regarding the proposed IGA and to date has not been called back.

Rusty Christensen, Landfill Manager met with the BOCC and expressed concern regarding the proposed trade or exchange of landfill space for acquisition of a second cardboard baler. Mr. Christensen said that he did not support the proposal. He stated that the landfill revenues are currently down and he did not want to add to the deficit by utilizing landfill space for a second cardboard baler that was not warranted at this time. Mr. Christensen remarked that he would be attending the Solid Waste Association of North America (SWANA) conference the week of September 20, 2010. He asked if the BOCC would be represented at the recycling coordinator interviews. Commissioner Attebery stated that he will attend and participate in the interviewing process on September 10, 2010. Commissioner Austin and Commissioner Custer will not be unavailable to participate on that date. However, Commissioner Custer thanked Commissioner Attebery for representing the BOCC and stated that she is supporting the process by drafting questions to ask each applicant in the interview. She also made a commitment to Dawna Hobby to review the applications, provide written feedback and rank the applicants prior to the interviews being conducted. The face to face interviews will be conducted by a committee that includes: Commissioner Attebery, Rusty Christensen, Dawna Hobby and Joanie Liebman.

Karin Milisavljevich - CSU Community Energy Coordinator met with the BOCC and gave her monthly report along with information regarding an upcoming grant opportunity through the Colorado Agricultural Value-Added Development Board that administers the Advancing Colorado's Renewable Energy (ACRE) Grant Program. The purpose of the ACRE Grant Program is to provide funding to promote energy related projects beneficial to Colorado's agriculture industry. Ms. Milisavljevich stated that up to \$25,000 is available to eligible applicants to conduct a Feasibility Study. She explained that a Feasibility Study is the first step in a multiphase project. Last week a group of potential partners met at the DeWeese Reservoir to discuss the possibilities of collaborating on an ACRE application on behalf of Custer County. The partners, including the Decease Ditch and Dye Company are interested and indicated that each partner would look at providing an in-kind contribution to the effort. The Board asked what the matching contribution requirement was for this application and Ms Milisavljevich

responded that the funders are requiring an in-kind match of 10% or a value of up to \$2500. She also explained that the match did not have to be all cash. Following a brief discussion the Board suggested that Ms. Milisavljevich contact the appropriate shareholders of the project to secure the matching contributions necessary.

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

To support the Community Energy Coordinator as the grantee for the ACRE Grant Program with the caveat that an itemization of the \$2500 matching contribution is submitted to the Board for review. The motion carried unanimously.

Ms. Milisavljevich distributed information from San Miguel County/Town of Mountain Village and the Town of Ridgway on their prescriptive energy code and green building standard program for residential and commercial construction. She said that a voluntary building code would promote energy efficiency within the county. Jackie Hobby, Planning and Zoning Director stated that the Planning Commission would not support a voluntary building code at this time. Commissioner Austin stated that at a recent Planning Commission meeting the final decision was to not move forward with an International Building Code (IBC) and he did not feel a voluntary building code would be favorably received. Ms. Milisavljevich replied that she understood the concerns and said it was her responsibility to share and present the various options to the BOCC. She reported that she had met with representatives from the school district and they were not interested in applying for any Governors Energy Office (GEO) funding at this time. She said that other community members have indicated support for a strategic sustainability plan, the thermal projects and bio-diesel usage. She reported the builder's forum was not well received. She said she had introduced herself to several citizens of the Wetmore community and is meeting with Senior Citizens at the Senior Center later this morning with Commissioner Custer. Commissioner Custer suggested that Ms. Milisavljevich attend a Planning Commission and Board of Zoning Adjustment meeting as soon as she and Jackie Hobby could arrange it.

Dawna Hobby, Human Resource/Finance Manager met with the BOCC and gave a report. She said the final date for submission of the department budget sheets was September 10, 2010. The preliminary budget will be available for the Boards review the week of October 5, 2010. Following a brief discussion the Board agreed that the budget hearings would be scheduled on October 12 and 13 with final review on October 14, 2010.

The BOCC recessed at 10:30 AM.

The BOCC reconvened at 10:50 AM.

Jackie Hobby, Planning and Zoning (P&Z) Director met with the BOCC and gave a report. She said although the number of permits issued in the P&Z office during 2010 was slightly higher than in 2009, these years financial comparison was down over \$7,000. Ms. Hobby attributed the deficit to a decrease in new large structure building permits and an increase in permits for expansions or additions to existing structures. The following was discussed and reviewed:

- File: 101-93-889 (septic violation) deferred
- File: 100-35-600 (composting toilet variance) approved
- File: 100-59-402 (vault system variance) approved
- File: 101-12-957 (composting toilet variance) approved
- File: 100-30-221 (permit violation) owner will remove
- File: 100-85-150 (permit violation) being resolved
- File: 101-24-750 (permit violation) being resolved

Ms. Hobby said the Board of Zoning Adjustment (BZA) and Planning Commission (PC) meeting was scheduled at 1:00 PM in the court room.

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

To recess until the PC meeting. The motion carried unanimously.

The BOCC recessed at 11:30 AM.

The BOCC reconvened in the Joint Session with the Planning Commission at 2:58 PM

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

To approve the recommendation of the Planning Commission to Vacate the Cul-De-Sac at Lot 52, Conquistador Estate Filing #2, Larry and Jamie Fluke, File: 100-31-250. The motion carried unanimously.

Commissioner Austin left the meeting at 3:30 PM.

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

To adjourn the meeting. The motion carried.

The meeting was adjourned at 5:37 PM.

\_\_\_\_\_  
Debbie Livengood, Clerk and Recorder  
Attest

\_\_\_\_\_  
Lynn Attebery  
Chairman