

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JANUARY 11, 2011**

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 9:00 AM and asked for a moment of silence to honor those afflicted by the Arizona shooting of January 9, 2011. Those present recited the Pledge of Allegiance.

Roll Call was taken:

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

Commissioner Custer gave a Morning Prayer.

Also present was Allen Butler, Commissioner-Elect; Nora Drenner, reporter for the Wet Mountain Tribune; Lockett and Sue Pitman, Hal Julsen, Vic Barnes, James Sperry, Carol Franta and Tim Lorenzen.

**AGENDA:**

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Audience introduction

Approval of minutes: December 29, 30 of 2010

Old Business:

UAWCD correspondence finalization

Rosita Circle cul-de-sac update

Close Out of 2010 Business

2011 Resolutions require recording

**SWEARING IN CEREMONY FOR THE ELECTED OFFICIALS – COURTROOM**

Regional Board Appointments

Holiday Calendar 2011

BOCC Meeting Calendar 2011

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

To approve the BOCC minutes from December 29 and 30, 2010 as presented. The motion carried unanimously.

Commissioner Attebery addressed the UAWCD correspondence finalization agenda item. He stated that the correspondence in front of the BOCC has been reviewed, revised and approved by the County Attorney, John Naylor.

MOTION by Commissioner Austin to table the topic until later this afternoon when Commissioner Elect Butler assumed office. The motion was not considered due to a lack of a second.

Commissioner Custer stated that it has been the current BOCC members that the UAWCD has interacted with and the request for a response was directed to the current BOCC members. She felt it was inappropriate to postpone the response. She said that she felt the current BOCC was under an obligation to respond to the request from UAWCD. She further stated that the new BOCC would have the option of addressing the topic at a later date. Commissioner Attebery agreed. Commissioner Custer read the letter into the record.

January 11, 2011

Mr. Glenn E. Everett, Chairman of the Board,  
Upper Arkansas Water Conservancy District  
P.O. Box 1090  
Salida, Colorado 81201.

Dear Mr. Everett;

In response to your letter of November 19, 2010, the Custer County Board of County Commissioners (BOCC) welcomes the opportunity to enter into a meaningful dialogue with the Upper Arkansas Water Conservancy District Board (UAWCDB) to collaborate on an acceptable augmentation plan for Custer County. The BOCC would like that dialogue to include a Memorandum of Agreement (MOA) and quarterly meetings. The MOA should include collaboration and support from the Round Mountain Water and Sanitation District; the Custer County Conservation District; the Town of Westcliffe; the Town of Silver Cliff, and the Water Users Association. The quarterly meetings would be a part of a regularly scheduled BOCC meeting and include our county UAWCDB representatives and a member of the UAWCD management staff. In addition, as a community we see a need for additional and more intense public water education and outreach. We appreciate that the District will continue to actively oppose water right change cases on behalf of the citizens of Custer County.

As we move forward in developing a schedule for the quarterly meetings, please be advised that meeting dates cannot be determined until after January 11, 2011. The BOCC will be setting the 2011 BOCC meeting schedule at the January 11, 2011 BOCC meeting. If you have any questions regarding the contents of this letter, we ask that you contact our BOCC Chairman at the Commissioners' office at 783-2552 or any Board member at their e-mail addresses listed below.

Thank you.

Sincerely,

Lynn Attebery, Chairman  
[lynn@custercountygov.com](mailto:lynn@custercountygov.com)

Jim Austin, Vice Chair  
[jim@custercountygov.com](mailto:jim@custercountygov.com)

Carole J. Custer, Ph.D.,  
[carole@custercountygov.com](mailto:carole@custercountygov.com)

Commissioner Austin expressed concerns with the correspondence as prepared and questioned the contents regarding a MOU and request for quarterly meetings. He stated the he had proposed the inclusion of a paragraph stating that the BOCC would also like to make a point that our concurrence with the motion to dismiss was because the UAWCD did not allow Custer County time to review the augmentation plan prior to filing, and that this was a previous agreement between the BOCC and the UAWCD. Commissioner Custer reiterated that the County Attorney had reviewed the input provided by all the BOCC members and has approved the copy in front of the Board today.

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

To signed the correspondence to the UAWCD as approved by the County Attorney. Commissioner Austin was oppose. The motion carried. Commissioner Austin refrained from signing the correspondence issued to UAWCD.

Commissioner Attebery said that property owner Bruce Medina is requesting a status update regarding the completion of the cul-de-sac on Rosita Circle. He said that on November 8, 2010 the BOCC had sent Mr. Medina a correspondence requesting cost sharing for half the cost of the survey completed for that particular location. He reported that Mr. Medina has paid for half of the survey. Commissioner Attebery stated that the cul-de-sac has been staked out by the Road and Bridge Department (R&BD) and that the project is on the schedule for completion within the R&BD.

Kris Lang, Administrative Assistant addressed the BOCC and said that the Clerk and Recorder is requesting that all county resolutions passed and signed by the Board be recorded in the clerk and recording department. Ms. Lang explained that the Resolutions are retained in the vault of the clerk and recording department but not all the resolutions are recorded. Following a brief discussion the Board agreed that recording of all the resolutions would provide notification and continuity within the county.

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

Requiring that all county resolutions be recorded in the clerk and recording department beginning 2011. The motion carried unanimously.

Commissioner Custer presented correspondence for the Boards review and signatures. The correspondence is addressed to Tim Harris, CDOT Administrator thanking CDOT Region 2 and specifically Eddie Eiland for securing and applying the road millings at the HHRC.

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

To approve and sign the correspondence as presented. The motion carried unanimously.

Commissioner Custer read a letter she prepared addressed to Commissioner Attebery, Commissioner Austin and Commissioner Elect Butler.

January 11, 2011

Subject: Proposal from Custer County Transitions regarding the Hanssen Haus Resource Center.

Dear Lynn, Allen and Jim;

As you all know, the Hanssen Haus Resource Center (HHRC) is now staffed on a part time basis, due to county budget constraints. At the 12/29/2010 Board of County Commissioners meeting I respectfully asked the BOCC to consider this proposal: To barter time to provide front desk reception on Wednesdays in exchange for an equal number of hours per month to use the facility for a part-time office and meeting space.

How the proposal would work: under a contractual relationship a non paid volunteer from Custer County Transitions (CCT) a 501C3 not for Profit Corporation will, on a regularly scheduled basis, answer the phone and greet visitors on Wednesdays when the HHRC part-time employee is not scheduled to be on duty. This proposal is a win-win situation for Custer County Government. To explain: what this means is the county is getting 28 hours of the HHRC being staffed and open for business as opposed to 19 hours per week and financially what this means to the county is about \$100 per week or \$5,200.00 per year.

Currently CCT provides a computer, and printer for staff and visitor use at the HHRC. In addition CCT has dishes, flatware, and serving dishes stored in the kitchen for staff and visitors to use on a regular basis. For example: the Custer County Collaborative Management Interagency Oversight Group (CMP/IOG) is Chaired by Carole Custer and at each month's meeting Carole provides lunch for the group attendees.

The benefit to CCT is that they would be able to use the back office on a scheduled basis when it is not being used by others, and hold regularly scheduled CCT Board meetings in the meeting space on a quarterly basis. The bartering arrangement would be on a documented hour by hour basis with one hour of front desk reception in exchange for one hour of facility use. CCT has a scheduled Board Meeting at the HHRC at 1 PM on 01/11/2011, and the next Quarterly CCT Board meeting is scheduled for April 12, 2011.

I respectfully again ask that the BOCC discuss and consider three things: 1. That a current Commissioner be appointed to serve on our CMP/IOG to represent County Administration; 2. That you make a decision on both the proposal and the appointment prior to the next scheduled CMP/IOG meeting on February 4, 2011; and 3. That as soon as decisions are made that you have Kris notify CCT in writing. Thank you.

Most Sincerely, Carole J. Custer, PhD., Outgoing Member of the Custer County BOCC

Commissioner Custer respectfully asked the Board to support the HHRC. Commissioner Attebery said the HHRC is an asset to Custer County. He remarked that the new Board would review and consider all the options of moving forward with the HHRC facility. Commissioner Austin said he did not have a comment. Following a brief discussion Commissioner Attebery, Commissioner Austin and Commissioner Elect Butler agreed to review the proposal from CCT at the next scheduled BOCC meeting. They also agreed that a policy of guidelines for the operation of the HHRC would need to be established.

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

To address the proposal from CCT for coverage at the HHRC at the BOCC meeting of January 19, 2011. The motion carried unanimously.

Commissioner Custer read a letter she prepared to Garfield County summarizing the distribution of the ADA funding at the HHRC.

January 11, 2011  
The Honorable John Martin  
Garfield County Commissioner  
108 8<sup>th</sup> Street, Suite 213  
Glenwood, CO 81601-3363  
RE: ADA Project for Custer County

Dear John and Garfield County Commissioners,

Thank you again for providing funds to Custer County to allow us to complete our ADA project in the county owned Hanssen Haus Resource Center (HHRC). The concrete ramps have been installed and the hand rails are being constructed and installed in stages by Tom Flower and FFA students attending the School District FAA program. At this time we have negotiated with our county Road and Bridge Department to add additional fill dirt around the west and north sides of the ramp so that the drop is less than 30 inches for safety.

The north entrance door to the HHRC building has been replaced and now meets the 36 inch wide requirement to be in ADA compliance. In the original budget installation of stair chairs that we have on hand was included. Over the course of the project some unforeseen issues developed. The preferred location for the installation of the stair chair in the Wetmore Community Building is still from the ground level up to the library and that first requires an exterior locked enclosure. Therefore, this will require additional funds and submitting a separate grant application that would include the additional construction work.

Garfield County provided Custer County with a total of \$14,650.00. This is how that was spent:

ADA Concrete ramps at the HHRC =	\$11,700.00
Replacement and installation of a 36" wide door =	\$ 2,575.00
Raw Steel for hand rails door =	<u>\$ 375.00</u>
Total Spent	\$14,650.00

We also gratefully acknowledge all the in-kind contributions to make this project successful: County Court Useful Service for personnel to provide construction clean up and carefully saving all reusable wood for recycling; Town of Westcliffe for waiving the permit fees; County Road and Bridge for moving and replacing fill dirt; the County FFA Chapter for ramp handrail design and construction; Colorado Region 2 Department of Transportation for roadway millings for handicap parking next to the new ramp; and Oakley Construction for providing additional services at no cost to the project.  
Most Sincerely, Carole J. Custer, Ph.D., Retiring Custer Commissioner

Following a brief discussion the BOCC agreed the correspondence would be revised to include the names of signatures of the entire Board.

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

To approve and signed the correspondence from the entire Board. The motion carried unanimously.

Commissioner Attebery presented a correspondence from the Colorado Department of Public Health and Environment (CDPHE) for the Boards review. The correspondence approves Custer County's funding request for the Wetmore project building. The CDPHE approved funding of \$11,545 for the asbestos abatement and \$455 to structurally reinforce the building in preparation for a safe environment for the abatement workers. The total of \$12,000 was approved under the authority granted to the CDPHE through HB00-1306, subject to the following conditions: 1. The continued availability of funds; and 2. Completion of the proposed scope of work, for which the funding is provided. Commissioner Attebery reported that once a contract is in place, the hazardous materials and waste management division will issue a notice to proceed. He remarked that the property was purchased with conservation trust funds and that a minimal amount of taxpayer monies has been used for the project. He said that materials from the project were being recycled and re-used at various county entities. Commissioner Custer thanked Commissioner Attebery for all the time and hard work on the Wetmore Project.

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

To adjourn the meeting. The motion carried unanimously.

The Board adjourned at 9:50 AM from their regular scheduled meeting. Everyone moved into the courtroom for the swearing-in ceremony of the newly elected officials.

The newly elected commissioner was sworn into office. Commissioner Attebery reconvened the new Board into the commissioner's room at 10:50 AM with Commissioner Austin and newly elected Commissioner Butler to conduct county business.

Commissioner Attebery asked for a moment of silence to honor those afflicted by the Arizona shooting of January 9, 2011. The Pledge of Allegiance was recited by those present.

Roll Call was taken:

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

Also present was: Sandra Attebery, Pat Bailey, Vic Barnes, Nora Drenner, J.D. Henrich, Jackie Hobby, Debbie Livengood, Lockett Pitman, Sue Pitman and Kit Shy.

The BOCC set the calendar for the BOCC meetings and holiday closures for 2011.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To accept the BOCC meeting schedule and holiday closures as determined. The motion carried unanimously.

Commissioner Austin made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously.

Chairman	Lynn Attebery
Vice-Chairman	Jim Austin

Commissioner Attebery made a motion, seconded by Commissioner Austin, to make the following appointments. The motion carried unanimously.

Clerk to the Board	Debbie Livengood
Deputy Clerk to the Board	Kris Lang
County Attorney	John Naylor
Road & Bridge Supervisor	Dave Trujillo
Assistant Supervisor/Westcliffe	Roger Squire
Assistant Supervisor/Wetmore	Larry Haynes
Human Resource/Finance Manager	Dawna Hobby
Custodian	Julie Trombley
Human/Social Services Director	Laura Lockhart
Publisher	Wet Mountain Tribune
(and if funds allow)	The Daily Record
Depositories	Colorado Mountain Bank
	Sunflower Bank of Canon City
	Wells Fargo Bank
	Colo Trust
Planning & Zoning Director	Jackie Hobby
IT Director	Chuck Ippolito
County Public Health Nurse	Donna McDonnall
County Health Officer	Donna McDonnall
Resource Center Manager	Donna Squire
Veteran Service Officer	Ken Felty
Veterans Service Assistant	Lorraine Silva
Landfill Supervisor	Rusty Christensen
Scales/ Minor Maintenance	Emil Roy
Recycling Coordinator	Tim Thrun

Commissioner Austin made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously.

Upper Arkansas Area Council of Governments Board (UAACOG)	Allen Butler
UAACOG Recycling Board	Tim Thrun
	Lynn Attebery
	Jim Austin
	Allen Butler
UAACOG Workforce Investment Board	Lynn Attebery
	Chuck Steigerwalt (Business Rep.)

Resource Conservation & Development (RC&D)	Jim Austin
Southern Colorado Economic Development Dist. (SCEDD)	Robin Young
Emergency Management Director	Lynn Attebery
	Dee Hoag
	Christe Feldmann

Commissioner Austin made a motion, seconded by Commissioner Butler, to extend the current airport board appointments until January 19, 2011. The motion carried unanimously.

The Board agreed to discuss and review the guidelines and goals with the members of the Silver West Airport at the January 19, 2011 BOCC meeting.

Commissioner Attebery made a motion, seconded by Commissioner Austin, to make the following appointments. The motion carried unanimously.

911 Authority Board	Lynn Attebery
	Jim Austin
Action 22	Lynn Attebery
	Dee Hoag
Colorado Film Commission	Lynn Attebery

Commissioner Austin made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously.

SECRETAC Representatives	Cindi Flower – primary
	Judy Rafferty - primary
	Terry Nimmicht – primary
	Gail Stoltzfus – alternate
	Jesse Souza – alternate
	Donna McDonnall – alternate
Planning Commission	Sherry Rorick 1/14
(3-year term)	Pat Bailey 1/14
	Vic Barnes 1/13
	Bill Donley 1/13
	Paul Buckles 1/13
	Keith Hood 1/12
	Rod Coker 1/12
Board of Zoning Adjustment	Gerry Dearborn 1/14
(3-year term)	Ken Patterson 1/14
	Dee Hoag 1/13
	Dave Tonsing 1/13
	Skip Northcross 1/12

Commissioner Attebery made a motion, seconded by Commissioner Austin, to make the following appointments. The motion carried unanimously.

Alternates to the Planning Commission & Board of Zoning Adjustment (1-year term)	Dorothy Nepa
	Ken Lankford
	Cindy Howard
	Bradley Stam
	Dale Mullen
	Lockett Pitman

Commissioner Austin made a motion, seconded by Commissioner Butler, to make the following appointments: The motion carried unanimously.

Custer County Affordable Housing Committee	Jim Austin – BOCC Member
	Sharon McKinsey
	Mike Liebman
	Nora Drenner
	Lorraine Silva

Commissioner Attebery made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously.

Custer County Tourism Board	Lynn Attebery – BOCC Member
	Bob Weisenbach 1/14
	Cindy Howard 1/13
	Christy Veltrie 1/12

Commissioner Austin made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously. Commissioner Attebery stated that the appointments were ratified on December 7, 2010.

West Custer County Library Board (3-year term) Ratified 12/07/2010	Dave Heppe 12/11
	Mary Ann Moon 12/12
	Debbie Rabinowitz 12/11
	Ray Varney 12/11
	Amy Bauer 12/13
	Doris Frizzell 12/13
	Jim Gearhart 12/12

Commissioner Attebery made a motion, seconded by Commissioner Austin, to make the following appointments. The motion carried unanimously.

Extension Advisory Board (3 yr term)	Janet Freeburg 1/12
	Leona Draper 1/13
	Arlie Riggs 1/13
	Joanne Canda 1/14
	Carlan Cardenas 1/14
	Mary Gompf 1/14
	Mike West 1/14
	Tom Flower (FFA Advisor)
	Robin Young (CSU Ext)
Fair Board (3-year term)	Cary Engleman 1/12
	Duane Foster 1/12
	Lynetta Gillmore 1/12
	Brian Berry 1/13
	Joanne Canda 1/13
	Shannon Byerly 1/14
	Greg Watkins 1/14
	Mike West 1/14
	Tom Flower (FF Advisor)
	Robin Young (CSU Ext)
(1-year term)	Abi Schneider (4-H Youth Rep)
(1-year term)	Amy West (FFA Youth Rep)



4-H Foundation	Sara Shields	1/12
(3-year term)	Donna McDonnall	1/13
	Wendy Barnes	1/13
	Janet Freeburg	1/14
	Lynetta Gillmore	1/14
	Audrey Gluschke	1/14
	Nancy West	1/14
(1-year term)	Meredith Barnes	(4-H Youth Rep)
	Robin Young	(CSU Extension)

Commissioner Austin made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously.

Weed Advisory Board	Chuck Bennett	1/12 (CDOT)
(1-year term)	Bill Donley	1/12
	Dick Downey	1/12
	Christina MacLeod	1/12
	Jeff Outhier	1/12 (USFS)
	J.R. Phillips	1/12
	Jim Sperry	1/12 (NRCS)
	Dave Trujillo	1/12 (R&B)
	Robin Young	(CSU Ext)

Commissioner Attebery made a motion, seconded by Commissioner Butler, to make the following appointments. The motion carried unanimously.

Wetmore Community Center Board	Alden Gray - Chair
(1-year term)	Burl Stearns
	Eddie Yellico
	Carolyn Shellenberger
	Irene Stearns
	Jerome Weigel
	John Spaar
	Ed Kreuz
	Nancy Kreuz
Wetmore Community Library Board	Carolyn Shellenberger
(1-year term)	Dee West - Chair
	Ruth Spaar
	Bernadette Castillo
	Debbie Gifford

Commissioner Attebery made a motion, seconded by Commissioner Austin, to make the following appointments. The motion carried unanimously.

Enterprise Zone Representative	Kathy Reis
UAACOG Revolving Loan Representative	Kathy Reis

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To designate the courthouse bulletin board as the official posting place for the BOCC meetings. The agenda will be posted twenty-four hours in advance of the scheduled meeting. Any revisions to the posted agenda will require a motion at the scheduled BOCC meeting. The motion carried unanimously.

Commissioner Attebery stated that BOCC meeting postings and agendas being scheduled in Wetmore area will be posted in the Wetmore Community Center.

Commissioner Attebery presented correspondence to the Board for review and signatures. The correspondence advises those concerned confirming that Ms. Robin Young is the Colorado State University Extension Agent to Custer County. Ms. Young is authorized to conduct all business and financial accounting as the Custer County Representative.

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

To approve and sign the correspondence as presented. The motion carried unanimously.

The BOCC recessed at 12:30 PM.

The BOCC reconvened at 12:55 PM.

Commissioner Attebery expressed concern regarding the over-sight and responsibility of the Hanssen Haus Resource Center (HHRC). The Board agreed that the topic should be scheduled on the January 19, 2011 BOCC agenda for discussion regarding the policies of the HHRC.

Commissioner Attebery presented options for the Board to consider regarding the approval and authorization of monthly vouchers.

Commissioner Austin proposed that a protocol be established for the review and distribution of the incoming mail for the BOCC.

The BOCC agreed on the following liaison determination for the various county departments. Commissioner Attebery will be the contact for: Extension, Human Resource/Finance, Planning and Zoning, HHRC, Grounds and Building Maintenance, Scales, Custodial, IT and the VSO. Commissioner Austin will be the contact for: Human/Social Services, Public Health, OEM, Search and Rescue, Landfill and Recycling. Commissioner Butler will be the contact for the Road and Bridge Department.

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

To adjourn the meeting. The 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  
Chairman