

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 31, 2012**

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 the Pledge of Allegiance was recited.

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: Sheriff Jobe, and Nora Drenner, reporter for the Wet Mountain Tribune.

AGENDA:

- Call meeting to order
- Pledge of allegiance
- Roll Call
- Amend agenda
- Approval of minutes
- Audience introduction
- Public Comment

Old/New Business:

- Review vouchers and sign checks
- Westcliffe Landfill/ CR 241, Custer County, CO.
- Emergency Management Performance Grant #12EM-13-15
- Park-n-Ride Lease Agreement/Custer County/Bear Basin Ranch/Palmer Land Trust
- Federal Forest Payment/Title III Election Form
- ATT Cooperative Agreement/Lookout Mountain
- Sheriff Fred Jobe – Amendment 64
- Financial Report 2011 -Sam DeNardo, Garren, Ross and DeNardo, Inc.
- Custer County Chamber of Commerce Board re: cancellation of the July 2012 fireworks display.
- Staff Meeting

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To accept the posted agenda. The motion carried unanimously.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the minutes of August 15, 2012 as presented. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments. Hearing none he continued with the meeting.

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

County General	\$190,260.02
Road and Bridge	\$338,304.61
Emergency Services	\$ 20,800.88
Human Services	\$ 25,548.68
Capital Improvement	\$ 2,797.79
Airport Fund	\$ 26,678.90
Tourism Fund	\$ -0-
Self Insurance	\$ 427.50
TOTAL	\$604,818.38

MOTION by Commissioner Butler, seconded by Commissioner Attebery:

To approve the August 2012 payroll and accounts payable. To hold the two checks approved by the Airport Board: Electrical Excellence Enterprises in the amount of \$23,200.00 and USDA-APHS Wildlife Services in the amount of \$2,583.00 The motion carried unanimously.

Sheriff Fred Jobe addressed the BOCC and asked the Board to consider adopting a Resolution opposing Amendment 64- Legalization of Marijuana for Recreational Use. The BOCC agreed to add the topic to the agenda for the BOCC meeting scheduled on September 19, 2012 in Wetmore, CO.

Rusty Christensen, Landfill Manager met with the BOCC regarding the Colorado Department of Public Health and Environment (CDPHE) requirements for the methane vapor monitoring at the Westcliffe Landfill property, CR 241. The total installation cost from Altus Environment for the project over the next four years is approximately \$14,125.50. The monitoring cost from AG Engineering over the next four years is approximately \$8,000.00 - \$10,000.00.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To instruct the Landfill Manager to proceed with the proposal as presented. The motion carried unanimously.

Mr. Christensen remarked that he received a proposal in the amount of \$13,500.00 to grind the slash and brush at the landfill. The accumulated slash is a direct result of the November 2011 windstorm event. Commissioner Attebery remarked that there was approximately \$11,000.00 of Title III funds available for the project. Mr. Christensen remarked that the additional funds were available under the landfill fees budget line.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the use of the landfill fees to complete the grinding project as presented not to exceed \$5,000.00 The motion carried unanimously.

Sam DeNardo, Garren, Ross and DeNardo, Inc. met with the BOCC and presented a draft narrative overview and analysis of the financial activities of Custer County for the fiscal year that ended December 31, 2011. Mr. DeNardo reviewed the schedule of findings and questioned costs that included: postings in the public welfare fund; consistency of recording expenditures; maintaining records of federal and other grants; supporting documentation for expenditures; summarizing all airport hanger leases; and the recording of bank transactions.

The BOCC recessed at 11:10 AM.

The BOCC reconvened at 11:20 AM.

Donna Hood, Rene Smith, Richard Logan, Patti Logan and Teresa Farish joined the meeting representing the Custer County Chamber of Commerce. Ms. Hood, President of the Chamber of Commerce expressed concern regarding the cancellation of the July 4th 2012 fireworks display. She said that the firework display is a major fund raiser for the organization and that this was the second year the event was cancelled. The BOCC explained that any decisions regarding fire bans and or firework displays is determined by the Fire Warden and the Fire Chief. Sheriff Fred Jobe is the designated Fire Warden and Jerry Livengood is the designated Fire Chief. Kit Shy representing the Wet Mountain Fire Protection District said the county was under the Stage 1 Fire Ban and the state was under the Statewide Fire Ban when the Fire Warden and Fire Chief made the decision to cancel the firework display. Ms. Hood said that the community had received precipitation on the days prior to the scheduled event and that some of the counties in Colorado proceeded with a firework display. She stated that if the Chamber of Commerce had been consulted before the decision was made, they could have offered a rain date for the event. The BOCC commented that they understood the concerns and said the Chamber of Commerce would need to express the concerns to the Fire Warden and Fire Chief.

The BOCC recessed at 11:30 AM.

The BOCC reconvened at 11:40 AM.

The department heads, elected officials and staff met with the BOCC for the staff meeting.

Present were: Rusty Christensen, Kristi Geroux, Beverly Goertz, JD Henrich, Jackie Hobby, Chuck Ippolito, Laura Lockhart, Donna McDonnall, Kit Shy, Dennis Sprecher, and Virginia Trujillo.

The following topics were discussed:

- The smoke investigation in the courthouse on August 27, 2012.
Sergeant Mike Halpin completed the incident case report #L-12-6213 and copies were distributed to those present. Although a burning odor was present there was no smoke and therefore the smoke detectors did not go off. The maintenance personnel inspect the smoke detectors annually. The Board agreed that specific policies regarding the personnel and public in the courthouse are needed for various emergency scenarios i.e.: fire, bomb threat, shooting, etc. The Wet Mountain Fire Protection District will be contacted to schedule and provide fire and emergency drills on the premise.
- Safety flooring on the stairs from the first to second floor in the courthouse.
The materials for the installation are scheduled to arrive within ten days. The installation has not been scheduled at this time.
- Courthouse security after 4 PM
The front and back doors to the courthouse will be locked at the close of the work day and department heads, elected officials and staff are asked to refrain from opening either door to the public after 4PM. The Board encouraged that all activity scheduled after 4PM transpire at the Custer County Resource Center Annex. The individual departments are asked not to accept or handle any cash transactions for other offices in the courthouse.
- Diseased aspen tree on the courthouse front lawn.
The proper removal and disposal of the diseased aspen tree on the courthouse front lawn will be reviewed.

Beverly Goertz, Extension Office expressed appreciation to the Assessors Office for their assistance when she is not able to be in the office.

The BOCC recessed at 12:05 PM.

The BOCC reconvened at 12:15 PM.

Commissioner Austin said that the County Attorney has approved the Memorandum and Lease Agreement of the Park-n-Ride at State Highway 96 and County Road 271 and that he would like to move forward with the project. He said that the topic was added to the agenda at the request of BOCC. Commissioner Butler said he would still like to review cost figures from the Road and Bridge Department for the installation and maintenance of the project. He expressed concern that the R&B Department currently has an approximate deficit of \$200,000.00. Commissioner Attebery agreed and said that the signage for the project required clarification and approval. Commissioner Austin proposed that the memorandum and lease agreement between the County, Bear Basin Ranch and Palmer Land Trust be signed and that the work be completed as determined by the Road and Bridge Department.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To sign the memorandum and lease agreement and that the Road and Bridge Department would complete the project as deemed appropriate. The motion carried unanimously.

Commissioner Attebery presented the Federal Forest Payment and Secure Rural School and Community Self-Determination Act Election Form for approval. He said that in the past the county has elected for the full payment and set aside 15% for Title III.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To elect the full payment and set aside 15% for Title III on the Federal Forest Payment and Secure Rural School and Community Self-Determination Act Election Form. The motion carried unanimously.

Commissioner Attebery presented the Landlord Consent for the existing ROW Grant Cooperative Agreement at the AT&T site name: Lookout Mountain. Black and Veatch Corporation and AT&T are making enhancements to its wireless communication facilities and are requesting approval to relocate (3) existing Omni antenna's and proposing the addition of (3) antennas to be placed on the existing monopole. Commissioner Attebery remarked that the County Attorney has not reviewed the paperwork.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve and sign the Landlord Consent for the wireless facility AT&T Site Name Lookout Mountain; AT&T Site ID: COU6200 as presented. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Attebery:

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 12:30 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman