

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, OCTOBER 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: Joanie Liebman, Bob Tobin, Mark Evert, Cal Leslie, Sue Pitman, Lockett Pitman, 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

Ratification of Resolution 12-09 Disaster Declaration Wetmore Fire

San Isabel Electric Assc. Security Light Agreement Hwy 96 & CR 395

Appointment to the RETAC Board

San Carlos Ranger District OHV Trails Grant 2014 letter of support

Landfill disposal assistance for the Wetmore Fire Victims

IT Report – Chuck Ippolito

Special Event Permit Fee discussion – Custer 2020 dba Club America

Upper Arkansas Water Conservancy District Update – Bob Senderhauf

County Budget/Salary Adjustments – Road and Bridge

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To accept the posted agenda and amend the agenda to include the approval of the UAACOG Single Family Owner Occupied Housing Rehabilitation Program Contract 12-076. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve and accept the minutes of September 28, October 1, October 2, October 9 (Budget Hearings) and October 10 (Budget Hearings) for 2012 as presented. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments.

Joanie Liebman requested that the BOCC approve a Proclamation establishing November 15, 2012 as America Recycle Day. She presented a sample proclamation for consideration. The BOCC agreed to forward the sample proclamation to the county attorney for review and add the topic as an agenda item to the BOCC November 13, 2012 meeting.

Bob Tobin requested clarification and confirmation of the definition and purpose of a Special Events Permit (SEP). He also asked how many SEP have been processed in 2012. Vic Barnes, responded that a SEP is defined as a temporary use for a specific purpose that is public or commercial in nature. The purpose of a SEP application is to ensure that all events protect the health, safety and welfare of the participants, traveling public and citizens of Custer County. He said that a total of four (4) SEP have been processed in 2012.

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

County General	\$199,968.78
Road and Bridge	\$130,303.48
Emergency Services	\$ 18,176.29
Human Services	\$ 35,089.48
Capital Improvement	\$ 1,932.19
Airport Fund	\$ 2,218.94
Tourism Fund	\$ 76.66
Self Insurance	\$ 2,711.04
Total	\$390,476.86

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To approve the October 2012 payroll and accounts payable. The motion carried unanimously.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To ratify Resolution 12-09 Declaration of a Local Disaster from the impact of the Wetmore Fire. The motion carried unanimously.

CUSTER COUNTY RESOLUTION
RESOLUTION 12-09

DISASTER DECLARATION RESOLUTION DECLARING LOCAL DISASTER

WHEREAS, the Custer County Emergency Manager and / or Public Health Director has advised the Board of County Commissioners of Custer County (“the Board”) of a disaster (as that term is defined in Part 7 of Article 33.5 of Title 24, C.R.S.) currently present in the unincorporated area of Custer County, to wit, the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from wild land fire requiring emergency action to avert danger or damage, which started on 10/23/12 through the duration of the wild land fire, herein referred to as the Wetmore Fire - CU-CUX01403; and the cost and magnitude of responding to the Wetmore Fire on 10/23/12 though the recovery from the impact of The Wetmore Fire is far in excess of the county’s available resources ; and

WHEREAS, the Emergency Manager has recommended that the Board declare a local disaster; and WHEREAS, it would be appropriate and in the interests of the public health and safety, and would further protect property, for the Board to implement said recommendation; and

WHEREAS, pursuant to C.R.S. § Title 24, 33.5-709 and the emergency management and operations plans and resolutions of Custer County, Colorado the Board is authorized to declare a local disaster.

NOW THEREFORE, BE IT RESOLVED THAT:

1. That the Board hereby declares that there is a local disaster in the unincorporated area of Custer County, to wit, the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from wild land fire requiring emergency action to avert danger or damage

2. The effect of this declaration of disaster shall be to activate the response and recovery aspects for any and all applicable local and inter-jurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.

BE IT FURTHER RESOLVED that the principal executive officers of all other cities and towns in Custer County affected by said disaster are urged to proclaim similar declaration and to cooperate with Custer County as necessary to cope with this incident.

BE IT FURTHER RESOLVED, that this resolution shall be effective upon the onset date of the Wetmore Fire, and shall remain in effect for the duration of the Wetmore Fire, not to exceed seven days thereafter except by or with the consent of a majority of the members of the Board. Try copies will be filed promptly with the Colorado Division of Emergency Management and the Custer County Clerk and Recorder; and shall be promptly distributed to the appropriate representatives of the news media.

SIGNED AND EFFECTIVE at Westcliffe, Colorado, Custer County this 26th day of October, 2012.

Custer County Board of County Commissioners

Lynn Attebery, Chairman

Debbie Livengood, Clerk and Recorder, Attest

Commissioner Attebery presented the San Isabel Electric Association, Inc., Security Light Lease Agreement to install a 1, 175 watt, 7000 lumen security light to be located at Highway 96 and County Road 395 in Wetmore, Colorado.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To approve and sign the Security Light Lease Agreement Work Order #120627 as presented. The motion carried unanimously.

Commissioner Attebery said that the San Carlos Ranger District has requested that the BOCC prepare a letter of support for the Off Highway Vehicle Trails Grant 2014 that they are submitting. He remarked that this is an annual request from the U.S. Forest Service.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve and sign a letter of support for the U.S. Forest Service OHV Trails Grant 2014. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To appoint Chuck Ippolito to serve as an interim on the RETAC Board until the end of the year. The motion carried unanimously.

Chuck Ippolito, IT Director met with the BOCC and gave a report. He said that he was currently working with the sheriff's office on several projects to design application forms and reports for the department. The road identifications in the 911 system are being revised to a uniform format. He commented that the election cameras have been installed and are functioning in the clerk and recorders office. Mr. Ippolito remarked that he is still attempting to rectify the Human Resource/Finance telephone line identification button with Century Link. He is working with the Planning and Zoning Department on the zoning regulations.

He has completed the preparations for the posting of the November 6, 2012 election results. Mr. Ippolito requested BOCC approval to enter into a new lease agreement for the computers in the IT, Planning and Zoning and Human Resource/Finance Departments prior to the close of 2012.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To move forward and sign the computer lease as requested. The motion carried unanimously.

The BOCC thanked Mr. Ippolito for all his hard work and efforts in providing the ancillary services with the GIS mapping during the Wetmore Fire Disaster.

The BOCC recessed at 9:40 AM.

The BOCC reconvened at 9:50 AM.

Bob Senderhauf, Upper Arkansas Water Conservancy District (UAWCD) gave a quarterly update on the activities of the UAWCD. He asked if the BOCC had any recent communication with the water attorney regarding a water augmentation plan. The Board said that any communication and correspondence was being handled and processed through the county attorney. Mr. Senderhauf requested copies of any pertinent public correspondence on the matter. He requested correspondence from BOCC supporting an augmentation plan for Custer County. Commissioner Austin said that he would not support the initiation of any correspondence without the approval of the county attorney. Paul Snyder, Vic Barnes, Lockett and Sue Pitman spoke against a water augmentation plan. Charles Bogle spoke in favor of a water augmentation plan. The Board agreed to review and discuss the topic with the county attorney. Mr. Senderhauf encouraged the BOCC to work with the UAWCD for the benefit of the county.

Barbara Sutton said that Custer 2020 dba Club America has withdrawn the Special Use Permit (SUP) application because it was not the proper venue at this time. She said that she understood that the BOCC could waive or reduce the Special Event Permit (SEP) fee for non-profit organizations on request. She said that all special events provide advertisement of the community as well as a potential profit to the county and asked the BOCC to consider reducing or waiving the SEP fees for all community events. She suggested a sliding scale dependent on the length of the event and estimated participants. Commissioner Attebery commented that the Planning and Zoning (P&Z) fees will be reviewed with the newly elected BOCC in January 2013 and that would include the fees for a SEP. Mr. Barnes stated that he supported a SEP processing fee to offset the work of the P&Z department to review, process and complete the SEP application. Commissioner Attebery agreed. Commissioner Butler suggested establishing a diverse committee to review the SEP fee and process. Commissioner Austin agreed.

The BOCC recessed at 10:40 AM.

The BOCC reconvened at 10:50 AM.

Rusty Christensen, Landfill Manager joined the meeting. Commissioner Attebery asked Mr. Christensen how the county could assist the Wetmore fire victims and citizens with disposal of the burned debris. Mr. Christensen said that the Custer County Landfill Engineering Design and Operations Plan (EDOP) prohibits disposal of asbestos materials. He said the landfill would need authorization from the Colorado Department of Public Health and Environment for a one-time waiver to accept friable asbestos from the Wetmore Fire. The BOCC requested that Mr. Christensen begin the process to obtain the waiver. Commissioner Butler shared a concern from a citizen regarding the current rate at the landfill for the disposal of slash. The citizen felt the previous reduced rate should continue to be in effect for the property owners affected by the wind storm as long as necessary to remove and dispose of the slash. The Board asked Mr. Christensen to contact the citizen for additional information with an amicable resolution.

Dave Trujillo, Road and Bridge Supervisor met with the BOCC to discuss salary adjustments for the department. He said that he was unable to hire or secure employees under the current salary system. He proposed increasing the starting salary and establishing a performance evaluation compensation system for the R&B employees. Mr. Trujillo felt a performance compensation system could offer incentives for new and existing employees. Commissioner Austin expressed concern regarding the extreme salary ranges in the department. He said that the top employees not only received the highest salary but most of the allocated overtime. He felt the funds, most especially the overtime could be more evenly distributed among the staff in the R&B department. Commissioner Butler said he supported the performance evaluation proposal and wanted to ensure that any additional funding would be allocated specifically to those employees. He said he could not support an increase to a specific department without consideration to an increase for all the county employees. Commissioner Attebery proposed that the BOCC review the preliminary budget figures in an effort to recognize and offer the county employees a financial compensation in the 2013 budget. Debbie Livengood, Clerk and Recorder; J. D. Henrich, Assessor; Dave Trujillo, Road and Bridge Supervisor, Rusty Christensen, Landfill Manager; Cal Leslie, and Mark Evert agreed.

Ms. Livengood said that every year all the county departments are asked to reduce/decrease their budgets and restrict spending of their approved budgets. She said that review of the previous county budgets confirms the funding allocated to the airport has increased substantially. Ms. Livengood asked for clarification of what services and functions does the airport provide to the county today that it did not offer in past years. She asked the BOCC for an explanation and justification that she could share when she is asked why the airport is not held to the same standards and guidelines as the rest of the county departments or entities. Ms. Livengood said she was disheartened that the county employees may not receive an increase for a third year. Mr. Henrich reminded the Board that the employees are being forced to absorb the increasing medical premium costs. He said that while the county employees' salaries are not increasing, their financial obligations are.

Commissioner Attebery said that he still had concerns regarding the 2013 budget submitted by the Airport Authority Board. He said that if the airport budget was reduced to cover the basic needs and functions of the airport it would provide substantial funding towards a county employee raise. Those in the audience agreed. Commissioner Austin said it was not right to revise or change the airport budget without the Airport Authority Board present to defend the expenditures and budget figures.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To start the process to eliminate the Airport Authority Board and go to an Airport Advisory Board. Commissioner Austin was opposed. The motion carried.

Commissioner Austin shared a concern expressed by a citizen earlier in the day regarding the purchase and installation of a cattle guard. Mr. Trujillo said the standard policy is that the property owner is responsible to purchase the cattle guard and that the Road and Bridge Department would provide the installation. Mr. Trujillo suggested that the citizen contact the R&B Department regarding the guidelines and regulations of the project. Commissioner Austin will respond to the citizen.

Commissioner Austin shared an e-mail received in the Planning and Zoning Office from a citizen expressing concern regarding an oversized for sale sign on his property at 13595 State Highway 165. The e-mail is addressed to the BOCC and the Director/Code Enforcement Officer and references a revision on the sign ordinance and request for a variance pending the completion of a new sign ordinance.

The BOCC agreed that the employee dedication awards would be distributed in the November 2013 paychecks.

The BOCC signed the UAACOG Single Family Owner Occupied Housing Rehabilitation Program, Projects #12-076. Grantee: Fremont County/Upper Arkansas Area Council of Governments. Exhibit IV-C. Categorical Exclusion for Projects/Activities Subject to 24 C.F.R. Part 58.5 and Other Requirements found at 24 C.F.R. Part 58.6

The BOCC signed a correspondence thanking the High Altitude Garden Club thanking them for their work around the courthouse throughout the year.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 12:35 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman