

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 28, 2013**

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.

Commissioner Attebery asked everyone to remain standing in remembrance of Ken Felty, who passed away on February 22, 2013.

Roll Call was taken:

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

Also present was: Dwaine Robey 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

Public Comment

Commissioner Items

Old/New Business

Review vouchers and sign checks

- Board and Public Discussion of the Second Amendment Rights
- Annual Jail Tour for 2013

Commissioner Attebery stated that due to a scheduling conflict the Annual Jail Tour for 2013 would be rescheduled to a later date.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To approve and accept the minutes of February 19, 2013 as presented. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments. Dwaine Robey said that he would like to participate in the public discussion of the Second Amendment Rights that was on the agenda. The Board said that the discussion would take place at approximately 11:00 AM in the courtroom. Mr. Robey said that he would leave and come back for the discussion.

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

County General	\$ 194,355.01
Road and Bridge	\$ 71,438.64
Emergency Services	\$ 20,836.10
Human Services	\$ 20,128.50
Capital Improvement	\$ 1,226.01
Airport Fund	\$ 909.49
Tourism Fund	\$ 1,773.00
Self Insurance	\$ 392.50
TOTAL	\$ 311,059.25

MOTION by Commissioner Butler, seconded by Commissioner Attebery:

To approve the February 2013 payroll and accounts payable. The motion carried unanimously.

Commissioner Butler said that he attended an Upper Area Arkansas Council of Government (UAACOG) meeting, workshop and strategic planning session. He reported on affordable housing, the work force and mutual self-help programs sponsored by the UAACOG. He announced that Fremont County Commissioner, Ed Norden was appointed as the Chairman of UAACOG, Custer County Commissioner, Allen Butler is Vice-Chair and Lake County Commissioner, Dolores Semsack will be the Secretary/Treasurer. He remarked that he would attend the presentation sponsored by the US Forest Service and the Bureau of Land Management on beetles scheduled this evening. He said that he had viewed a presentation entitled “How to be Happy in Your Job” and suggested that the Board include the topic and presentation during the next scheduled staff meeting with the BOCC.

Commissioner Shy remarked that Bob Baker had passed away and that he would like to acknowledge and recognize him for the many years of service he provided to the county. All the commissioners agreed. Commissioner Shy said that that he is attending and participating in the Zoning Work Shops. He will attend the scheduled Weed Board Meeting and the Fair Board Meeting. Commissioner Shy said the BOCC has been asked for a letter of support regarding the Fort Lyon Project proposed by Governor John Hickenlooper and the Joint Budget Committee (JBC). He explained that the re-purposing project of the Fort Lyon Correctional Facility in Bent County, CO. would offer treatment, education and training for the homeless population, specifically veterans with the goal of helping them re-enter society and become self-supporting.

MOTION by Commissioner Butler, seconded by Commissioner Attebery:

To approve and sign a letter supporting the Fort Lyon Project. The motion carried unanimously.

Commissioner Attebery remarked that the courtroom should be available after 11:00 AM for the Board and Public Discussion of the Second Amendment Rights. He reminded those present that court was in session in the courtroom and asked that the citizens gathering in the hall for the public discussion exercise respect and refrain from loud and disruptive conversation.

Commissioner Butler remarked that the March 4, 2013 agenda item Veterans Service Officer Appointment discussion was scheduled following notification from Lorraine Silva, Veterans Service Assistant that Ken Felty, Veterans Service Officer was relinquishing the role. Commissioner Butler said he did not want the BOCC to appear insensitive regarding the timing of the agenda item and reiterated that the item was placed on the agenda prior to the passing of Mr. Felty.

The BOCC recessed from the Boardroom at 11:00 AM
The BOCC reconvened in the Courtroom at 11:20 AM

Numerous citizens were in attendance and Commissioner Attebery reminded those present that even though the Board and Public Discussion of the Second Amendment Rights was not a public hearing; the citizens were welcomed to share their thoughts and opinions. Commissioner Attebery read the second amendment into the record. "A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed." Following statements made by the BOCC they agreed that individually and as a Board defend and support the Second Amendment Rights of the US Constitution.

John Olsafsky, Hal Julsen, Bob Canterbury, Bob Dreher, Joe Cascarelli, Ms. Harvey, Mike Hess, Cal Leslie, Larry Sander, Ivan Brooks, Joe Arbuckle, Dana Wyrick, Doug Bayer, Savolia Schmutzler, John Ainsworth, Bob Senderhauf, Jim McMahon and Robin Schmutzler spoke in support of the Second Amendment Rights. All present were in agreement in defense of the Second Amendment right and against the proposed gun control measures.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To move forward and consider adopting a Resolution in Defense of the Second Amendment Rights at the March 5, 2013 BOCC meeting. The motion carried unanimously.

The BOCC recessed at 12:25 PM.

The BOCC reconvened at 12:50 PM

MOTION by Commissioner Attebery, seconded by Commissioner:

The BOCC would have lunch together following the meeting. The motion carried unanimously.

Commissioner Attebery adjourned the meeting at 1:35 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman