

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MAY 6, 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.

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 Dallas Anderson, 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
- Executive Session
- Old/New Business
- Transfer from Conservation Trust to County General Fund – D. Livengood
- Historic ATV Club Ride – Larry Weber
- Staff Reports:
 - Public Health, Human Resource/Finance, Human Services, Road and Bridge
 - US Forest Service Informational/Presentation
 - Paul Crespin San Carlos District Ranger
 - Jeff Outhier San Carlos Recreation/Range Technician
 - Marijuana Moratorium
 - Sheriff Jobe and Jackie Hobby, P&Z Director

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

Commissioner Butler said that he attended the Airport Advisory Board Meeting and was impressed with the organization and direction the AAB was taking. Dallas Anderson, AAB Chairman addressed the BOCC and requested clarification regarding several items discussed at the AAB meeting. He asked if the AAB needed authorization from the BOCC for every airport facility purchase. He also asked if the raising and lowering of the cost of fuel sold at the airport required Board approval. Following a discussion, the BOCC agreed that the AAB would make the determination regarding the raising or lowering of the cost per gallon for the fuel being sold at the airport. Commissioner Butler will provide guidance in this regard. Mr. Anderson said the AAB would like the price raised to \$5.64 per gallon. Commissioner Butler agreed.

MOTION by Commissioner Butler, seconded by Commissioner Shy:

To approve that the Airport Advisory Board may spend up to \$300 on each line item #103 (contract services), #203 (operating supplies), #206 (travel), and #208 (repairs and maintenance), per month without BOCC authorization. The motion carried unanimously.

Commissioner Butler said that the crack seal machine that the state aeronautics division is purchasing to be used by Custer, Fremont, Huerfano counties for airport maintenance would not arrive in time for the project to be completed by the fall of 2013. He proposed alternate options that included the involvement of the R&B Department for the work, the hiring of an outside contractor that would require grant funds and a county cash match to complete the work, or for the county to wait until next year to do the maintenance on the airport taxiway/runway.

Larry Weber met with the BOCC regarding the Historic ATV Club Ride scheduled for June 15, 2013. He said that the event was open to the members of the Custer County Cliff Riders Club. Mr. Weber said that the proceeds from the event would assist non-profit organizations in the county. He said that the Special Event Permit (SEP) application was complete and in order. He said last year they paid half of the SEP fee of \$50.00 and asked the BOCC to consider approving a reduced fee.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To authorize and approve a 50% reduction in the application fee for the event with a caveat that all the appropriate paperwork is completed and submitted to the P&Z Office. The motion carried unanimously.

Kris Lang, Deputy Clerk to the BOCC said that she was representing Debbie Livengood, Clerk and Recorder and was requesting a transfer of \$16,700.00 from the Conservation Trust Fund to the County General Fund. Ms. Lang presented the BOCC with the confirming paperwork.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To transfer the \$16,700.00 from the Conservation Trust Fund to the County General Fund as requested. The motion carried unanimously.

Donna McDonnall RN and Elizabeth Green RN, Public Health Agency met with the BOCC and gave a report. Ms. Green was hired as a temporary, part time, contract RN. She has been assisting with immunizations and is familiarizing herself with the reporting system. She has a meeting scheduled with WIC (Women, Infant and Children) program personnel and these deliverables fall under the D-tap grant that is funding Ms. Green's salary. Ms. McDonnall said that the 9 Health Fair was a success. She reported on the Community Emergency Response Team (CERT) exercise held at the school. She gave an update on the Community Outreach Program, the Emergency Preparedness and Response Agencies; the Community Health Assessment Plan Program; the 317 Transition and the Medical Reserve Corp Funding.

Commissioner Attebery commented that the proposals from Moore Heating and Air Conditioning Inc., Canon City, CO. for the installation of the air conditioning in the courtroom and the upper floor of the courthouse were reviewed and accepted at the April 30, 2013 BOCC meeting. He said that Moore Heating and Air Conditioning, Inc. is in the process of preparing the contracts with the amendments requested.

Commissioner Attebery presented a proposal from McCasland Glass in Canon City, CO. to replace seven (7) windows on the north side upper level of the courthouse. The estimate for the project was \$3,991.38. Commissioner Attebery said that the funds for the project are available in the over-all 2013 budget. He said that the replacement of the inefficient windows would be cost effective in the future.

The project is a continuation of window replacement in the courthouse and the services are provided by McCasland Glass. Commissioner Shy suggested that the Board explore the option of uncovering the two windows on the south wall on the upper level of the courthouse.

MOTION by Commissioner Butler, seconded by Commissioner Shy:

To approve and proceed with the proposal from McCasland Glass as presented. The motion carried unanimously.

Commissioner Shy said that he would be attending the Wet Mountain Fire Protection District meeting on May 8, and the UAACOG Recycling meeting on May 23. He said that the public has requested an evening BOCC meeting and that the May 22, 2013 BOCC meeting was rescheduled to 6:00 PM. He remarked that all the BOCC members would be in attendance at the luncheon with representatives from DOLA on May 9, 2013.

Commissioner Butler said that he would be attending the STAC meeting on May 10. He announced that the Clean-Up Day event for the Town of Westcliffe and the Town of Silver Cliff was scheduled on May 11 and the Brew Fest Event was scheduled on May 18, 2013. Commissioner Butler said that personnel from the Town of Westcliffe and the Town of Silver Cliff would also be in attendance at the luncheon with the DOLA representatives on May 9, 2013. He explained that the individuals in attendance from the County and Towns would pay for their own lunches and the luncheon cost for the DOLA representatives would be divided among the three entities. The Mining Company would invoice the County, the Town of Westcliffe and the Town of Silver Cliff accordingly.

Commissioner Attebery asked the Administrative Assistant to post a notice on the courthouse bulletin board stating that the BOCC would be in attendance for the luncheon scheduled at the Mining Company with the DOLA representatives on May 9, 2013 starting at 12:30 PM. He said the representatives plan to tour the Resource Center Annex following the luncheon.

The BOCC agreed to attend and participate in the upcoming Memorial Day activities.

Dallas Anderson announced that the Youth Rocket Club with the 4H is holding a rocket launch demonstration on May 11 at the Rodeo Grounds. He said that the activities would start at 10:30 AM and that the public was welcome.

Dawna Hobby, Human Finance/Resource Manager met with the BOCC and gave a report. She said that the courthouse postage machine will be upgraded and relocated to the upper floor/assessors area. The upgrade and link with the assessor's equipment will result in a yearly savings to the county. Ms. Hobby asked if any of the BOCC members would be attending the Colorado Counties Incorporated (CCI) Summer Conference next month. The Board responded that they would not be in attendance for the summer conference but anticipated participation in the winter conference scheduled later this year.

Dave Trujillo, Road and Bridge (R&B) Supervisor met with the BOCC and gave a report. The work completed in April included: the grading of numerous roads, the hauling of water and gravel, the plowing of snow, the replacement of street signs in the Eastcliffe and Cuerno Verde subdivisions, the construction of cattle guards and the installation of the new pump at Lake DeWeese. The work planned will include but not be limited to: the grading of roads, the hauling of water and gravel, the replacement of several cattle guards and the completion of the Park and Ride at Highway 96 and County Road 271. Mr. Trujillo proposed that the R&B Department build and install a protective shed for the water pump at Lake DeWeese. The Board agreed. He remarked that the crack seal machine and sealant has been delivered.

Following a discussion the BOCC agreed that the R&B Department will crack seal the airport/taxiway runway this summer with the assistance and help of the AAB and airport volunteers. Mr. Trujillo presented the contract from Eaton Sales and Service, LLC for the purchase and installation of the new fuel management system at R&B. He said the contract was in the amount of \$17,032.50.

MOTION by Commissioner Butler, seconded by Commissioner Shy:

To approve the contract as presented with a caveat that during the 2014 budget year, the entities using the system will be asked for financial assistance to offset the purchase and installation costs. The contract was approved without the review of legal consul. The motion carried unanimously.

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Mr. Trujillo asked for the status of the proposed oil heater for the R&B Wetmore Shop. He said that the estimate from PSI Systems, Inc. was in the amount of \$5,985.00. He said that further research revealed that PSI was the only manufacturer he was able to locate that offered an oil burning heater that meets the compliance requirements for the shop. The BOCC said that they will continue to discuss and review the proposal.

Laura Lockhart, Human Services Director met with the BOCC and reviewed the department's expenditures and unexpended balances, and the state allocations; the energy outreach expenditures; the emergency service expenditures and the county TEFAP allocations for March 2013.

The BOCC recessed at 11:35 AM.

The BOCC reconvened at 1:00 PM.

Paul Crespin, USFS District Ranger; Keith Berger BLM Field Manager, Robert Hurley, BLM Fire Management Officer and Joe LoBiondo, Colorado Department of Fire Prevention and Control joined the meeting. Also present was: Sheriff Jobe, Deputy Halpin, Dallas Anderson and Nora Drenner. The following topics regarding wild fires was discussed: mutual aid agreement, multi jurisdiction management, unified command or a single incident coordination, emergency fire fund requirements and the understanding that not all fires meet the criteria for emergency fire funding; review that full suppression of a fire may be different for each incident, public and fire fighter safety, radio communication, cost containment vs. scale and cost sharing among the agencies involved. Mr. Crespin said that the complexity of each incident is assessed and analyzed. He suggested that the Fire Warden be proactive regarding the enforcement of fire bans. Sheriff/Fire Warden Jobe agreed.

Sheriff Jobe and Jackie Hobby, Planning and Zoning Director met with the BOCC to discuss Amendment 64.

MOTION by Commissioner Shy, seconded by Commissioner Butler:

To direct staff to draft a resolution prohibiting the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, retail or wholesale marijuana stores within the unincorporated boundaries of Custer County Colorado. The motion carried unanimously.

The BOCC agreed that the resolution would require legal review by the County Attorney prior to adoption.

Commissioner Attebery asked if there was any more business to discuss. Hearing none he adjourned the meeting at 3:15 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman