

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, JUNE 19, 2013**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION AT THE SAN ISABEL RESTAURANT LODGE IN SAN ISABEL, COLORADO.

Commissioner Lynn Attebery called the meeting to order at 12:00 PM 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 were: Kevin Day, Christe Feldmann, Alden Gray, Larry Haynes, Sheriff Jobe, Jeff Outhier, John Spaar, Ruth Spaar, Dave Trujillo and Marge White.

AGENDA

- Call meeting to order
- Pledge of allegiance
- Roll Call
- Amend agenda
- Audience introduction
- Approval of minutes: May 31, June 3, June 4
- Public Comment
- Commissioner Items
- Executive Session
- Old/New Business
- OEM Report – Christe Feldmann
- Emergency Animal Evacuation Policy
- USFS Presentation
- Stage 1 Fire Restrictions
- Fire Ban Stage 1 Ratification/declared by Fire Warden effective 6/13/13

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To accept the agenda as posted. The motion carried unanimously.

MOTION by Commissioner Butler seconded by Commissioner Shy:

To approve the minutes from May 31, June 3, June 4, 2013 as presented. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments. Sheriff Jobe proposed that the county schedule a public sale/auction to dispense the accumulated equipment and vehicles stored at the sheriff's department. The BOCC said that there were other county departments with items stored that could be included in the public auction sale. The county auction will be held on July 27, 2013 at the sheriff's office property. The appropriate publication and posting requirement will be met.

Commissioner Butler said that he has been attending the Central Front Range Transportation Planning Region (CFRTPR) Commission and the Statewide Transportation Advisory Committee (STAC) meetings. He distributed information that provided a brief summary of the transit providers, service and key issues of the CFRTPR.

Commissioner Butler commented that a public workshop could be scheduled in the future to gain input, suggestions and concerns from the community regarding transportation issues.

Commissioner Shy announced that the County Annual Weed Tour is scheduled on June 22, 2013 and he encouraged the public to attend. He said that he attended the Wet Mountain Fire Protection District Board meeting and expressed concern regarding the current fire conditions. He confirmed that the county was currently under a Stage 1 Fire Ban.

Sheriff Jobe/Fire Warden and the WMFPD discussed and reviewed the current fire danger conditions along with the preventative and cautionary measures that will be provided by the fire department and agreed that the fireworks display will be held over Lake DeWeese at this year's July 4th holiday celebration.

Commissioner Attebery said that several cottonwood trees were in danger of falling down at the Wetmore Community Center property. He expressed concern regarding a public safety issue if those trees were to fall and injure a person or damage property. Following a brief discussion the Board agreed that the Wetmore Road and Bridge Department would lay the trees down to prevent any damage or liability. Commissioner Attebery said the High Altitude Garden Club of Westcliffe has requested that the county purchase pea gravel to replace the mulch around the courthouse. Following a brief discussion the Board agreed to purchase four yards of gravel at an approximate cost of \$337.00. The expenditure will be taken from the county building and maintenance budget line item. The material will be delivered and stored at the Road and Bridge Department County Shop and distributed as needed. The BOCC also agreed to consider including the High Altitude Garden Club in the 2014 budget negotiations for their continued gardening around the courthouse.

MOTION by Commissioner Butler, seconded by Commissioner Shy:

To approve the purchase of four yards of pea gravel from the county building and maintenance budget line item at an approximate cost of \$337.00. The motion carried unanimously.

Commissioner Attebery said that Renee Bennett of the High Altitude Garden Club asked if the club could place a donation box in the courthouse. Following a brief discussion the Board agreed to invite Ms. Bennett to a future BOCC meeting to formally present the request.

Christe Feldmann, Office of Emergency Management Director met with the BOCC and gave a report that included: Public Education for fire mitigation; emergency medical responder; wildfire preparedness and public interface during an emergency. She explained that a 40 hour emergency medical first responder course will be offered to the firefighters, deputies, search and rescue personnel, and posse members first and the general public afterwards. The completion of this training would offer the benefit of emergency first responders during a time delay or unavailability of EMT's and the Ambulance Corp. Commissioner Shy said that the topic of the emergency first responder training was discussed in length at the WMFPD Board meeting. He said that those present at the meeting felt that the West Custer County Hospital District (WCCHD) needs to invest as much as they expect from the firefighters and other entities regarding emergency responses. He said that the clinic should commit their medical personnel to respond to the third emergency call. Ms. Feldman shared a concern from the WCCHD regarding the qualifications, training and liability of having the clinic personnel perform emergency responder treatment. Commissioner Shy said that it was not reasonable to ask or expect a commitment from other entities unless the WCCHD is willing to make the same commitment. Sheriff Jobe stated that he too had serious concerns and reservations about committing his department in this regard. Ms. Feldman said she understood the concerns and that the topic would warrant additional discussions and review. She reported on the delegation of authority for public information on the local wildfires and their economic impact within a community.

She said that she was continuing to seek additional funding for fire mitigation within the county. She said that she had completed the Public Information Officer (PIO) Colorado Wildfire and Incident Management Academy National Wildfire Coordination Group Type 3 PIO. She presented the Custer County Animal Response Team C-CART guidelines for responding to a call operating through Custer MRS – VMRC Veterinary Medical Reserve Corp. Ms. Feldmann asked to the BOCC to reconsider the request from Drive Smart Colorado to store the portable rollover stimulator used to educate kids and adults on the importance of seat belts in the resource center garage. The BOCC agreed that there was not sufficient space available at this time and would review the request at a future date.

Jeff Outhier, USDA Forest Service presented a report that included the confirmation of a Stage 1 Fire Ban in Custer County. He said that due to the hot and dry climate he anticipated a Stage 2 Fire Ban in the very near future. He reported that currently there was a twenty person out of state fire crew stationed in the area. He will research whether that crew can be utilized off federal land and possibly assist with the falling cottonwood safety issue at the Wetmore Community Center. Mr. Outhier said they were not able to purchase additional water this year and that the water level of Lake Isabel will drop.

Commissioner Attebery said that at the September 4, 2012 BOCC meeting the BOCC agreed to adopt a one-time Resolution reinforcing the fact that the Fire Warden and Fire Chief are responsible for making decisions regarding the enforcing or lifting of the county fire bans. The Fire Warden will notify the BOCC in writing that a Stage 1, 2, and 3 Fire Ban has been issued within the unincorporated areas of Custer County. The Board will ratify the Fire Warden's decision at the next regularly scheduled BOCC meeting. The Deputy Clerk to the BOCC will maintain a separate file of these notifications to comply with Fire Ordinance 2002-1. Resolution 12-08 identifies the restrictions under a Stage 1, 2, and 3 fire bans in the unincorporated portions of the county was adopted on December 4, 2102. Commissioner Attebery said that Sheriff Jobe in his capacity as Fire Warden notified the BOCC via e-mail of the Stage 1 Fire Ban that went into effect on June 13, 2013.

MOTION made by Commissioner Shy, seconded by Commissioner Butler:

To ratify the Fire Wardens decision to enforce a Stage 1, Fire Ban effective June 13, 2013. The motion carried unanimously.

Commissioner Butler presented the application to the Colorado Division of Housing (CDOH) for the funding and continuation of the Single Family Owner Occupied (SFOO) Housing Rehabilitation program for the Boards review and approval. He said that Fremont County was the designated and responsible lead party on the Intergovernmental Agreement (IGA) for the Community Developing Block Grant Project (CDBG) . He said that Autumn Dever, Upper Arkansas Area Council of Government (UAACOG) Regional Housing Director requested support from the county for the program. The BOCC agreed to review the permit fees for the program on a one by one basis in the unincorporated areas of Custer County.

MOTION by Commissioner Butler, seconded by Commissioner Shy:

To sign the IGA for the CDBG for the continuation of the SFOO Housing Rehabilitation program and to review the permit fees for the program on a one by one basis in the unincorporated areas of Custer County with a caveat that the IGA was accepted by the BOCC without legal review. The motion carried unanimously.

Sheriff Jobe inquired on the status of a resolution or ordinance prohibiting the use of recreational marijuana in the county. The BOCC said that Josh Marks, Attorney at Law was in the process of drafting an ordinance prohibiting the recreational uses of marijuana in the county.

Commissioner Shy said that an ordinance is a local enforceable law set forth by a governing body. Commissioner Attebery remarked that an ordinance required specific publications, postings, readings and a public hearing before it can be adopted.

Commissioner Attebery asked if there was any further business to discuss. Hearing none, he adjourned the meeting at 2:20 PM

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman