

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, SEPTEMBER 17, 2013**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE WETMORE FIRE STATION, WETMORE, COLORADO.

Commissioner Lynn Attebery called the meeting to order at 6:05 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: Sandra Attebery, Christe Coleman, Kevin Day, Bill Donley, Alden Gray, Justin Kraul, Nancy Kruez, Ruth Spaar, and Irene Stearns.

**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
- Beddows Mountain/Rock Climb – Justin Kraul, Bill Knoth
- Kiosk Update

**MOTION by Commissioner Butler, seconded by Commissioner Shy:**

To approve the minutes from August 30, September 3, and September 4, of 2013 as presented. The motion carried unanimously.

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

Christe Coleman, Office of Emergency Management Director addressed the BOCC and presented the 2013 Emergency Management Performance Grant for the Boards signature. Ms. Coleman said that the grant period is from October 2012 to October 2013 and the final paperwork has not been made available until now. She stated that the grant had been previously approved by the Board. The BOCC expressed concern regarding the states delay in processing the paperwork. Commissioner Attebery signed the paperwork as Chairman, Commissioner Butler co-signed the paperwork as Vice-Chair.

Ms. Coleman said that she would like to attend and participate in the Master Exercise Practitioner Program Course. The series of courses are scheduled on October 21 – 25, 2014; January 27 – 31, 2014; and June 23 – 26, 2014. She said that the registration application required a written letter of support

from her immediate supervisors and that she was requesting that correspondence from the BOCC. Ms. Coleman said the majority of the expenses were being covered and that the only cost to the county would be 50% of the fuel expenses for the three trips to Denver and a commitment of approximately 160 hours of her schedule. The BOCC agreed to prepare the requested correspondence.

Justin Kraul, DOW representative and Bill Knoth, citizen addressed the BOCC and shared concerns regarding the correspondence issued by the Board supporting the proposed rock climbing at Beddows Mountain by the Southern Colorado Climber's Resource and Action Group (SoCoCRAG). Mr. Kraul said the DOW leases the land from the State Land Board primarily for wildlife preservation. He said that the animals use the area for resting and calving and that he was concerned over the potential disturbances and disruption that might develop if the area was opened to climbers. He remarked that the DOW plans to complete a study on the raptor species in the area to ensure continued nesting occupancy which would include a one mile restricted buffer area from the nests. Mr. Kraul said that through the lease agreement the land is available to the public for a specified time during the year for hunting and other wildlife related activities. He shared concern over a possible conflict with the hunters and the rock climbers. Mr. Knoth stated that he had a private grazing and stewardship lease with the State Land Board and his focus was preserving and maintaining the eco system in the area. He said that the BOCC should be not involved in the matter regarding the private lease that he had with the State Land Board and he asked the BOCC to rescind the letter. Mr. Knoth said that the BOCC acted without all the pertinent information and that as a lease holder he should have been informed and notified of the intention. He said that the BOCC represented the county and as a land owner and taxpayer in the county, he anticipated and expected the Board's support. Commissioner Shy said that he did not feel the correspondence represented any conflict and read a paragraph from the letter that said the BOCC whole heartedly supported the efforts of the SoCoCRAG in keeping land open to the public for recreational use, including traditional climbing as they are support of, incidental to and compatible with wildlife recreation. This letter is offered by the BOCC with the understanding that SoCoCRAG will work closely with the DOW/State Parks and the State Land Board including the local DOW Officer to work towards an agreement that would be sensitive to wildlife, grazing uses, and awareness of wildfire potential in any public use. Following a discussion the BOCC agreed that the final decision would be made by the State Land Board Commission and deemed that no official action is necessary.

Commissioner Attebery stated that in the future the BOCC would make every attempt to communicate and include the involved parties of an action.

Commissioner Butler reported on the Water Round Table Meeting he attended and the Office of Revitalization in Pueblo County regarding the distribution of the grant funding to Custer County.

Commissioner Shy reported on the Colorado Department of Public Health and Environment regulations regarding the old Westcliffe Landfill site and the new Septic Rules and Regulations

Commissioner Attebery reported on the calibration and preventative maintenance check of the scales outside the courthouse. He said the county was not able to get a definite commitment or schedule date for the inspection from the Colorado Department of Agriculture and ended up contracting out for the service at a cost of \$700.00

**MOTION by Commissioner Shy, seconded by Commissioner Attebery:**

**To draft a letter to the Department of Agriculture (DOA), the Department of Treasury and the Governor**

requesting reimbursement for the fee incurred that is a direct result of untimely action on the part of the DOA. The motion carried unanimously

Commissioner Attebery addressed the topic of the Wayfinding Informational System Kiosk for the travelers finding their way across southeast Colorado, a project of Region 2 Colorado Department of Transportation. He said that the three panel kiosk would be placed in the Wetmore Park Project area. He said that the additional funding required to update from a one panel kiosk to a three panel kiosk project was being sought from the Colorado Scenic Historic Byways and the Custer County Tourism Board. He said that the BOCC would need to prepare a request correspondence to access the Byways Funding for the project. Commissioner Attebery presented the Memorandum of Understanding between the City of Trinidad and Custer County for the “Regional Wayfinding and Interpretation for South East Colorado” project funded in part by a CDOT grant and the outstanding invoice for approval.

**MOTION by Commissioner Shy, seconded by Commissioner Butler:**

To authorize and approve the expenditure and to seek creative ways of securing the remaining monies. The motion carried unanimously.

Commissioner Attebery said that the project would require a sign variance from the Custer County Board of Zoning Adjustment and that a hearing is scheduled for October 1, 2103.

**MOTION by Commissioner Shy, seconded by Commissioner Butler:**

To waive the fee that the county would have had to pay for the BZA sign variance application. The motion carried unanimously.

Commissioner Attebery said this was the last BOCC meeting scheduled in the Wetmore area for 2013 and asked those present if there was a preferred day of the week to schedule the 2014 meetings in Wetmore. Following a discussion those present agreed that Wednesday would be the preferred date.

Commissioner Attebery asked those present how they felt about holding the 2014 BOCC meeting in the Wetmore Community Center Building. Following a discussion it was agreed that the Wetmore Community Center Building was not ADA accessible for the scheduling of a public meeting.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 7:30 pm

---

Debbie Livengood, Clerk and Recorder  
Attest

---

Lynn Attebery,  
Chairman