

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, DECEMBER 10, 2013**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS 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: Candace Sage reporter for the Sangre DeCristo Sentinel, Ray Varney, and Jillian Ward 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

Adoption of the 2014 Custer County Budget

Staff Reports: Landfill, Office of Emergency Management, Treasurer, Human Services, Planning and Zoning.

West Custer County Library District Board Member Ratifications

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

To approve the minutes for the BOCC meeting of November 27, 2013 as presented. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments. Candace Sage, citizen asked the BOCC if she could obtain accountability of the mil levy approved by the voters for the Community Clinic/Ambulance Corp. The BOCC responded that the Community Clinic/Ambulance was part of the West Custer County Hospital District (WCCHD) and that the county did not have authority or jurisdiction over a special district. The Board suggested she contact the WCCHD Board with her inquiries.

Commissioner Butler said he was not able to communicate with Autumn Dever regarding the Colorado Division of Housing, Community Development Block Grant Completion Report from the Upper Arkansas Council of Governments Single Family Owner Occupied Housing Rehabilitation Program for the additional specifics and information the BOCC requested.

Commissioner Attebery, Chairman left the meeting at 9:10 AM to join a Custer County Tourism Meeting and meet the Regional Director for Colorado Tourism.

Commissioner Butler, Vice-Chairman continued with the meeting.

Sheriff Jobe and Deputy Halpin joined the meeting.

Sheriff Jobe addressed the draft Memorandum of Understanding(MOU) between Search and Rescue (SAR) and the Custer County Sheriff Department and said that SAR had expressed concern regarding the addition of statement (9) that they would be responsible for routine maintenance. Ray Varney, representing Search and Rescue said that they will request a more detailed and specific description of what constituted routine maintenance. Following a discussion the Board agreed to remove statement (9) from the MOU. Mr. Varney said he would present the revised MOU to the SAR Board at the January 6, 2014 meeting. Sheriff Jobe said that the MOU could be approved at the January 7, 2014 BOCC meeting.

Rusty Christensen, Landfill Manager met with the BOCC. Commissioner Shy advised Mr. Christensen that the county will no longer participate in trading or bartering services and that each entity would invoice for any services rendered. Mr. Christensen said that he has been in contact with Nequette Drilling regarding the installation of the well at the landfill facility. The BOCC requested that he obtain a written cost estimate from Mr. Nequette for filing and reference. The BOCC asked if the landfill was recording the tipping fees paid to the Colorado Department of Public Health and Environment for accountability purposes. Mr. Christensen said that the fees paid were recorded and totaled.

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

Approve that Commissioner Attebery take Rusty Christensen to lunch and that the monies used for the lunch come from Commissioner Attebery's personal fund. The motion carried.

Commissioner Attebery returned at 10:00 AM and assumed the responsibility of Chairman.

John Piquette, County Financial Officer presented the BOCC with the 2014 finalized budget. He said that the final estimated figures for 2014 are \$6,026,650.00. He said that the 2014 mill levy was 20.245. He gave a breakdown of the mill levy as follows: General Fund 10.245; R&B Fund 5.000; Insurance Fund 1.500; EMS Fund 2.000; Welfare Fund 1.500 for a total of 20.245.

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

To approve the 2014 County Budget and Mill Levies as presented. The motion carried unanimously.

Mr. Piquette stated that a copy of the 2014 county budget will be retained in the Clerk and Recorder's Office for review.

Mr. Piquette presented 2013 Supplemental Budget Resolutions for the BOCC's review and approval.

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

To adopt Resolutions #13-4, #13-5, #13-6 and #13-7 as presented. The motion carried unanimously.

Resolution 13-4

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2013 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

Revenue Source

Aviation Fuel Sales \$6,142.00

Fund Balance \$3,954.00

Now, therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2013 appropriation for the Airport Fund hereby increased by \$10,096.00 for the purpose of covering increased expenditures as follows”

Account No. 65.46159.204 Aviation Fuel \$6,142.00

No. 65.46150.913 Security System \$3,954.00

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances

Adopted this 10<sup>th</sup> day of December, A.D. 2013

Commissioner Lynn Attebery, Commissioner Allen Butler, Commissioner Kit Shy.

Resolution 13-5

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2013 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

Revenue Source

Sales Taxes \$38,996.41

Now, therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2013 appropriation for the Capital Improvement Fund is increased by \$38,486.42 for the purpose of covering increased expenditures as follows”

Account No. 50.40600.913 Air Conditioning \$31,486.41

50.40124.913 USGS Water Survey \$ 7,510.00

Adopted this 10<sup>th</sup> day of December, A.D. 2013

Commissioner Lynn Attebery, Commissioner Allen Butler, Commissioner Kit Shy.

Resolution 13-6

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2013 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

Revenue Source

Fund Balance \$4,500.00

Now, therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2013 appropriation for the Insurance Fund is increased by \$4,500.00 for the purpose of covering increased expenditures as follows”

Account No. 40.40600.307 Building and Plant \$1,500.00

40.43040.307 Maintenance of Condition \$3,000.00

Adopted this 10<sup>th</sup> day of December, A.D. 2013

Commissioner Lynn Attebery, Commissioner Allen Butler, Commissioner Kit Shy.

Resolution 13-7

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2013 year,

And whereas, the additional revenue was received from sources other than the property tax mill levy,

Revenue Source

Highway Users Tax \$57,640.21

Now, therefore, be it resolved by the Custer County Commissioners of Custer County, Colorado; that the 2013 appropriation for the Road and Bridge Fund is increased by \$57,640.21 for the purpose of covering increased expenditures as follows”

Account	No.	20.43040.913 Crack Seal	\$40,607.71
		20.43040.913 Fuel Mgmt System	\$17,032.50n

Adopted this 10<sup>th</sup> day of December, A.D. 2013

Commissioner Lynn Attebery, Commissioner Allen Butler, Commissioner Kit Shy.

The BOCC recessed at 10:25 AM.

The BOCC reconvened at 10:45 AM

Christe Coleman, Office of Emergency Management Director met with the BOCC and gave a report. She said that the acoustics in the SAR/EOC room were horrible. She said that she had \$1,000.00 remaining in her budget under professional services and requested approval to use those funds to purchase the appropriate sound limitation panels. The BOCC asked Ms. Coleman to research a less expensive measure and low cost solution to the problem and present it at the December 17, 2013 BOCC meeting. They suggested the addition of flags, curtains, etc. Ms. Feldman reported on the 2014 Emergency Management Program Grant and the Emergency Management Program Guidelines and Resource Mobilization Plan. She said she was in the process of completing several Mutual Aid Agreements, and updated County Burn Guidelines. She remarked that bids for the generator for the Sheriff Department were being received. Ms. Feldman said that Table Top School Incident Exercises and Progressions were being scheduled in 2014.

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

To approve the 2014 EMPG Grant/LEMS Annual Program Paper as presented. The motion carried unanimously.

Amy Moulton, Director of the West Custer County Library District and J.D. Henrich joined the meeting. Ms. Moulton said that J.D. Henrich has been appointed by the Trustees to complete the term vacated by Mary Ann Moon. Also there are two Trustees whose 3-year terms are expiring this December 31 and those trustees are Bar Scott and Amy Bauer. She asked the BOCC to ratify the appointments.

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

To ratify the Trustee appointments for the West Custer County Library District as requested. The motion carried unanimously.

Ms. Moulton gave an update on the recent changes and revisions in the library as well as their future goals.

Jackie Hobby, Planning and Zoning Director met with the BOCC and the following items were discussed:

- File # 101-12-661 permit violation pending
- File # 102-22-915 permit fee reduction denied
- File # 102-36-058 permit fee reduction denied
- File # 100-56-804 permit violation pending
- File # 102-29-200 permit violation resolved
- File #100-96-150 permit violation pending
- File #102-22-915 permit violation pending

Ms. Hobby said that many 35 plus acre lot subdivisions in Custer County are not approved through the Custer County Zoning process. She asked the BOCC to approve and sign a notification stating that it is the policy of Custer County not to participate in any changes to a record plat in which the County did not participate originally.

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

To authorize Ms. Hobby to prepare the notification correspondence with a caveat that the BOCC would sign the paperwork on completion by the Planning and Zoning Director. The motion carried unanimously.

Virginia Trujillo, Treasurer met with the BOCC and gave a report. She said that the beginning balance on November 1, 2013 was \$3,485,862.57 and the ending balance on November 30, 2013 was \$3,405,219.84.

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

To accept the Treasurer report for November 2013 as presented. The motion carried unanimously.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 12:40 PM

---

Debbie Livengood, Clerk and Recorder  
Attest

---

Lynn Attebery,  
Chairman