

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 19, 2014**

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 9:05 AM and the Pledge of Allegiance was recited.

Roll Call was taken:

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

Also present was: Paul Sage reporter for the Sangre DeCristo Sentinel.

Commissioner Butler said that he would like to amend the agenda to include a discussion with Bob Jeras regarding the installation of a cattle guard on County Road 254.

AGENDA:

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes:

Audience introduction

Public Comment

Commissioner Items

Executive Session

New/Old Business

Title 111 Funding

BOCC Meeting amendment to 2014 schedule

Landfill (county compliance demolish construction materials)

OEM Report - Burn Management Plan - Radios for the Landfill

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To approve the minutes of February 28, March 3 and March 4, 2014 as presented. The motion carried unanimously.

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

Commissioner Attebery gave an update on the Department of Local Affairs (DOLA) grant for the Custer County Community Building Improvement Preliminary Engineering Project. He said that DOLA has awarded Custer County \$12,000.00 for the project and that the next step is to contact local engineers to obtain bids and or estimates.

Commissioner Shy gave an update on the Colorado Counties Incorporation (CCI) Steering Committee Meetings he has been attending and the legislative issues discussed. He reported that an ADHOC Committee was established by the Custer Emergency Services (CES) to discuss and review the problems and concerns regarding the Ambulance Corps. He said that a temporary Inter-Governmental Agreement (IGA) between the West Custer County Hospital District and the Wet Mountain Fire Protection District was being proposed. Commissioner Shy reported that the Bureau of Land Management (BLM) conducted sampling efforts to characterize the Querida tailings and part of the adjacent Bassick Mine site and reported that the site does not pose a sufficient risk to the public health and safety of the county. He referenced the Wild Fire Annual Operating Plan (AOP) regarding the financial cost of fighting wildfires. He reported that the Wet Mountain Fire Protection District has a wild land fund set aside to help with the financial costs of air fire retardant slurry drops. He proposed that Custer County consider establishing an emergency fire fund as part of the 2015 Budget Hearings. He reminded the public that an event honoring the 100th Anniversary of the Ludlow Massacre is scheduled on April 2, 2014 at the All Aboard Westcliffe Facility starting at 5:00 PM.

Commissioner Butler gave an update on the Statewide Transportation Advisory Committee (STAC). He said that the Colorado Department of Transportation (CDOT) presented a budget for the STAC Board's approval however there were several blank and non-descriptive fund lines in the budget. The STAC Board did not approve the budget as proposed and asked CDOT to revise and complete those blank line items in the budget and present it again at next month's STAC meeting. He gave an update on the Upper Arkansas Area Council of Governments (UAACOG) meeting regarding future broadband service in the county. He said that the process was being followed as required. Commissioner Butler said that during the re-election campaign process he is being questioned repeatedly regarding the future of the Ambulance Corps., and the justification and value the County receives for the \$7,000.00 yearly membership fee with Colorado Counties Incorporated (CCI).

The BOCC said that they have received a request from the Rye Fire Protection District (RFPD) for eight sets of wild land gear under the Title 111 County Funds. Commissioner Attebery said that they are currently in receipt of requests from the Volunteers at the Wetmore Fire Station. Commissioner Shy said that Title 111 funding has specific guidelines for its usage and that fire mitigation meets those requirements. Following a brief discussion the Board agreed to invite Jeff Outhier of the local US Forest Service office to a future BOCC meeting for a continued discussion and review of the remaining Title 111 Funds available.

The BOCC agreed that the mid-month meetings currently scheduled in the Wetmore area would be revised from 1:00 PM to 9:00 AM and that the County Attorney will be present. The BOCC meetings are revised as follows: Wednesdays; April 16, May 21, July 23, September 18, October 22, November 23 and December 10, 2014 will be held at 9:00 AM in the Wetmore Volunteer Fire Station, Wetmore, CO.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To approve the revisions of the 2014 BOCC meetings as agreed. The motion carried unanimously.

Rusty Christensen, Landfill Manager and Jackie Hobby, Planning and Zoning Director joined the meeting. Mr. Christensen expressed concern regarding the asbestos exposure and health of the landfill employees when handling demolished construction materials brought to the landfill for disposal. He said that State reporting is required and that Custer County is now requiring proof of state compliance.

He presented the BOCC with a copy of the Demolition Notification Application Form from the Colorado Department of Public Health, and a copy of the Custer County Demolition Registration Application for their review. Ms. Hobby stated that the Custer County Zoning Permit Application requires that the applicant fill out a section asking if the project will require demolition or removal of an existing structure and if yes, other permits and registrations may be required. Following a discussion the BOCC agreed that the process will take effect on May 1, 2014 and that a cover letter with the information needed to place demolish construction materials in the Custer County landfill. Press releases regarding the disposal will be sent to the local newspapers for publication. A secondary publication will follow in the summer months.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To approve the required paperwork for the disposal of demolished construction materials in the Custer County Landfill. The preparation and mailing of a cover letter and the required application and registration forms to the local contractors. The publication of press notices in the local newspapers with a caveat that states the Regulations and Requirements (R&R) apply to the Custer County landfill and other local landfills should be contacted for confirmation of their R&R's. The motion carried unanimously.

Christe Coleman, Office of Emergency Management Director met with the BOCC and gave a report. She said that she is currently working on obtaining the appropriate radios for use at the landfill. She remarked that the current radios are out of compliance and could be subject to a penalty or fine. She confirmed with Mr. Christensen that six radios would be required for the two pickup vehicles, the two pieces of equipment, one for the office and one for the landfill manager. Ms. Coleman presented the revised Custer County Burn Management Plan for the Boards review. The BOCC shared concerns regarding some inconsistencies regarding the size, number and inspection of the burn piles referenced in the plan in comparison to the requirements of the Colorado Department of Public Health and Environment (CDPHE). The BOCC recommended that Ms. Coleman do more research to review and revise the plan to be consistent with the CDPHE requirement and that the plan be forwarded to the County Attorney for review and approval before resubmitting it to the BOCC for review and approval. Ms. Coleman reported on the progression of the School Exercises. She said that a table top discussion is scheduled on March 19 and the full scale exercise on April 18, 2014. Ms. Coleman said that the Pre-Disaster Mitigation Plan for Custer County adopted under Resolution #03-8 expired in 2009 and that counties are being asked to establish individual plans. Ms. Coleman presented three scenarios: the county would not act on the preparation of a Pre-Disaster Mitigation Plan; the preparation of the plan could be done in-house by the OEM office; an outside contractor could be secured to complete the plan. She said that if the county elected to use an outside source that grant funds for 75% of the cost is available. She remarked that grant funding for the county, for home owners associations and for individuals could be jeopardized without a County Pre-Disaster Mitigation Plan. The BOCC said they would take the topic under advisement and address it as part of the agenda at the March 31, 2014 BOCC meeting. Ms. Coleman requested that the BOCC schedule a work shop regarding the EST-7 Resource Management and Plan. The work shop is scheduled on May 13, 2014 at 1:00PM in the Commissioners Boardroom.

Bob Jeras and Arlene Macchia joined the meeting. Mr. Jeras addressed the BOCC regarding the request to install a cattle guard on County Road 254 where it crosses into the State Trust land that is leased by Ms. Macchia. He said that the BOCC has issued a correspondence to the Front Range District Manager, David Rodenberg on September 4, 2013 without a response. Mr. Jeras reported that the Colorado State Board of Land Commissioners eliminated the Front Range District that served Custer County.

He said that Custer County is now a part of the South Central District and that the person of contact was John Valentine. He commented that he has been in contact with Mr. Valentine regarding a cost sharing project for the installation of a cattle guard that would involve the County, the State Board of Land Commission and the Lessee. The BOCC agreed to review the proposal following confirmation of the specific cost sharing amounts involved. The Board will forward Mr. Valentine copies of all the pertinent information and request confirmation on the specific amount the State Board of Land Commission will pledge for the project.

Commissioner Shy said that the BOCC has received notification from the District Attorney that additional funding from the counties comprising the Eleventh Judicial District may be necessary with regards to the recent capital case that occurred in Canon City, CO.

Commissioner Butler said that the Custer County Airport Insurance Renewal for the Directors and Officers is set to expire on April 13, 2014. The renewal quote came in at \$2,888.12 which is \$154.00 less than last year.

Commissioner Butler said that at the Employee Recognition Work Shop on February 13, 2014 the Board proposed the formation of a committee that would include elected officials and department heads to discuss and establish protocols for employee recognitions and retirement. He asked the BOCC how they would like to proceed. Following a brief discussion the Board agreed to postpone the formation of a committee until a future date. The topic will be discussed at the Staff Meeting on March 31, 2014.

Commissioner Attebery said that the EIAF 7435 Grant Agreement between the State of Colorado, Department of Local Affairs and Custer County has been revised to read that the Chairman is Allen Butler and that the Administrator/Facilitator of the grant is Lynn Attebery. The grant is for the preliminary improvement engineers on the Wetmore Community Building, Wetmore, CO. He asked the Board to approve the Grant Agreement as presented following the review and approval of the County Attorney.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To authorize the Chairman to sign the Grant Agreement EIAF 7435 as presented following the review and approval of the County Attorney. The motion carried unanimously.

Commissioner Butler asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 11:10 AM.

Debbie Livengood, Clerk and Recorder
Attest

Allen Butler,
Chairman