

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 4, 2014**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONER'S BOARDROOM.

Commissioner Allen Butler called the meeting to order at 9:00 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: Ted Ballard, Charles Bogle, Ann Marie Donovan, Nora Drenner, Bob Kattnig, Steve Laswell, Dale Mullen, Dwayne Robey, Lockett Pittman, Sue Pittman, Dan Post, Mike Sanders, Candi Sage, Rene Smith, Kathy Snow, Kathy Taylor, Bob Tobin, Lucy Wilcox, and Paul Sage reporter for the Sangre DeCristo Sentinel.

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

- World Aviation Museum MOU

Airport Advisory Board Report

Public Health Report

CDOT PRESENTATION

Road and Bridge Report

- Coronado Road maintenance

- CR 125 maintenance

AUDIT REPORT 2013 Sam DeNardo

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

Commissioner Shy said that he and Commissioner Butler, Rusty Christenson, Landfill Manager, Cameron Buel, Golder Associates met with the representatives from the Colorado Department of Public Health and Environment (CDPHE) on July 24, 2014. The purpose of the discussion was to come to some type of agreement regarding the Custer County Landfill. He said that to date the County has spent over \$90,000.00 on the constant revisions of the Engineering Design and Operations Plan (EDOP) issued by the CDPHE. Commissioner Shy reported that in addition to other concessions the parties agreed that one monitoring well at a maximum depth of 334 feet would satisfy the requirements. He said that the final application is in the process and that he expected a resolution within several months.

Commissioner Butler said that the members of the audience were present to discuss the broadband situation. He said that the Upper Arkansas Area Council of Governments (UAACOG) has developed a regional five year strategic plan for broadband services in a five-county wide area, which consists of Chaffee, Lake, Fremont, Custer and Park County. Charles Bogle said that on August 13, 2014 the UAACOG consulting firm appointed to define the strategic plan has scheduled a fact-finding meeting with the local internet and broadband providers to brief the public on the purpose and goal of the study. That meeting is scheduled at the Cliff Lanes facility from 8:00 AM to 4:00 PM. The morning agenda will include the discussion with the consultants and an invited list of individuals. The afternoon agenda will include the consultants and the general public. Mr. Bogle said that the commissioners were invited to the morning session. The Board said they had a scheduling conflict with the BOCC meeting scheduled that date in the San Isabel area. Dale Mullen said that the project is supported in part by an energy and mineral impact assistance fund grant that is awarded through the Colorado Department of Local Affairs. He said that two months ago the Custer County Local Technology Planning Team (LTPT) gave a presentation to the BOCC and that the Board motioned to participate and support the project with a unanimous vote; however to date the UAACOG has not received the \$4,060.00 funding for the project from the county. He said that as far as he knew the motion was never changed and that the information from that meeting was shared with the UAACOG broadband unit and that they are anticipating receipt of the funding from the county. Mr. Mullen reminded the Board that if the county does not participate in the broadband strategic planning project they would not be eligible for any future subsidiary broadband funding. Commissioner Shy commented that the motion committed county support but did not commit county funding for the project. He said that at that time the Board had encouraged the LTPT representatives to seek private funding for the project. He remarked that there was a great deal of financial uncertainty regarding the future funding and that he would like to have a better understanding of the process. Ted Ballard spoke in favor of the regional strategic plan for the library and work force services in the community. Donna Hood also spoke in favor of the regional strategic plan for tourism and emergency and safety services in the community. Several citizens in the audience were in support of the project. Bob Kattnig said that he has accompanied the LTPT representatives to several meetings and said that the county is an underserved area. He said that he shared concern regarding the breakup of 911 emergency communication services that our area has recently experienced and for safety reasons alone would move Custer County to the top of the priority list for broadband services. He encouraged the commissioners to attend the breakfast portion of the broadband meeting on August 13, 2014 to meet the representatives. Commissioner Butler said that this was not a public hearing; therefore, no decisions would be made. He said that broadband was needed in the community and that he supported the project. He suggested that the interested parties attend the discussions and meeting on August 13, 2014 and continue to gather information.

Airport Advisory Board representatives, Johnny Smith, Bob Jolley, and Bob Koester joined the meeting and gave a report. Mr. Smith said that the airport website is up to date; the weather station has been installed but requires calibrations; the video security system installation is near completion. Mr. Jolley said that fuel sales at the airport have increased substantially and that another load of fuel was ordered. Mr. Koester said that the completed crack seal of the runway at the airport property not only looks good but is a safety feature for the pilots. He said that the airport open-house held on July 26, 2014 was successful. Mr. Smith inquired on the status of the proposed World Aviation Museum at the Silver West Airport. Commissioner Shy said that final copy of the Memorandum of Understanding (MOU) was forwarded to Bill Geipel for review and approval. He said that the MOU now involves a World Aviation Museum Corporation and that the county is dealing with an entity rather than an individual. Commissioner Attebery said that the original proposal was presented by Mr. Geipel as a Custer County landowner and has now evolved to an MOU with a Colorado Corporation. He said that this type of change will require a substantial amount of additional legal correspondence and verifications. Commissioner Attebery said that the Board was still waiting for a complete and detailed engineering report of the project from Mr. Geipel. He commented that the engineering report will also require the review and approval of the Colorado Division of Aeronautics before the project can proceed.

Mr. Smith remarked that two to three new members of the Airport Advisory Board (AAB) are actively being sought. He said that the AAB would like to take the necessary steps to formally secure Armstrong Consultants Inc. (ACI) as the representatives of the airport. He asked the BOCC to consider appointing ACI to this role. Commissioner Attebery said that the Board would be required to adhere to the county purchasing and contract policy guidelines. The BOCC agreed that they were not in a position to make an appointment at this time. Mr. Smith asked who is the county person of contact regarding the ground leases at the airport. The Board directed the AAB to Planning and Zoning Director, Jackie Hobby with a caveat that Ms. Hobby is responsible for the record keeping of the ground leases but that she would not be functioning as an agent or marketing personnel for the airport. Mr. Jolley reported that the airport volunteers have been providing the pilots with transportation to and from town. He would like to have the courtesy car reinstated for use at the airport. Commissioner Butler said that the courtesy car could be a discussion during the airport county budget hearings in October 2014.

Gail Stoltzfus, Public Health Nurse met with the BOCC and gave a report. 63 childhood immunizations, 4 adult immunizations and 25 blood pressure screenings were administered in July 2014. She reported on the community outreach program; the child fatality team; the Emergency Preparedness Response and the Medical Reserve Corp. meetings. Ms. Stoltzfus gave a report on the communicable diseases and the pneumonic plaque in the northern part of the state.

The BOCC recessed at 10:20 AM.

The BOCC reconvened at 10:30 AM.

Karen Rowe, Lisa Streisfeld, Margo Shay, Sasan Delshad, Richard Marques, Doug Lollar, Wendy Pettit, Dan Hunt, Dave Watt, Bob Wilson, Mark Andrew and Joe Garcia joined the meeting. They gave the 2014 presentation on the Colorado Department of Transportation (CDOT), Region 2. The agenda of the presentation included: Region 2 at a glance, Programming, Planning, Projects/Maintenance, FASTER Transit Funding, CDOT information and concluded with a question and answer period. Members of the audience shared concerns regarding the safety of the highways when being utilized with bicycles and motor vehicles and asked that the CDOT representatives discuss and review the topic at a future date. Ms. Rowe distributed hand-outs that included the proposed engineering regions, the responsible acceleration of maintenance and partnership projects; the 2035 regional transportation plan, and the state of transportation in Colorado in the next 20 years. Wendy Pettit said that she welcomed the opportunity to discuss project status, priorities, the Statewide Transportation Improvement Program and available funding with the local entity officials and the public. The Board thanked all the CDOT representatives for joining the BOCC meeting.

The BOCC recessed at 12:15 PM.

The BOCC reconvened at 12:30 PM.

Rusty Christensen, Road and Bridge Supervisor and Roger Squire, Assistant Westcliffe Road and Bridge Supervisor joined the meeting.

Ivan Graumann, Carlene Graumann, Bill Laramore and Cheryl Laramore addressed the BOCC and said they were representing the property owners residing on Coronado Road. They expressed concern regarding the poor condition of Coronado Road. Mr. Graumann said that the road and bridge department informed them that Coronado Road did not qualify for county maintenance. Commissioner Shy said that the situation is problematic. He explained that the plat noted that the developer Harwich Corporation would bring the road up to county standards and specifications in order to qualify for county maintenance. Unfortunately this did not occur and that the placement of the two ponds in the area, section off the road and prohibit it being completed and brought up to county specifications. Mr. Graumann remarked that the property owners have been contributing to the road and bridge department with their county property taxes but are not receiving any road maintenance.

Commissioner Shy said he appreciated and understood the concerns. He explained that although a portion of the property tax is allocated for road maintenance the majority of the road maintenance funding is received from the state under the Highway User Tax Fees (HUTF). He said that only recognized county maintained roads qualify for funding under the highway user tax. He remarked that unfortunately Coronado Road was never brought up to meet the criteria and therefore the county never received any funding or fees towards the maintenance of the road from the state. Mr. Graumann suggested that the county change the status of the road from public to private and that the home owners will continue to repair and maintain the road. Commissioner Shy said that perhaps the county could deed the portions of the road to a Home Owners Association (HOA) or a legal group in common and suggested that the concerned parties research that option. Mr. Graumann responded that they were in the process of developing a HOA. Commissioner Shy said that he will review the topic with the County Attorney to determine the best way for the county to divest interest in the road.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To agree to change the status of Coronado Road from a public road to a private road and works towards the goal of legally conveying the road to the yet to be established legal group in common comprised of the property owners. The motion carried unanimously.

Roger Squire addressed the correspondence of concern regarding CR 125. He said that the road and bridge department has been requested to take over the maintenance of an additional 0.5 miles of the road. He explained that the specific section of the road is listed as a non-county maintained access road and that the road did not meet the county specifications for repair or maintenance and is not eligible for HUTF funding. Mr. Squire said that the county was not in a position of taking on any new or additional road maintenance. He said that he will discuss the placement of signage on the road that there is no forest access with Jeff Outhier, of the US Forest Service and that it hopefully will detour traffic attempting to access forest property from the road. Mr. Squire agreed to follow-up with the landowners noted on the correspondence.

Mr. Christensen and Mr. Squire met with the BOCC and gave a report. The work completed in July included: the grading of numerous roads, the hauling of water and gravel, repairs to the flooding and wash outs from the recent rains; completed the Dead Mule Gulch Project; received new sign stands that should hold up in the winds; and participated in the Fremont County/4 Rivers Equipment Road project. Mr. Christensen said that the department was able to hire two new employees. The work planned in August will include but not be limited to: mowing, the hauling of water and asphalt; the grading of roads; continued repairs on the washouts from the recent rains, and the cleaning of culverts and ditches. Mr. Christensen and Mr. Squire said that they would like to schedule the workshop to review the road and bridge employee wages by the end of the month.

Sam DeNardo of Garren, Ross and DeNardo, Inc. met with the BOCC and presented a draft narrative over view and analysis of the financial activities of Custer County for the fiscal year that ended December 31, 2013. Mr. DeNardo reviewed the schedule of findings with the Board.

Commissioner Butler asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 2:40 PM.

Debbie Livengood, Clerk and Recorder
Attest

Allen Butler,
Chairman