

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 3, 2015**

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

Commissioner Kit Shy called the meeting to order at 9:00 AM and the Pledge of Allegiance was recited.

Roll Call was taken:

Kit Shy	Chairman	Present
Lynn Attebery	Vice-Chairman	Present
Bob Kattnig	Commissioner	Present
Clint Smith	Attorney	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present: Brent Bruser, Cal Leslie, Anna Orgeron, Lorraine Silva, and Jillian Ward, reporter for the Wet Mountain Tribune.

AGENDA:

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes

Audience introduction

Public Comment

Commissioner Items

Attorney Items

Executive Session

New/Old Business

Eagle Net Alliance

Staff Reports:

VSO, Treasurer, CSU Representative/Extension Agent, Eagle-Net Alliance, Planning and Zoning,

OEM/ RETAC, Road and Bridge

CDBG Business Loan Fund Application – Jeff Ollinger

AMEND AGENDA

None

APPROVAL OF MINUTES

None

PUBLIC COMMENTS

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

COMMISSIONER ITEMS

Commissioner Shy and Commissioner Kattnig attended the meeting regarding the Cooperation Law

Enforcement Annual Operating plan between the Custer County Sheriff Office, the Wet Mountain Fire Protection District and the USDA Forest Service. Commissioner Kattnig remarked that if a wildfire exceeds the capabilities of the WMFPD but is not declared a state emergency and does not qualify for state funding, the county could potentially incur those expenses. Commissioner Shy said that the WMFPD has been allocating and accumulating funds to help offset this expense. He encouraged Custer County to establish a similar emergency fire budget line fund in this regard.

Commissioner Attebery said that the maintenance services for the installation of the air ducts and return air ducts at the Resource Center Annex is scheduled for March 3, 2015.

Commissioner Kattnig said a retired electrician has volunteered his help and assistance with the electrical system at the fairgrounds.

Kris Lang, Administrative Assistant to the BOCC requested guidance regarding the Title 1 funding discussion to be scheduled among the BOCC and representatives of the School District. The Board instructed Ms. Lang to coordinate that meeting during a regularly scheduled BOCC meeting. Ms. Lang asked the BOCC to notify her of any meetings, classes or conferences that they would like added to the county website calendar. She asked for additional clarification regarding the contents of the minutes from the BOCC meetings. Commissioner Kattnig suggested that topics mentioned or discussed during the meetings should be included in the minutes. He said that the detailed minutes will offer the public a better understanding of the contents of the meetings especially when viewed on line. Clint Smith, Attorney agreed. Brent Bruser said that he supported the conversation regarding the minutes and the inclusion of more information. Commissioner Shy said that the audio recordings of the meetings are available to the public if additional or more detailed information is requested. Commissioner Kattnig asked how long the audio recordings are retained. Ms. Lang responded that audio recordings of the BOCC meetings started in 2008 and that the recordings are retained indefinitely. Commissioner Kattnig suggested that a notation to that affect be added to the minutes. Commissioner Shy suggested that a notation to that affect be added to the published and posted BOCC agendas.

ATTORNEY ITEMS

Clint Smith, Attorney said that he was preparing an Off Highway Vehicle Ordinance for review at the OHV work shop on March 6, 2015.

EXECUTIVE SESSION

None at this time.

NEW/OLD BUSINESS

Veterans Service Office

Anna Orgeron, Veterans Service Officer presented the Custer County Veterans Service Officers Monthly Report and Certification of Pay for the month of February 2015 for the BOCC's review and approval.

MOTION by Commissioner Kattnig, seconded by Commissioner Attebery:

To approve the correspondence as presented. The motion carried unanimously.

Commissioner Shy said that this portion of the meeting had the option of adjournment into an executive session if requested. No requests were heard. Anna Orgeron, Veterans Service Officer and Lorraine Silva,

Veterans Service Office Assistant met with the BOCC and reviewed and discussed the Veterans Service Office (VSO) responsibilities and actions. Ms. Orgeron shared concerns regarding the current location of the VSO along with the performance of the VSO Assistant. She said that veterans were not receiving the assistance they need and that the communication and collaboration between the VSO Assistant and the American Legion (AL) and the Veterans of Foreign Wars (VFW) is non-existent. Ms. Orgeron feels that the VSO is no longer a welcoming place for veterans to talk about their issues, get the necessary help or referrals or meet with fellow veterans. She said that the veterans have expressed concern regarding the irregular hours and availability of the VSO Assistant. She suggested that the VSO be returned to the Resource Center Annex and that consistent hours of service be established and posted. Commissioner Shy reminded Mr. Silva that she has the option of going into an executive session and she declined. Ms. Silva said that the VSO Assistant is a part time county paid position, but in reality it is a full time responsibility and that she has provided the veterans with additional non-compensated time and assistance. However, under the present circumstances she was submitting her resignation effective at the end of the month. She did agree that the VSO should be relocated back to the Resource Center Annex, which is a county building, and that a definite job description and responsibilities be established. The BOCC, Ms. Orgeron, and Ms. Silva did agree that the AL and the VFW should play an active role in the selection of a VSO Assistant replacement. Ms. Orgeron said that the position needed to be filled by a veteran, the spouse of a veteran, widow or widower. Ms. Hobby said she will proceed with the advertising and posting of the job vacancy.

The BOCC recessed at 9:55 AM.

The BOCC reconvened at 10:05 AM.

John Piquette, Chief Financial Officer and Dawna Hobby, Human Resource/Finance Manager joined the meeting.

Robin Young, Colorado State University (CSU) Extension Agent, and Bill Nobles, CSU Regional Director met with the BOCC. Ms. Young gave a report on the following topics: Community Development; 4-H and Youth Development; Weeds; Agriculture and Natural Resources; and Professional Development. Commissioner Kattnig remarked that Ms. Young has done an outstanding job related to weed control with limited resources. He asked what procedure is followed when both Ms. Young and Ms. Goertz are out of the office at the same time. Ms. Young said that the funding for a person to cover the office in those instances was removed from the extension budget and that notification in the newsletter and signage on the department door was the current method of notification. Commissioner Kattnig referenced the \$1,500.00 credit the Fair Board has at Ace Hardware and suggested that Ms. Young review the protocol with John Piquette, Chief Financial Officer for its usage. He expressed concern regarding the existing funding of approximately \$15,000.00 that remains in the extension department's checking account and asked if these funds were the result of uncompleted projects. Ms. Young responded that some of the funding is for projects that are currently in progress, projects not yet scheduled or for projects that were completed under the allocated financial grant fund amount. Mr. Nobles said that those grant funding's open ended and that there is no penalty attached to them and that the funding could remain in the account. He proposed that the funding be re-invested back into the community. Commissioner Kattnig said that he would like to see those resources used for additional local and community programs. Mr. Piquette said that the balance of the extension checking account is reflected in the county books as an asset and that it changes from month to month depending on the expenditures vs the revenues. Commissioner Shy requested clarification on the education requirements for the CSU Extension Agent. Mr. Nobles said that a non-thesis master's degree is a requirement within five years of the agents' employment but that it is ultimately at the discretion of the CSU Regional Director. Ms. Young said she was in the process of obtaining her master's degree.

Commissioner Shy asked if Mr. Nobles was satisfied with the current level of education and he responded that he was. Commissioner Attebery expressed concern regarding the county's financial obligation under the existing CSU's formula. Mr. Nobles said that the county is responsible for approximately one quarter of the agents' salary and benefits and as those figures increased, the county's portion would increase. Commissioner Attebery said that he feels the county does not have enough control regarding the classes, programs, and functions of the extension office and that the department is dictated through CSU. He shared concern regarding the cost of the travel expenses to the county. He questioned why the county was responsible for travel expenses incurred for meetings, seminars or conferences required by CSU held outside the county. Commissioner Shy asked how CSU measures the success of a program and whether a program or the model of a program should be revised or changed. Mr. Nobles said there are statistics related to the participation in the programs that can be reviewed by the BOCC. Commissioner Shy asked if CSU had a formula for reimbursing the county for the office space provided to the extension office. Mr. Nobles responded that it was the county's responsibility to provide the office space, however, it was at the county discretion where that office space was located. Commissioner Kattnig said that he was not only concerned regarding the cost of the travel but also the time the extension agent is away from the local county office. He would like the BOCC to have more justification regarding the travel expenses turned in by the extension agent. He would like the county to be a part of the process for evaluating the extension programs as well as the performance review of the extension agent.

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:

To enter into the Memorandum of Understanding with the Colorado State University Extension as reviewed and presented. The motion carried unanimously.

Chip White, Eagle-Net Alliance located in Broomfield, Colorado said that they were the recipient of a federal grant to connect school and government buildings with broadband service across the state. He said that the tax payer funded broadband project was approved by the federal government more than two years ago. Mr. White said that Eagle-Net Alliance is now a joint venture with Affiniti to provide high speed dedicated internet access. He said that Eagle-Net was not a business or a nonprofit, and it is not a division of the state government. Instead it an intergovernmental entity that is registered with the Department of Local Affairs. Mr. White said that the Westcliffe area is on a list for tentative broadband service completion by the end of summer this year. He said that they have already obtained approval to use the AT&T Tower that is on Bureau of Land Management property. He said that they are requesting equipment storage space in the current county owned building on Look Out Mountain Tower (AT&T) and access to the electrical system. The BOCC proposed that Mr. White meet with county employee Roger Squire at the site for an inspection and review of the facility. Afterwards they can come back before the BOCC with the specific requirements for the Boards review and consideration.

The BOCC recessed at 12:05 PM.

The BOCC reconvened at 12:15 PM.

Jackie Hobby, Planning and Zoning Director met with the BOCC and the following topics were reviewed:

File 100-37-160 Zoning Permit Violation - resolution is in progress.

File 102-36-135 Septic Violation - P&Z Director and Deputy will complete a site tour.

File 102-35-551 Zoning Permit Violation - property owner is making monthly payments and is requesting relief from the balance due of \$1020.00. The property owner has paid \$900.00 to date.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To require that the property owner pay an additional \$104.00 and grant relief from the remaining balance due. The motion carried unanimously.

Ms. Hobby asked for clarification regarding the verbiage currently in the County Zoning Resolution. She said on page 46, C. 1, under the following actions may be processed using an Administrative Review Application that item C reads Vacation of Interior Lot Lines and Creation of Undersized Lot. She proposed that the wording be revised to Vacation of Interior Lot Lines even if there is a Creation of Undersized Lot. The BOCC agreed. Ms. Hobby presented the BOCC with the revised Special Use Permit for the Silver West Airport at Butler Field for review.

Christe Coleman, Office of Emergency Management met with the BOCC and gave a report. She reviewed the Custer Emergency Services/Local Emergency Planning Commission Memorandum of Understanding (MOU). She asked if our volunteer organization have liability coverage under the MOU. The Board agreed to defer the issue to legal counsel. Ms. Coleman said that the County Burn Plan required updating and proposed that following its revision, it be adopted as an Ordinance. Ms. Coleman and Sheriff Byerly will review and update the County Burn Plan. She gave an update on the radio reprogramming project and the table top school exercises. She said that the call out guidelines and maps for the mutual aid agreements were in progress. She outlined the training and exercises scheduled that included: Wildfire Fire Basic Trainings; NIMS 700/ICS100; ICS 402; and ICS 300. Ms. Coleman addressed the Emergency Medical & Trauma Service System Consultation and Analysis completed by the Colorado Department of Public Health and Environment and the Southern Colorado Regional Emergency Medical and Trauma Advisory Council in late 2014. Commissioner Shy said that the suggestions, recommendations and findings listed in the document appear to be directed at the various entities in the community and he proposed that the study become part of the next Custer Emergency Services Agenda.

The BOCC recessed at 1:15 PM.

The BOCC reconvened at 1:25 PM.

Rusty Christensen, Road and Bridge (R&B) Supervisor, Roger Squire, Westcliffe Assistant Road and Bridge Supervisor and Byron Reis, Mechanic joined the meeting. The work completed in February included: the plowing of snow; the grading of numerous roads; the hauling of water and gravel; maintenance on the cattle guards and at the south pit; the cleaning of culverts; the repairing of road signs; the patching of pot holes and the completion of flood repairs and mitigation on CR 254. The work planned for March will include, but not be limited to: the plowing of snow; the grading of roads and the hauling of gravel. Mr. Christensen said that the R&B department needs a snow plow truck and that the process of ordering, building and receiving the equipment can be a six month or longer process. Mr. Reis said that one of the snow plow vehicles is beyond repair and that the others will require maintenance and repairs. He supported the proposed purchase of a new snow plow truck. The BOCC agreed that the R&B Department should begin the process to order and purchase a new snow plow truck. Commissioner Attebery asked that the R&B Department to plow the snow in the areas near the sheriff's office and the search and rescue facility when they are clearing the courthouse parking lot. Mr. Christensen said that the HUTF report has been completed, signed and returned to CDOT. He said that the north and south pits will be inspected by the Colorado Division of Mining Reclamation. Mr. Squire said that for visibility improvements and safety concerns the ridges on CR 260 and CR 328 would be knocked down and or removed.

Virginia Trujillo, Treasurer met with the BOCC and presented a report. The beginning balance on February 1, 2015 was \$3,761,490.93 and the ending balance on February 28, 2015 was \$4,686,660.85.

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:

To accept the Treasurers Report for February 2015 as presented. The motion carried unanimously.

Commissioner Shy said that he spoke with Jeff Ollinger regarding the Colorado Office of Economic Development and International Trade, Community Development Block Grant Business Loan Fund Application. Mr. Ollinger is unable to attend the BOCC meeting due to weather restrictions. Commissioner Shy said that the purpose of the project is to provide small business assistance loans to businesses in a six county area with objectives of job creation/retention for primarily low-moderate income persons and leveraging private sector funding. The areas served include Chaffee, Custer, Fremont, Lake Park and Teller Counties.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To approve the extension of the Colorado Office of Economic Development and International Trade, Community Development Block Grant Business Loan Fund Application as forwarded by Jeff Ollinger, Upper Arkansas Area Development Corporation Administrator. The motion carried unanimously.

Commissioner Shy asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 2:30 PM.

Debbie Livengood, Clerk and Recorder
Attest

Christopher L. (Kit) Shy,
Chairman

(Audio Recordings of the BOCC meetings are available for public review or purchase)