

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, JULY 6, 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 was Dallas Anderson, Charles Bogle, Dale Mullen, Wayne Ewing reporter for the Wet Mountain Tribune and Paul Sage reporter for the Sangre DeCristo Sentinel.

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
- Staff Reports:
  - Airport Advisory Report
  - Public Health Agency
  - CSU Extension Report (Wi-Fi Estimate at the Fairgrounds)
  - Human Resource/Finance Report
  - Human Service Report
- Request to abandon a portion of Coronado Road/Reservoir 1, Conquistador Estate – J. Hood

AMEND AGENDA

None

APPROVAL OF MINUTES

None

PUBLIC COMMENT

None

COMMISSIONER ITEMS

Commissioner Kattnig said that he was involved in the initial stages of contact with the Eagle Med Network to schedule the presentation to the BOCC and the community. He said that Eagle Med is an membership based air ambulance service and is scheduled to make a presentation at the July 7, 2015 BOCC meeting.

He asked the Administrative Assistant to reserve the courtroom as a backup should the attendance exceed the capacity of the boardroom.

Commissioner Attebery said that the grant application to the Department of Local Affairs for the Wetmore Community Center/Library Project has been submitted. The presentation from Custer County regarding the Energy Mineral Impact Assistant Grant Funds is scheduled on July 22, 2015 at 11:15 AM in Steamboat Springs, Colorado. Commissioner Shy stated that he has met with the engineer and provided him with the additional information needed regarding the drainage/flood plain concerns of the project.

Commissioner Kattvig said that he and Commissioner Attebery attended the private dedication ceremony for Pvt.1<sup>st</sup> Class Christopher Alexander Horns on July 5, 2015. Pvt. 1<sup>st</sup> Class Horns was killed in action during combat operations in Kandahar Province, Afghanistan in 2011. The Colorado State Legislature recently approved a section of Highway 96 just outside Westcliffe, Colorado as a memorial to PFC Horns.

#### ATTORNEY ITEMS

Clint Smith, Assistant Attorney said that he would like to state for the record that the county is not pursuing or creating any legal action or expenditure regarding the lawsuit involving the County/Hamilton/Halpin. He did confirm that the county submitted paperwork for their bill of costs and that is a standard and routine course for the Defendant. He clarified that although the county is not pursuing any further legal action, they are obligated to respond to any appeals, filings or actions brought forth by the Plaintiff. Thus, additional legal costs to the county would be the direct result from the actions of the Plaintiff.

#### EXECUTIVE SESSION

None

#### NEW/OLD BUSINESS

##### Airport Advisory Report

Dallas Anderson, Airport Advisory Board (AAB) Chairman met with the BOCC and gave a report. He said that 318.51 gallons of fuel were sold in June 2015 with 2378 gallons remaining in the fuel tank. He estimated that more fuel would need to be purchased at the beginning of September. Mr. Anderson said that the Silver West Airport/Butler Field passed the yearly fuel system inspection. He said the AAB continues to work on the maintenance needs at the property and comprised a list of future projects with the number one issue being the need for an AWOS system. Mr. Anderson said that the next AAB meeting is scheduled on July 16, 2015 and he encouraged the BOCC to attend.

##### Clerk and Recorder Preservation Follow-Up

Debbie Livengood, Clerk and Recorder addressed the BOCC and informed them that a contract with LEDS, LLC to digitize the Grantor/Grantee and Real Estate Recording Books will require the signature of the Chairman of the BOCC. Ms. Livengood requested an executive session later in the meeting regarding a personnel issue. The BOCC agreed.

##### CSU Extension Report

Robin Young, CSU Extension Agent met with the BOCC and requested that Charles Bogle and Dale Mullen of the Custer County Economic Development Corporation (CCEDC) address the BOCC with their findings regarding wireless internet service at the fairground building. Mr. Bogle said that the estimated cost for the service is approximately \$6,000.00. Mr. Mullen reviewed the project design with the BOCC. Ms. Young gave a report on: Community Development, Agriculture/Horticulture/Natural Resources, Weeds, and 4-H Youth Development. She said that preparations for the Custer County Fair are in progress. Ms. Young said that as a result of scheduling discrepancies the extension office will be closed a few hours each day this week.

She will post the closure times on the office door for public notification. Commissioner Kattnig said that due to the recent moisture he has noticed an increase in the Canadian thistle and suggested that Ms. Young research the issue and notify the public. He said that he will be attending a meeting with the current Fair Board later this week to discuss and review the codes of conduct at the fairground property.

#### Public Health Agency Report

Gail Stoltzfus, RN and Beth Green, RN met with the BOCC and gave a report. The Public Health Agency administered 16 childhood immunizations, 2 adult immunizations and 21 blood pressure screenings in June 2015. This month's ask a nurse at the library was National Safety month. Ms. Stoltzfus completed CPR and First Aid Training to employees at the Bear Basin Ranch, Search and Rescue and FOCUS participants. Ms. Stoltzfus attended a table top exercise for Wild Land Fires, and the Colorado Public Health Nurse Leader meeting. She reported that the Ride the Rockies event went well with only one injury to a biker that was cared for and transported by EMS. She said that due to the wet weather this year could be a challenging year with regard to mosquito borne illness. Commissioner Kattnig expressed concern regarding the possibility of the HANTA virus in our area. Ms. Stoltzfus gave a report on the Weigh and Win Program. Ms. Green gave a report on the Improving Colorado Road Health Summit meeting she attended that was sponsored by CDOT and CDPHE. Ms. Stoltzfus said she would be attending the Colorado Disease Control Legal Issue Review meeting and that afterwards she will forward the related information and handout to Attorney Smith for his review. Commissioner Kattnig said that the county had a larger percentage of retirees and that he would like to see more programs for the senior residents. He thanked Ms. Stoltzfus and Ms. Green for their commitment and enthusiasm regarding Public Health.

#### Human Resource/Finance Report

Dawna Hobby, Human Resource/Finance Director met with the BOCC and gave a report. She said that she is working on the numbers and figures required as part of the Affordable Care Act. Ms. Hobby continues to process the county expenditures and monitor the county budget.

#### Human Services Report

Laura Lockhart, Human Services Director met with the BOCC and gave a report. She reviewed the department's expenditures and unexpended balances, the state allocations, the energy outreach expenditures, the emergency service expenditures and the county TEFAP program for May 2015. Ms. Lockhart presented a Memorandums of Understanding (MOU) between the State of Colorado Department of Human Services and the Board of County Commissioners or other elected governing body of Custer County, for the time period of July 1, 2015 to June 30, 2016 outlining Custer County's duties and responsibilities in implementing the Title IV-E Waiver Demonstration Projects and the Works Program and the Child Care Program for the BOCC's review and approval. The MOU's were given to Attorney Smith for review. Following his review and approval the BOCC agreed to sign the correspondence.

#### **MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:**

To authorize the Chairman of the BOCC to sign the two Memorandums of Understanding as presented. The motion carried unanimously.

Commissioner Kattnig asked Ms. Lockhart for the percentage of current county residents living under the poverty level. Ms. Lockhart said that due to the different programs and guidelines administered through her department she was unable to determine an exact number.

#### Abandon a portion of Coronado Road at Reservoir 1, Conquistador Estates.

Jim Hood, citizen addressed the BOCC and said that he is requesting that the county abandon or vacate lot # 7, a portion of Coronado Road adjacent and part of Reservoir #1. He presented the BOCC with mapping and

surveying of the area in question. Commissioner Shy remarked that the line vacation would not result in any individual being land locked. He said that the BOCC will require a written request from the three affected adjoining property owners before the Board could act on the issue. Mr. Hood agreed to follow-up.

**MOTION by Commissioner Shy, seconded by Commissioner Kattnig to go into Executive Session.** The motion carried. Commissioner Shy cited C.R.S. 24-6-402 (4) (F) to discuss personnel matters. Those present were: Commissioner Shy; Commissioner Attebery; Commissioner Kattnig; Attorney Smith; Clerk and Recorder, Debbie Livengood; Deputy Clerk to the Board, Kris Lang.

The BOCC went into Executive Session at 12:15 PM.

**MOTION by Commissioner Kattnig, seconded by Commissioner Attbery to go back into Regular Session.** The motion carried unanimously.

The BOCC came out of Executive Session at 12:55 PM. No matters were adopted and no actions or decisions were made.

Clint Smith, Assistant Attorney said that the BOCC was back in Regular Session and asked the Board if they wished to take any action.

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

To accept the very sad retirement resignation letter of Debbie Livengood, Clerk and Recorder with great regret. Ms. Livengood's retirement date will be effective July 31, 2015. The position will be opened for interest within the clerk and recorder's office.

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

To very regrettably accept the sad retirement letter submitted by Debbie Livengood, Clerk and Recorder effective July 31, 2015. The position will be opened for interest to the Clerk and Recorders office staff. Interested parties have until 12:00 PM on July 10, 2015 to contact Kris Lang, Deputy Clerk to the BOCC to express a formal interest in filling the position until the 2016 Election. The motion carried unanimously.

The Board clarified that they will appoint an individual to fill the vacant Clerk and Recorder position at the July 15, 2015 BOCC meeting. This appointment will fill the position from August 1, 2015 until January 10, 2017. Any interested party or candidate is able to run for the Clerk and Recorder position during the 2016 election period. This will be for a two year term. The position will than fall back into sequence of a four year term following the 2018 election.

The individual commissioners and assistant attorney expressed their deep appreciation to Ms. Livengood for all the years she has worked and served the county and wished her health, happiness, and success with her new direction in life.

Commissioner Shy asked if there was any more business to discuss. Hearing none he adjourned the meeting at 1:20 PM.

\_\_\_\_\_  
Debbie Livengood, Clerk and Recorder  
Attest

\_\_\_\_\_  
Christopher L. (Kit) Shy,  
Chairman