

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, AUGUST 31, 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 Chair	Present
Bob Kattnig	Commissioner	Present
Clint Smith	Attorney	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present: Brent Bruser, and Wayne Ewing, reporter for the Wet Mountain Tribune.

AGENDA

Call meeting to order

Pledge of Allegiance

Roll Call

Amend agenda

Audience introduction

Public Comment

Approval of Minutes July 31, August 3, 4, and 12 of 2015

Commissioner Items

Attorney Items

Executive Session

New/Old Business

- Review Vouchers and Sign Checks

- Planning Commission/BOCC – Clerk and Recorder – K. Camper

- Special Events Liquor License/Chamber of Commerce – K. Camper

- Special Events Liquor License/Custer 2020 – K. Camper

- Transfer of Funds from C&R Book Restoration to County General – K. Camper

- Solar light option for the flagpole in front of the courthouse – K. Shy

- Custer County Emergency Management Basic Plan 2015 – C. Coleman

- Custer County Resource Management Plan 2015 – C. Coleman

OEM Report – C. Coleman

STAFF MEETING

AMEND AGENDA

None

PUBLIC COMMENT

Commissioner Shy asked if there were any public comments. Brent Bruser said that the Sangrita's Restaurant has closed. He felt they probably experienced the economic challenges faced by many small businesses in the county. He asked the BOCC to consider the upcoming funding ballot request from the Economic Development Corporation scheduled at the September 2, 2015 BOCC meeting. Mr. Bruser said that economic development continues to be a major concern in our community.

Mr. Bruser asked the BOCC to carefully evaluate the Eagle Med Air Ambulance proposal that is currently before the Custer Emergency Service Committee for recommendation. Eagle Med is a privately owned and operated air medical transport service and is able to offer emergency air transport and support to the citizens of the county under a membership status. He said that both issues are very important and critical to our community and wished the BOCC good luck in their review and decision process. Mr. Ewing agreed.

#### APPROVAL OF MINUTES

Commissioner Kattnig said that the minutes of August 4, 2015 will require a revision of the motion made on page 3 since he is not able to make both the first and second motion as it appears on the draft minutes presented. The Deputy Clerk to the BOCC will make the necessary correction.

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

To approve the minutes from July 31, August 3, August 4 and August 12, 2015 as presented with the revision as outlined. The motion carried unanimously.

#### COMMISSIONER ITEMS

Commissioner Kattnig said that the Action 22 Bridge and Barbecue at the Royal Gorge Bridge and Park is scheduled on September 19, 2015. The event will include rides, silent and live auctions and a barbecue dinner. He encouraged participation and attendance. Commissioner Kattnig said that he attended a hanger party at the Silver West Airport/Butler Field on August 29, 2015. He said that the AAB has discussed the option of utilizing the dismantled building being donated to the county; however, further review indicates that it may not be an appropriate fit for the airport facility. Commissioner Kattnig said he attended the Pueblo State Fair and observed the livestock competitions that Custer County participated and placed in.

Commissioner Attebery gave any update on the Wetmore Community Center/Library project. He remarked that it will be mid to late September before the county receives a contract from the Department of Local Affairs (DOLA) regarding the grant funding awarded to the project. He commented that the focus at this time is on the green global performance certification and said that the architect was working directly with DOLA to complete the requirements. Mr. Bruser asked for a summary of the project. Commissioner Attebery said that the project consists of remodeling and rehabilitating the 1929 Wetmore Center and Library in Custer County. The project includes the construction of an elevator; installation of a heating, ventilation and air conditioning system; renovations of the bathrooms, kitchen and governmental area for ADA compliance along with the installation of a three phase electrical power system. He said that the current facility is not ADA compliant and cannot function as a community center or meeting space for all the members of the community. Commissioner Attebery said that funding was secured from DOLA and the El Pomar Foundation and that additional funding is being sought from the Boettcher Foundation and GOCO. Commissioner Shy remarked that the citizens and community have personally taken it upon themselves to keep and maintain the building for many years without any financial assistance from the county. He said that it was time to focus on rehabilitating the facility before it becomes un-restorable and the history associated with it is lost. Commissioner Shy said that Commissioner Attebery has been working on the project for some time and he thanked him for his efforts. Commissioner Kattnig agreed and said that the Wetmore Community Center was an important nucleus in the county.

Commissioner Attebery commented that George Colgate has passed away.

Michael and Donna Sweeny joined the meeting.

Commissioner Shy said that he attended the Colorado Counties Incorporated Regional Meeting and that the main topics of discussion were broadband and public lands. He said that several counties are researching the

possibility of opting out of Senate Bill 152 that regulates and prohibits local government competition in the provision of specified communications services. He stated that this action does not address the financials costs associated with the endeavor just the option for local government to opt out of SB 152.

Commissioner Shy said that Elizabeth French has requested that the BOCC approve correspondence supporting the Friends of the Beckwith Ranch in its quest as the 2016 Endangered Site nominee of Colorado Preservation, Inc. He said that in order to protect and preserve Beckwith Ranch for continued restoration and public use he proposed that the BOCC approve and sign the correspondence.

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

Approve and sign the correspondence supporting Beckwith Ranch in its quest as the 2015 Endangered Site nominee of Colorado Preservation, Inc. The motion carried unanimously.

**ATTORNEY ITEMS**

Clint Smith, Attorney presented the Board with a revised notification regarding the public of wireless internet access. The notification states that Wi-Fi service is provided free of charge in the Custer County Courthouse for the sole purpose of accessing Custer County Government services. Attorney Smith said that he forwarded the requested paperwork to Eric Jacobs from the Colorado Department of Public Health and Environment regarding the closure of the Westcliffe landfill.

**EXECUTIVE SESSION**

None at this time.

**NEW/OLD BUSINESS**

**Payroll and Accounts Payable**

County payroll and accounts payable were approved from the following funds:

County General	\$190,254.26
Road and Bridge	\$157,447.72
Emergency Services	\$ 23,731.44
Human Services	\$ 27,098.82
SI	\$ 261.90
Capital Improvement	\$ 1,449.92
Airport Fund	\$ 2,864.24
Tourism	\$ 2,070.89
Total	\$405,179.19

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

To approve the August 2015 payroll and accounts payable. The motion carried unanimously.

**Planning Commission/BOCC Joint Session**

Commissioner Shy asked Commissioner Attebery to address the topic regarding the joint sessions of the Planning Commission (PC) and the BOCC. Commissioner Attebery said that the Board attended a workshop with the Planning Commission Chairman, the Planning and Zoning Director, the County Attorney and the Clerk to the Board to discuss the PC/BOCC Joint Session. Kelley Camper, Clerk to the BOCC said that she felt the workshop was a good discussion and that she agreed and supported the proposal to eliminate the joint session and separate the meetings.

She said that there is a legal concern and issue regarding decisions or motions made by the BOCC without the physical presence of the Clerk or Deputy Clerk to BOCC at the meeting. She said that currently the joint session meeting is facilitated by the Planning and Zoning Director and the Planning Commission, and the Clerk or Deputy Clerk to the BOCC are not in attendance. Ms. Camper said that no decisions could be made at the workshop and she suggested that the BOCC make a motion regarding the issue during a regular BOCC meeting. The Board agreed that it was counterproductive to have two county employees attending the same meeting to take notes, audio record and prepare minutes. Attorney Smith said that he recommends that the BOCC does not meet jointly with the Planning Commission. He suggested that the Planning Commission schedule and facilitate the presentations, and the public hearings. Afterwards they can present a recommendation to the BOCC at a regular scheduled BOCC meeting. Commissioner Shy said that he has been concerned regarding the joint process for some time and that he supported separating the process. Commissioner Kattnig agreed and remarked that the BOCC would benefit from the extra time between the two meetings to further review and evaluate the recommendations from the Planning Commission. Commissioner Attebery said that although the current scheduling of a joint session may have expedited the process he understood and agreed that the county needed to follow and adhere to the legal requirements regarding the BOCC attendance and participation in open and public meetings. Commissioner Shy stated for the record that Planning Commission member Bill Donley was adamantly opposed to the proposal. The topic will be further discussed and reviewed at the Planning Commission meeting scheduled on September 1, 2015. Jackie Hobby, Planning and Zoning Director expressed concern that the current Zoning Resolution refers to the PC/BOCC joint sessions in the document and that the terminology would require a revision. Attorney Smith recommended that in the event of that revision, an amendment cover sheet can be added to the Zoning Resolution rather than reprinting the entire document.

Special Events Liquor License/Custer 2020

Kelley Camper, Clerk and Recorder met with the Board and presented the Special Events Liquor License Permit (SEP) Application from the Custer 2020/Club America for a marathon run on September 19, 2015. The run is scheduled to start at A Painted View Ranch to Hermit Lake and back. She stated that the application was complete and in order.

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

To approve the SEP application as presented. The motion carried unanimously.

Special Events Liquor License/Chamber of Commerce

Kelley Camper, Clerk and Recorder met with the Board and presented the Special Events Liquor License Permit (SEP) Application from the Chamber of Commerce for a fashion show and silent auction on September 20, 2015. The event titled “not just a little black dress” is scheduled at A Painted View Ranch. She stated that the application was complete and in order.

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

To approve the SEP application as presented. The motion carried unanimously.

Transfer of Funds from the C&R Book Restoration Fund to the County General Fund

Kelley Camper, Clerk and Recorder met with the Board and requested a transfer of \$1500.00 from the Clerk and Recorder Record Restoration Fund back to the County General Fund. She explained that a company had signed up and paid for the web services and was bought out before they could activate or use the service and a refund was issued from the County General Fund. Ms. Camper said that the transfer will return those monies to the County General Fund and maintain the correct balance in both accounts.

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

To approve the transfer of \$1500.00 from the Clerk and Recorder Records Restoration Fund to the County General Fund as requested. The motion carried unanimously.

Solar light option for the flagpole in front of the courthouse

Commissioner Shy said he was in receipt of correspondence from Joy Lowe, a private citizen and active member of the American Legion Post 170 regarding the protocol for displaying and lighting the flag in front of the courthouse. Ms. Lowe is willing to donate a solar light attachment for installation at the top of the current flag pole in front of the courthouse. The lighting on the flagpole will shine and reflect downward which will not impede the area of the courthouse or the neighboring dwellings during the night time hours. Ms. Lowe has offered to incur the costs of installation if necessary. The Board discussed options that ranged from installing the light fixture in-house to replacing the flagpole. The BOCC agreed to accept Ms. Lowe's offer to donate the solar light and will continue to research options for the installation.

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

To accept the donation of the flagpole solar light from Ms. Lowe. The motion carried unanimously.

The BOCC extended their thanks and appreciation to Ms. Lowe for her generous donation.

Custer County Emergency Management Plan 2015

Christe Coleman, Office of Emergency Management Director met with the BOCC and presented the 2015 EMPG/LEMS 15EM-16-15 Grant Agreement between the State of Colorado Department of Public Safety Division of Homeland Security and Emergency Management and Custer County. She said that the total amount of federal funds obligated by this action is \$30,000.00. Attorney Smith said that he has reviewed the correspondence and that it mirrors previous grant applications and appears to be appropriate.

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

To approve the EMPG/LEMS 15EM-16-15 grant application as presented and to authorize the Chairman to sign the appropriate correspondence. The motion carried unanimously.

County Resource Support and Management Plan ESF 7

Christe Coleman, Office of Emergency Management Director presented the BOCC with the Custer County Office of Emergency Management Resource Support Plan ESF7 for review and approval. The Board reviewed the document and offered several suggestions and revisions regarding the contents. The BOCC agreed that the departments involved would assume the responsibility of developing the appropriate checklist to be followed in the event of an emergency/disaster situation. The primary agency of the plan is the Custer County Commissioners and the Office of Finance and Human Resources. The supporting agencies are the Custer County Treasurer Office, the Custer County Clerk and Records Office and the Custer County Office of Emergency Management. Ms. Coleman commented that signatures will be required from the primary and supporting departments noted in the document.

**MOTON by Commissioner Attebery, seconded by Commissioner Kattnig:**

To approve the ESF7 Emergency Management Resource Plan with the revisions outlined and authorize the Chairman to sign the correspondence. The motion carried unanimously.

OEM Report

Eagle Net Air Ambulance Proposal

Ms. Coleman reported on the Eagle Med presentation at the Custer Emergency Services and said that several

entities and participants that included EMS personnel shared concerns regarding the logistics, the legality, and some identifying financial concerns and said that they would need additional information and research before making a recommendation to the BOCC. Ms. Coleman said that she heard positive feedback on the service and hoped either the Hospital District or the County would financially support the endeavor. Commissioner Kattnig said that several EMT's did not support the program but that Delwin Lester, Executive Director of EMS was in support of the program and that the final decision would ultimately be his to make. Brent Bruser said the program offered added protection for both our citizens and the tourists. He remarked that individuals also have the option of purchasing additional subscriber coverage under the plan. Commissioner Shy said that the BOCC has received correspondence from the Flight for Life Colorado/Centura Health outlining their reliability and competent response to the county's needs for air medical transport for many years. Flight for Life (FFL) is locally owned and operated by Centura Health, a longtime health provider to the rural areas of Colorado and is a not for profit organization. Patients are transported regardless of their ability to pay and regardless of their destination. Over the past nineteen months FFL has written off over \$500,000.00 in charges from patients transported from Custer County. Commissioner Shy said that the contents of the correspondence would play into the equation and deserved additional review and consideration.

Ms. Coleman gave an updated report on programming and upgrading of the 800 MHZ radios. She commented that the hazard mitigation plan first stakeholder meeting is scheduled for October 21, 2015. She commented that she will be presenting the Custer County Emergency Basic Plan 2015 to the Town of Westcliffe and the Town of Silver Cliff in the next few weeks. She outlined the Wildfire Evacuation Exercise being scheduled in Beulah, CO. and the Healthcare Coalition in the south central and southern region of Colorado along with the upcoming trainings and events.

Staff Meeting

The department heads, elected officials, and staff met with the BOCC for the staff meeting. Present were: Chuck Ippolito, Gail Stoltzfus, Sheriff Byerly, Christe Coleman, JD Henrich, Jackie Hobby, Dawna Hobby, Kelley Camper, Laura Lockhart, Ron Fisher and Suzanne Coleman and the following topics were discussed

- Air Conditioning/Heating System in the courthouse
- Smoking areas will be designated away from the front and back door areas of the courthouse
- Termite inspection near the TEFAP food storage area.
- County Planning Grant project for all the county buildings
- New lighting for the flagpole in front the courthouse
- Veteran Service Office revised schedule in the Resource Center Annex Facility
- 2016 Budget Submissions and Budget Hearings scheduled October 13, 14, and 15, 2015
- County employee compensation guidelines in 2016
- Software conversion for the Human Resource/Finance, Treasurer and Assessors offices

Commissioner Shy asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 11:45 AM.

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Kelley Camper, Clerk and Recorder  
Attest

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Christopher L. (Kit) Shy,  
Chairman