

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, DECEMBER 7, 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, Brent Bruser, Charles Bogle, Wilson Jarvis, Nora Drenner, 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
- Commissioner Items
- Attorney Items
- Executive Session
- New/Old Business
- Office of Emergency Management Job Description discussion.
- Economic Development Corporation report – C.Bogle
- Airport Advisory Board – D.Anderson
- Public Health Agency - G.Stoltzfus
- Fremont County Humane Society – D. Rae
- Human Resource/Finance Report - D. Hobby
- Alpine Restaurant Liquor License Renewal – K. Camper
- Human Services Report -L. Lockhart
- Veterans Service Office Work Shop – B. Kattnig, T. Swartz, T. Ulibarri

AMEND AGENDA

Commissioner Shy said that the report from the Human Resource/Finance Department will be rescheduled to the December 8, 2015 BOCC meeting.

APPROVAL OF MINUTES

None

PUBLIC COMMENT

Commissioner Shy asked if there were any public comments. Brent Bruser thanked the BOCC for having the preliminary and final 2016 budget figures available for public review on the county website. He remarked that the proposed 2016 county budget was approximately 11.4% higher than approved budget in 2015. He asked if

the proposed budget was the result of the increasing costs of doing business and whether the same increase could be anticipated in the future budget cycles. The BOCC agreed that the operating costs of the county have increased but could not speculate on any specific future figures. Commissioner Shy said that the budget figures are estimates and that the variables from year to year not only change, but are very involved and complex. He said it would be nearly impossible to determine what the future county operations would involve or entail. Mr. Bruser requested confirmation on the estimated cost to the county for the Wetmore Community Center/Library Project. Commissioner Attebery said that the figures for the project have been included in the budgets since 2014. He estimated that the county's obligation is approximately \$100,000.00. He said that to date over \$450,000.00 in grant funding has been secured for the project, and that additional funding options and in kind services were being researched and considered. Mr. Bruser asked if the legal expenses of the property lawsuit were allocated to the professional services budget line item and whether the county anticipated any further expenses regarding the case. Commissioner Shy responded that the funding did fall under professional and legal services. Attorney Smith said that the county is not prolonging the case or intentionally incurring any additional expenditure. He said that the county is obligated to respond to any further legal actions initiated by the plaintiff in the case.

### COMMISSIONER ITEMS

Commissioner Kattnig said that the BOCC attended the Colorado Counties Incorporated (CCI) Winter Conference in Colorado Springs. He said that he attended two sessions regarding the broadband topic that were educational and informative. He said that he spoke with a representative from the Colorado Technical Services Inc. (CTSI) about the county's concerns related to landfill closures. Commissioner Kattnig remarked that CTSI will assign a staff consultant to assist rural counties with these concerns and problems. He said that he was meeting with Ted Ulibarri, of Rocky Mountain Behavioral Health Inc. (RMBHI), and Tim Swartz, Veterans Service Officer, later this date to finalize a schedule for RMBHI to offer the court mandated services, and veterans services, in the Resource Center, Annex. Commissioner Kattnig asked for a moment of silence in honor and remembrance of Pearl Harbor, December 7, 1941. Those present participated in a moment of silence and respect.

Commissioner Attebery said that the Department of Local Affairs (DOLA) revised contract related to the Wetmore Community Center/Library Project has been electronically received and that DOLA was waiting for the Boards approval of the document. He said that the total figures of the contract were not revised, and that the changes were limited to the category of line items only.

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

**To accept and approve the revised contract #EIAF #7847 Modification and Concurrence Report as electronically received, and reviewed by the BOCC. The motion carried unanimously.**

Commissioner Attebery said that he and Commissioner Kattnig attended the presentation phase for the Underfunded Courthouse Facility Grant Funding. He said that a presentation was made to the Colorado Judicial Department Underfunded Facilities Commission (CJDUF) on behalf of Custer County. He thanked Commissioner Kattnig for attending the presentation phase and explained that Custer County is requesting \$25,000.00 in funding to begin a planning process for the expansion of the courthouse facility. Commissioner Kattnig said that the CJDUF appeared to be interested and concerned regarding the safety issues of the current facility that was outlined and addressed during the presentation.

Commissioner Shy said that he attended the CCI sessions for the suggested highway funding increases and broadband. He said that the Custer E911 Authority Board met and approved the 2016 budget. He remarked that the new E911 secretary has brought all the financial paperwork up to date. He said that the surcharge tariff paid to 911 will increase from \$1.25 to \$1.75 and that one of the future projects was to research and track cellular phone usage to ensure that E911 was receiving the appropriate monies allocated to them.

Commissioner Kattnig presented the letter of request from the Valley Assisted Living, Inc. (VALI) to extend the lease agreement for use of the 2001 Ford Van owned by Custer County for another year. Commissioner Kattnig read the correspondence in its entirety for the record.

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

To extend the lease agreement between Custer County and VALI for use of the 2001 Ford Van Courtesy Vehicle for the year 2016. The motion carried unanimously.

ATTORNEY ITEMS

Attorney Smith said that the state is requiring a notice of environmental use restriction/commitment letter from the county as part of the landfill closure process. He said that Fidelity Title can provide that documentation at an approximate cost of \$388.00 and requested authorization from the BOCC to proceed. The Board agreed. Attorney Smith said that he is working on the Memorandum of Understanding (MOU) and the Lease Agreement for Search and Rescue (SAR). He said that SAR is very anxious to have all the paperwork completed and approved at the December 8, 2015 BOCC meeting.

EXECUTIVE SESSION

None

NEW/OLD BUSINESS

Office of Emergency Management Job Description discussion

The BOCC reviewed the Director of the Office of Emergency Management job description and made some additions and revisions. The correspondence was also reviewed by the County Attorney. The final correspondence will be forwarded to the Human Resource/Finance Department for processing.

Economic Development Corporation report – C.Bogle

Charles Bogle met with the BOCC and gave a report. He said that Custer County Economic Development Corporation (CCEDC) appreciates the collaboration with Custer County to provide the opportunity for the voters to overturn the provisions of Senate Bill 152. He said with the overturning of Senate Bill 152 there is an opportunity to discuss the possibilities of collaboration between the county and CCEDC to further the broadband capabilities within the community. Mr. Bogle said that the CCEDC initiated discussions to better understand potential DOLA funding and is requesting that the county provide the necessary support to the initiative. He said that CCEDC will initiate a membership drive in 2016 and invited the county to become a member.

Airport Advisory Board (AAB) – D.Anderson

Dallas Anderson, AAB Chairman, met with the BOCC and gave a report. He said that 305.93 gallons of aviation fuel were sold in the month of November 2015. The remaining fuel in the tank at this time is 1,970 gallons. He said that the required fuel filters and differential gauge have been ordered. The plow truck is currently at the county shop for repair. The snow blades have been installed on the tractor and snow has already been removed once this season. Commissioner Kattnig expressed concern that the road and bridge department and the AAB are duplicating the snow removal process at the airport and suggested the two entities create a procedure to follow. Commissioner Shy said that he would like to see the entities develop a stronger communication regarding the snow removal as necessary.

Fremont County Humane Society – D. Rae

No representative was present.

Public Health Agency - G.Stoltzfus

Gail Stoltzfus RN, and Beth Green, RN, met with the BOCC and gave a report. Ms. Stoltzfus said that 10 childhood immunizations, 13 adult immunizations and 21 blood pressure screenings were administered in November 2015. This month's community outreach for "ask a nurse" at the library was diabetes and lung cancer awareness. Ms. Stoltzfus taught public health and disaster preparedness to the 9<sup>th</sup> grade CERT class. She reported that currently there are no confirmed flu cases in the county. She attended the mid-term planning meeting for the emergency preparedness response exercise scheduled in February 2016 and the National Health Care Coalition conference. She said that the public health agency is immunizing a vet tech for rabies and that the puppy being quarantined is doing very well. Ms. Stoltzfus said she is continuing to work on possibility of having free Hepatitis C and HIV testing done in the valley and is doing some research and networking on a cooking matters program. Ms. Stoltzfus presented a revised Approved Task Order Contract Waiver #154 for immunizations from the Department of Public Health and Environment for the Boards approval and signature. She said that the contract has been reviewed by the County Attorney.

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

To authorize the Chairman of the BOCC to sign the contract waiver #154 as presented. The motion carried unanimously.

Human Resource/Finance Report - D. Hobby

Rescheduled to the December 8, 2015 BOCC meeting.

Alpine Restaurant Liquor License Renewal – K. Camper

Kelley Camper, Clerk and Recorder, presented the liquor license renewal for the Alpine Lodge Restaurant, Westcliffe, CO. She said that the application was complete and in order. She reported that she had received verbal authorization from the sheriff that the investigation report was without incident. She said that she will ask the sheriff to complete a written sheriff investigation report for the record.

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

To approve the liquor license renewal for the Alpine Lodge Restaurant as presented by the Clerk and Recorder. The motion carried unanimously.

Ms.Camper said she was requesting a transfer of funds on behalf of the Treasurer, Virginia Trujillo. The request is to transfer \$50,000.00 from the PILT fund to the County General fund.

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

To approve the transfer request of \$50,000.00 from the PILT fund to the County General fund as requested by the Clerk and Recorder on behalf of the County Treasurer. The motion carried unanimously.

The BOCC recessed at 11:35 AM.

The BOCC reconvened at 11:45 AM

Human Services Report -L. Lockhart

Laura Lockhart, Human Services Director, met with the BOCC and gave a report. She presented the Expenditures & Unexpended Balances; the State Allocations, the Energy Outreach Colorado Expenditures, and the TEFAP County Allocations, for October 2015. Ms. Lockhart presented the BOCC with a Certificate of Compliance Merit System for 2016 for the Boards review and approval.

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

To approve and sign the Certificate of Compliance Merit System for 2016 as presented. The motion carried unanimously.

Veterans Service Office Work Shop – B. Kattnig, T. Swartz, T. Ulibarri

Commissioner Kattnig said he would meet with Mr. Swartz and Mr. Ulibarri at 2:00 PM, at the Resource Center Annex.

Commissioner Shy asked if there was any more business to discuss. Hearing none he adjourned the meeting at 12:10 PM.

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Kelley Camper, Clerk and Recorder  
Attest

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Christopher L. (Kit) Shy,  
Chairman

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