

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MAY 4, 2016**

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

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

Roll Call was taken:

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

Also present was: John Johnston, Donna Hood and Dale Falske.

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
- BOCC review and approval of Committee and Board By-Laws
- Fire training exercise discussion re: cottonwood tree on county property
- Staff Reports
- Road & Bridge, Landfill/Recycle
- Human Resource/Finance
- Treasurer
- Award the contract for the Wetmore Community Center/Library Project
- Planning and Zoning
- Emergency Management
- Award the contract for the Wetmore Community Center/Library Project
- Interviews for the BOCC Administrative Assistant Position

AMEND AGENDA

None

APPROVAL OF MINUTES

None

PUBLIC COMMENT

Commissioner Attebery asked if there were any public comments. Donna Hood presented the BOCC with the

electrical proposal for the electrical work at the Custer County Fair Building from Hough Electric, Inc. She said that the proposal was in the amount of \$1,800.00 and that the contractor required \$900.00 down before he would begin the work. She remarked that the county agreed to pay \$1,000.00 toward the project and she requested that the BOCC take the appropriate action to move forward with the payment. Ms. Hood remarked that Hough Electric, Inc. was in agreement with the ditch specification work being that will be done by volunteer George Koons of the Wet Mountain Valley Saddle Club.

COMMISSIONER ITEMS

Commissioner Kattnig said that representatives of the Eleventh Judicial District are attempting to schedule a conference call with all the county commissioners comprising the Eleventh Judicial District to discuss and review a budgetary issue. The proposed date is the morning of May 16, 2016. Commissioner Attebery and Commissioner Kattnig are available to attend and participate the morning of May 16, 2016. Commissioner Shy is not available that date.

Commissioner Shy said that he is continuing to work on the grant process and budget for the CDOT Bridge Project on Hermit Road and Grape Creek. Commissioner Kattnig asked if the Town of Westcliffe was participating or involved in the project. Commissioner Shy said that in 2014 the county entered into an agreement with the Town of Westcliffe to take over the maintenance of Hermit Road and therefore, the town was not involved. Commissioner Kattnig asked the Deputy Clerk to the BOCC to forward him a copy of the related agreement.

ATTORNEY ITEMS

Attorney Smith said that he has received several phone calls from the legal representations of the property owners related to the septic issue on CR 230. He remarked that the topic and file would be discussed, reviewed and addressed as part of the Planning and Zoning report scheduled for this date.

EXECUTIVE SESSION

Attorney Smith said that the BOCC would go into Executive Session later in the meeting for the Administrative Assistant to the BOCC interview process.

NEW/OLD BUSINESS

BOCC review and approval of Committee and Board By-Laws

Commissioner Kattnig said that he felt the BOCC should review the by-laws of any board, committee or organizations that they appoint board members to. The Board agreed to request and review the by-laws of any board, group, or organization that they make appointments to. The appointments are made in January of each year and the BOCC will review the related by-laws the month prior.

Fire training exercise discussion re: cottonwood tree on county property

Commissioner Shy remarked that the Wet Mountain Fire Protection District was not interested in scheduling a fire training opportunity related to the trimming and cutting of the branches on the cottonwood tree on the courthouse property. He recommended that the Board proceed to secure an insured contractor to complete the work.

MOTION by Commissioner Kattnig, seconded by Commissioner Attebery:

To authorize Dave Post to contact Emmitt Goddard to complete the trimming and cutting services on the cottonwood tree on the courthouse property as quoted in the amount of \$400.00. The motion carried unanimously.

RFP General Contractor

The BOCC discussed the possibility and option of creating a request for proposal that would designate a general contractor who would be contacted by the county to handle, schedule and complete repairs and renovations to the county buildings under a specific amount (approximately \$5,000.00). The topic will be discussed and addressed during the budget hearings for 2017.

SilverWest Airport at Butler Field Repair

Commissioner Kattnig said that the skylight in the main building at the airport facility will require a replacement. Donna Hood, Airport Advisory Board (AAB) member, remarked that the replacement skylight was already at the premise and that a cost figure of \$300 for installation was discussed at the last AAB meeting.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To advise the AAB to contact a contractor to complete the repair/replacement of the skylight on the main building of the SilverWest Airport at Butler Field facility. The motion carried unanimously.

Custer County Fairboard Electrical Repair

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:

To authorize and proceed with the out of cycle payment to Hough Electric, Inc., from Custer County in the amount of \$900.00 to start the electrical repairs at the fair building. The motion carried unanimously.

Road & Bridge (R&B) Report

Rusty Christensen, R&B Supervisor, and Roger Squire, Assistant R&B Westcliffe Supervisor, met with the BOCC and gave a report. The work completed April 2016 included: the grading of numerous roads; the hauling of water and materials; the plowing of snow; the cleaning of ditches; the clearing of culverts; the repair and replacement of road signs; and the repairs to cattle guards and culverts. The work planned will include but not be limited to: the grading of roads; the hauling of gravel; the continued repair and replacement of road signs; ditch and culvert cleaning; the patching of potholes and preparation for chip seal. Mr. Squire said that the chip sealing is scheduled June 22 – 24, 2016. Mr. Christensen said that the project at Rosita Road and Highway 96 is now completed. He presented a summary report of the cost and schedule for the in-kind work provided by the R&B department for the other county departments.

Landfill/Recycle

Rusty Christensen, Landfill Manager, said that CDPHE requires that the trenches at the landfill be covered within 180 days. He shared concern regarding the time limitation with the inclement and unpredictable weather experienced in the valley. Mr. Christensen reported that recycling continues to be an asset to the county and the landfill operation.

The BOCC recessed at 10:10 AM.

The BOCC reconvened at 10:20 PM

Human Resource/Finance Report

Dawna Hobby, Human Resource/Finance Manager, met with the BOCC and gave a report. She said that the auditors will be in the courthouse to begin the yearly audit on May 9, 2016 and that she has notified the county departments of the scheduling.

Award the contract for the Wetmore Community Center/Library Project

Tom Duke of T.A. Duke and Associates joined the meeting. He presented the BOCC with several reduced cost effective options and revised drawings related to the Wetmore Community Center/Library project. The Board reviewed and agreed with the proposals.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To move forward with the negotiation process for the Wetmore Community Center/Library project with HE Whitlock Inc. The motion carried unanimously.

Commissioner Kattnig said that the final contract with HR Whitlock Inc. should not be signed until all the funding for the Wetmore Community Center/Library project is secured. He proposed the scheduling of a joint session meeting with the architect, contractor and the BOCC to review the final proposal.

Planning and Zoning Report

Jackie Hobby, Planning and Zoning Director, met with the BOCC and gave a report. She presented the zoning permit application for the Wetmore Community Center/Library building to the BOCC for signature. She said that she was requesting the waiver of the cost associated with the application since the facility is a county owned building.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To waive the application fee for the Wetmore Community Center/Library Building and sign the paperwork as presented. The motion carried unanimously.

Commissioner Kattnig questioned why it was necessary for the BOCC to waive an application fee for a county owned building. Commissioner Shy said it was a record keeping measure.

Ms. Hobby reported that the Planning Commission had a meeting on April 5, 2016 and recommended approval of a vacation and replat on Lot 6, Deer Meadows, Custer County, Colorado and approval of a subdivision waiver on Lot 5A, CR 318 Deer Meadows, Custer County, Colorado. Ms. Hobby requested that the BOCC act on these recommendation at the May 17, 2016 BOCC meeting.

The following notification of violation was issued:

File #102-36-559	Zoning	Lot 213 aka Crestone Peak Avenue
File #100-55-502	Zoning/Septic	Rosita Hills 5, Lot 3 et.al.
File # Coldwell	Oversized Sign	CR 125 aka Colony Lane
File #100-24-550	Zoning/Septic	Rosita Hills 2, Lot 53 aka Democrat Circle

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To recess from the Regular Meeting and reconvene as the Board of Health. The motion carried unanimously.

The BOCC recessed from the Regular Meeting and reconvened as the Board of Health at 11:14 AM.

Maurice Woods Jr. joined the meeting and said he was representing Maurice and Lois Woods, CR 230 regarding a septic violation File # 100-87-7405. Mr. Woods remarked that Tom Gretel, of AG Engineering, in Florence, Colorado inspected and failed the recently engineered septic systems at the property. He said that he disagreed with the finding and after further investigation and review felt the dimensions of the system were within the state guidelines and with a few modifications would pass inspection. He stated that Chris Parr of Parr Structural Engineering and Consulting in Colorado Springs, Colorado was willing to sign off on the project once the system was modified. The BOCC agreed that the licensed engineer could sign off on the system and assumed the responsibility and liability of the structural engineering to meet the state guidelines. Commissioner Shy addressed the issue of occupancy at the property. He said that the private lodge on a Colorado mountain lake is advertised to accommodate 25 plus guests and that the septic system would not accommodate that number. Mr. Woods assured the BOCC that the facility will no longer accommodate any overnight guests in

the tower bunk building and that no water usage would be available in any of the out buildings. He said that all overnight accommodations would be restricted to the main lodge area. The accommodations include seven bedrooms and six bathrooms.

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To approve the guidelines as outlined by Mr. Woods. The septic system will be signed off by the engineer in Colorado Springs. The Planning and Zoning Director will be allowed access to the property to inspect and prepare a detailed sketch and diagram of the interior and exterior of all the buildings on the property site. All areas applied to the use of the septic system will be defined and verified. The schematics will be retained in the P&Z files. The sinks in the in the tower bunk house will be removed and the building will be for day use only. Occupancy will adhere to the number of bedroom with a maximum of sixteen people. The motion carried unanimously.

Mr. Woods apologized for the long and drawn out process. Attorney Smith said that these restrictions and limitations outlined will be defined and confirmed in writing between the county and the property owner.

MOTION by Commissioner Shy, seconded by Commissioner Kattnig:

To recess as the Board of Health and reconvened into the Regular Meeting. The motion carried unanimously.

The BOCC recessed as the Board of Health and reconvened to the Regular Meeting at 11:45 AM.

Ms. Hobby presented the revised zoning fee schedule to the BOCC for review.

Office of Emergency Management

Cindy Howard, Office of Emergency Management (OEM) Director, met with the BOCC and gave a report. She outlined the finances of the OEM office. She said that she attended the National Weather Service Open House, the HAARTS Hoist training and AFRCC BISC courses, the code red onsite trainings, and the Wetmore Volunteer Fire meeting. Ms. Howard remarked that four radios were repaired and two were out for programming. She ordered HS grant funded mobile radios and said that the OEM vehicle will be equipped the week of May 16, 2016 and then the request for reimbursement will be submitted. Ms. Howard said that her immediate challenges were reviewing, revising and preparing MOU's, IAG's, Plans, and Grant Writing. She said that she is researching federal work study program to obtain funding for intern assistance. She asked whether the BOCC has made a decision regarding the social media disclaimer policy for the OEM and SO face book pages. She remarked that the SAR building was currently functioning without heat and hot water.

The BOCC recessed at 12:20 PM.

The BOCC reconvened at 12:28 PM

Treasurer Report

Virginia Trujillo, Treasurer, met with the BOCC and gave a report. The beginning balance on April 1, 2016 was \$4,722,178.78 and the ending balance on April 29, 2016 was \$5,757,946.99.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To accept the monthly report of the Custer County Treasurer for the month of April 2016 as presented. The motion carried unanimously.

The BOCC recessed at 12:31 PM.

The BOCC reconvened at 12:55 PM

Interviews for the BOCC Administrative Assistant Position

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To go into Executive Session. The motion carried unanimously. Commissioner Attebery cited C.R.S. 24-6-402 (4) (f) personnel matters.

The BOCC went into Executive Session at 11:25 AM.

Those present were: Commissioner Attebery, Commissioner Shy, Commissioner Kattnig, Attorney Smith, Dawna Hobby, and Deputy Clerk to the BOCC Kris Lang. Those participating at separate intervals were: Brenda Gaide, Leah Roth, Dawn Frazer and Carol Franta.

MOTION BY Commissioner Attebery, seconded by Commissioner Kattnig:

To go back into Regular Session. The motion carried unanimously.

The BOCC came out of Executive Session at 3:20 PM. Commissioner Attebery stated that no matters were adopted and no actions or decisions were made. Attorney Smith confirmed that the discussion remained on topic

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To offer the position as the Administrative Assistant to the BOCC to Carol Franta. The motion carried unaimously.

The Board said they were fortunate to interview four qualified and impressive applicants and that it had been a difficult decision but felt that Carol Franta offered the best combination of qualities for the position.

Commissioner Attebery said that the garage door at the Resource Center Annex was malfunctioning and asked for a motion to move forward with the estimate received from Precision Garage Doors, LLC in the amount of \$1,950.00 to installed model 750S 10 x 7 garage doors with matching vinyl weather stripping and to install model 260 marantex pro-series ½ HP operators. The quote also includes the removal of disposal of the existing garage doors.

MOTION by Commissioner Shy, seconded by Commissioner Kattnig:

To approve the replacement of the garage doors at the Resource Center Annex by Precision Garage Doors, LLC, in the amount of \$1,950.00. The motion carried unanimously.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 3:30 PM.

Kelley Camper, Clerk and Recorder
Attest

Lynn E. Attebery,
Chairman