

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
DECEMBER 6, 2016**

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

The meeting was called to order by Commissioner Attebery at 9:00 AM and the Pledge of Allegiance was recited. Roll call was taken and the following were present:

Lynn Attebery	Chairman
Kit Shy	Vice-Chairman
Bob Kattnig	Commissioner
Kelley Camper	Clerk to the Board
Clint Smith	Assistant County Attorney

AMENDMENTS TO THE AGENDA

None

AUDIENCE INTRODUCTIONS

Present in the audience were BOCC Administrative Assistant, Brenda Gaide; Dan Bubis; Sentinel reporter, Jackie Bubis; Dallas Anderson; Commissioner elect, Jay Printz; Commissioner elect, Donna Hood; Claire Walker; Dennis Sprecher; Sheriff, Shannon Byerly; HR/Finance Director, Dawna Hobby; District Attorney, Thom LeDoux; Cathy Smith; and Lorraine Amesquita.

PUBLIC COMMENT

District Attorney, Thom LeDoux, informed the board that he thought they were finalizing their budget at this meeting. He asked if he could address the board regarding the DA's budget even though the budget is on the agenda for December 7th.

APPROVAL OF MINUTES

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to approve the minutes from October 31st, and November 1st, 2nd, 15th, and 30th BOCC meetings. Motion carried unanimously.

COMMISSIONER ITEMS

Commissioner Kattnig attended the CCI Conference; met with Christy Culp with DOLA to discuss the possibility of running a fiber loop from Walsenburg to Canon City; spoke with a resident that has a background in waste management that may be of some help to the county; discussed fire mitigation planning with Carol Walker; met with the two commissioner elects; has a town hall meeting December 8th; met with the communications committee; and discussed the DA's budget.

DISTRICT ATTORNEY BUDGET

District Attorney, Thom LeDoux, met with the board to discuss the DA's budget for 2017. He stated that the four counties within the 11th Judicial District have got to agree on the budget increase collectively in order for the DA's budget to be approved. Currently Park and Chaffee counties have agreed to the requested increase, Custer County has approved an amount lower than the requested amount, and Fremont County has stated they will not approve the requested amount. Thom stated that if the counties cannot agree one way or the other, that it could result in litigation in order to have an approved budget. He requested that the board approve the requested amount instead of the lower amount that they had already agreed upon. This will be discussed further during the budget approval at the December 7th BOCC meeting.

ATTORNEY ITEMS

Assistant County Attorney, Clint Smith, informed the BOCC that he has a first draft of the marijuana ordinance done.

NEW AND OLD BUSINESS

RATIFY ACTIONS OF NOVEMBER 30TH MEETING

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig, to ratify the actions of the board at the November 30, 2016 BOCC meeting. Motion carried unanimously.

ANTELOPE LANE ADDRESSING

Deputy Assessor, Kathy Smith, met with the BOCC to finalize the name change for Antelope Lane in Centennial Ranch. At a previous BOCC meeting, it was decided to rename this road to avoid confusion with Antelope Lane in Sierra City. Correspondence was sent out to property owners along this road. Out of five property owners, only two responded.

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig, to rename Antelope Lane in Centennial Ranch to Antelope Run. Motion carried unanimously.

CENTENNIAL RANCH HOA

Centennial Ranch property owner, Claire Walker, met with the board to request that they contact the Centennial Ranch Homeowners Association and inform them that they need to keep accurate minutes of the homeowner's association meetings that include all actions taken and all motions made. Assistant County Attorney, Clint Smith, stated that the BOCC has no authority over homeowners associations. He stated they are governed by corporation law and that she needs to contact an attorney for help with this matter.

AIRPORT REPORT

Airport Advisory Board member, Dallas Anderson, met with the BOCC to give the monthly report. Dallas stated that the funds that were previously transferred into the airport fund for the crack seal need to be transferred back to the general fund since the county has received the funds from the CDOT Division of Aeronautics.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to transfer \$10,000 from the Airport Fund to the County General Fund. Motion carried unanimously.

EXTENSION OFFICE REPORT

CSU Extension Agent, Robin Young, met with the board to give her monthly report.

SHERIFF'S CONTRACTS

The BOCC was presented with the contracts between the County, the Sheriff, and the Towns of Silver Cliff and Westcliffe for law enforcement services provided by the Sheriff to both of the towns.

MOTION by Commissioner Attebery, seconded by Commissioner Shy, to approve both of the agreements. Motion carried unanimously.

VETERANS REPORT

Veteran's Service Officer, Tim Swartz, met with the BOCC to give the monthly report. He informed the board that the flag pole had been installed and a flag raising ceremony will be held on December 9th.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to approve the Veteran's report for the month of November. Motion carried unanimously.

UNDERFUNDED COURTHOUSE GRANT AGREEMENT

The BOCC received the Underfunded Courthouse Grant agreements for signature. Award number 2017 JRNAA UNDR 03, in the amount of \$145,000, is to be used for planning for remodeling the existing courthouse. Award number 2017 JRNAA UNDR 02, in the amount of \$7,742, is to be used for the purchase and installation of security glass for the Clerk of the Court.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to approve award number 2017 JRNAA UNDR 03. Motion carried unanimously.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy to approve award number 2017 JRNAA UNDR 02 for the installation of security glass in the Clerk of the Court Office, and to authorize Security Officer, Mike Halpin, to order the glass. Motion carried unanimously.

COURTHOUSE CHRISTMAS PARTY

Clerk and Recorder, Kelley Camper, informed the board that the courthouse Christmas party will be held on December 21st and requested that they be allowed to close the courthouse from 12:00 p.m. to 2:00 p.m. that day.

MOTION by Commissioner Attebery, seconded by Commissioner Shy, to close the courthouse from 12:00 p.m. to 2:00 p.m. for the courthouse Christmas party. Motion carried unanimously.

The BOCC recessed at 10:50 a.m. and reconvened at 11:04 a.m.

HUMAN SERVICES REPORT

Human Services Director, Laura Lockhart, met with the BOCC to give the monthly report. Laura presented them with the annual Merit Verification Agreement that needs to be signed. This agreement verifies that the county is in compliance with federal regulations.

MOTION by Commissioner Shy, seconded by Commissioner Attebery, to sign the Merit Verification Agreement. Motion carried unanimously.

PUBLIC HEALTH REPORT

Public Health Nurse, Gail Stoltzfus, met with the BOCC to give the monthly report. Gail, along with Planning and Zoning Officer, Jackie Hobby, explained to the board the difference between environmental health and public health. Gail stated that she is the public health officer and only deals with concerns regarding an issue that would affect the health of the public. Jackie is the environmental health officer and deals with environmental health issues regarding an individual's home.

PIONEER TRAIL RESOLUTION

The Pioneer Trail Resolution was discussed during the August 17th BOCC meeting. Commissioner Shy wanted to work on a more comprehensive definition of the road descriptions before going ahead with this resolution. It is now finished.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to adopt Resolution # 16-09 and commend Commissioner Shy for the detail in which he has identified the sections of the county that are part of the pioneer trail. Motion carried unanimously.

PERSONNEL POLICY RESOLUTION

This resolution amends the personnel policy to change the Office of Emergency Management to an exempt position to meet new federal guidelines that go into effect December 1, 2016.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy, to adopt Resolution # 16-10 "A resolution amending paragraph C-2(c) of the Custer County comprehensive personnel policy of 2010". Motion carried unanimously.

Human Resource/Finance Director, Dawna Hobby, would like clarification from the board about paying the increase to that position for December since a US District Court judge in Texas issued a temporary injunction regarding this federal mandate. Assistant County Attorney, Clint Smith, feels that this injunction will be lifted fairly quickly. After discussion, it was decided that because of potential bookkeeping issues, to go ahead and pay it for December.

LEGAL PUBLICATION BIDS

The BOCC received two different bids for the legal publications for 2017. Assistant County Attorney, Clint Smith, opened both bids and read them into the record. The Sangre De Cristo Sentinel bid .16/line (10 pica line with 6 point type) for the first insertion and .14/line for subsequent insertions of the same notice for all three categories – “legal notice or advertisement” “privately supported legal notice” and “publicly supported legal notice or advertisement”. The Wet Mountain Tribune bid .25/line for statutory legal notices and .32/line for non-statutory legal notices based on standardized typesetting measurement of 12 lines per inch (10 pica line with 6 point type). The newspaper of record will be chosen during the January 10, 2017 BOCC meeting.

SHERIFF

Sheriff, Shannon Byerly, informed the BOCC that he would get them a report of calls for service for the year for each of the towns. He stated that the current fire ban ends December 17th and he would like the board to look at extending that ban for another month. It will be discussed further during the December 7th BOCC meeting.

COMMISSIONER ITEMS

Commissioner Attebery checked into the problems with Bill Braudt’s driveway that occurred during the Junkins fire. Bill needs replacement millings at an estimated cost of \$7,000-\$8,000. Bill felt that the state should cover the cost of the millings and the county could do the repair; the Wetmore Community Center/Library will hold a yard sale December 16th and 17th to sell items that were removed during the WCCL remodeling and a few other county items; he has a meeting with Christy Culp with DOLA on December 15th; the county’s portion of the cost for the Court Clerk security window will come out of the 2017 budget grant line item.

Assistant County Attorney, Clint Smith, received an email from the executive director of the Hospital District questioning the intergovernmental agreement for maintaining the repeaters. This will be added as an agenda item in a future meeting.

Having no further business, Commissioner Attebery adjourned the meeting at 12:42 p.m.

BOCC Chairman, Lynn E. Attebery

Attest:
County Clerk & Recorder, Kelley S. Camper