

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 31, 2005**

The meeting was called to order at 8:45am.

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

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

County General	\$ 166,621.05
Road & Bridge Dept.	73,216.69
Emergency Service	12,458.87
Social Service Dept.	15,597.35
Capital Improvement	2,915.75
Total	\$ 270,809.17

Sheriff's report for the month of March was approved.

The Board watched a video on the planning, engineering and designing of the Glenwood Canyon.

Gary Havens met with the Board concerning compensation pay for overtime that he is unable to take in comp time off. According to the figures Gary made available to the Commissioners, overtime pay for the employees of Road & Bridge range from \$1,200.00 to \$5,000.00 per employee each year. Last year Gary worked 362 hours of overtime and would like to be financially compensated for a portion of this time.

Commissioner Shy made a motion seconded by Commissioner Downey to pay Gary Havens, the Road & Bridge Supervisor a dedicated Service Award in the amount of \$1,000.00 for going that extra mile for the first quarter of 2005. All accumulated comp time will be zeroed out and start over for the next quarter. The Board will evaluate Gary's comp time quarterly. This change will be made in the personnel policy and will only apply for the Road & Bridge Supervisor at this time. Motion carried unanimously.

Gary Haven's also reported that lighting had done some damage to the radios and water pump at the Wetmore shop. There was also some discussion the way the county administrator and the road & bridge supervisor were doing vouchers. Due to the change of individuals responsible for the county general vouchers there were some issues that

needed to be addressed. Gary and Ric will work more closely together to prevent further confusion over these issues.

Ken Smith and Roy Masinton, representing the BLM, met with the Board to give them an update. The following items were discussed:

- ❖ Fire Mitigation and Planning: The BLM would like to engage in coordinated wildfire planning with Custer County. Benefits to all participants would include identification of high wildfire risk areas, identification of high-risk fuel concentrations in proximity to residential areas of the county and improvements in coordinated suppression response actions for all county residents. In addition, a coordinated plan would support identification of the highest priority fuel modification projects and identification of areas where mitigation and education activities might be most effective in reducing county losses when the county is again faced with a catastrophic fire. Community Assistance Grant money aka Rural Assistance Grant money may be available to the county. Ken will have Mike Gaylord contact Ric concerning these grant monies. The benefit would be that the county and the BLM would be working together and not against each other on their plans.
- ❖ Travel Management: Several years ago the Royal Gorge Field Office committed to a 10-year strategy to systematically prepare and implement travel management plans over the entire resource area. The first plan, the Cache Creek Travel Management Plan was completed in 2001 and the Four-mile Travel Management Plan was recently completed cooperatively between the U.S. Forest Service and the BLM. Both of these plans are in Chaffee County. Ken explained that Travel Management is limiting travel to designated routes and designates what type of motorized vehicle may be used on these routes.
- ❖ Gold Belt Travel Management Plan: The Gold Belt Plan, which is mostly in Fremont County, was completed last year and we are in the process of implementing it.
- ❖ Arkansas River Travel Management Plan: The Arkansas River Travel Management Plan (TMP) was initiated in October and is expected to be completed in early 2006. While the majority of this area is in Fremont and Chaffee County, it also includes the northern part of Custer County. BLM is currently in the process of evaluating all the issues in the planning area and developing the desired future conditions for each of the subunits contained within the Arkansas River planning area. It will be several months before the DFC's are completed, after which a second set of public meetings will be held for the public to review and comment on the goals that the TMP will focus on achieving.
- ❖ Future Travel Management Plans: Future planning efforts, following the Arkansas River Plan is: Tallahassee, Lake and Chaffee Counties, South Park and Huerfano River and Cucharas Canyon.

Commissioner Hoag signed the annual Colorado State Forest Service Wildlife Operating Plan for 2005.

County Sheriff, Fred Jobe, met with the Board to discuss the security of the courthouse while court is in session. There is a concern about the number of individuals appearing in court as well as the number of inmates being escorted through the hallways and is becoming an issue of public safety. Sheriff Jobe suggested that the county consider purchasing a closed circuit television system for court matters such as arraignments and advisements. This would enable inmates to stay in the jail for routine court matters cutting traffic through the courthouse by one-third. Kelly Johnson is going to work with Fred to see if any grant funds would be available for this purchase. Fred is also working with the 11th judicial court administrator, Walter Blair, on improving courtroom security. The approx. cost to purchase a closed circuit TV would be \$1,500.00. Fred also suggested that the county adopt an ordinance prohibiting firearms in the courthouse with the exception of law enforcement. The Board will visit with the county attorney.

The Board agreed to have the employees of the Sheriff's Department, Road & Bridge Department, and Landfill employees immunized for TB, Hepatitis A&B, Hepatitis C, along with a Tetanus shot. The county will pay for these immunizations. Kelly will mail letters to each of these employees asking for their permission to have their medical records released to her for this purpose. If any employee refuses to release their records, she will have them sign a waiver so that if they were to be exposed while on the job, they would not be able to hold the county responsible.

County Health Nurse, Kelly Johnson met with the Board to give her monthly report. There were twenty-three child immunizations and fifty-five adult immunizations given, one well child exam/physical, twenty health screenings and two reportable illnesses in the month of March.

Kelly reported that April 27th will be the statewide West Nile Virus Kick Off and stated that the state epidemiologist is anticipating more West Nile Virus activity this year. She has purchased DEET insect repellent towelettes to hand out along with information on the WNV at the health fair this year.

Jean Mavromatis met with the Board to give an update on the Tobacco Prevention Program.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, APRIL 4, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

Road & Bridge Supervisor, Gary Havens, met with the Board to give his monthly report.

WORK COMPLETED

- ❖ Bladed County Rd 312, 320, 236, 238, 220, 215, 214, 255, 245, 323, Good Hope, County Rd. 130, Pines Rd., Crest Cutoff and Verdemont
- ❖ Repaired cattle guard on County Rd. 260 and wings on cattle guard on County Rd 271
- ❖ Installed signs in the valley
- ❖ Scraper is almost completed
- ❖ Started work on cattle guards for County Rd. 243
- ❖ Clint received training at UNCC for locating
- ❖ Staked right-of-way and took pictures on County Rd. 243. Waiting for letter from Paul Snyder
- ❖ Culverts removed and fence removed on County Rd. 243
- ❖ Worked on snow plows, front plows and wings
- ❖ Plowed snow as needed
- ❖ Drug testing done on Neal, Gary, Dale and Rusty
- ❖ Finished welding in jail on bars and beds
- ❖ Challenger Electric checked Wetmore shop after lightning strike and said it was okay. Estimate came from Legacy for \$4,700.00 to replace radio, coax and tower. Need well pump replaced due to burned wires. Waiting for control panel for garage door opener.
- ❖ Installed translator for channel 9. Need to put antennas up
- ❖ Cleaned up rock slide on South Hardscrabble
- ❖ Wetmore crew started 4 ten-hour days on the 28th of March. Westcliffe crew to start on the 4th of April

WORK PLANNED

- ❖ Plan to shoulder both sides of Rosita along entire chip seal
- ❖ Plan to shoulder both sides of DeWeese Road from Hwy 69 to Lake DeWeese
- ❖ Plan to start patching with UPM
- ❖ Install "Y" sign for County Rd. 220 and the Lake Road
- ❖ Scraper will be completed
- ❖ Finish cattle guards for County Rd 243
- ❖ Continue blading at Airport Rd., Wykagel, Choctaw, Sangre Drive, Music Mountain Drive, Spread Eagle
- ❖ Finish blading roads in Rosita Hills, Berry Loop, Lutheran Camp, County Rd. 130
- ❖ Haul base between Rosita Hills Dr. and Ben Eaton Ln

- ❖ Roger to attend APWA conference in Grand Junction
- ❖ Start blading Rosita Rd
- ❖ Gary, Clint and BR talked bout cutting back on operating supplies in order to balance line item in budget for the year
- ❖ Get with all department heads on the new way of billing fuel
- ❖ Finish drug testing folders required by DOT for landfill personnel

The Board, along with Gary, discussed the need for a mill levy increase that would be for the use of the Road & Bridge Department to help maintain the county roads. Last year the Road & Bridge Department received 1 mill and this year it was cut back to ½ mill. An increase of 3 mills for the Road & Bridge Department would give them an added \$204,690 to their budget. The Board agreed to proceed with placing a 3-mil levy increase for Road & Bridge use only on the November 2005 ballot.

Commissioner Downey made a motion seconded by Commissioner Shy to approve the minutes of the February 28th, March 1st and 2nd meetings. Motion carried unanimously.

County Administrator, Ric Ferron, reported on the health insurance. He has compared our current insurance coverage and rates with those of CTSi. The cost of our insurance coverage through CEBT even with the added increase due to allowing employees to have an opt out option of the program are still lower then what CTSi can offer. Commissioner Hoag made a motion seconded by Commissioner Downey to continue with the insurance coverage through CEBT based on the information provided by Ric. And to add the option to drop coverage if you can prove you have other adequate health insurance. Motion carried unanimously.

Sue Hutton, representing the Town of Silver Cliff, met with the Board in reference to the \$3,000.00 grant that the two towns and the county receive most every year from the Enterprise Zone. In the past Sue explained that both of the towns as well as the county have not had a need for this money, so they have been giving it to the Chamber of Commerce. This year, however, the Town of Silver Cliff does have a need for their portion (\$1,000.00) of these funds. They would like to have a website designed, and have been quoted a price of \$1,900.00. The money from this grant has to be used by July 1st. If the county had no plans for these funds, Sue is requesting the county to allow the town to use \$900.00 of their portion and next July when the Enterprise Zone Grant monies become available Silver Cliff will give their portion to the county. The Board agreed to this request.

The Board approved the request of the two towns to allow free dumping at the landfill on May 21st for the annual clean up day. However, all appliances and tires that are taken to the landfill on that day will have a fee due.

Tom Ruth, Operations Manager, and Roger Kort, both from Aquila met with the Board to discuss the complaints that the Commissioners have been receiving due to the power outages and the response time to get the power back on. Aquila presented a report to the Board outlining the power outages from January 1, 2001 through March 1, 2005 that

were due to the Westcliffe transmission line. According to Aquila's report, during this period of time, there was only 20 hours and 17 seconds that the county was out of power due to this transmission line being down. The report also showed that the majority of these outages were caused by bad weather (rain, ice, snow, lightning, wind, thunderstorms) not due to the condition of the current transmission lines. Mr. Ruth also stated that Aquila and Sangre De Cristo Electric do have a mutual agreement that if there is a problem with the electricity that would threaten an individual's life or property, SDCE would be able to reply to the call if it is going to take Aquila too long to respond. Both Mr. Ruth and Mr. Kort supplied the county with direct numbers of individuals staffed by Aquila for a better response time, since one of the complaints by the county was that when you call the main office you are unable to talk with an individual. Allan Myers, who is the Transmission Engineer with Aquila, also participated in this meeting by teleconference. He is going to contact Tri-State and inquire if something could be done to upgrade the Westcliffe transmission Line. Also present for this meeting was Bill Green, Member Service Director with SDCE, Steve Eggleston, Engineer Tech for SDCE, Mike Miller, Engineer Superintendent with SDCE, Arlie Riggs, Board Director for SDCE and Gary Havens, Road and Bridge Supervisor.

The Board met with Social Service Department.

Allen Butler and Lynn LaGree, representing the Airport Authority Board, met with the Board to review the changes to the Airport Protection Overlay District for the Silver West Airport by the county attorney. Lynn will make the corrections and present it to the Board at a later date for their signatures.

The Board approved an easement to Aquila to go across the old landfill site located off of Lake DeWeese Road so power could be provided to the Shadow Ridge Subdivision.

Being no further business the Board adjourned.

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, APRIL 5, 2005**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dale Hoag	Chairman
Dick Downey	Vice-chair
Kit Shy	Commissioner
John Naylor	County Attorney
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

County Treasurer, Doris Porth, met with the Board to give her monthly report. It was approved. She reported that the sales tax revenue was up \$2,798.97 from last month and that the Highway Users Fund was down \$33,608.00 from this time last year.

The Board inquired about a balance of \$1,750.54 in the Community Development Fund that shows on the treasurer's report. Doris is going to check on this fund and see where this money originated from and how it can be spent.

County Attorney, John Naylor reported that the Kaminski and Scott lawsuits against the county were still proceeding through the court system. John is monitoring them both closely.

Zoning Officer, Linc Lippincott, met with the Board to give his monthly report. The following items were discussed:

- ❖ The Zoning Office reported that January through March of this year they have taken in \$65,947.40 in revenues.
- ❖ The Zoning Office sent a letter to the Holy Cross Abbey in reference to their Special Use Permit. They received a response back stating that the Holy Cross Abbey is no longer going to need the permit.
- ❖ Linc attended a Native Community Development Corp. meeting in Canon City in regards to a Wild Land Fire Risk Assessment Study. Upper Arkansas Area Council of Governments is going to pursue this study and proposed it to the state legislation.
- ❖ Round Mountain Water & Sanitation District needs to amend their wastewater site application for a 40-acre site in the county. Ken Young is stating that this site needs to be amended because when it was first done in 2000-01 it was not engineered correctly. They are asking for the Boards approval to add 18.9 additional acreage, which will allow them to install 400 intra-filters. Linc will call the state to see if they need the county's approval or not.
- ❖ Linc presented copies of the USGS water study done in the spring of 2002 through February 2004 in the form of a map. The Board would like them to give a presentation of their results at one of their meetings. Linc will contact them and set a date for the presentation.
- ❖ The Board asked Linc to contact the school to find out the status of the application sent to the FCC for an FM radio station and to find out where the antenna is going to be erected.
- ❖ Linc will inform Stan Dorris that if there are trees that need to be cut down in the Schultz Subdivision in the road easements, he needs to visit with the homeowners association about. The county has no jurisdiction according to the dedication of the roads on the recorded plat.
- ❖ The agenda for the Zoning meeting this afternoon was discussed.

Commissioner Downey made a motion seconded by Commissioner Shy to terminate the Special Use Permit issued to the Holy Cross Abbey at their request. Motion carried unanimously.

Mike Bohart and Vic Barnes presented their final documentation to the Board requesting that Taylor Road located in Conquistador #3 be vacated. Commissioner Downey made a motion seconded by Commissioner Shy to approve the request by Mike Bohart to vacate the property access road known as Taylor Road with the condition that all landowners provide notarized signatures agreeing with this request and that this vacation will not leave any landowner landlocked. Motion carried unanimously.

The Sheriff's report for the month of March was approved.

The Board adjourned at 12:00pm from their regularly scheduled meeting.

The Board reconvened at 1:00pm in a joint meeting with the Planning Commission and the Board of Zoning Adjustment.

Commissioner Downey moved to accept the recommendation of the Planning Commission to require the Special Use Permit issued to Wet Mountain Goods, LLC to be reviewed on a complaint basis only. Commissioner Shy seconded the motion. Motion passed unanimously.

Commissioner Downey moved to accept the recommendation of the Planning Commission and require a review of the Special Use Permit for Seifert's gravel permit on an annual basis. Commissioner Shy seconded the motion. Motion carried unanimously.

Commissioner Downey moved to accept the recommendation of the Planning Commission to require a review of the Slifco Special Use Permit on a complaint basis only. Commissioner Shy seconded the motion. Motion carried unanimously.

Commissioner Downey moved to accept the recommendation of the Planning Commission and require a review of the Special Use Permit for the Letter Drop Inn on a five-year cycle. Commissioner Shy seconded the motion. Motion carried unanimously.

Being no further business the Board adjourned.