

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 10, 2009**

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

Lynn Attebery	Chairman
Jim Austin	Vice-Chairman
Carole Custer	Commissioner
Kris Lang	Deputy Clerk to the Board

Also present was Nora Drenner reporter for the Wet Mountain Tribune and several community members.

AGENDA

Call meeting to order
Pledge of allegiance
John Naylor – County Attorney
Bob Dreher – American Legion
Donna McDonnall – Resolution 09-01
Ed Gray – Ridgeview Tel
Kit Shy- County Surveyor
John Canfield – Governors Energy Office Presentation 11:00 AM
Steve Holland – UAACOG
Administrative/Staff Report
Planning & Zoning
Coroner
Treasurer

The meeting was called to order at 9AM and the Pledge of Allegiance was recited.

The BOCC presented the signed the Contract and Exhibit A between the Custer County Board of Commissioners (“County”) and the American Legion Post 170 (“Legion”) for specified lockable storage in the basement of the Hanssen Haus Resource and the acceptance letter for the Courthouse Flag Maintenance Protocols to American Legion 170 Post Commander Carol S. Kennedy and Executive Committee, Bob Dreher present in the audience. The POW flag will be reinstated in front of the courthouse on Tuesday, February 17, 2009 at 8:00 AM.

Approved 2/26/09

County Health Nurse, Donna McDonnall presented Resolution #09-01 to Establish a Local Public Health Agency and Local Board of Health for the BOCC signature. Following the review and approval by County Attorney, John Naylor.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To sign Resolution 09-01 as presented. The motion carried unanimously.

Custer County Resolution No. 09-01

A resolution of the Custer County Board of County Commissioners (BOCC) to establish a local public health agency and local board of health.

WHEREAS, by mandate of Senate Bill 08-194, The Public Health Revitalization Bill, each board of county commissioners is to establish a county public health agency or participate in a district public health agency; and,

WHEREAS, any newly created public health agency shall appoint a new local board of health; and counties of less than 100,000 people can have a three-member board-and the BOCC may serve as the board of health; and,

WHEREAS, the BOCC, as mandated by SB 08-194, shall determine the services to carry out the public health laws and rules of the state board of health and the CDPHE environmental commissions according to the specific needs and resources available within the community and as set out in the state and local plans: and

WHEREAS, the BOCC is required to provide any moneys necessary-over estimated moneys from surpluses, grants and donations-to cover the total cost of maintaining the agency for the ensuing year by an appropriation from the county general fund.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Custer County, Colorado, that effective February 9, 2009:

1. The existing Custer County Public Health Nursing Service will be renamed to Custer County Public Health Agency.
2. The Custer County Public Health Agency will be responsible to the citizens of Custer County to carry out the public health laws and rules of the state board of health, the CDPHE, and the community assessment and health care action plan determined by the specific needs and resources available in Custer County.
3. The BOCC will hire a Director of the Custer County Public Health Agency, who shall be currently licensed in Colorado as a Registered Nurse, preferably with Public Health background. He/She will be responsible to manage all personnel required by the agency; administer and enforce the state public health laws rules and orders, and direct the resources needed to carry out the local health plan.
4. The Custer County BOCC will serve as the local board of health. It will be their responsibility to determine the services needed to carry out the state public health laws and rules according to the specific needs and resources available within the community as set out in the state and local plans; and direct the local public health agency to complete a community health assessment and local health plan as required.

Adopted this 10th day of February A.D. 2009

Lynn Attebery, Chairman

Jim Austin, Vice-Chairman

Carole J. Custer, Ph.D. Commissioner

Attest: Debbie Livengood

Clerk and Recorder

The BOCC met with County Attorney John Naylor and discussed the following items:

- Letter to Dwight Brothers
- Letter update to UAACOG Regional Housing Development Director
- A.G. Engineering
- Posting of Property Heath Notices
- Content and format of the BOCC written minutes
- Letter of intent donating the old building at the landfill to the fire department

Ed Gray, Director of Area Development/Sales Ridgeview Tel LLC explained that they were petitioning for a five year contract with Custer County to continue operating radios on Sugar Loaf Mountain aka TV Hill. Mr. Gray submitted the proposed Equipment Placement and Lease Agreement. The Board determined the contract would be reviewed by the county attorney.

The BOCC recessed at 10:25 AM.

The BOCC reconvened at 10:50 AM

Kit Shy, County Surveyor proposed writing a meets and bounds description for Zones 1-5 that would include any recent resolution zone changes and that the textual descriptions of the Zones be verified and confirmed with a photograph zone map. He suggested a letter be issued to the appropriate property owners requesting permission for the county surveyor to access the land for the purpose of gathering and confirming data. The findings will be forwarded to the Planning Commission for review, recommendation and recording of those said boundaries.

February 10, 2009 11:00 AM

ENERGY CONSERVATION PRESENTATION

By: John Canfield

Consultant to the Colorado Governor's Energy Office

Mr. Canfield presented and reviewed the standards for success for energy performance contracting for Colorado state and local governments. He outlined the guidelines of an energy audit including energy sources currently utilized, energy sources needed and the cost and savings of the project. Representatives from Custer County School District, Towns of Silver Cliff and Westcliffe, Round Mountain Water and Sanitation, Chamber of Commerce, Sustainable Ways, and the West Custer County Hospital District were in attendance.

Karen Crumbaker, CSU Director reported the CSU Clean Energy Newsletter provided additional information for the public.

The BOCC recessed at 12:45 PM.

The BOCC reconvened at 1:15 PM.

Jackie Hobby, Planning and Zoning Director and Art Nordyke, County Coroner addressed the topic of green burials in Custer County. Mr. Nordyke shared concerns regarding the tracking, marking, identification and recording of green burial sites. The Board determined the county attorney would further review the topic and advise the BOCC in this regard.

Steve Holland, Upper Arkansas Area Agency on Aging gave a report on the 2008 Senior Citizen Lunch Program. He stated a total of 3,163 meals were served over the course of 140 days with a \$43,000 dollar impact.

Jackie Hobby, Planning and Zoning Office Director gave the BOCC the January and February 2009 report.

Virginia Trujillo, County Treasurer met with the BOCC and gave her monthly report and requested the transfer of \$13,907.17 from the County General Fund to the Lodging/Tourism Fund.

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To transfer \$13,907.17 from the County General Fund to the Lodging/Tourism Fund. Motion carried unanimously.

The BOCC recessed from the Courtroom at 3:00 PM.

The BOCC reconvened in the Commissioners Room at 3:10 PM.

Debbie Livengood, Clerk and Recorder reported on the monetary funds received from the weight scales.

Pete Michaelson and Mike Halpin met with the BOCC and County Attorney regarding the issue between Robert Hamilton and Mike Halpin over the easement on CR 390. The Board determined the county attorney would issue the appropriate correspondence.

Commissioner Austin excused himself from the meeting at 3:35 PM due to a previous commitment.

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

To adjourn the meeting. The motion carried.

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The meeting was adjourned at 3:55 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chair