

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, APRIL 30, 2009**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS BOARDROOM 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
- Amend Agenda
- Review vouchers and sign checks
- Approval of Minutes: March 30, 31; April 6,7,15
- Debbie Livengood, Clerk and Recorder Transfer Funds
- Old Business:
 - Maintenance responsibilities
 - Janitorial responsibilities
- New Business:
 - Court Security improvements
- Staff Meeting
- Courthouse Security
 - Open and Closure during business hours
 - Open and Closure after business hours
 - Authorization/Protocol for premise entrance after business hours
- CTSI Training Options

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

MOTION by: Commissioner Austin, seconded by Commissioner Custer:

To accept the agenda as posted. Motion carried unanimously.

Commissioner Attebery stated the approval of the minutes from March 30, 31, April 6, 7, 15 of 2009 would be deferred until a later date.

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

County General	\$199,855.56
Road and Bridge	\$117,230.37
Emergency Services	\$ 10,404.75
Human Services	\$ 20,396.22
Self Insurance	\$ 936.35
Capital Improvement	\$ 8,013.02
Airport Fund	\$ 676.31
Tourism Fund	\$ 2,564.63
TOTAL	\$360,077.21

Debbie Livengood, Clerk and Recorder met with the BOCC to request a transfer of \$27,300.00 from the Conservation Trust Fund to the County General Fund.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To approve the transfer of funds. Motion carried unanimously.

Ms. Livengood remarked that towards the close of the year she usually contacted the entities who had not requested their funds from the Conservation Trust Fund. She requested clarification of the BOCC protocol. Commissioner Custer responded that the entities should be contacted when the county starts the fourth quarter. Commission Attebery and Commission Austin agreed. Commissioner Austin asked Ms. Livengood if she was satisfied with the services provided by the Wetmore Fire Department. She replied she was and that they had completed everything they were asked to do and sent a follow-up report with photographs.

Commissioner Custer gave an update on the status of finding funds to pay for the two stair chair installations. Judy Lohnes is checking into using Community Development Funds for that purpose. Commissioner Custer told Ms. Lohnes that the Wetmore community members had offered their labor to build an enclosure for the stair chair at the Wetmore Community Building to keep the stair chair out of the weather. Ms. Lohnes will report back to the BOCC.

Ms. Livengood reported the CCI Rider has provided work on the park to park trails for their required services this year to receive Conservation Trust Funds. She remarked next years in-kind service requirement would have to be determined. She said that All Aboard Westcliffe will be required to provide a service as well since the facility is not city or county owned.

Commissioner Custer reported that Julie Trombley has been doing a great job providing the janitorial services for the courthouse. Commissioner Attebery and Commissioner Austin agreed. Based on the weekly time log of the hours worked and duties performed that Ms. Trombley has submitted, the Board proposed extending Ms. Trombley's nineteen (19) hour a week contract to clean the courthouse to the end of 2009 at the present salary. After reviewing feedback provided by courthouse department staff, it was agreed that Commissioner Custer will review the daily schedule with Ms. Trombley to ensure that waste bins are not emptied prior to the close of business in any of the courthouse department offices.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To extend the janitorial contract until the end of 2009 at the present salary for nineteen (19) hours per week. Motion carried unanimously.

Mike Halpin, Courthouse Security Deputy proposed tightening up the courthouse security. He said he had several issues of concern and these were confirmed during the inspection assessment for the installation of the security cameras. Deputy Halpin submitted a request to the BOCC for the courthouse security improvements which included: locks on the break room door, courtroom door, judge's chamber door and court facility doors. He also addressed the security concern of having individuals and groups that are not county employees in the building after regular courthouse business hours. It was agreed that Deputy Halpin will prepare and present an outline of the issues at the staff meeting later today.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To authorize the reversal of the lock on the break room door so that the key lock is on the kitchen side, not on the court side. Install a key operated dead-bolt to the court room door. The maintenance work will be completed by Roger Camper. Motion carried unanimously.

Commissioner Custer asked if the security upgrades as discussed and approved should be part of an open bidding process. Commissioner Austin replied the maintenance work estimate from our current maintenance personnel has been approved as part of the allocated security grant funds.

Commissioner Attebery reported the maintenance contract has been working out well and proposed extending the contract with Roger Camper. Due to budget constraints he proposed a quarterly extension for the maintenance contract. He advised the maintenance budget line will be closely reviewed during that time period. No action was taken

Commissioner Attebery reported there are problems with the septic system at the Hanssen Haus Resource Center. Preliminary inspections revealed that the system will need to be dug up and parts of the system will probably have to be replaced. The project is scheduled to start on Monday, May 4, 2009 and Roger Camper as the county maintenance contractor will supervise the project as well as contact the necessary utility and property entities and work with the Road and Bridge Department to provide the dirt work required and any additional services required.

Commissioner Austin gave an update on the Charter for County Wide Energy Savings Project. He advised the Charter and Memorandum of Understanding was currently being reviewed by our County Attorney, John Naylor.

Commissioner Austin reported he had been contacted by several citizens regarding the trash accumulation on the county roads, especially Lake Road, Copper Gulch Road and Oak Creek Grade. He will review options of community service and sentenced inmate hours for the clean-up.

Commissioner Austin addressing The Wet Mountain Tribune Reporter, Nora Drenner advised there would be a press release for a public hearing on non-motorized path along Highway 69.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To recess until 1:00 PM. Motion carried unanimously.

The BOCC recessed at 10:45 AM.

The BOCC reconvened at 1:00 PM.

The department heads met with the BOCC for the monthly staff meeting. Present were: Rusty Christensen, Karen Crumbaker, Beverly Goetz, JD Henrich, Dawna Hobby, Jackie Hobby, Chuck Ippolito, Debbie Livengood, Laura Lockhart, Kit Shy, Dave Trujillo and Virginia Trujillo.

Commissioner Attebery announced that Mike Halpin, Courthouse Security Deputy would present a report on the courthouse security.

Deputy Halpin reported the county has received security grant funds. As part of the security equipment purchase the courthouse will have wireless panic alarms installed in every department and or office. A panic alarm will also be installed at the Hanssen Haus Resource Center (HHRC). Probation will start meeting in the HHRC and that is why they have been added to the security program. He advised three securities cameras would also be installed in the courthouse. One in the courtroom with surveillance on both courtroom doors. The other two will be installed in the courthouse hall at the front and back entrances.

Deputy Halpin reported there had been some question regarding non-county employees in the courthouse facility after regular courthouse business hours. He suggested putting a calendar in place for after hour use as a method of accountability to know when and if someone is in the building and that they are authorized to be there. This protocol will also identify occupants in the facility after hours once the panic alarms are installed.

Commissioner Attebery remarked that after hour meetings, classes and activities can be scheduled at the HHRC. He suggested that after hour activities slowly merge to the HHRC so that when the courthouse offices are closed for the day, the courthouse facility will be closed and locked. He said department heads and county employees have keys and are authorized to come and go as necessary and the Board was in agreement and support of that protocol. The concern is safety and security of the facility after hours.

Commissioner Custer reminded the staff that the basement should be not used for public meetings since is not ADA compliant. She advised the Wetmore Community Center in Custer County had recently been the subject of an ADA complaint regarding a scheduled public meeting and that meeting was subsequently relocated to the Wetmore Fire Station.

Commissioner Custer stated that she wanted every county staff person to know that she appreciates the contribution they make as county employees every day. All county staff had been harmed and met some level of discomfort in what has been happening over the past six weeks after Sheriff Jobe's presentation to the BOCC on March 18, 2009. Commissioner Custer stated she had no prior notice regarding the context of Sheriff Jobe's accusations nor was she asked if she would like to have an executive session since we were talking about personnel issues. To this date she has had no idea of what the reported criminal charges are nor has she been served with a warrant. She reported that from the very beginning the Custer County School District administration, Board of Education members, and staff have been involved in the start up plans for the Custer County Kids Club (CCKC), Custer County Youth Club (CCYC) and the Hanssen Haus Resource Center (HHRC). In February 2009 the community and everyone having an interest in these programs was invited to participate in three days of Strategic Planning to make sure that everyone that wanted to had input into shaping these programs. Copies of those minutes are available for review by anyone who would like to read them.

Commissioner Custer stated she has not and would not misuse any county funds and that no department budgets will be impacted by any of the programs. She reported that from the very beginning the Custer County Government employees have had input in the development of these programs. Those employees include myself as a commissioner, two staff from our Department of Social Services and two staff from the county Public Health Nursing Service as well as County Early Childhood Education and Prevention Leadership Councils with updates on the progress being made and input sought from the County Interagency Network

Commissioner Custer said she asked the Colorado Department of Human Services (CDHS) program administrative staff and our CDHS Field Administrator to come to Custer County to provide the county with the technical assistance to make sure everything is being done properly in accordance with the state/federal rules, regulations and protocols. She clarified that this visit by CDHS staff was not a state audit but advisory technical assistance. She said Laura Lockhart, Director of Social Services will verify that ever since Jefferson County offered us some funds last fall we have been trying to get documented guidance from the state staff. That is the ethical thing to do and that is ethically what she was trying to do. She said that in various BOCC meetings with then Commissioners Dick Downey and Kit Shy there were discussions of what the county wanted to do with the pot of money. She continued that for the past 16 years she has had the privilege of serving as a member, as well as Chair of the Colorado State Board of Human Services and presently is the Vice-Chair of the board. She said she also chaired the board appointed sub-committee that determined how the TANF reserve dollars were to be distributed and wanted to make sure it was done right. She asked professional educators, county staff and community volunteers to help draft a plan to wisely spend the money by the 06/30/09 deadline. Everyone involved understood that if we did not find a way to spend this money, total estimated to be over \$312,000.00 the money would be returned to the state. She reported after the state visit Laura Lockhart and Dawna Hobby helped her put together a press release that you will probably never see in the newspaper. Commissioner Custer distributed copies of the press released dated April 15, 2009 and the letter to the county employees to those present. She reported that the Strategic Planning Process that was held was facilitated by an outside facilitator and that the facilitator is coming back before June 30, 2009 on a Saturday for a follow-up meeting. Any county staff person that wants to participate is welcome. In addition Commissioner Custer will provide a report and copies of those minutes at a future staff meeting.

Commissioner Custer said she contacted Cynthia Barnes of Colorado Technical Services Inc. (CTSI) and asked about some training options to do some team building in the county. Ms. Barnes has provided training classes to county employees in the past and came up with two suggested workshops: one on Stress Reduction and one on Conflict Resolution. If anyone is interested in participating in one of both of these workshops, please let Commissioner Custer know.

Commissioner Custer reminded staff that the county still needed to update the county personnel policy manual and that since her revisions were rejected no other alternatives have been discussed by department heads and staff. The BOCC has asked Cynthia Barnes from CTSI to put together recommendations for the contents of a revised county personnel manual. Ms. Barnes was given a copy of the current 2000 version, the 2009 edits that Dawna Hobby prepared and Commissioner Custer's revisions for review.

Virginia Trujillo, County Treasurer and Trustee inquired why the TANF money spent was coming out of the County General Fund and not the Social Services Fund. She asked whether the MOU's for the release of the fund should have been in place before the CCKC, CCYC and HHRC were initiated. Laura Lockhart, Director of Social Services responded since the county was the fiscal agent for the programs the expenditures had to be a County General Fund pass-thru. Ms. Lockhart explained after her department receives the paid invoices a check would be issued back to County General Fund for the eligible expenditures. She remarked that although it probably would have been better to have the signed MOU's in place ahead of time, it had not been possible given the fact that we needed some guidance in preparing the documents. The state approved MOU's are presently being reviewed by our County Attorney, John Naylor.

Ms. Trujillo inquired if Ms. Lockhart had reviewed the vouchers prior to purchase or payment from the County General Fund to ensure they are TANF eligible and reimbursable. Ms. Lockhart responded that all the vouchers from the CCKC and CCYC were reviewed and approved by the state for TANF reimbursement. She stated as a member of the CCKC Advisory Board she had been involved and aware of those expenditures. She stated that some of the HHRC expenses submitted were still being reviewed for TANF eligibility.

Commissioner Custer stated that in addition to TANF dollars the CCKC being a state licensed day care facility and will be able to receive additional child care dollars. She remarked that any two parent family earning up to \$75,000 per year are eligible for some level of support to pay the cost of child care. Laura Lockhart clarified that although child care support is available, that one or two parent families must meet income guidelines that do not necessarily fall under the \$75,000 per year guideline.

Jackie Hobby, Director of Planning and Zoning remarked that the CCKC appears to be right on tract but addressed the TANF recommendation stating the Youth Club expenditures going forward are potentially allowable by TANF. Commissioner Attebery stated the CCYC was being reviewed.

Dave Trujillo, Supervisor of the Road and Bridge Department expressed concern regarding the statement made by Dennis Hunt of CTSI that the Highway User Tax Fund (HUTF) is expected to drop by 15%. He stated he is reviewing his budget and asked what the other county departments were experiencing. Commissioner Attebery responded that county revenues were down \$50,000 and the Finance Officer and BOCC were closely watching the revenues against expenditures. He advised as a damage control effort Finance Officer, John Piquette and Treasurer Trustee Virginia Trujillo have suggested if the county does not need it, don't spend it approach.

Laura Lockhart gave an update on the state funded remodeling of the commodities room stating that the commodities room would need to be emptied before May 11, 2009 when the food distribution delivery was expected. Commissioner Attebery replied that the estimate received from Roger Camper included the moving of the items from the commodities room to the HHRC garage.

Commissioner Attebery advised that Dark Skies is ready to proceed with the courthouse lighting and that the Dark Skies organization was paying for the installation. Therefore, the BOCC was rescinding an earlier statement putting the maintenance project out for public bid because the county was not obligated to receive bids on this particular project.

Approved 5/28/09

Beverly Goertz, County Extension Office Manager said in an effort to conserve county funds, the departments could be more practical on the maintenance orders submitted. She explained the light fixtures in her office needed replacement and she was willing to do that. JD Henrich, Assessor agreed to assist and inquired the location of the stored replacement bulbs. Commissioner Attebery responded they were being stored in the scale house.

The BOCC recessed at 2:05PM.

The BOCC reconvened at 2:15PM.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

Authorizing Roger Camper, Maintenance Contractor to proceed with the work of remodeling of commodities room. Motion carried unanimously.

Commissioner Custer suggested the county schedule an open house when the commodities room is completed and invite members of the county Ministerial Alliance for the churches in the county to come, since many of the churches currently maintain various food pantries. This invitation would open the door for a county wide coordination for food distribution to families and individuals in need of this service.

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To prepare a letter to the Wet Mountain Fire District donating the old cabin at the county landfill for fireman training event and practice exercise. Motion carried unanimously.

Commissioner Attebery addressed the proposed job description for the lawn and snow removal. He complimented the Road and Bridge Department for their snow removal assistance this past winter season. He said Darin Redmond is presently covering duties of the weight scale and proposed addition hours for the grounds maintenance until the budget could be reviewed.

MOTION by Commissioner Custer, seconded by Commissioner Austin.

To adjourn the meeting.

The meeting was adjourned at 2:30PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chair