

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 3, 2010**

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 9:10 AM and the Pledge of Allegiance was recited

Roll Call was taken:

Lynn Attebery	Chairman	Present
Jim Austin	Vice-Chairman	Present
Carole Custer	Commissioner	Present
John Naylor	County Attorney	Present
Kris Lang	Deputy Clerk to the Board	Present

Also present was Allen Butler, Town of Silver Cliff Mayor; Nora Drenner, reporter for the Wet Mountain Tribune; and Deputy Mike Halpin, Courthouse Security.

AGENDA:

Call meeting to order
Pledge of allegiance
Roll Call
Amend agenda
Audience introduction
Approval of minutes
County Attorney:
- Resolution for Custer County Library District Boundaries
- Resolution for enrollment in the National Flood Insurance Program (NFIP)
- Environmental Testing of Southern Colorado LLC Service Agreement – 27278
Highway 96, Wetmore, Colorado
- Branded Dealer Aviation Fuel Supply Agreement
- CR 390 R. Hamilton
Old Business
- Wetmore Project
- Wet Mountain Valley Waste Minimization Grant
Liquor License Renewal – Letter Drop Inn
Debbie Livengood, Clerk and Recorder
BOARD OF EQUALIZATION HEARINGS 10:00 AM
Staff Reports:
Planning and Zoning
Treasurer

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

To accepted the posted agenda. The motion carried unanimously.

The BOCC met with the county attorney and the following topics were discussed:

- A draft Resolution that would identify the West Custer Library District (WCLD) boundaries has been prepared for review by the BOCC, the WCLD and the Custer County C-1 School District. The Resolution identifies the same boundary lines as the Wet Mountain Fire Protection District.
- The county will require additional information regarding the enrollment in the National Flood Insurance Program (NFIP) and Federal Emergency Management Agency (FEMA) mapping process before a decision can be made. The Board informed the County Attorney that Cristina Martinez, the State NFIP Coordinator will be scheduled at a future BOCC meeting to answer any questions and provide additional information.
- The Environmental Testing of Southern Colorado LLC Service Agreement for the building at the Wetmore Project is being reviewed and revised. The BOCC agreed to obtain another estimate and agreement for comparison purposes before making a final decision.
- The Silver West Airport Board will review and approve the Branded Dealer Aviation Fuel Supply Agreement at the Airport Meeting scheduled on August 19, 2010.
- The County Attorney is currently in discussion with legal representation regarding the conflict on County Road 390.

Debbie Livengood, Clerk and Recorder presented the liquor license renewal for the Letter Drop Inn Restaurant, Rosita, Colorado. She stated the application was complete and in order.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To approve the liquor license renewal as presented. The motion carried unanimously.

Commissioner Attebery said that he had met with the Colorado Department of Transportation (CDOT) Project Engineer, Jimmy Biren regarding the installation of a second light in the Wetmore area. He remarked that CDOT is currently reviewing the safety issues and justification documents of the additional expense.

Commissioner Austin said the landfill facility committee has reviewed the design and layout of the steel building as part of the Wet Mountain Valley Waste Minimization Grant. He said the committee is waiting on the cost estimate for the steel structure. Commissioner Attebery distributed correspondence from the Colorado Department of Public Health and Environment concerning the potential requirements for construction of a recycling building on the Custer County landfill site. A change to the landfill's operations such as the addition of a recycling operation would fall under Section 8 of the Solid Waste Regulations and require additional monitoring, inspections and permits. Commissioner Austin strongly expressed concern in having to overcome yet another last minute hurdle on the project.

J.D. Henrich, County Assessor joined the meeting.

Commissioner Attebery closed the regular meeting at 10:00 AM and opened the Board of Equalization (BOE) Public Hearing.

PUBLIC HEARING
BOARD OF EQUALIZATION
10:00 AM

Commissioner Attebery asked if there was anyone scheduled or wishing to speak on the BOE.

Mr. Henrich stated that his department did not receive any requests for scheduling.

Commissioner Attebery closed the public hearing at 10:10 AM and returned to Regular Session.

The BOCC recessed at 10:15AM.

The BOCC reconvened at 10:35AM.

Commissioner Custer reported that she has been in contact with Garfield County Commissioner, John Martin and has secured a county to county grant to provide American Disabilities Act (ADA) access at the court house (stair-chairs) and the Hanssen Haus Resource Center (HHRC) (concrete ramps). She said the Garfield Board of County Commissioners voted 2 to 1 to provide Custer County with \$14,650 to complete these ADA projects. Commissioner Custer outlined the project as follows: \$11,700 for the ADA concrete ramps at the front and back entrances/exits of the HHRC and \$2,950 for the installation of the two stair chairs. Commissioner Custer asked Custer County Attorney, John Naylor to contact the Garfield County Attorney, Don Deford to draw up an intergovernmental agreement between the two counties to confirm use of the funds.

Jackie Hobby, Planning and Zoning Director met with the BOCC and gave a report.

- File: 100-31-250 correspondence notification will be sent to the appropriate property owners regarding the elimination of the cul-de-sac on the platted subdivision in Conquistador Estates.
- File: 101-93-889 septic violation 525 CR 260.
- File: 100-64-200/250 septic violation 131 Konn Road, 159 Konn Road
- File: 101-69-350 unpermitted structure 2971 Marcey Road
- File: 101-50-650 vacate Proctor Street between lot 73 and 74.

Ms. Hobby reported on the proposed youth residential facility at the historic Pines Ranch in Custer County. She said a Special Use Permit (SUP) would not be required as long as the historic use does not change. She said a SUP was not needed to operate as a dude/guest ranch because it had been operating as such before county zoning regulations were adopted. The Commissioners and County Attorney would need to decide if a residential facility for troubled teens warrants a change in the historic use.

Commissioner Custer reported that the interviews for the HHRC Navigator position were in the process of being scheduled. She proposed that the 19 hour per week position be scheduled as follows: Monday thru Thursday 9AM to 1PM and Friday 9AM to 12PM. The Board agreed. Commissioner Attebery and Commissioner Austin asked if the Temporary Assistance to Needy Families (TANF) funds would still be available towards the compensation of the Resource Navigator position. Commissioner Custer responded that in order to qualify for the TANF funds, the Resource Navigator would be required to complete a detailed itemization of the time spent providing TANF assistance. She said she did not know if TANF funds were still available to supplement the position.

The BOCC asked Laura Lockhart, Human/Social Service Director to join the meeting and asked her if TANF funds would be available for the HHRC Navigator position. Ms. Lockhart stated that the department had already allocated the majority of the TANF reserves to the HHRC, the Custer County Kids Club and the Custer County Youth Club in 2009. She said the department has already accessed some of the remaining TANF fund reserves in 2010 to accommodate the increase in assistance requests from the community. She said that the department could not commit any TANF funds for the Resource Navigator position at this time. Commissioner Austin asked how the HHRC and Resource Navigator position would cover their expenditures. Commissioner Custer responded that at this time the rental incomes at the HHRC would not sustain the operation of the HHRC or the Resource Navigator position. She said that any additional funds required would need to come from the county general fund.

Bob Tobin, citizen joined the meeting and presented a letter of support for the BOCC to sign. The correspondence supported the proposed CDOT egress project underneath Highway 69 between the pre-school on Jerry Court and the school campus on Main Street. The Board signed the correspondence and returned it to Mr. Tobin.

MOTION by Commissioner Austin, seconded by Commissioner Custer:
To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 12:40 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman