

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 30, 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 10:05 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
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 Dorothy Urban, citizen.

AGENDA:

Call meeting to order
Pledge of allegiance
Roll Call
Amend agenda
Approval of Minutes: August 2, 3, 19 of 2010
Audience introduction
Old Business:
Wetmore Project Update
Wet Mountain Valley Waste Minimization Project Update
Colorado Counties Incorporated (CCI) Legislation Issue
Liquor License Renewal – St. Andrews Golf Course & Restaurant
Debbie Livengood – Clerk and Recorder
Treasurer Report – Virginia Trujillo
Preserve America Award Presentation - Dorothy Urban
IT/GIS Report – Chuck Ippolito
Veterans Service Office Report – Lorraine Silva
Hanssen Haus Resource Center Report – Donna Squire
Resolution of boundary lines for Custer County, Colorado, C-1 School District and the West Custer Library District - Marty Frick
Work Session

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To accept the posted agenda. The motion carried unanimously.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To approve the minutes of August 2, 3, and 19, of 2010 as presented. The motion carried unanimously.

Dorothy Urban met with the BOCC and gave a report on the Preserve America Community Program 2010 Community Application. She said that Preserve America is a national initiative developed in cooperation with the Advisory Council on Historic Preservation and the U.S. Department of Interior, Agriculture, and other agencies. The Preserve America Community designation is granted to eligible communities that document how they meet three requirements: 1) The community has recently supported a historic or cultural preservation project that has promoted and/or is promoting heritage tourism. 2) The governing body of the community has adopted a resolution indicating its commitment to the preservation of its heritage assets. 3) The community meets at least five criteria specified in three board categories: discovering heritage through historic places, protecting historic resources, and promoting historic assets. Ms. Urban requested support from the BOCC and presented a draft resolution of support for the preservation of historic resources for the Boards review. The BOCC agreed to forward the resolution to the County Attorney for review.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To support the completion of the Preserve America Community 2010 Application. To approve the resolution pending the review of the County Attorney. The motion carried unanimously.

Commissioner Attebery reported that Dan Ogden Consulting had removed the samples from the building at the Wetmore Project site and that a testing report would follow.

Commissioner Austin reported on the Wet Mountain Valley Waste Minimization Grant project. He said the generator for the project has been purchased. He said the building for the project has been ordered and remarked that the job description for the Recycling Coordinator position was in the final stages.

Debbie Livengood, Clerk and Recorder presented the liquor license renewal for the St. Andrews Golf Course Restaurant, Westcliffe, 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.

Ms. Livengood requested the transfer of \$44.42 from the Conservation Trust Fund to the County General Fund. She explained the request was made by the auditors to rectify a disbursement for the TV Hills Tower that was inadvertently processed from the incorrect account.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To approve the transfer as requested. Commissioner Custer stated the transfer would require documented clarification regarding the specific use of the funds and why the transfer is necessary. The motion carried unanimously.

Commissioner Austin stated that due to the Colorado Counties Incorporated (CCI) deadline of August 20, 2010, he had notified CCI that he would represent the Board of Custer County Commissioners as the Legislative Committee Member.

MOTION by Commissioner Custer, seconded by Commissioner Attebery:

To formally appoint Commission Austin as the 2010 Legislative Committee Member for CCI. The motion carried.

Commissioner Attebery remarked that the public has expressed concern regarding the annual Colorado Counties, Inc. (CCI) membership fee that is in excess of \$9,000. Commissioner Custer responded that Custer County's membership in CCI enables the county to participate as part of the CCI team and have a voice with the state and federal legislature as well as have lobbyist representation at both the state and federal levels. She strongly recommended that newly elected commissioner make every effort to attend the new commissioner orientation CCI training in January 2011 as well as actively participate in the subject specific Steering Committee Meetings held throughout the year. In addition the content at the Winter and Summer Conferences and Regional Meetings always provide valuable information to help Commissioners do a better job.

Virginia Trujillo, County Treasurer met with the BOCC and gave a report. The beginning fund balance on June 30, 2010 was \$3,733,999.06 and the ending fund balance on July 31, 2010 was \$3,548,041.86.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To accept the Treasurer's report for July 2010 as presented. The motion carried unanimously.

Ms. Trujillo presented the Federal Forest Payment and Secure Rural Schools and Community Self Determination Act Election Form for the Boards review and approval. She stated that with BOCC approval Custer County will elect to continue to receive the full payment under the Secure Rural School the 2011 Federal Fiscal Year.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To approve the Federal Forest Payment and Secure Rural Schools and Community Self Determination Act Election Form as presented. The motion carried unanimously. Commissioner Attebery signed the correspondence as Chairman of the BOCC.

John Comerford met with the BOCC to outline a proposal regarding transfer of ownership of the cardboard baler that he owns. He proposed a plan by which he would donate half of the agreed fair market value of the baler to the county. He asked that he be able to redeem the remaining value of the baler towards landfill dump fees. He stated that he planned to demolish and discard the laundry building and a trailer on a property he purchased on Main Street. He said the total landfill fees incurred for this project would exceed the proposal amount and therefore would result in additional county revenue.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To proceed with negotiations on the presented proposal indentifying whether the unit is in working condition, the fair market value of the unit and consideration of temporary placement of the cardboard bailer at J.R. Fuel facility. The motion carried unanimously.

The BOCC recessed at 11:05 AM.

The BOCC reconvened at 11:15 AM.

Chuck Ippolito, IT Director met with the BOCC and gave a report. He said the map tracking application has been installed in the Sheriff's dispatch office and that the fire department was the next scheduled entity for the installation. He remarked that Fremont County has requested GIS information from Custer County to include on their website. Mr. Ippolito said the completion of the satellite imagery was currently on hold due to the cloud cover and precipitation in the valley

area. He said that he was in the process of completing the parcels for the east side of Custer County. Mr. Ippolito asked for the Board's opinions regarding the selling of the parcel mapping to outside organizations once the project was completed. He remarked that real estate agencies, developers and utility companies would find the information valuable. Following a discussion the Board agreed it would be in the best financial interest of the county to recover the original cost of the GIS mapping project.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To approve the GIS mapping fees as follows: \$600 to the private sector and \$300 to non-profit organizations. The motion carried unanimously.

Lorraine Silva met with the BOCC and gave a report on the Veterans Service Office (VSO). She stated that the American Legion has received the first installment of \$9,000 from the Veterans Trust Fund Grant. She said the mobile veterans center readjustment counseling services is still providing services in the area twice a month. She did not complete any home visits in August. Ms. Silva advised the Board that the hours for the VSO at 511 Main Street will be Monday, Wednesday and Thursday from 8AM – 4PM.

Donna Squire, Hanssen Haus Resource Center (HHRC) Navigator along with Ms. Silva gave a report on the HHRC. The Promoting Safe and Stable Families (PSSF) Grant program has been transferred to Custer County Transitions and will be providing services from the 118 Jerry Court address. The Tony Grampus Youth Service Grant budget has been increased by \$950. The program will be transferred to Custer County Transitions. The renewal for the Energy Outreach Grant is in process. The HHRC usage for the month of August included: PSSF Family Training, the National Veterans Cemetery Committee, the Family Crisis Program, the UAACOG, the Drive Alive Program, Collaborative Management, Intra-Agency Oversight Group, Governors Energy Program and Custer County Transitions. Ms. Squire asked for clarification of the guidelines for renting space at the HHRC. She said her goal was to increase the rental income and bring additional resources to the facility. Commissioner Custer stated that as the Commissioner responsible for the HHRC facility, up to now the agreement has been that the amount of rent paid is negotiable and that Ms. Squire should use her negotiation skills to determine the best possible options for both the county and the organization wanting to rent space. Commissioner Custer asked Ms. Squire forward any ideas and options to her for review and if there was a potential conflict, that issue would need to be brought before the BOCC.

Marty Frick, West Custer County Library District, Director met with the BOCC and requested adoption of a Resolution of Custer County, Colorado, C-1 School District and the West Custer County Library District. She reported that the Resolution had been reviewed and approved by the County Attorney and is currently signed by the President and Vice President of the C-1 School District and the President and Secretary of the West Custer Library District.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To adopt Resolution 11-10 as presented. The motion carried unanimously.

RESOLUTION 11-10
OF
CUSTER COUNTY, COLORADO
C-1 SCHOOL DISTRICT AND
WEST CUSTER COUNTY LIBRARY DISTRICT

The West Custer County Library District was created pursuant to C.R.S. 24-90-110 by the adoption of Resolutions of both Custer County and the C-1 School District. On or about the 7th day of March, 1989 in the Resolution to form the West Custer County Library District the Resolution called for the boundary of the West Custer County Library District to be the same as the boundaries of Custer County C-1 School District. Historically, the boundary of the West Custer County Library District by the various county offices was considered to be the same as the Wet Mountain Fire Protection District which is all of Custer County excepting a portion lying Easterly of a North-South line common to several sections more particularly described in the attached Exhibit being commonly referred to as Bigalow Divide.

Two of the three original Commissioners have concurred that it was their understanding that the West Custer County Library District was to be the same as the Wet Mountain Fire Protection District as the portion on the Easterly side of the county would not be practical for those persons to utilize the West Custer County Library District which is why the District is called the West Custer County Library District rather than the Custer County Library District. There have been special elections affecting the West Custer County Library District and those persons that were allowed to vote were the residents of property located within the Fire District as everyone thought the historical boundary lines was. Since the law allowing the formation of a Library District by Resolution of two governmental agencies has been repealed the creations of Districts are not done by a vote of those persons residing in the District. The Colorado Library Law as it currently exists differs from other Special Districts whose law provides for procedures for inclusion and exclusion of property within the District. Exclusion of property within a District would require action of the Boards of the District and it is the intention of this combined Resolution that the Boards of the two forming governmental agencies and the current West Custer County Library Board adopt and declare that the boundaries of the District are defined as follows:

All of Custer County except that portion lying Easterly of a North-south line common to Sections 2 and 3, 11 and 10, 14 and 15, 23 and 22, 26 and 27, 35 and 34, all in Township 21 South, Range 70 West; Sections 2 and 3, 11 and 10, 14 and 15, 23 and 33, 26 and 27, 35 and 34, all in Township 22 South, Range 70 West; and, Sections 2 and 3, 11 and 10, 14 and 15, 23 and 22, 26 and 27, all in the Township 23 South, Range 70 West.

IT IS THEREFORE RESOLVED by the Board of County Commissioners, the Board of the Custer County C-1 School District and the Board of West Custer County Library District that the within legal description constitutes the boundary of the West Custer County Library District as it has been historically considered.

DONE this 30th day of August, 2010.

BOARD OF COUNTY COMMISSIONERS, Lynn Attebery, Jim Austin, Carole J. Custer, Ph.D., Debbie Livengood, Attest to the Board of County Commissioners
C-1 SCHOOL DISTRICT, President, Vice President
WEST CUSTER COUNTY LIBRARY DISTRICT, President, Secretary

Commissioner Austin gave a Colorado Department of Transportation (CDOT) update. He said that CDOT's long range plan included consideration of a highway bypass for the intersections of State Highway 96 and 69 both north and south of the town. He commented that he was in contact with the representatives from Alamosa County regarding the Public Utilities Commission (PUC) transportation issue and whether it would be applicable in Custer County.

Commissioner Custer reported that the remaining funds available through the Upper Arkansas Work Force Center were being disbursed within Custer County.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 12:35 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman