

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, NOVEMBER 17, 2010**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS ROOM.

Commissioner Lynn Attebery called the meeting to order at 6:10 PM 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: Bob Allison, Carol Allison, Sharon Gately and Bob Hober.

AGENDA:

Call meeting to order

Pledge of allegiance

Roll Call

Audience Introduction

Amend agenda

Approval of Minutes November 8, 2010

Old Business:

Wetmore Project update

Wet Mountain Valley Waste Minimization Grant update

South Colony Basin Fee Proposal update

Low Altitude Tactical Navigation update

Upper Arkansas Water Conservancy District update

National Veterans Cemetery in Southern Colorado update

Summit Meeting tentatively on Thursday, December 16, 2010

Consideration to cancel BOCC meeting 12/15/10

Response to Bruce Medina's (cul-de-sac Rosita Rd)

Response to Christe Feldmann (NFIP)

UAACOG Recycling Agreement

STAFF MEETING

MOTION by Commissioner Attebery, seconded by Commissioner Custer:

To accepted the posted agenda. The motion carried.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To approve the minutes from the November 8, 2010 BOCC meeting as presented. The motion carried unanimously.

Bob and Carol Allison addressed the BOCC and shared their concerns regarding the water augmentation plan filed in water court by the Upper Arkansas Water Conservancy District. They stated that the community has not been given enough information regarding the plan and encouraged the Board not to support the process until the citizens have the opportunity to fully review and understand the contents of the plan.

Bob Hober and Sharon Gately addressed the BOCC and shared their concerns regarding the low altitude tactical navigation proposal. They stated that they did not support the proposed flyovers. They cautioned the Board that it would open the door to additional and increased training aircrafts over the valley floor. Commissioner Custer said she understood and shared their concerns. She stated that even though the county and the public were asked for their input, in the final analysis it would be the military that will ultimately make the decision. Ms. Allison said she had not been aware of the recent meeting in Pueblo regarding the flyovers and asked how our community could be informed of any future meetings. The BOCC agreed to post meeting and other information regarding this issue on the county website calendar as information from the military becomes available to them.

Commissioner Attebery gave a report on the Wetmore project. He presented a proposal from Refine Asbestos, Inc. for the asbestos removal at the Wetmore project building prior to the demolition. He said that he shared the \$11,500 proposal with the Wetmore Community Center Board and they would asked the community for funding suggestions. Commissioner Attebery asked the Board if they had any comments or suggestions. Commissioner Austin responded that the Wetmore project belonged to Commissioner Attebery. Commissioner Attebery stated that the Wetmore project was a county project and belonged to the entire BOCC. He said that he was researching other possible funding sources that included the Department of Local Affairs (DOLA) and the Colorado Department of Public Health (CDPH). Commissioner Austin commented that Colorado Counties Incorporated (CCI) could provide also researching possible funding sources for the project.

Commissioner Austin gave a report on the Wet Mountain Valley Waste Minimization Grant project. He said the over-site committee was currently reviewing options for the most beneficial wall design for the stacking of the cardboard bales. He remarked that the door will be on the east side of the building and will provide passive solar power.

Commissioner Attebery reported that the Western Slope No-Fee Coalition is continuing to take an active role regarding the South Colony Basin fee proposal. He said the BOCC had prepared correspondence to the US Forest Service (USFS) requesting a reconsideration of the fee proposal. He reported that at this time the BOCC has not received a response from the USFS.

Commissioner Austin suggested that the BOCC prepare a letter to Senator Mark Udall's office as mentioned at the November 9, 2010 BOCC meeting requesting that the proposed veterans cemetery site in Custer County be considered for a future alternative rural state veterans cemetery project.

Commissioner Custer said the Custer County Veterans Cemetery Committee (CCVCC) is taking the lead in working on this project at several levels and her recommendation would be to invite the CCVCC and their Chairman, Charles Bogle to provide the BOCC with periodic updates on the project.. She said having letters of support from Senator Udall's office, Senator Bennet's office and Congressman Tipton's office would be helpful in this endeavor. The Board agreed to invite Charles Bogle, Chairman of the CCWCC to provide an update at a future BOCC meeting.

The Board discussed the proposed December 16, 2010 date for the next Summit Meeting with the other county government agencies that will be hosted by the Town of Westcliffe. The general consensus was to suggest that the Town of Westcliffe postpone the meeting until after the first of the year due to the various holiday commitments. Board members agreed to attend the proposed December meeting as long as all the other agencies they agreed to be present for the Summit Meeting-

The Board discussed a scheduling conflict on December 15, 2010 regarding the BOCC meeting that is on the calendar and the Upper Arkansas Area Council of Government (UAACOG) Board meeting scheduled for the same day. After a discussion Board members agreed to cancel the BOCC meeting so that members could attend the UAACOG Board meeting in Canon City.

MOTION by Commissioner Custer, seconded by Commissioner Austin:

To cancel the BOCC meeting scheduled on December 15, 2010. The motion carried unanimously.

Commissioner Custer said she was concerned regarding the BOCC motion that was passed on October 5, 2010 after she had to leave the meeting. She wanted the written BOCC record to reflect that she strongly opposed that decision, and she reread the motion into record. **MOTION by Commissioner Austin, seconded by Commissioner Attebery:** To advise the legal counsel representing Custer County in the UAWCD proposed water augmentation plan to join the motion for dismissal. The motion carried.

Commissioner Attebery reported that a National Flood Insurance Plan presentation was being scheduled on December 7, 2010 at the Joint Session with the Planning Commission.

Commissioner Custer stated that to continue to participate in the Upper Arkansas Area Council of Government (UAACOG) Recycling Program, Custer County needs to approve and sign the UAACOG Recycling Program Agreement for 2011. She suggested that the Board sign the Agreement now and inform UAACOG that a BOCC member would be appointed to represent the county on the Recycling Program Board during the regional appointments made at the January 11, 2011 BOCC meeting.

MOTION by Commission Custer, seconded by Commissioner Attebery:

To approve and sign the agreement for the participation with the Upper Arkansas Recycling Program as presented. The motion carried unanimously.

Commissioner Custer stated that Tim Thrum, the county Recycling Coordinator would be representing the county at the quarterly UAACOG Recycling meeting on November 19, 2010.

Commissioner Austin stated that he supported having Dale Mullen appointed to the Airport Board at this time. Commissioner Attebery responded that his preference would be to wait until the regional appointments were made on January 11, 2011. Commissioner Custer agreed.

MOTION by Commissioner Austin to appoint Dale Mullen to the Airport Board effective immediately. Seconded by Commissioner Attebery with an amendment clarifying that this appointment would only remain in effect until the end of 2010 or until January 11, 2011 when a complete Airport Board would be appointed. The motion carried unanimously.

Commissioner Custer asked the Board if they were going to address the location of the employee Christmas party. She said according to the American Disability Act (ADA) public meetings must be held in an accessible location and the basement of the courthouse did not meet that criteria. Commissioner Attebery responded the topic would be discussed at the Staff Meeting.

MOTION BY Commissioner Attebery, seconded by Commissioner Austin:

To adjourn the BOCC meeting at this time and reconvene at 1:00 PM. The motion carried unanimously

The BOCC recessed at 10:30 AM.

The BOCC reconvened at 1:00 PM.

The department heads and elected officials met with the BOCC for the staff meeting. Those present: Rusty Christensen, Suzanne Coleman, Beverly Goertz, JD Henrich, Dawna Hobby, Jackie Hobby, Chuck Ippolito, Sheriff Jobe, Debbie Livengood, Donna McDonnall, Rhonda Patterson and Kaye Rocheleau.

Commissioner Attebery said that a 3% employee cost of living increase was being calculated into the county 2011 budget. He stated that in order to balance the budget for 2011 the county will access the county reserve fund with the intentions of paying back that amount within three years. Commissioner Austin said that Thom LeDoux, District Attorney requested that his department employees receive the same 3% cost of living increase in Custer County's portion of the Eleventh Judicial District budget. Commissioner Austin stated he supported that request.

Commissioner Attebery reported that a cleaning supply request form would be distributed to the departments and that cleaning items would be purchased by Julie Trombley, Janitorial Services as requested.

Beverly Goertz, Extension Office Manager requested approval to schedule the employee New Years Eve celebration on December 30, 2010 from 12:00PM to 2:00PM. The Board approved the request. Commissioner Attebery stated that a concern has been expressed regarding the inaccessibility of the courthouse basement for the scheduled Christmas and New Years employee events. He said the location did not meet the ADA requirements for a public venue but was uncertain of the guidelines for a private employee function.

JD Henrich reported that the Custer County Assessors website receives approximately 12,000 to 15,000 hits per month.

Commissioner Attebery gave a report on the Wetmore project. He said the building on the property will require asbestos abatement prior to demolition.

Commissioner Austin gave a report on the Wet Mountain Valley Waste Minimization Grant project. He said the engineered metal building with roof has been constructed at the landfill site.

Sheriff Jobe reported that the Sheriff's Office is currently pursuing several options to provide the public with up to date road conditions and emergency services. These options would include but not be limited to the county website, sheriff department face book page and local radio station announcements.

MOTION by Commissioner Austin, seconded by Commissioner Custer:

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 1:40 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman