

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, OCTOBER 4, 2011**

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 9:00 AM and the Pledge of Allegiance was recited.

Roll Call was taken:

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

Also present was Dale Mullen, Bob Jolley and Nora Drenner, reporter for the Wet Mountain Tribune.

**AGENDA:**

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes

Audience introduction

Public Comment

County Attorney:

- Airport Courtesy Car

Custer County Airport Authority Board (CCAAB) Report – Dale Mullen

CCAAB Member Confirmation/Oath of Office

Treasurer Report – Virginia Trujillo

Planning and Zoning – Jackie Hobby

Custer County Resource Center Annex – Donna Squire

Commissioner Attebery asked if there were any public comments. Hearing none he continued with the meeting.

John Naylor, County Attorney advised the BOCC that the county is responsible and liable for the airport courtesy car usage. He recommended that the airport courtesy vehicle be properly insured or not utilized. He remarked that insurance on the airport courtesy vehicle would cost approximately \$800 - \$1000 a year. Commissioner Austin requested that the airport authority board research several insurance carriers and present the best premium cost available during their monthly report to the BOCC. Dale Mullen, CCAAB Chairman reluctantly agreed but stated that the cost of the insurance premium for 2011 will have to come out of county general and the cost for 2012 will need to be added to the airport fund budget. Commissioner Attebery expressed concern regarding the current liability of the county while the airport courtesy vehicle is being utilized. County Attorney Naylor agreed.

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Commissioner Attebery said that if the courtesy car was taken over by a private sponsor, it would remove the liability from the citizens and tax payers. Dale Mullen, CCAAB Chairman said that the pilots using the courtesy vehicle are required to complete a proof of automobile insurance and acceptance of liability form. He said that he felt that protocol was sufficient.

**MOTION by Commissioner Austin, seconded by Commissioner Butler:**

To continue with the current protocol initiated by the CCAAB requiring pilots to complete a proof of automobile insurance and acceptance of liability form. That CCAAB present the insurance premium information requested as part of their monthly report scheduled for the November 1, 2011 BOCC meeting. Commissioner Attebery voted against the motion. He stated that he was opposed due to the current and existing liability of the county and taxpayers. The motion carried.

Commissioner Austin commented that he would contact the local realtors regarding a potential sponsorship of the airport courtesy vehicle.

Commissioner Austin said that he has researched documentation to help clarify the ownership of the buildings and the land at the rodeo grounds on CR 241. He distributed copies of a 1992 agreement between the 4-H Foundation and Custer County conveying the two buildings, four sheds, wash rack and associated pens from the 4-H Foundation to Custer County. The real estate that houses the rodeo arena, grandstand and appurtenances is owned by the Wet Mountain Saddle Club, Inc. He also distributed copies of a 1995 lease agreement between the Wet Mountain Saddle Club, Inc. and Custer County to lease the tract of land the houses the rodeo arena, grandstand and appurtenances to the county.

Commissioner Attebery said that the Sangre De Cristo Electric Association (SDCEA) has asked for the county's assistance in contacting a property owner to obtain a right-of-way utility easement to complete the utility project to the landfill. He reported that the SDCEA has attempted to contact the out of state property owner without success. Commissioner Attebery said he would assist the SDCEA in contacting the property owner

Dale Mullen, Airport Authority Board Chairman introduced the airport authority members in the audience: Bob Giacomelli, Wes Taylor and Cheryl Leonard. He stated that Ms. Leonard was the newly appointed assistant/secretary/treasurer. Mr. Mullen introduced Bob Jolley to the BOCC and requested that Mr. Jolley be appointed as a Custer County Airport Authority Board Member.

**MOTION by Commissioner Austin, seconded by Commissioner Butler:**

To approve the appointment of Bob Jolley to the Airport Authority Board. The motion carried unanimously.

Commissioner Attebery completed the Oath of Office of a Board Member to the Custer County Airport Authority Board.

Dale Mullen presented the CC Silver West Airport 2011 Operations Analysis – Budget vs Actual for the month of September 2011. Bob Giacomelli presented the CC Silver West Airport 2011 Aviation Fuel Sales Analysis for January through September.

The BOCC recessed at 9:45 AM.

The BOCC reconvened at 10:15 AM.

Virginia Trujillo, Treasurer met with the BOCC and gave a report. The beginning balance on September 1, 2011 was \$3,084,004.18 and the ending balance on September 30, 2011 was \$2,851,939.87

**MOTION by Commissioner Butler, seconded by Commissioner Austin:**

To accept the treasurer's report for the month of September 2011 as presented. The motion carried unanimously.

Commissioner Austin reported that he has been in communication with Ross Griffin of Verizon Wireless regarding the limited wireless reception available in the valley. Mr. Griffin proposed the following coverage enhancement options available through Verizon Wireless: a network extender, a network engineering partner and a network booster associate. Commissioner Austin said he will continue to research further options.

Donna Squire, Resource Center Navigator met with the BOCC and gave a report. She said that she has attended the Drive Smart meeting, the training for transporting a child in an emergency vehicle, and the Victims Advocate training. She distributed twenty (20) senior boxes and is currently attending meetings at the school to setup a teen/senior program to assist the seniors in the community. She reported that Helping Hands distributed thirty-five (35) boxes this month and plans to continue the program thru Christmas. Ms. Squire said that the resource center had received requests for assistance with rent, utilities, wood and weatherization.

Jackie Hobby, Planning and Zoning Director met with the Board and the County Attorney. The following topics were discussed:

- File: 100-01-502 Permit Violation being reviewed
- File: 102-11-356 Subdivision Waiver resolved
- File: 101-39-452 Multi-Dwelling Variance insufficient funds resolved

Ms. Hobby reported that the septic permits issued to date in 2011 are higher than in 2010. The zoning permits issued to date in 2011 are lower than in 2010.

**MOTION by Commissioner Attebery, seconded by Commissioner Austin:**

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 12:00 PM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery,  
Chairman