

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, JULY 18, 2012**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE WETMORE FIRE STATION, WETMORE, COLORADO.

Commissioner Lynn Attebery called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Roll Call was taken:

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

Also present was: Sandra Attebery, Gayla Day, Kevin Day, Autumn Dever, Alden Gray, Stan Lueck, Judy Rafferty, Dennis Sprecher, and John Waters

AGENDA:

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Audience introduction

Approval of minutes: June 29, July 2, July 3, of 2012

Public Comment

Old/New Business

IGA CDBG Rehabilitation Housing Project UAACOG

IGA Attachment D and Attachment P

SECRETAC Contract for Funds Disbursements Fiscal Year 2012-2013

Resolution #96-11 – County Issuance of Ambulance License and Permit

Director Appointment - Joshua Johnson

UAACOG Recycling Board Appointment – Dennis Sprecher

Fire Ban Stage 1 – Resolution #12-05

Century Link Update - Stephanie Morales rescheduled for September 19, 2012.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To accept the posted agenda. The motion carried unanimously.

Commissioner Butler said there was a typing error on the June 29, 2012 minutes and requested that CSO be revised to read CSU in the minutes.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve the minutes of July 2, and July 3, 2012 as prepared and presented. To approve the minutes of June 29, 2012 with the above correction. The motion carried unanimously.

Commissioner Attebery asked if there were any public comments.

John Waters, BySky Incorporated said he has been in discussion with Century Link regarding the high speed internet service in the Wetmore area. He said that it was his understanding that Century Link could provide high speed broadband service to residents within a specified area. Mr. Waters stated that BySky Inc. currently provides high speed broadband service to the Penrose and Canon City area and could provide service to Wetmore and the outlying areas.

Autumn Dever, Upper Arkansas Area Council of Governments (UAACOG) presented the BOCC with an Intergovernmental Agreement for the Community Development Block Grant (CDBG) project, the Citizen Participation Plan for the CDBG and the Residential Ant displacement and Relocation Assistance Plan. Ms. Dever said that the purpose of the CDBG was to apply to the State of Colorado, Department of Local Affairs, Division of Housing and request funds for the continued administration of the Single Family Owner Occupied (SFOO) Housing Rehabilitation Program in Custer County. She requested BOCC approval.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the Intergovernmental Agreement for the Community Development Block Grant (CDBG) project, the Citizen Participation Plan for the CDBG and the Residential Anti-displacement and Relocation Assistance Plan as presented. The motion carried unanimously.

Judy Rafferty, Southern Colorado Regional Emergency Trauma Advisory Council (CRETAC) presented the BOCC with the CRETAC Contract for funds disbursement – fiscal year 2012-2013. She said that the agreement is between Custer County and the CRETAC for the disbursement of funds held by CRETAC. Ms. Rafferty said that CRETAC will provide the County with \$13,000.00 and that the funds will be used for EMT and EMS education for Custer County.

MOTION by Commissioner Butler, seconded by Commissioner Attebery:

To approve the CRETAC Contract for funds disbursement – fiscal year 2012 – 2013 as presented. The motion carried unanimously.

The BOCC referenced Custer County Resolution #96-11 that adopted procedures for providing emergency medical services, and the licensing and regulation of ambulance services within Custer County, Colorado.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To appoint Joshua Johnson as the individual responsible for the inspection, licensure and regulations of the ambulances. The motion carried unanimously.

Dennis Sprecher, Recycling Coordinator requested an appointment to represent the county on the Advisory Board of the Upper Arkansas Recycling Program.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To appoint Dennis Sprecher to the Advisory Board of the Upper Arkansas Recycling Program. The motion carried unanimously.

Commissioner Austin will represent the BOCC on the Upper Arkansas Recycling Advisory Board.

Commissioner Attebery said that the Sheriff/Fire Warden lowered the Fire Ban from Stage 2 to Stage 1 on June 12, 2012. Ordinance 2002-01 requires that the BOCC adopt a Resolution to this effect.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To adopt Resolution 12-05 reverting back to a Stage 1 Fire Ban effective July 12, 2012. The motion carried unanimously.

CUSTER COUNTY RESOLUTION

No. # 12-05

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO TO BAN OPEN BURNING IN THE UNINCORPORATED PORTIONS OF THE COUNTY.

WHEREAS, this Board has certain authorities under the provisions of CRS Section 30-15-401 and has adopted an Ordinance pursuant to that statute relevant to the ban of open fires to a degree and in a manner that the Board of County Commissioners deems necessary to reduce the danger of wildfires within those portions of the unincorporated area of the County where danger of forest or grass fires is found to be high; and,

WHEREAS, the Sheriff of Custer County is empowered under the provisions of CRS Sections 30-10-512 and 30-10-513 to act as Fire Warden of the County in case of grass or forest fires and to assume charge and assist governmental authority in an emergency for controlling and extinguishing grass or forest fires; and,

WHEREAS, the Sheriff and Fire Chiefs throughout the County have advised the Board of County Commissioners of Custer County that the lack of snow or rainfall and current high-wind weather conditions have created a threat of fire in forests and grasslands of Custer County and that a current state of emergency exists with respect to fire danger; and,

WHEREAS, the Board of County Commissioners finds that, based upon competent evidence, the danger of wild fires within Custer County is high and a fire danger emergency does exist within the unincorporated area of Custer County; NOW

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO, that the Custer County Sheriff/Fire Warden lowered the Fire Ban from Stage 2 to Stage 1 beginning June 12, 2012.

No open fires in rural areas will be permitted during the fire ban. This includes the burning of trash in containers. Any violation of the fire ban shall result in any penalties provided by the Ordinance.

- a. Special Circumstances Permit: During the fire ban, a special circumstance permit may be requested from the Custer County Sheriff. Based upon weather and environmental conditions at that time, the Sheriff in consonance with the Fire Chief, may issue a one time, period limited written permit for an open burn. The permit will specify the time of the requested burn and the permit recipient will notify the Sheriff's Department when the burn is started and when it is completed.
2. Gas-powered camp stoves and gas-powered barbecue grills, charcoal grills and campfires are permitted. Any open flame must be attended at all times. Fires may be allowed in established fire pits in developed campgrounds and picnic grounds with manufactured fire grates, grills or with petroleum fueled stoves, lanterns, and heating devices provided the devices meet fire specifications for safety.
3. No airborne fireworks or those that explode or consist of any incendiary device or can result in secondary burns will be permitted except as otherwise provided by CRS Section 12-28-103.
4. Federal authorities may also impose fire restrictions, on all public lands in Custer County. As a result, building, maintaining, attending or using a fire, campfire, charcoal, coal and wood burning stove may be prohibited on all national forest and grasslands areas. Also smoking may be limited except in an enclosed vehicle or building or on developed recreation sites. Fires may be allowed in established fire pits in developed campgrounds and picnic grounds with manufactured fire grates, grills or with petroleum fueled stoves, lanterns, and heating devices provided the devices meet fire specifications for safety.

5. The Fire Chiefs or and Fire District or Fire Organization for purposes of all areas within the official boundaries of their jurisdiction or the Sheriff for all areas of the unincorporated area of the County not within such boundaries may recommend to the Board of County Commissioners that such fire bans be lifted in their respective areas of jurisdiction when they deem it appropriate and make recommendations to the Board for the re-imposition of the fire ban when a new fire danger emergency exists.
6. During periods wherein fire bans are rescinded, the Sheriff, with input from competent fire authorities may impose temporary, limited fire bans during periods of officially declared "Red Flag" days.
7. The Sheriff's department can issue citations to any person who violates Custer County Ordinance 2002-1 (CRS Section 30-15-402).

BE IT FURTHER RESOLVED that the Sheriff of Custer County is hereby directed to enforce the provisions of this Resolution until such time as it is rescinded.

RESOLVED, ADOPTED AND SIGNED THIS 18th DAY OF JUNE, 2012.

SIGNED: CUSTER COUNTY BOARD OF COMMISSIONERS

Lynn Attebery, Chairman; Jim Austin, Vice-Chair; Allen Butler, Commissioner

Attest: Debbie Livengood, Clerk and Recorder

Commissioner Attebery gave an update on the Wetmore Project. He said that a meeting with CDOT confirmed that the easement will be measured fifty feet from the center of the highway. Commissioner Attebery reported that he has been in contact with San Isabel Electric Association (SIEA) regarding the removal of the power line on the property. He said that the removal of the power line could be categorized as an upgrade project at no cost to the county. SIEA will coordinate the proposed project with the county and the adjoining property owner, the Wetmore Baptist Church. Commissioner Attebery reported that SIEA is reviewing the option of the second light in the Wetmore area with CDOT. He said that a hydrology study of the property is pending.

Commissioner Austin asked Kevin Day on the status of the millings from CDOT for the helipad pad at the Wetmore Fire Station. Mr. Day responded that the millings have not been received. Commissioner Austin suggested that Mr. Day contact Chuck Bennet at CDOT, Pueblo, Co. for an update.

Commissioner Butler said that a work session/teleconference call was scheduled on July 30, 2012 in the commissioner's boardroom to discuss the state requirements and regulations for the Westcliffe Landfill, C.R. 241, Westcliffe, Colorado. He said that a notice of the teleconference call is posted on the courthouse bulletin board and the commissioner's website calendar.

Commissioner Attebery asked volunteer fire fighter Kevin Day for an update on the fire currently burning near the Custer and Fremont county lines. Mr. Day said the fire was near the Adobe Creek area of Custer County and was roughly $\frac{3}{4}$ acre in size. He said that crews from multiple agencies were on the scene.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To adjourn the meeting. The motion carried unanimously.

The meeting was adjourned at 6:45 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman