

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, AUGUST 7, 2012**

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

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	Absent
John Naylor	County Attorney	Present
Kris Lang	Deputy Clerk to the Board	Present

Commissioner Attebery said that there was a reported incident at the Custer County Silver West Airport site and that Commissioner Butler was at the scene.

Also present was: Brian Clince, Jackie Hobby 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
- update on the posted FEMA Mapping
- update on the Park n-Ride legal property description
- Old/New Business
- Appointments to the Regional Office of Economic Development & International Trade (OEDIT)

10:00 AM Board of Equalization Public Hearings

Reports

- Airport Authority – Dale Mullen
- Office of Emergency Management – Christe Feldmann
- Treasurer – Virginia Trujillo
- Planning and Zoning – Jackie Hobby
- Bluff Project letter of support – Vic Barnes

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

The BOCC met with the County Attorney and the following topics were discussed:

- Park-n-Ride legal description, and a Memorandum of Understanding (MOU) will require additional research and confirmation regarding the leasing of property that is currently under the Conservation Trust program.

- Park-n-Ride proposed signage: Courtesy of Custer County and Bear Basin Ranch – Park at your own risk.

Christe Feldmann, Director of Emergency Management, joined the meeting. She said that she has spoken with a FEMA representative regarding the flood mapping for the unincorporated Custer County on the FEMA mapping service center website. She said it was still unclear if the maps were approved for posting or even how they became available on the website. Ms. Feldmann said that it was FEMA's contention that since the maps have been available without objection for almost twenty five years it was a moot point. John Naylor, County Attorney expressed concern that the maps were not correct and did not provide adequate information. He said that any maps would require the review and approval from the Planning and Zoning department. Ms. Feldman expressed concern that without the proper FEMA mapping the county could jeopardize future mitigation and disaster funding. Commissioner Austin said that he did not think the public was properly educated, informed or aware of the situation. He proposed scheduling an educational FEMA meeting for the public. Ms. Feldmann continued with the remainder of the OEM report. Commissioner Attebery asked Ms. Feldmann for a status update of the \$7,000 allocated for the Community Fire Protection Plan from the Title III funds. Ms. Feldmann responded that the funding would more than likely be used for grinding of slash at the landfill site. Following confirmation with the County Treasurer, Ms. Feldmann was informed that the funding would have to be expended by September 30, 2012.

J.D. Henrich, Assessor joined the meeting and said that his office had handled twenty-seven appeals. He said that he was not aware of anyone who was scheduled for the BOE Public Hearing.

Commissioner Attebery closed the regular meeting and opened the Board of Equalization Public Hearing.
Board of Equalization
Public Hearing
10:00 AM
Commissioners Boardroom

Commissioner Attebery asked if there was anyone who wished to speak at the BOE Public Hearing. Hearing none he proposed closing the public hearing and returned to Regular Session at 10:06 AM.

Dale Mullen, Airport Authority Board Chairman introduced Bob Jolley, Airport Manager; Bob Giacomeli, Airport Volunteer; and Rene Smith, Assistant Secretary/Treasurer. Mr. Mullen reviewed the 2012 Aviation Fuel System Sales Analysis to date and the 2012 Operations Analysis – Budget vs Actual expenditures. Mr. Giacomeli gave a report on the Aviation Discretionary Grant administered by the Colorado Department of Transportation (CDOT) Division of Aeronautics 12-CO8-01B Segmented Circle – Airport Landing Direction Indicator. He commented that the segmented circle will assist pilots and the airport with providing a safer operation. Mr. Mullen remarked that Mr. Giacomeli gave fifty-nine hours of his personal time to complete the project. He said this was just one example of the dedication and support of the Airport Authority Board and the Volunteers.

Commissioner Attebery addressed the agenda item - Appointments to the Regional Office of Economic Development & International Trade (OEDIT).

MOTION by Commissioner Austin, seconded by Commissioner Attebery:
To appoint Charles Bogle, Brian Clinch and Nora Drenner to the OEDIT. The motion carried.

Commissioner Attebery said that the OEDIT is welcoming anyone associated with economic development and the Governors Bottoms Up Program to attend the regional meetings.

Virginia Trujillo, Treasurer met with the BOCC and gave a report. The beginning balance on July 1, 2012 was \$3,677,193.52 and the ending balance on July 31, 2012 was \$3,606,085.44.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:
To accept the Treasurer's report for July 2012 as presented. The motion carried.

The BOCC recessed at 10:45 AM.

The BOCC reconvened at 11:05 AM.

Jackie Hobby, Planning and Zoning Director met with the BOCC and gave a report. She presented the report for the dwelling permits issued; the summary of the planning and zoning office activity and the financial summary comparisons. Ms. Hobby presented correspondence from Custer 2020 Inc. dba Club America requesting the waiver of the fees for the Special Events Permits (SEP) planned for 2012.

MOTION by Commissioner Austin to waive the Special Events Permit fees as requested by the Custer 2020 Inc. dba Club America. The motion died due to the lack of a second.

MOTION by Commissioner Attebery to reduce the Special Events Permit Fees by 50% for the Custer 2020 Inc. dba Club America events. The motion died due to the lack of a second.

MOTION by Commissioner Austin to waive the Special Events Fee for the Rosita Duathlon event only. the motion died due to the lack of a second.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:
To reduce the Special Events Permit Fees by 50% for the Custer 2020 Inc. dba Club America events. The motion carried.

Commissioner Attebery remarked that a 50% reduction in a permit fee was approved earlier this year for a different non-profit event and that he felt the same reduction was consistent and fair. Following a discussion regarding the number of Special Events Permits granted in a year vs, a Special Use Permit, the Board agreed that the process should be discussed and reviewed by the Planning Commission (PC). The Board proposed that the PC schedule a work session for this purpose.

Ms. Hobby said she had two septic inspections signed off by the engineer that has recently lost his license. The paperwork is not dated and she asked the County Attorney and BOCC for guidance. Following a brief discussion the County Attorney and BOCC advised Ms. Hobby to attach a note to the undated inspection reports with an explanation of the events. Ms. Hobby said she had received engineering plans that require a variance of five feet for the installation of a septic system in the Lake DeWeese area. She explained that the property owner purchased the adjoining property but was still not able to meet the ten foot property line requirement.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:
To approve the variance for five feet for the installation of the septic system with the engineers approval. The motion carried

File: 102-36-922 Zoning Permit Violation
File: 101-39-301 Zoning Permit Violation

File: 100-19-250 Zoning Permit Violation
File: 100-56-804 Zoning Permit Violation

Vic Barnes addressed the BOCC and requested a letter of support for a GOCO Local Parks and Outdoor Recreation Grant to purchase the Hall property (1.5 acres south of the existing park) for the Bluff or West End Project. The agenda item for the August 7, 2012 meeting was posted on the courthouse bulletin board but not published in the local newspaper.

MOTION by Commissioner Austin, second by Commissioner Attebery:

To amend the agenda to include the Bluff Project letter of support request and approval. The motion carried.

Christe Feldmann rejoined the meeting and presented the County Attorney and the BOCC with the EMPG/LEMS: 12EM-13-15 Grant Agreement for review. The agreement requires a 50% county match and will be added to the agenda for review at the BOCC meeting on August 31, 2012.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:

To recess until the PC meeting. The motion carried.

The BOCC recessed at 12:10 PM.

The BOCC reconvened in the Joint Session with the Planning Commission at 1:00 PM.
Commissioner Butler was present.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To accept the recommendation of the Planning Commission and grant the replat requested by Willson. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To accept the recommendation of the Planning Commission and grant the vacation replat/ requested by Speight/Horns. The motion carried unanimously.

MOTION by Commissioner Attebery, seconded by Commissioner Butler:

To adjourn the Joint Session with the Planning Commission. The motion carried unanimously.

The meeting was adjourned at 1:30 PM.

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman