

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, DECEMBER 28, 2012**

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

Roll Call was taken:

Lynn Attebery	Chairman	Present
Jim Austin	Vice-Chairman	Present
Allen Butler	Commissioner	Present
Debbie Livengood	Clerk to the Board	Present

Also present was: Virginia Trujillo 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

Old/New Business:

- Review vouchers and sign checks
- Transfer of funds from the In Lieu of Tax Fund to the County General Fund
- West Custer County Library Board 2013 Appointments – Ratification
- Renewal of Liquor License – The Alpine Lodge
- Custer County Airport Authority Board 2013 Appointments

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To accept the posted agenda. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve and accept the minutes of November 30, December 3, December 4, 2012 minutes as presented. The motion carried unanimously.

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

County payroll and accounts payable were approved from the following funds:

County General	\$194,285.22
Road and Bridge	\$140,424.68
Emergency Services	\$ 30,796.60

Human Services	\$ 20,887.92
Capital Improvement	\$ 1,387.16
Airport Fund	42,366.28
Tourism Fund	90.00
Self-Insurance	3,430.80
Total	\$433,668.66

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To approve the December 2012 payroll and accounts payable. The motion carried unanimously.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To transfer \$150,000.00 from the PILT Fund to the County General Fund. The motion carried unanimously.

MOTION by Commissioner Austin, seconded by Commissioner Butler:

To transfer \$13,707.32 from the Conservation Trust Fund to the County General Fund, and to transfer \$46.02 from the County General Fund to the Conservation Trust Fund. The motion carried unanimously.

Debbie Livengood, Clerk and Recorder presented the liquor license renewal for the Alpine Lodge Restaurant, Westcliffe, Colorado. She stated that she had not received the proper fees with the applications and that she anticipated receipt of the monies by the close of the business day. She said the remainder of the application was complete and in order. She reported that the sheriff's investigation report was without incident.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To approve the liquor license renewal for the Alpine Lodge pending receipt of the proper fees from Richard Kastendieck, Owner of the Alpine Lodge. The motion carried unanimously.

MOTION by Commissioner Butler, seconded by Commissioner Austin:

To re-appoint Mary Ann Moon and James Gearhart to the Library Board for a three-year term. The motion carried unanimously.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To adopt Resolution Number 12-10. The motion carried unanimously.

RESOLUTION
12-10

A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County.

Whereas, Custer County has received unanticipated revenues and expenses due to unforeseen circumstances during the 2012 year,

And Whereas, the additional revenue was received from sources other than the property tax mill levy,

REVENUE SOURCE –	
HIGHWAY USER TAX	56,0000.00
NATIONAL TELECOM GRANT	39,980.00

Now, Therefore, be it resolved by the Custer County Commissioners of Custer County Commissioners of Custer County, Colorado; that the 2012 appropriation for the ROAD & BRIDGE FUND is hereby increased by \$95,980.00 for the purpose of covering increased expenditures as follows:

Acct. No.	20.43040.913 TV TOWER PROJECT	39,980.00
	20.43040.350 BASE AND PATCHING	33,000.00
	20.43040.204 GAS, OIL, AND DIESEL	13,000.00
	20.43040.235 CULVERTS	10,000.00

Adopted this 28th day of December, A.D. 2012.

Attest:

Dale Mullen, Chairman of the Airport Authority Board met with the Board asking them to appoint Jill Rowland, Shane Dean and Daniel Green to the Airport Authority Board to a serve a four-year term starting in January 2013.

Motion by Commissioner Austin:

To appoint Jill Rowland, Shane Dean and Daniel Green to the Airport Authority Board to serve a four-year term starting in January 2013 and he would like to give the oath of office to these individuals.

The motion died do to a lack of a second to the motion.

Commissioner Attebery explained that these appointments would be made at the January meeting as they have been done in the past. He also informed all those present that the Board of County Commissioners have also received letters of interest for the Airport Authority Board. The Board will review all letters of interest and make their appointments at the January 8, 2012 meeting.

Commissioner Butler asked to make a statement for the record concerning the Airport Authority Board dated December 28, 2012.

Commissioner Butler's Statement for Record
Regular Meeting of the Board of County Commissioners
December 28, 2012

I served on the airport authority board for over 25 years and was chairman for some six of those years.

During that time, the airport board members worked hand in hand with the county commissioners. There were years that the BOCC were difficult and many times the airport board was turned down. The airport board continued to complete the five year AIP (Airport Improvement Plan—submitted yearly) required by the State Division of Aeronautics. The AIP was shared and discussed with the BOCC.

The two groups talked to each other regarding goals and objectives, and work to be done, including the funding of projects deemed necessary to continue operations and enhance safety.

For example, the two groups, the commissioners and airport authority board members, discussed the need for the current operations/maintenance building years before it was ever built. This beautiful and extremely functional building required three years to complete. Grants are typically allowed five years to complete when match dollars are required. During that time, dollars were secured for the cash match.

Also, the security gates that were recently installed was a project in the works when I was the airport authority board chairman. Again, the project was planned in advance so there was time to secure any needed matching dollars.

Over the last two years since I have been commissioner, I have seen that close relationship between the two boards go away.

For example, the commissioners asked the authority board to not build the segmented circle in 2012 due to funding concerns. They did it anyway. The airport board was also asked to not eradicate the prairie dogs at a cost of \$5,000, again funding concerns were addressed and ignored.

The security gates had been deemed the most important project for 2012 and the airport authority board was asked to defer the other projects for another year or two to give the county time to secure any necessary cash matches.

Also, in 2011 the commissioners asked the airport board to defer the taxiway/runway overlay. The airport board put it in the 2012 budget anyway.

The commissioners told the airport board that 2014 would be a better year for the county to be able to supply the county match for this large project.

The airport board was also told to ask the Colorado Department of Aviation to allow deferment of the grant proceeds until then, just like what was done with the operations/maintenance building grant.

All of this dialogue seemed to be ignored and the projects moved forward, at least according to the budget the airport board had; not the budget the commissioners approved.

The commissioners were not asking the airport board to not take care of the airport; only that they prioritize projects and have the funding in place before construction began.

Also asked was that the airport let the commissioners see all grant applications before they were sent. That never happened, even though the commissioners asked to see those grant applications numerous times.

The airport board and commissioners no longer seem to be able to work together as a team.

The Silver West Airport will not cease to exist. I am pleased that many people in the community realize how important this transportation link is.

In 1984, the then county commissioners saw a need for an Airport Authority Board and such was established. In the State of Colorado, six Airport Authority Boards still exist. Also, existing are airport advisory boards.

Both airport boards take care of the day to day operations of the airport including maintenance needs. Both airport boards are comprised of volunteers. The only difference between the two boards is that an airport advisory board does not have autonomy. An advisory board must work hand in hand with the Board of County Commissioners.

An advisory board is important for the same reasons as an authority board. These are the volunteers who do the same thing that the authority board has been doing since 1984, which is 28 years.

I cannot see the Airport Authority Board moving ahead when other Colorado counties and municipalities are successfully managing and operating their airports without the use of an authority board.

I believe it is time for Custer County to abolish its Airport Authority Board and move toward operating the county airport with the use of an advisory board.

I move that we do just that—to abolish the Airport Authority Board, effective today via Resolution, and appoint an advisory board on Jan. 8, along with the other county appointments. In the interim, which is 11 days, the commissioners will assume the responsibility for day to day operations.

Commissioner Butler made a motion seconded by Commissioner Attebery:

To abolish the Airport Authority Board, effective today via Resolution, and

appoint an Advisory Board on January 8, 2013, along with the other county appointments. In the interim, which is 11 days, the commissioners will assume the responsibility for the day to day operations with the hopes that some of the volunteers will continue to volunteer with the day to day operations.

The topic was opened for discussion. Listed below are comments that were made:

Bob Giacomelli wanted it on record that he would no longer serve the airport in any capacity and reminded the BOCC that he was monitoring the fuel system and that it would now be a BOCC responsibility.

Wes Taylor wanted it on record that he would no longer function as a volunteer and would not plow the taxiway or clean the bathrooms as he did in the past.

Dale Mullen requested confirmation that once the AAB left the room they were no longer responsible for any of the airport functions. Mr. Mullen will re-program the phones at the airport with Commissioners Butler's county cell phone number. He also informed the Board that there is an aircraft coming in on Saturday, December 29, 2012 and he would inform the pilot to contact Commissioner Butler concerning the use of the courtesy car. He went on to state that he would box up all paperwork, spreadsheets and computer files at the end of this meeting and turn them over to the Board. It was agreed upon that he would leave these files at the county clerk's office.

COMMISSIONER ATTEBERY restated the motion on the floor and read into record Resolution 12-11.

CUSTER COUNTY RESOLUTION

NO. 12-11

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO
DISSOLVING THE CUSTER COUNTY AIRPORT AUTHORITY BOARD.**

WHEREAS, C.R.S. 41-3-104(6) authorizes the Board of Custer County Commissioners (BOCC) to dissolve the Airport Authority Board; and

WHEREAS, Notice of the Public Hearing was published on the 15 day of November, 2012, in the Wet Mountain Tribune;

WHEREAS, a Public Hearing was held on November 30, 2012; and

NOW, THEREFORE BE IT RESOLVED that the Custer County Airport Authority board shall now be dissolved in a manner prescribed by law by filing a certified copy of this Resolution with the Division of Local Government.

RESOLVED, ADOPTED AND SIGNED THIS 28TH DAY OF DECEMBER, 2012 AT WESTCLIFFE, COLORADO.

CUSTER COUNTY BOARD OF COMMISSIONERS

Lynn Attebery, Chairman

Allen Butler

Jim Austin

ATTEST:

**Debbie Livengood
Clerk and Recorder**

Commissioner Attebery asked for a vote on the motion. Commissioner Attebery and Commissioner Butler voted in favor of the motion. Commissioner Austin was opposed. Motion carried. (Commissioner Austin would not sign the resolution.)

The Board recessed for ten minutes.

The Board reconvened at 10:25AM.

Amy Moulton and Mary Ann Moon met with the Board and updated them on the library and thanked the BOCC for re-appointing Mary Ann Moon and Jim Gearhart to the West Custer County Library Board.

Dallas Anderson offered his assistance in volunteering at the airport.

**Commissioner Austin made a motion, seconded by Commissioner Butler:
To adjourn the meeting. Motion carried unanimously.**

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery,
Chairman