

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING, JANUARY 10, 2014**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN A SPECIAL SESSION IN THE COMMISSIONER'S BOARDROOM.

Commissioner Lynn Attebery called the meeting to order at 4:00 PM and the Pledge of Allegiance was recited.

Roll Call was taken:

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

Present: No one was present in the audience.

AGENDA:

Call meeting to order  
Pledge of allegiance  
Roll Call  
Amend agenda  
Audience introduction  
Approval of minutes  
Public Comment  
Commissioner Items  
Liquor License Renewal – Alpine Lodge  
Executive Session - Telephone Conference with Counsel

Kris Lang Deputy Clerk representing Debbie Livengood, Clerk and Recorder presented the liquor license renewal for the Alpine Lodge Restaurant, Westcliffe, Colorado. She stated that the application was complete and in order. She reported that the sheriff investigation report was without incident.

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

**To approve the liquor license renewal for the Alpine Lodge Restaurant as presented. The motion carried unanimously.**

Commissioner Attebery said that the BOCC will go into Executive Session for a teleconference to seek legal advice from Josh A. Marks of Berg Hill, Greenleaf, & Ruscitti LLP.

**Commissioner Attebery made a motion, seconded by Commissioner Butler to go into Executive Session. The motion carried unanimously.** Commissioner Attebery cited C.R.S. 24-6-402(b). Conference with an attorney for local public body for the purpose of receiving legal advice on specific legal questions. The BOCC went into Executive Session at 4:06 PM. Those present were: Commissioner Attebery, Commissioner Butler, Commissioner Shy, Kris Lang, Deputy Clerk to the Board and Josh Marks via speaker teleconference call.

**Commissioner Shy made a motion, seconded by Commissioner Butler to go back into Regular Session. The motion carried unanimously.**

The BOCC came out of Executive Session at 4:20 PM and Commissioner Attebery attested that no matters were adopted and no actions or decisions were made.

Commissioner Attebery said that the BOCC was back in Regular Session and asked if the Board would like to take any action.

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

To move forward with the legal representation of Josh Marks of Berg Hill, Greenleaf, & Ruscitti, LLP. District Court Case No. 12CV23. The motion carried unanimously.

Mr. Marks was on the speaker phone during the motion and acknowledged the Boards decision.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 4:30 PM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Lynn Attebery,  
Chairman