

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, MAY 5, 2014**

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

Commissioner Allen Butler called the meeting to order at 9:00 AM and the Pledge of Allegiance was recited.

Roll Call was taken:

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

Also present was: Shannon Byerly, Ann Marie Donohue, Nora Drenner, Bill Geipel, Donna Hood, Bob Kattning, Steve Lasswell, Jerry Lawrence, Cal Leslie, Dale Mullen, Ray Pedro, and Candi and Paul Sage, reporters for the Sangre DeCristo Sentinel.

Commissioner Attebery said that the Human Resource Report would be postponed until a later date.

AGENDA:

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes:

Audience introduction

Public Comment

Commissioner Items

Executive Session

New/Old Business

Sangre DeCristo Electric Tower request /DD Wireless

Staff Reports: Human Resource, Human Services, Airport Advisory Board, Road and Bridge

World Aviation Museum – B. Geipel

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

Commissioner Shy said that he was in communication with the County Attorney regarding the preparation of an enforceable ordinance document that would result in compensation to the Wet Mountain Fire Protection District on repeat false alarms.

Commissioner Attebery said that he has been part of a discussion and conversation with Sangre DeCristo Electric Association Inc. (SDCEAI) regarding the tower that is located on the Bureau of Land Management (BLM) property. The tower is in Township 22, South Range 71, West Section 10. He said that as a matter of reference in the past the tower has been referred to as the TV Hills/Hibbs/Sugar Loaf Mountain/Lookout Mountain Tower.

Commissioner Attebery reported that SDCEAI has been approached by Diverse Datum Wireless (DDW) requesting permission to be added to the tower. He said that even though the county is using the tower, it is

requesting permission to be added to the tower. He said that even though the county is using the tower, it is owned by SDCEAI and that the county does not have any jurisdiction over its usage. He commented that even though the county was not directly involved in the situation, he wanted to share the information with the BOCC. Bob Kattnig asked if the county was being charged for their use of the tower. Commissioner Attebery responded that the county was not paying any fees for the usage. Dale Mullen remarked that the tower has been a topic of conversation with regards to the expanded Broadband initiative.

Bill Geipel, President of the World Aviation Museum Corp. addressed the BOCC regarding the proposed museum hanger project at the Silver West Airport. He said that the museum would offer and provide countless advantages and opportunities for the community. Mr. Geipel said that the only cost to Custer County would be to move and level the dirt and fence in preparation for the museum. The airport hanger museum is approximately 14,000 square feet (80' by 175') with a height of 28 feet. Mr. Geipel said that he is asking the county to prepare a level building site; to waive the septic, building, culvert and driveway fees; to waive the first ten years of the leasing fees; and to set a maximum cap on the future lease rates. He would also like permission to tap into the existing well at the airport and asked for a discounted fuel price when conducting flight instructions as well as a discount for pilots that fly in for airport sponsored events. Johnny Smith, Chairman of the Airport Advisory Board said that aviation fuel sold at the Silver West Airport is already discounted for all customers. He said that the airport was not selling fuel to make a profit but was providing a service to the pilots. He said that fuel prices are offered at slightly over cost and that further reduction of the price would result in an expense to the county. Commissioner Shy said that the BOCC could waive all the permit fees requested. He said that the Board may consider offering the dirt currently available at the airport site for the project but could not commit county employees to provide the work requested. Commissioner Shy said that it would be difficult to justify placing road and bridge employees at the project instead of working on the county roads. He said that the BOCC has a commitment and obligation to all the taxpayers and that the maintenance and repair of the county roads are a priority. Commissioner Shy expressed concern regarding Mr. Geipel's request to tap into the existing well at the property. He said that the water supply is a metered well with restrictions and limitations for usage. He commented that Mr. Geipel would need to install a monitoring water meter at the tap site. He asked Mr. Geipel to submit an engineering plan for the entire project to the BOCC for review. He said that an agreement or contract between the World Aviation Museum Corp. and Custer County will also be required. He asked Mr. Geipel how the proposed museum would affect the plat of the airport and expressed concern that it needs to fall under the guidelines established by the Colorado Division of Aeronautics. Mr. Geipel said that the purpose of the museum was to generate tourism interest in the area and in aviation. He said that the cost of the project was coming directly out of his pocket and that the county's commitment would be minimal. Commissioner Attebery said that he supported the concept and idea of the museum but expressed concern regarding any allocation of taxpayer funds for the project. He said that he had questions regarding the engineering and drainage at the property. He said that he would like to review an engineering plan for the entire project. Commissioner Butler agreed. Bob Kattnig suggested that Mr. Geipel take out a performance bond to further protect the county if the project is delayed or derailed. Donna Hood suggested that Mr. Geipel prepare and present a business plan for the non-profit organizations in the community to review. Jerry Lawrence said that he felt that the museum project was a huge community service. Mr. Geipel said that he generated interest and increased tourism would not only offset but supersede the county's commitment to the project. Following a brief discussion the BOCC agreed to review the topic of an agreement/ contract with the County Attorney at the May 21, 2014 BOCC meeting and requested that Mr. Geipel attend the May 30, 2014 BOCC meeting for further review and discussion of the project.

The BOCC recessed at 10:35 AM.

The BOCC reconvened 10:45 AM.

Johnny Smith, Bob Jolley and Mary Seifert met with the BOCC and gave a report. Mr. Smith complimented Chuck Ippolito for his effort and hard work to get the weather station up and running on the Silver West

airport website. He shared his frustrations and concern regarding the pending and tentative repair and maintenance of the taxiway at the airport. He said that the project was initially discussed and approved several months ago and that it was critical that the taxiway be repaired as soon as possible. Mr. Smith expressed concern that the project has changed directions and purpose as a result of the grant funding available and requested a backup plan if the crack sealing does not come into fruition. Commissioner Butler said that he would check to make sure that the \$125,000.00 grant funding from the Colorado Division of Aeronautics/Colorado Department of Transportation was still available for the project. Mr. Smith said that he would like to see the Silver West Airport focus on the Automated Weather Observation System in 2015 and a Lighting System in 2016. Mr. Jolley said that he did not feel that the fuel tank improvements would not be necessary in the next few years but did suggest the fuel tank be cleaned. Mr. Jolley inquired on the status of the windsock. Commissioner Butler agreed to follow-up on the status of the wind socks. Commissioner Attebery said that the public needs to see an increased benefit at the airport and suggested that the AAB research the options of creating a fire staging area with a fire fighting relations resource. He said that in the event of a wildfire, that type of availability would not only help protect the citizens but generate fire fighting reimbursement income.

Dave Trujillo, Road and Bridge Supervisor met with the BOCC and gave a report. The work completed in April 2014 included the plowing of snow, the grading of numerous roads, the installation of cattle guards, the patching of pot holes, the cleaning, repair and culvert replacements, the hauling of water and road base. The work planned will include but not be limited to the grading of roads, the hauling of water and gravel, crack sealing and cattle guard installation. Mr. Trujillo asked for confirmation regarding the asphalt bid procedures. Following a discussion the Board advised him to obtain asphalt bids including the delivery and non-delivery of the materials. Mr. Trujillo said that he could not setup the pump at Lake Deweese until the county receives the Special Use Agreement (SUA) from Justin Krall, DOW for the 2014-2015 season. The BOCC asked him to follow-up on the SUA. Mr. Trujillo said that JD Teague is requesting that the road and bridge department provide grader work for the dressage practice area at the Saddle Club. The BOCC said that in an effort to remain consistent they would not commit the road and bridge employees for any in-kind services outside the county departments.

Laura Lockhart, Human Services Director met with the BOCC and gave a report. She said that the three year MOU between the State of Colorado Department of Human Services (CDHS) and Custer County that she presented at the April 30, 2014 BOCC meeting for signatures had expired on June 30, 2013. Commissioner Shy expressed concern that the county has been operating without a valid MOU and that CDHS was so delayed in providing an updated current MOU for review and signatures. Ms. Lockhart said that the copier in the Human Service Department was purchased in 1993 and that the department needed a new copy machine with scanning capabilities. The BOCC referred Ms. Lockhart to Chuck Ippolito, IT for research and assistance. Ms. Lockhart said that Colorado State Statute does not allow case workers to receive overtime. She said that case workers are called upon after regular working hours and proposed a method for on-call compensation. Commissioner Shy asked Ms. Lockhart to research and provide an estimate of the number of case worker on call hours for the past year and present the figures at a future BOCC meeting. Commissioner Attebery addressed the topic of the amount of rent the county receives for providing space to the Human Services Department. Ms. Lockhart said that she still needed the total square footage of the courthouse to review the percentages allocated to the Human Services Department.

Commissioner Butler asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 12:35 PM.

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Debbie Livengood, Clerk and Recorder  
Attest

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Allen Butler,  
Chairman